

HOUSE JOURNAL

EIGHTY-FIRST LEGISLATURE, REGULAR SESSION

PROCEEDINGS

FIFTH DAY — MONDAY, JANUARY 26, 2009

The house met at 1 p.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 5).

Present — Mr. Speaker; Allen; Alonzo; Alvarado; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Cohen; Coleman; Cook; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; 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 — Christian; Corte; Kent; Moody; Ortiz.

Absent — Anchia; Gonzales.

The invocation was offered by Dr. Michael S. Lewis, senior pastor, Great Hills Baptist Church, Austin, as follows:

Dear Heavenly Father, we humbly bow before you as we open this Texas legislative session on this 26th day of January in the year of our Lord 2009.

We lovingly acknowledge you as the all-wise and all-powerful God. You are the sovereign king of the universe, and you are the one who has established all principalities, powers, rulers, and government bodies under your authority. You are the father of lights from whom every good and perfect gift comes from above. You are our creator and maker who spoke and the universe came into existence. You are our redeemer who gave your son, Jesus Christ, as the savior of the world and who reigns as the King of kings and Lord of lords over this world.

We ask you to give wisdom and direction to our new leadership in Washington and to our governor, Rick Perry. We call humbly upon you to guide us in all of the decisions and discussions of this session today. We recognize that we are finite beings with limited understanding; therefore, we ask for your infinite wisdom. We confess we are sinners who are like straying sheep; therefore, we need you, the shepherd of our souls, to guide us in all our ways. May righteousness and compassion fill our hearts with light from above. May the laws and decisions that are established in this session bring glory and honor to your name. May we be pleasing to you by promoting peace and spiritual prosperity for the residents of this great State of Texas. We acknowledge that all that we are and all that we have comes from you. O God, bless Texas. O God, bless America. Be with our men and women who are serving our country in our military forces in Iraq, Afghanistan, and foreign lands this day.

Lord, with respect to all those of diverse religious faiths, we humbly submit this prayer to you in the name of our Lord Jesus Christ. Amen.

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

CAPITOL PHYSICIAN

The speaker recognized Representative Veasey who presented Dr. Sandra Parker of Fort Worth as the "Doctor for the Day."

The house welcomed Dr. Parker and thanked her for her 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 illness:

Corte on motion of Chisum.

Ortiz on motion of Walle.

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

Christian on motion of P. King.

Moody on motion of P. King.

The following member was granted leave of absence for today because of a family emergency:

Kent on motion of Shelton.

(Farabee in the chair)

HR 172 - ADOPTED (by Lewis)

The following resolution was laid before the house:

HR 172, Honoring Fred M. Jones for being named 2008 Citizen of the Year by the Odessa Chamber of Commerce.

HR 172 was adopted.

HR 158 - ADOPTED
(by Frost)

The following resolution was laid before the house:

HR 158, Honoring Dr. Carlisle Baxter Rathburn III on his appointment as president of Texas A&M University–Texarkana.

HR 158 was adopted.

(Speaker in the chair)

HR 167 - ADOPTED
(by Patrick)

The following resolution was laid before the house:

HR 167, Recognizing January 26, 2009, as Association of Texas Professional Educators Day at the State Capitol.

HR 167 was read and was adopted.

On motion of Representative Kuempel, the names of all the members of the house were added to **HR 167** as signers thereof.

HR 159 - ADOPTED
(by Chavez)

The following resolution was laid before the house:

HR 159, Recognizing Texas bikers on the occasion of their Legislative Day at the State Capitol on January 26, 2009.

HR 159 was read and was adopted.

On motion of Representative Dutton, the names of all the members of the house were added to **HR 159** as signers thereof.

(Anchia and Gonzales now present)

HR 163 - ADOPTED
(by Martinez Fischer)

The following resolution was laid before the house:

HR 163, Commemorating the ninth annual Texas Association of Mexican-American Chambers of Commerce Legislative Awards Gala.

HR 163 was adopted.

HR 164 - ADOPTED
(by Martinez Fischer)

The following resolution was laid before the house:

HR 164, Honoring Rolando B. Pablos on his selection as the 2009 chair of the San Antonio Hispanic Chamber of Commerce board of directors.

HR 164 was adopted.

**HR 170 - ADOPTED
(by Riddle)**

The following resolution was laid before the house:

HR 170, Honoring James Vincent Morrison III of Spring on attaining the rank of private first class in the United States Marine Corps.

HR 170 was read and was adopted.

On motion of Representative Fletcher, the names of all the members of the house were added to **HR 170** as signers thereof.

INTRODUCTION OF GUESTS

The speaker recognized Representative Riddle who introduced Private First Class James Vincent Morrison III, his parents, Shelia and James Morrison, and Sergeant Richard A. Guzman.

ADJOURNMENT

Representatives Hopson and Merritt moved that the house adjourn until 10 a.m. tomorrow in memory of firefighters Kyle Perkins of Kilgore and Cory Galloway of Grand Saline.

The motion prevailed.

The house accordingly, at 1:42 p.m., adjourned until 10 a.m. tomorrow.