

# HOUSE JOURNAL

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EIGHTIETH LEGISLATURE, REGULAR SESSION

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## PROCEEDINGS

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TENTH DAY — THURSDAY, JANUARY 25, 2007

The house met at 9:30 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 39).

Present — Mr. Speaker; Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Flores; Frost; Gallego; Garcia; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Harcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Miles; Miller; Moreno; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Absent, Excused — Driver; Farrar; Flynn; Merritt; Oliveira; Solomons.

The invocation was offered by Kevin Bell, pastor, Church of the Nazarene, Georgetown, as follows:

Our Father in heaven, we thank you for this day that you have made. We realize who you are and who we are in your sight. We thank you for all the blessings that you have given to us and are willing to give to us if we place our faith in you.

Lord, I am thankful for the representatives of the house that are willing to give of their time and talents to serve others and to serve this great state. My prayer is that you will provide wisdom to all who seek it and that you will be a part of the decision-making process. I pray that we would never do anything that would grieve your spirit, but that we would do what is moral, ethical, and just in your sight.

I close with words that are beyond my own, a prayer that came from a man that knew you well, the prayer of King David that was lifted to you in front of the whole assembly:

"Praise be to you, O Lord, God of our fathers, from everlasting to everlasting. Yours, O Lord, is the greatness, and the power, and the glory, and the majesty, and the splendor, for everything in heaven and earth is yours. Yours, O Lord, is the kingdom; you are exalted as head over all. Wealth and honor come from you; you are the ruler of all things. In your hands are strength and power to exalt and give strength to all. Now, our God, we give you thanks, and praise your glorious name" (Chronicles 29:10-13). Amen.

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

### **CAPITOL PHYSICIAN**

The speaker recognized Representative Macias who presented Dr. Jay Gruhlkey of New Braunfels as the "Doctor for the Day."

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

### **LEAVES OF ABSENCE GRANTED**

The following members were granted leaves of absence for today because of important business in the district:

Driver on motion of Krusee.

Farrar on motion of Ortiz.

Merritt on motion of Van Arsdale.

Solomons on motion of Homer.

The following member was granted leave of absence for today because of important business:

Flynn on motion of Van Arsdale.

### **OATH OF OFFICE ANNOUNCEMENT**

The speaker stated that the constitutional oath of office was administered earlier today to Representative Mike O'Day.

### **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).

(Patrick in the chair)

### **HR 118 - ADOPTED (by R. Cook)**

Representative R. Cook moved to suspend all necessary rules to take up and consider at this time **HR 118**.

The motion prevailed.

The following resolution was laid before the house:

**HR 118**, Welcoming members of the 2006-2007 BEST Leadership class of Bastrop County to the State Capitol.

**HR 118** was read and was adopted.

**SCR 11 - ADOPTED**  
**(Dutton - House Sponsor)**

Representative Dutton moved to suspend all necessary rules to take up and consider at this time **SCR 11**.

The motion prevailed.

The following resolution was laid before the house:

**SCR 11**, Granting the legislature permission to adjourn for more than three days during the period beginning on Wednesday, January 24, 2007, and ending on Monday, January 29, 2007.

**SCR 11** was adopted.

(Mallory Caraway in the chair)

**SCR 12 - ADOPTED**  
**(Dutton - House Sponsor)**

Representative Dutton moved to suspend all necessary rules to take up and consider at this time **SCR 12**.

The motion prevailed.

The following resolution was laid before the house:

**SCR 12**, Inviting the governor to address a joint session of the legislature on February 6, 2007.

**SCR 12** was adopted.

**SCR 8 - ADOPTED**  
**(Chisum - House Sponsor)**

Representative Chisum moved to suspend all necessary rules to take up and consider at this time **SCR 8**.

The motion prevailed.

The following resolution was laid before the house:

**SCR 8**, Granting the Texas DeMolay Association permission to use the chambers of the senate and house of representatives in the State Capitol on February 17-18, 2007.

**SCR 8** was adopted.

**HR 120 - ADOPTED**  
**(by O'Day)**

Representative O'Day moved to suspend all necessary rules to take up and consider at this time **HR 120**.

The motion prevailed.

The following resolution was laid before the house:

**HR 120**, Honoring Renee McGuire of Pearland on being named Philanthropist of the Year by the Community Foundation of Brazoria County.

(Pierson in the chair)

**HR 120** was read and was adopted.

On motion of Representative Bonnen, the names of all the members of the house were added to **HR 120** as signers thereof.

**HR 119 - ADOPTED**  
**(by Truitt)**

Representative Truitt moved to suspend all necessary rules to take up and consider at this time **HR 119**.

The motion prevailed.

The following resolution was laid before the house:

**HR 119**, Congratulating Keller Public Library Director Lisa Harper-Wood on her retirement.

**HR 119** was read and was adopted.

**LEAVE OF ABSENCE GRANTED**

The following member was granted leave of absence for the remainder of today because of important business in the district:

Hardcastle on motion of Chisum.

(Speaker in the chair)

**ADJOURNMENT**

Representative McClendon moved that the house adjourn until 2 p.m. Monday, January 29 in memory of Francisca V. Flores of Mission and McAllen.

The motion prevailed.

The house accordingly, at 10:17 a.m., adjourned until 2 p.m. Monday, January 29.

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**ADDENDUM**

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**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  
Thursday, January 25, 2007

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 38** Davis, John SPONSOR: Wentworth  
Granting permission to the YMCA Youth and Government Program to use the legislative chambers and other Capitol Complex facilities.

**SCR 8** Whitmire SPONSOR: Chisum  
Granting the Texas DeMolay Association permission to use the chambers of the senate and house of representatives in the State Capitol on February 17-18, 2007.

**SCR 11** Whitmire SPONSOR: Dutton  
Granting the legislature permission to adjourn for more than three days during the period beginning on Wednesday, January 24, 2007, and ending on Monday, January 29, 2007.

**SCR 12** Seliger SPONSOR: Dutton  
Inviting the governor to address a joint session of the legislature on February 6, 2007.

Respectfully,  
Patsy Spaw  
Secretary of the Senate

