

HOUSE JOURNAL

SEVENTY-NINTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

FIFTH DAY — TUESDAY, JANUARY 25, 2005

The house met at 10 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 14).

Present — Mr. Speaker; Allen, A.; Allen, R.; Alonzo; Anchia; Anderson; Bailey; Baxter; Berman; Blake; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Casteel; Castro; Chavez; Chisum; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eissler; Elkins; Escobar; Farabee; Farrar; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Isett; Jackson; Jones, D.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King, P.; King, T.; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Leibowitz; Luna; Madden; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega, M.; Olivo; Orr; Otto; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Strama; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Uresti; Van Arsdale; Veasey; Villarreal; Vo; West; Wong; Woolley; Zedler.

Absent — Coleman; Eiland; Oliveira; Rodriguez.

The invocation was offered by Monsignor John McCaffrey, pastor, St. Joseph Catholic Church, Bryan, as follows:

Lord, our God. We have come together in your name to work for the good of this great State of Texas. Stay with these state representatives with your invisible presence, and pour out your blessings on them. Make them work in a spirit of trust and love as well as a spirit of prudence and understanding so that they may experience an abundance of light, compassion, and peace.

Let harmony reign ever among them, and let them keep their eyes fixed upon you. Enable them to implement your known will for the State of Texas, no matter what difficulty it may entail, and reward them for the good they do. Blessed are you, Lord our God for ever and ever. Amen.

The speaker recognized Representative Uresti who led the house in the pledges of allegiance to the United States and Texas flags.

CAPITOL PHYSICIAN

The speaker recognized Representative Gattis who presented Dr. Flint DeShazo of Austin as the "Doctor for the Day."

The house welcomed Dr. DeShazo and thanked him for his participation in the Physician of the Day Program sponsored by the Texas Academy of Family Physicians.

(Rodriguez now present)

(Edwards in the chair)

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 1).

(Speaker in the chair)

HR 71 - ADOPTED

(by J. Jones)

Representative J. Jones moved to suspend all necessary rules to take up and consider at this time **HR 71**.

The motion prevailed.

The following resolution was laid before the house:

HR 71, Honoring Juanita Letha Hicks Lee of Dallas on the occasion of her 100th birthday.

HR 71 was adopted.

On motion of Representative Hodge, the names of all the members of the house were added to **HR 71** as signers thereof.

HR 70 - ADOPTED

(by J. Jones)

Representative J. Jones moved to suspend all necessary rules to take up and consider at this time **HR 70**.

The motion prevailed.

The following resolution was laid before the house:

HR 70, Honoring Norman Moorehead on his retirement as executive director of Dallas Area Agency on Aging.

HR 70 was adopted.

On motion of Representative Hodge, the names of all the members of the house were added to **HR 70** as signers thereof.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, House List No. 1).

HR 63 - ADOPTED**(by Bonnen)**

Representative Bonnen moved to suspend all necessary rules to take up and consider at this time **HR 63**.

The motion prevailed.

The following resolution was laid before the house:

HR 63, Honoring Lauren Dannelley for being named Elementary School Youth of the Year by the Sweeny Chamber of Commerce.

HR 63 was adopted.

HR 64 - ADOPTED**(by Bonnen)**

Representative Bonnen moved to suspend all necessary rules to take up and consider at this time **HR 64**.

The motion prevailed.

The following resolution was laid before the house:

HR 64, Honoring Briteny Lea Brunner on being named the High School Youth of the Year by the Sweeny Chamber of Commerce.

HR 64 was adopted.

HR 65 - ADOPTED**(by Bonnen)**

Representative Bonnen moved to suspend all necessary rules to take up and consider at this time **HR 65**.

The motion prevailed.

The following resolution was laid before the house:

HR 65, Congratulating Lucille Burttschell of Sweeny on being named Woman of the Year by the Sweeny Chamber of Commerce.

HR 65 was adopted.

HR 66 - ADOPTED**(by Bonnen)**

Representative Bonnen moved to suspend all necessary rules to take up and consider at this time **HR 66**.

The motion prevailed.

The following resolution was laid before the house:

HR 66, Congratulating John Price of Sweeny on being named Man of the Year by the Sweeny Chamber of Commerce.

HR 66 was adopted.

HR 67 - ADOPTED
(by Bonnen)

Representative Bonnen moved to suspend all necessary rules to take up and consider at this time **HR 67**.

The motion prevailed.

The following resolution was laid before the house:

HR 67, Honoring Dane Hooker for being named the Junior High Youth of the Year by the Sweeny Chamber of Commerce.

HR 67 was adopted.

(Eiland now present)

HR 55 - ADOPTED
(by Crownover)

Representative Crownover moved to suspend all necessary rules to take up and consider at this time **HR 55**.

The motion prevailed.

The following resolution was laid before the house:

HR 55, Welcoming members of the Texas Association of Insurance and Financial Advisors on January 25, 2005, and commemorating the organization's 80th anniversary.

HR 55 was read and was adopted.

On motion of Representative Seaman, the names of all the members of the house were added to **HR 55** as signers thereof.

HR 52 - ADOPTED
(by Isett)

Representative Isett moved to suspend all necessary rules to take up and consider at this time **HR 52**.

The motion prevailed.

The following resolution was laid before the house:

HR 52, Recognizing January 25, 2005, as Lubbock Day at the State Capitol.

HR 52 was read and was adopted.

On motion of Representative D. Jones, the names of all the members of the house were added to **HR 52** as signers thereof.

HR 78 - ADOPTED
(by Hodge)

Representative Hodge moved to suspend all necessary rules to take up and consider at this time **HR 78**.

The motion prevailed.

The following resolution was laid before the house:

HR 78, In memory of Roy Evans.

HR 78 was unanimously adopted by a rising vote.

On motion of Representative Chisum, the names of all the members of the house were added to **HR 78** as signers thereof.

HR 72 - ADOPTED

(by Luna, et al.)

Representative Luna moved to suspend all necessary rules to take up and consider at this time **HR 72**.

The motion prevailed.

The following resolution was laid before the house:

HR 72, Commemorating the 2005 annual conference of the Catholic Health Association of Texas.

HR 72 was adopted.

HCR 32 - ADOPTED

(by Hilderbran)

Representative Hilderbran moved to suspend all necessary rules to take up and consider at this time **HCR 32**.

The motion prevailed.

The following resolution was laid before the house:

HCR 32, Honoring the Huff Diary and Wagon Train Project in January 2005.

HCR 32 was adopted.

HCR 35 - ADOPTED

(by Hamric)

Representative Hamric moved to suspend all necessary rules to take up and consider at this time **HCR 35**.

The motion prevailed.

The following resolution was laid before the house:

HCR 35, Authorizing the lieutenant governor and the speaker to appoint interim joint committees.

HCR 35 was adopted.

(Coleman now present)

HR 80 - ADOPTED

(by Dutton)

Representative Dutton moved to suspend all necessary rules to take up and consider at this time **HR 80**.

The motion prevailed.

The following resolution was laid before the house:

HR 80, Honoring Oliver Wendell Sprott, Sr., of Beaumont on his 90th birthday.

HR 80 was adopted.

ADJOURNMENT

Representative Hughes moved that the house adjourn until 11 a.m. tomorrow in memory of Rear Admiral Sam Moore of Marshall.

The motion prevailed.

The house accordingly, at 10:46 a.m., adjourned until 11 a.m. tomorrow.

ADDENDUM

SIGNED BY THE SPEAKER

The following bills and resolutions were today signed in the presence of the house by the speaker:

House List No. 1

HCR 25, HCR 26

MESSAGES FROM THE SENATE

The following messages from the senate were today received by the house:

Message No. 1

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Monday, January 24, 2005 - 2

The Honorable Speaker of the House

House Chamber

Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HCR 33

Davis, Yvonne

SPONSOR: Wentworth

Inviting the chief justice of the Supreme Court of Texas to address a joint session of the legislature on Wednesday, February 23, 2005.

Respectfully,

Patsy Spaw

Secretary of the Senate

APPENDIX

ENROLLED

January 24 - HCR 25, HCR 26

