

# HOUSE JOURNAL

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EIGHTY-FIRST LEGISLATURE, REGULAR SESSION

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## PROCEEDINGS

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FOURTH DAY — THURSDAY, JANUARY 22, 2009

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 4).

Present — Mr. Speaker; Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chisum; Cohen; Coleman; Cook; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Deshotel; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Heflin; Hernandez; Herrero; Hochberg; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Madden; Maldonado; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Absent, Excused — Chavez; Corte; Craddick; Driver; Hilderbran; Hodge; Keffer; Lucio; Mallory Caraway; Ortiz.

Absent — Bonnen; Christian; Hartnett.

The invocation was offered by Reverend Jerome R. Milton, pastor, Greater New Pleasant Hill Missionary Baptist Church, Tyler, as follows:

Lord, eternal God, we give thanks for the beauty and the people of this great state. You have called them to be servants of your servants. You have called them to faithfully represent us in these trying times. You have called them to seek your wisdom concerning the vital and true needs of our state.

The problems we face are many and the solutions are seldom easy. We seek your divine assistance for these elected representatives to have the strength to carry on when nobody wants to go on; the patience to try again when everybody has given up; the courage to dream new dreams, blaze new trails, cross new rivers, reach higher mountains, and cross deeper valleys.

Father God, we give you the praise and the glory for opening the windows of opportunity for us to say that we have gone from "having a dream" to "a dream fulfilled." You have delivered us from the valleys of oppression and suppression to the mountain top of declaration, that only in America we can achieve your dream for us as leaders of this great state.

Lord, grace them with your heart of mercy for the hopeless, helpless, voiceless, and forgotten of our state. And Lord, guide them, keep them, direct them as they continue the great and important work of this session for the wonderful people of this great state. Amen.

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

### **CAPITOL PHYSICIAN**

The speaker recognized Representative Castro who presented Dr. Michael Centeno of San Antonio as the "Doctor for the Day."

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

(Harper-Brown in the chair)

### **LEAVES OF ABSENCE GRANTED**

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

Craddick on motion of B. Brown.

Driver on motion of Hancock.

Hodge on motion of D. Howard.

Keffer on motion of Otto.

Lucio on motion of Moody.

Mallory Caraway on motion of Farabee.

Ortiz on motion of D. Howard.

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

Corte on motion of Castro.

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

Chavez on motion of Moody.

Hilderbran on motion of Castro.

### **HR 48 - ADOPTED (by Callegari)**

The following resolution was laid before the house:

**HR 48**, Congratulating Marty Wheeler on her receipt of the Katy ISD 2007-2008 award for excellence in school nursing.

**HR 48** was adopted.

**HR 50 - ADOPTED  
(by Callegari)**

The following resolution was laid before the house:

**HR 50**, Recognizing the 110th anniversary of the First Baptist Church of Katy.

**HR 50** was adopted.

**LEAVE OF ABSENCE GRANTED**

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

Bonnen on motion of Merritt.

(Christian now present)

**HR 64 - ADOPTED  
(by Paxton, Laubenberg, and McCall)**

The following resolution was laid before the house:

**HR 64**, Congratulating the Allen High School football team on winning the 2008 UIL 5A Division 1 state championship.

**HR 64** was adopted.

**HR 132 - ADOPTED  
(by Paxton)**

The following resolution was laid before the house:

**HR 132**, Congratulating the Prosper Eagles on winning the 3A Division 1 state football championship for 2008.

**HR 132** was adopted.

**HR 130 - ADOPTED  
(by Burnam)**

The following resolution was laid before the house:

**HR 130**, Congratulating Joe Paniagua on the occasion of his retirement.

**HR 130** was adopted.

(Speaker in the chair)

**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 146 - ADOPTED**  
**(by J. Davis and Rose)**

The following resolution was laid before the house:

**HR 146**, Granting permission to the YMCA Youth and Government Program to use the chamber of the Texas House of Representatives in January 2009 and January 2010.

**HR 146** 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:

Frost on motion of Homer.

**STATEMENT BY THE SPEAKER**

The speaker submitted the following statement for inclusion in the journal:

This will serve as notice that I recuse myself, as speaker of the Texas House of Representatives, from any actions or votes that may arise before the Texas House of Representatives on matters related to the expansion of gambling at pari-mutuel racetracks in Texas.

Joe Straus III

**ADJOURNMENT**

Representative Deshotel moved that the house adjourn until 1 p.m. Monday, January 26.

The motion prevailed.

The house accordingly, at 10:32 a.m., adjourned until 1 p.m. Monday, January 26.

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**ADDENDUM**

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**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 17, HCR 19**

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**APPENDIX**

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**ENROLLED**

**January 15 - HCR 17, HCR 19**

