

HOUSE JOURNAL

SEVENTY-SEVENTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

EIGHTH DAY — WEDNESDAY, JANUARY 24, 2001

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 8).

Present — Mr. Speaker; Alexander; Allen; Averitt; Bailey; Berman; Bonnen; Bosse; Brimer; Brown, B.; Brown, F.; Burnam; Callegari; Capelo; Carter; Chavez; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Crownover; Danburg; Davis, J.; Davis, Y.; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Ellis; Farabee; Farrar; Flores; Gallego; Garcia; George; Geren; Giddings; Glaze; Goodman; Goolsby; Gray; Green; Grusendorf; Gutierrez; Haggerty; Hamric; Hardcastle; Hartnett; Hawley; Heflin; Hilbert; Hilderbran; Hill; Hinojosa; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hunter; Hupp; Isett; Janek; Jones, D.; Jones, E.; Jones, J.; Junell; Keel; Keffer; King, P.; King, T.; Kitchen; Kolkhorst; Krusee; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Martinez Fischer; Maxey; McCall; McClendon; McReynolds; Menendez; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Najera; Nixon; Noriega; Oliveira; Olivo; Pickett; Pitts; Puente; Ramsay; Reyna, A.; Reyna, E.; Ritter; Sadler; Salinas; Seaman; Shields; Smith; Smithee; Solis; Solomons; Swinford; Talton; Telford; Thompson; Tillery; Truitt; Turner, B.; Turner, S.; Uher; Uresti; Villarreal; Walker; West; Williams; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbranek.

Absent, Excused — Craddick; Rangel.

The invocation was offered by Bishop William Watson, Church of God in Christ, Lubbock, as follows:

Oh Lord, our Lord, how excellent is thy name in all the earth. You are the perfect, the transcendent, the all just, the all loving, the all mighty. This day, this very moment we bow our hearts and minds before your resplendent presence. How great thou art.

This room is distinguished by the presence of the committed representatives of their various areas who felt it imperative to work for the good of mankind. Men and women who have an extraordinary interest and love for this grand old State of Texas.

Make us aware, oh enlightened spirit, that this occasion, this room, is supremely distinguished by the presence of the most high God, maker and sustainer of each of these thy beloved children.

We ask that you bless all of the deliberation that emanates from this floor. Though many will not be able to have all of their wishes and desires granted, God you be our special guest that will turn any wine of disappointment into the vintage wine of joy.

From these chambers, Father, we pray as Amos asked that, "But let justice roll on like a river, righteousness like a never-failing stream" (Amos 5:24 NIV).

We thank you for our president, George W. Bush, for our new governor, Rick Perry, and for our outstanding speaker of the house, Pete Laney. Thank you for all of the Lubbockites that have come to celebrate this day, and for our distinguished, erudite representatives, Delwin Jones and Carl Isett, as well as our renowned rhetoric Senator Robert Duncan.

Father, we ask that you keep us in the center of your will and we shall be careful to give your name praises until the walls of our hearts shall have molded in dust and crumbled away.

Thank God from whom all blessings flow. Amen.

LEAVE OF ABSENCE GRANTED

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

Rangel on motion of Hinojosa.

CAPITOL PHYSICIAN

The speaker recognized Representative Mowery who presented Dr. Richard Young of Fort Worth as the "Doctor for the Day."

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

OATH OF OFFICE ADMINISTERED TO THE HONORABLE RICHARD RAYMOND, DISTRICT 42

The speaker administered the constitutional oath of office to Representative-elect Richard Raymond of the House of Representatives of the Seventy-Seventh Legislature of the State of Texas, who rose and repeated the following oath, prescribed by the constitution, as it was read to him, as follows:

"I, Richard Raymond, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of a member of the House of Representatives of the Seventy-Seventh Legislature of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State. So help me God."

(Raymond now present)

COMMITTEE APPOINTMENTS FOR REPRESENTATIVE RAYMOND

The speaker requested the reading clerk to announce the following committee appointments for Representative Raymond: Committee on Human Services; Committee on State, Federal, and International Relations.

HR 10 - ADOPTED (by Pickett)

Representative Pickett moved to suspend all necessary rules to take up and consider at this time **HR 10**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 10, Recognizing January 24, 2001, the Chinese New Year 4699.

HR 10 was adopted without objection.

HR 85 - ADOPTED
(by McReynolds and Smith)

Representative McReynolds moved to suspend all necessary rules to take up and consider at this time **HR 85**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 85, Recognizing January 24, 2001, as Miss Texas Day at the State Capitol.

HR 85 was read and was adopted without objection.

INTRODUCTION OF GUEST

The speaker recognized Representative McReynolds, who introduced Tara Watson, the reigning Miss Texas, who briefly addressed the house.

(Edwards in the chair)

HR 78 - ADOPTED
(by Isett, et al.)

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

The motion prevailed without objection.

The following resolution was laid before the house:

HR 78, Recognizing January 24, 2001, as Lubbock Day at the State Capitol.

(Speaker in the chair)

HR 78 was read and was adopted without objection.

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

HR 76 - ADOPTED
(by Christian)

Representative Christian moved to suspend all necessary rules to take up and consider at this time **HR 76**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 76, Recognizing January 24, 2001, as Nacogdoches County Day at the Capitol.

HR 76 was read and was adopted without objection.

HR 77 - ADOPTED
(by Christian, et al.)

Representative Christian moved to suspend all necessary rules to take up and consider at this time **HR 77**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 77, Recognizing January 24, 2001, as Student Government Association Day at the State Capitol.

HR 77 was read and was adopted without objection.

HR 95 - ADOPTED
(by Kolkhorst)

Representative Kolkhorst moved to suspend all necessary rules to take up and consider at this time **HR 95**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 95, Congratulating the Caldwell High School Lady Hornets volleyball team on winning the UIL Class 3A state championship.

HR 95 was read and was adopted without objection.

INTRODUCTION OF GUESTS

The speaker recognized Representative Kolkhorst, who introduced members of the Caldwell High School Lady Hornets state championship volleyball team.

HR 63 - ADOPTED
(by F. Brown)

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

The motion prevailed without objection.

The following resolution was laid before the house:

HR 63, Honoring members of the TALL VII class.

HR 63 was read and was adopted without objection.

HR 106 - ADOPTED
(by A. Reyna)

Representative A. Reyna moved to suspend all necessary rules to take up and consider at this time **HR 106**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 106, Expressing appreciation to President Charles L. Cotrell and Saint Mary's University for providing an outstanding educational environment and for its innumerable contributions to the State of Texas.

HR 106 was read and was adopted without objection.

INTRODUCTION OF GUEST

The speaker recognized Representative A. Reyna, who introduced Dr. Charles L. Cotrell, president of Saint Mary's University.

HR 113 - ADOPTED

(by Garcia)

Representative Garcia moved to suspend all necessary rules to take up and consider at this time **HR 113**.

The motion prevailed.

The following resolution was laid before the house:

HR 113, Recognizing Bob Garza as a Texas Star for his outstanding service as chairman of the Oak Cliff Chamber of Commerce.

HR 113 was adopted without objection.

HR 39 - ADOPTED

(by Hawley)

Representative Hawley moved to suspend all necessary rules to take up and consider at this time **HR 39**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 39, Recognizing the city of Kenedy as the Horned Lizard Capital of Texas.

HR 39 was read and was adopted without objection.

INTRODUCTION OF GUESTS

The speaker recognized Representative Hawley who introduced Minie Robinson, mayor of Kenedy; Mary Alice May, president, Kenedy Chamber of Commerce; Carter Snooks, president, Kenedy Horned Toad Club; Joe and Ann Lang, discoverers of the horned lizard population in Kenedy.

HCR 31 - ADOPTED

(by Keffer)

Representative Keffer moved to suspend all necessary rules to take up and consider at this time **HCR 31**.

The motion prevailed without objection.

The following resolution was laid before the house:

HCR 31, Designating Eastland as the official home of "Old Rip—The Most Famous Horned Toad in Texas."

HCR 31 was read and was adopted without objection.

On motion of Representative B. Turner, the names of all the members of the house were added to **HCR 31** as signers thereof.

INTRODUCTION OF GUESTS

The speaker recognized Representative Keffer, who introduced the Honorable Brad Stephenson, Eastland County judge; his wife, Mindy; the Honorable Scott Bailey, Eastland County judge (retired); the Honorable Dale Squiers, mayor, city of Eastland; Russ Thomason, president, Eastland Economic Development, Inc.; Ann Folsom, executive director, Eastland Economic Development, Inc.; Bill Brooks, president, Horned Lizard Conservation Society; Leigh Sanders, member, Horned Lizard Conservation Society.

HCR 78 - ADOPTED (by Counts)

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

The motion prevailed without objection.

The following resolution was laid before the house:

HCR 78, In memory of the Honorable Jerry Kenneth Johnson.

HCR 78 was read and was unanimously adopted by a rising vote.

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

INTRODUCTION OF GUESTS

The speaker recognized Representative D. Jones, who introduced members of the family of the Honorable Jerry Kenneth Johnson. Ken Johnson, the son of Representative Johnson, briefly addressed the house.

COMMITTEE APPOINTED

The speaker announced the appointment of the following committee to escort Governor Rick Perry to the speaker's rostrum:

Representatives B. Turner, chair; Hardcastle; T. King; E. Reyna; and Thompson.

HOUSE AT EASE

At 11:21, the speaker announced that the house would stand at ease.

The speaker called the house to order at 11:30.

ADDRESS BY GOVERNOR RICK PERRY (The House of Representatives and Senate in Joint Session)

In accordance with the provisions of **SCR 13**, providing for a joint session of the senate and the house of representatives at 11:30 a.m. today, for the purpose of hearing an address by the Honorable Rick Perry, governor of the State of Texas, the Honorable Bill Ratliff, lieutenant governor of the State of Texas and the honorable senators were announced at the door of the house and were admitted.

The senators occupied seats arranged for them.

Lieutenant Governor Ratliff was escorted to a seat on the speaker's rostrum.

At 11:30 a.m., Governor Perry and his party, escorted by Senators Fraser, chair; Brown; Ellis; Staples; and Van de Putte, committee on the part of the senate; and Representatives B. Turner, chair; Hardcastle; T. King; E. Reyna; and Thompson, committee on the part of the house; were announced at the door of the house and, being admitted, were escorted to the speaker's rostrum.

Lieutenant Governor Ratliff called the senate to order.

A quorum of the senate was announced present.

The Honorable James E. "Pete" Laney, speaker of the house, called the house of representatives to order.

A quorum of the house was announced present.

Speaker Laney stated that the two houses were in joint session pursuant to **SCR 13** for the purpose of hearing an address by the Honorable Rick Perry.

Speaker Laney introduced Anita Perry, first lady of Texas; the Honorable Henry Cuellar, secretary of state of the State of Texas; Jessica Vanderburg, Teach for Texas grant recipient; and from the YES Academy in Houston, Director Chris Barbick and student Daniel Uribe.

Speaker Laney recognized Lieutenant Governor Ratliff, who introduced the Honorable Rick Perry, governor of the State of Texas, to the joint session.

Governor Perry addressed the joint session, speaking as follows:

Governor Ratliff, Speaker Laney, members of the judiciary, members of the house and senate, distinguished guests, friends and fellow Texans: we descend upon this historic chamber today from towns and families and lives as diverse as our own state's rich and storied past. But no matter our circumstance, and despite our differences, we walk through these halls joined by a common bond, and that is the enduring love we hold for this land we call home, this place we call Texas.

It is appropriate that we convene today in the people's house to discuss the people's business. Of this chamber I have fond memories. It was here that I learned first-hand the legislative process, and developed friendships that will last a lifetime.

Speaking of friends, let me introduce my very best friend who has known me most of my life, someone who keeps me grounded, who sits at the center of my world and my universe. She is the mother of Griffin and Sydney, a wonderful wife, and our first lady—Anita Perry.

I am also honored to share this dais with an individual who has distinguished himself in this body for 28 years. A man who has guided this house with an even hand and a calming temperament, who shares my farming roots and that optimistic West Texas outlook, and for whom I have the deepest respect.

Speaker Laney, thank you for your commitment to Texas, I look forward to working with you to do that which is worthy of our people.

I also want to congratulate our new lieutenant governor, Bill Ratliff. You are a decent and honorable man, and you have demonstrated during your years in the senate that you will preside over that prestigious body in a manner that will make Texas proud.

As you are no doubt aware, just before four o'clock this morning, the search for the two remaining escapees came to an end with their capture at a hotel in Colorado. We are thankful for the work of thousands of law enforcement officials and concerned citizens in bringing this manhunt to an end, and we are currently working in conjunction with the Texas Department of Criminal Justice and the Dallas County District Attorney's Office to extradite the six felons back to Texas for trial.

While we are relieved that these criminals have been captured, our hearts are heavy as we remember the brave men who gave their lives out of duty to their fellow man. Our thoughts and prayers are with the families of Irving Police Officer Aubrey Hawkins and Colorado State Trooper Jason Manspeaker during this very difficult time. Like too many peace officers before them, they gave their lives to protect others. And I would like to ask for a moment of silence in their memory.

At the dawn of this new millennium, in many ways we are a blessed people.

We are at the forefront of the new technology revolution, with opportunities springing up in cities and towns across our state.

In recent years, through the dedication of hundreds of thousands of teachers and administrators, we have charted a new course for the school children of Texas. The wisdom of local control, accountability, and high standards can be seen in improved test scores and renewed confidence.

By virtue of stronger criminal and juvenile justice laws, and the sacrifices of thousands of Texans who wear the badge, our communities and neighborhoods are safer.

Many Texans have abandoned a life of welfare dependency, choosing instead to pursue the freedom of self-sufficiency.

Because of careful planning, we are on much stronger footing than California as we implement the restructuring of our electric industry.

And while our budget surplus is not historic, I'll take our smaller surplus this session, Mr. Speaker, over the years when we were strapped for cash and looking for ways to balance our budget.

Better public schools, greater economic opportunity, safer streets and communities, and a budget surplus—they are all clear signs of a Texas moving forward, of a state that is strong and vibrant.

But no one should be mistaken as I stand before you this morning. I am not here to revel in our current prosperity, but to peer into the Texas of tomorrow. I am not here merely to discuss the state of the state, but the state of our future.

And as we look into the future, we should not ignore some warning signs.

Today in Texas, only one in five of our citizens has an undergraduate or graduate degree. Among our Hispanic population that figure is nine percent, and among our African-American community it is 14 percent.

Today in Texas, 45 percent of our graduating seniors cannot pass the

math portion of the college entrance exam, and 55 percent of our Algebra I students cannot pass the end-of-course exam.

Today in Texas, drive-time delays in our cities and suburbs are 200 percent longer than they were 18 years ago. Texans drive 570 million miles a day, the equivalent of 1,200 trips to the moon and back. And that figure is expected to rise 56 percent by 2025.

Today in Texas, though steady progress has been made, too many residents of colonias still lack access to basic water and wastewater services. Among our border population ailments like diabetes and tuberculosis remain chronic while access to primary care is lower than the rest of the state.

And today in Texas and America, there are signs that our economy may be softening. The newspapers that once reported on high-flying IPOs and soaring stock markets are once again using terms like slower retail sales, lower earnings, and employee lay-offs.

These are the challenges worthy of our every vigilant effort. And that effort starts with education.

I stand before this body today mindful of the tremendous blessing it is to be governor of the more than 20 million people who call Texas home. It has been a long journey from that cotton farm in Haskell County to the center office of the Capitol. In fact, if you were to ask my second grade teacher at Paint Creek School, he might have termed it "an impossible journey", but here I am.

Crucial to it all has been one significant event in my life: the opportunity to attend college. I owe much to a system of higher education that was accessible to the sons and daughters of farmers, mechanics, and roughnecks. There are literally hundreds of similar stories surrounding us in this chamber today.

Of individuals who came from modest means but strong homes. There's the son of a field worker from the Mexican city of Guerrero.

His family was not rich in material, but they were wealthy in spirit. Through hard work and sheer resolve, he earned an associate degree, an undergraduate degree, and then a masters degree, a law degree, and most recently a doctorate.

He is a living testament to the truth that success follows those who aim high and never stop reaching. And I am proud this good man is now serving as my first appointee, and your secretary of state—Henry Cuellar.

Where would the Henry Cuellar's of this world be if it were not for the opportunity to receive a quality education? And where will millions of young Texans end up if the door of opportunity, the door of higher learning, is not open to them?

From humble beginnings often come the most vivid of dreams. Our commitment, our mission, must be to advance those dreams, to say to the next generation, "we don't care where you come from, but where you are going."

The promise of tomorrow is not reserved for those of a certain race, ethnicity, or pedigree, it awaits every individual of character and vision, of virtue and resolve.

Let us begin the work of tomorrow in this house today and let us begin by improving higher education.

I strongly believe we must invest in our future by tripling the TEXAS Grant Program to \$300 million. In doing so, we will open the doors of higher education to another 65,000 students, the children of working families who, due to no fault of their own, come from homes with limited financial means.

We should also create a TEXAS Grant Two program for students who enroll at our two-year colleges. And I support efforts to create a technology scholarship that will increase the number of computer science and engineering degrees awarded by our Texas universities.

Estimates nationwide show close to one million technology jobs ready to be filled. I would like many of those jobs to be filled by Texans trained to compete in that skilled workforce environment.

Improving college accessibility is our most important task in building a better system of higher education, but it's not the only area of need. The goal of every one of our institutions must continue to be the pursuit of academic excellence.

Each of our institutions must focus on fields of specialization, what I refer to as centers of excellence. That's why I have proposed boosting funding for research and faculty recruitment. We must send a signal to the brightest minds of academia that we want them to invest their talents and ideas in Texas schools.

We also know that the success of higher education is greatly dependent on the success of public education. We must build a seamless system of K through 16 education, starting early in the pre-kindergarten years all the way through college.

Our public schools have shown significant improvement, especially in our lower grades where children are exposed to an intensive reading curriculum designed to get them reading on grade level by the third grade.

My budget continues our investment in early childhood literacy, with an increase of more than \$100 million for the Student Success Initiative. This money will go toward additional early intervention reading efforts, staff development, and teacher training starting at the pre-K level.

Now it is time to do for math what we have done for reading. Math skills are in high demand in the new economy, and yet too many students enter college and the workforce ill-prepared in the basics of math.

That's why I have proposed a new math initiative that will help prepare our fifth through eighth grade students for the day when they must master a tougher TAAS test and more advanced coursework, such as algebra, geometry, and calculus.

Through \$40 million in new funding, the math initiative will lead to the development of proven, research-based techniques for math instruction; the creation of "Math Academies" to train all math teachers in those techniques; and the establishment of intensive summer and after-school remedial programs to help failing students succeed.

And we should duplicate the approach taken in developing the Master Reading Teacher Program by establishing a Master Math Teacher Program that rewards expert instructors with a \$5,000 annual bonus.

I also believe we should increase the allotment for technology in schools \$35 per student so more students can learn their lessons using the tools of tomorrow.

Technology is already transforming the classroom. A few months ago I visited Travis High School on the south side of Austin. A school with an 80 percent minority enrollment, many of the children coming from disadvantaged homes. They still have many challenges in front of them.

But through the vision of a dedicated administration, technology coordinator, and corporate sponsors, more students at Travis High are succeeding due to the wonders of leading technologies such as the wireless Internet, multimedia, and teleproduction.

By transforming education through technology, learning has become more fun and interesting, stimulating the intellectual curiosity of the students and advancing the idea that life is full of limitless possibilities.

But clearly, the task of educating our youth is made more difficult by a shortage of public school teachers estimated to be 42,000. That's why I would like to more than triple funding for the new Teach for Texas Grant Program the new college grant program that helps pay for tuition, fees, and books of students who commit to teaching in a high-need subject area upon graduation.

A few weeks ago I received an e-mail from future teacher Jessica Vanderburg, who has benefited from the Teach for Texas grant. Let me share with you some of what she had to say:

"I am a single working mother and a full time student and this grant has enabled me to continue my education and hopefully give back to my community."

She concludes, "I am a junior at Texas A&M-Commerce where I am majoring in interdisciplinary education with a specialization in math. Thanks again for this opportunity."

It is Jessica who should be thanked, because she cares so much about future generations. That's why I asked her to join me on the dais, so we could recognize her.

My friends, is that not why we are here, to do everything we can to empower talented individuals to make a difference in their communities?

We can do some other things to get more qualified people in the classroom by turning to untapped resources—citizens and retirees willing to give back to their state and their communities. We should expand alternative certification to allow qualified technology professionals and other private sector individuals to draw on their wealth of knowledge and expertise to teach our children. It is also time to allow retired teachers to return to the classroom without having their benefits cut.

Last session, we made a needed investment in our public schools with an across-the-board \$3,000 pay raise for every teacher, counselor, nurse, and librarian. I would like to see that trend continued by freeing up close to \$700 million in capital gains from the Permanent School Fund to be used for teacher compensation or benefits.

And we should also work toward the goal of raising the multiplier used to calculate retired teachers' pensions. Those who have done so much for our state and our children deserve our support.

I also believe now is the time to strengthen and improve our state's charter school system, and not turn our backs on the parents and children and educators who benefit from the flexibility and innovation of charter schools.

With us today is Chris Barbic, who runs the YES Academy, a successful charter school in Houston that predominantly serves at-risk students. Joining him is one of his students, Daniel Uribe. For a long time, Daniel was viewed as one of those students with great potential, but little motivation. He questioned the value of school, and the time he was spending in the classroom.

But people like Chris Barbic were there for Daniel. They showed him the value of a good education, and the world of opportunity that awaits him outside the classroom door. I am happy to say that young Daniel has his sights set on college, and has already been accepted to one university.

We have heard how a compassionate state cannot turn its back on any child. And I agree. We cannot give up on the Daniel Uribe's of this state. We must do everything we can to ensure that they don't drop out, but instead realize their God-given potential.

The small percentage of charter schools that are failing our children should be fixed or shut down. Improvements can be made to the approval and oversight process, but don't tell me that Daniel Uribe, or his classmates at the YES Academy Charter School, don't deserve the chance to learn, and to keep their hopes and dreams alive in the Texas of the 21st Century.

Jessica Vanderburg and Daniel Uribe are the faces of progress, the Texans who breathe life into our public policy discussions. May we always endeavor to do that which is worthy of them, and the millions of Texans like them, who dream of a tomorrow as bright and fulfilling as the most fortunate among us.

A vibrant Texas also means a transportation system that can move our people safely, and our goods efficiently. Along the border, in our cities and suburbs, even in some of our smaller towns, traffic is jeopardizing our wonderful quality of life.

Even out in Haskell County these days, Dad has to actually look before he pulls onto Farm Road 618.

The economic boom of NAFTA and our tremendous population growth have exceeded the expectations of those who built our highway system. We must consider immediate, innovative alternatives.

I would like for both chambers to pass a bonding program to jump-start construction across our state. Whether it is a GARVEE package, or the idea of a general revenue bond fund, it makes no difference to me, getting traffic moving is what matters.

We should also build more toll roads, streamline the design and engineering process, and consider pavement warranties so we spend less time and money fixing bad roads in the years ahead.

I have also included in my budget a \$30 million border transportation initiative. This funding would be shared among our border counties so they can leverage \$175 million in bonds that would primarily go toward fixing bad roads in colonias.

There is strong bipartisan recognition that the border has real needs that must be addressed, there is no better time than now to roll up our sleeves and get to work.

How can we expect our border children to reach for the sky when they cannot even reach the classroom, either because muddy roads prevent school buses from picking them up, or chronic ailments make them too sick to learn?

We must work to immunize more children, especially along the border and in our urban areas, against whooping cough, measles, mumps, and chickenpox.

We must try new technology, like telemedicine, to help combat conditions like tuberculosis, diabetes, heart disease, and cancer, while looking for better long-term health care solutions.

These are not just border challenges. They're Texas challenges north and south, rural and urban. In my remarks upon taking the oath of office, I said something that bears repeating today: "the border of Texas is not our backyard, but the front door to our state and nation."

It's true that better border roads are good for Laredo, Brownsville, and El Paso, but they also mean more trade and job creation in places like Odessa, Dallas, and Texarkana. Better border health means healthier children and lower health care costs for all of us.

And speaking of healthier children, we must do everything in our power to enroll more children of working families in CHIP.

I congratulate everyone involved in the CHIP program for signing up more than 200,000 children in less than a year. But we must do more to reach out to additional eligible children.

Extending the opportunity for more Texans to attend college, expanding upon our progress in public schools, getting traffic moving, and enriching the lives of citizens along the border those should be our priorities, and will be the primary objectives of my administration.

That is not to say there are not other important issues that we must address together. We must safeguard the lives of our most vulnerable citizens—our oldest and youngest Texans—by increasing funding for nursing homes and child protective services.

We can increase access to child care for Texans transitioning off welfare while continuing to place a strong emphasis on employment and personal responsibility. And we must continue to welcome and encourage the generous contributions of private charitable and faith-based groups.

We should set our sights on long-term solutions to challenges facing Texas' natural resources. That means better water management and conservation, supporting our state's system of parks, and applying market-oriented approaches to preserving our open spaces.

And we must remain committed to significantly reducing pollution, realizing that decisions affecting Texas' air quality should be made by Texans, and not federal bureaucrats. The State Implementation Plans recently submitted to Washington would cut ozone-related emissions by 75 percent in Houston, 55 percent in Dallas/Ft. Worth, and 44 percent in East Texas. I'd bet that plan has a pretty good chance of passing the new administration's muster.

Texans know that the air that we breathe, the water that we drink, the land that we inhabit, they are all a reflection of the majesty and the beauty of our wonderful Creator. We must preserve His image.

Like most Texans, I am a proponent of capital punishment because it affirms the high value we place on innocent life. We have a good system of justice in Texas, but it can be better.

In the interest of greater justice, I believe we should welcome the use of DNA technology in cases where it can prove claims of innocence, or provide further assurance of guilt. I also support creating a statewide standard for defense counsel in capital murder cases, with appropriate standards regarding criminal defense experience, continuing education, and proper conduct of every defense attorney.

I agree with Speaker Laney that we should not shy away from making the reforms needed to ensure trust in our system of elections. I am an advocate of letting the sun shine in on the financing of elections so that voters can make more informed decisions.

The most relevant campaign finance figure in any election is one that goes unreported in most state races: cash-on-hand. Judicial candidates must disclose it, federal candidates must disclose it, and so should candidates for state office.

The public should also be entitled to know the occupation and employer of contributors to political campaigns, and out-of-state PACs that exceed a minimum level of contributions should be required to file with the Ethics Commission.

Additionally, frequent and more instantaneous disclosure during each election cycle will keep Texans better informed about the candidates who seek their vote.

Government should be open and honest, accountable to the people. The virtue of our service should not be undermined by the very system that makes service possible.

There is another matter before us, redistricting. There has been much speculation that this once-in-a-decade process will cause gridlock and bickering beneath this granite dome. I believe we have the capacity and the good sense to rise above it.

Texans want us to pass a balanced budget. They want us to continue to improve schools and health care and to meet basic needs. And I believe they want us to craft legislative districts that are fair and compact reflecting the people's best interests.

I believe that as leaders, we can and we must do what our constituents sent us here to do because Texas matters most.

Once we have funded important priorities, college scholarships, improved math instruction, transportation needs, and border infrastructure, if additional revenues are available, we should look for ways to also address the pay needs of our hard-working prison guards and other state employees.

At the same time, we must all heed the warning signs of a cooling economy. That is why I submitted a fiscally sound and conservative budget, which grows at half the rate of the budget passed last biennium.

Now is not the time to commit ourselves to numerous programs that we may not be able to one day sustain. Because of concerns that our economy is slowing, it is important that we ensure the Rainy Day Fund contains the \$1 billion it is projected to have by 2003.

This fund is an important insurance policy against an economic downturn, and we should keep our hands off of it while our economic picture remains uncertain.

My fellow Texans, the challenges before us are nothing more than opportunities. Our history is rich with examples of men and women who were undaunted by the adversity of their time.

On this incredible land they survived disease and poverty, war and weather, to forge a new frontier. They were of strong heart, unyielding will, and fervent faith.

We honor their memories by affirming their noble purpose. We must preserve freedom and opportunity by extending it, one Texan at a time.

The seeds of that freedom are sown in the classroom.

May we all renew our commitment to the children of this state the little ones who venture off to school each morning, backpack in hand, with their whole lives in front of them.

They are a cause far greater than party or politics, for they are the promise of tomorrow. Let us therefore, Republicans and Democrats, bond together to use our every today to better their tomorrow. Thank you, God bless you, and God bless this place we call Texas.

INTERPRETERS FOR THE DEAF

The interpretation of the proceedings of the house was provided today by Ella Anderson.

SENATE RECESS

At 12:13 p.m., Lieutenant Governor Ratliff stated that the business of the joint session had been accomplished and the senate would, in accordance with a previous motion, stand recessed until 12:30 p.m. today.

HOUSE AT EASE

At 12:13 p.m., Speaker Laney announced that the house would stand at ease pending the departure of guests.

The speaker called the house to order at 12:17 p.m.

BILLS AND JOINT RESOLUTIONS ON FIRST READING AND REFERRAL TO COMMITTEES RESOLUTIONS REFERRED TO COMMITTEES

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Resolutions were at this time laid before the house and referred to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

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).

ADJOURNMENT

Representative Kolkhorst moved that the house adjourn until 10 a.m. tomorrow.

The motion prevailed without objection.

The house accordingly, at 12:34 p.m., adjourned until 10 a.m. tomorrow.

ADDENDUM

REFERRED TO COMMITTEES

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were laid today before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

List No. 1

HB 101 (By Maxey), Relating to medical assistance for certain persons in need of treatment for breast or cervical cancer.

To Public Health.

HB 102 (By Maxey), Relating to abolishing the electronic imaging program of the Texas Department of Human Services.

To Human Services.

HB 103 (By Maxey), Relating to tattooing minors.

To Public Health.

HB 104 (By Gutierrez), Relating to authorizing the issuance of revenue bonds for The Texas A&M University System.

To Higher Education.

HB 105 (By Gutierrez), Relating to authorizing the issuance of revenue bonds for The University of Texas—Pan American.

To Higher Education.

HB 106 (By Gutierrez), Relating to restricting written reports required of public school classroom teachers.

To Public Education.

HB 107 (By Gutierrez), Relating to the automation of the compulsory motor vehicle inspection system.

To Public Safety.

HB 108 (By Flores), Relating to creating a recognition day in honor of education paraprofessionals.

To Public Education.

HB 109 (By Flores), Relating to delegation of certain acts by dentists.

To Public Health.

HB 110 (By Oliveira), Relating to wage rates paid by or on behalf of school districts on public works projects.

To Public Education.

HB 111 (By Goolsby), Relating to a toll-free telephone number that a person may call to report unsafe driving of a commercial motor vehicle.

To Public Safety.

HB 112 (By Rangel, Puente, Hochberg, and F. Brown), Relating to curriculum requirements for admission to general academic teaching institutions and for high school graduation.

To Higher Education.

HB 113 (By Hupp), Relating to the election of directors of the Clearwater Underground Water Conservation District.

To Natural Resources.

HB 114 (By Najera), Relating to requiring that the operator of a vehicle stop and yield the right-of-way to a pedestrian.

To Transportation.

HB 115 (By Najera), Relating to the sale of a flood-damaged motor vehicle; providing penalties.

To Transportation.

HB 116 (By Najera), Relating to registration with the Selective Service System of certain applicants for a driver's license or personal identification certificate.

To Public Safety.

HB 117 (By Nixon), Relating to proportionate responsibility in certain civil suits.

To Civil Practices.

HB 118 (By Wise), Relating to the concealed handgun license fee paid by members of state military forces.

To Public Safety.

HB 119 (By West), Relating to the period for filing a petition for a place on the ballot for the board of directors of the Ector County Hospital District.

To County Affairs.

HB 120 (By West), Relating to student intercollegiate athletic fees at The University of Texas of the Permian Basin.

To Higher Education.

HB 121 (By West), Relating to information a person required to register as a sex offender must report to a local law enforcement authority.

To Public Safety.

HB 122 (By West), Relating to authorizing a municipality to transfer real property to a nonprofit organization to use for public purposes.

To Land & Resource Management.

HB 123 (By West), Relating to a requirement that inmates of the Texas Department of Criminal Justice participate in educational programs.

To Corrections.

HB 124 (By West), Relating to restricting certain recreational amenities available to inmates imprisoned in the institutional division of the Texas Department of Criminal Justice.

To Corrections.

HB 125 (By West), Relating to abolishing the Texas Academic Skills Program.

To Higher Education.

HB 126 (By West), Relating to the prosecution of the offense of disorderly conduct involving unreasonable noise.

To Criminal Jurisprudence.

HB 127 (By West, Green, and Berman), Relating to recitation of the Declaration of Independence by public school students.

To Public Education.

HB 128 (By West), Relating to the protection of air-quality-related values of certain federal lands.

To Environmental Regulation.

HB 129 (By West), Relating to state compliance with federal guidelines and requirements.

To State Affairs.

HB 130 (By Deshotel), Relating to notice concerning certain unclaimed property.

To Business & Industry.

HB 131 (By Deshotel), Relating to the use of the compensation to victims of crime fund to reimburse the reasonable costs of certain victims' medical examinations.

To Criminal Jurisprudence.

HB 132 (By Deshotel), Relating to the prosecution of the offense of harassment.

To Criminal Jurisprudence.

HB 133 (By Deshotel), Relating to requiring certain long-term care institutions to refer persons to other institutions.

To Human Services.

HB 134 (By Deshotel), Relating to disqualification for the receipt of unemployment compensation benefits based on the receipt of certain periodic payments.

To Economic Development.

HB 135 (By Deshotel), Relating to collection and dissemination of information concerning unsafe driving of a commercial motor vehicle.

To Public Safety.

HB 136 (By Deshotel), Relating to the fees charged in connection with collection of a dishonored check.

To Financial Institutions.

HB 137 (By Danburg), Relating to excepting certain information relating to family violence shelter centers and sexual assault programs from disclosure under the public information law.

To State Affairs.

HB 138 (By Goolsby), Relating to the statute of limitations for purposes of prosecuting certain felony sex offenses.

To Criminal Jurisprudence.

HB 139 (By Wise), Relating to the possession, use, and delivery of certain controlled substances and volatile chemicals; providing penalties.

To Criminal Jurisprudence.

HB 140 (By Wise), Relating to reimbursing veterans for the cost of required textbooks and similar required course materials.

To Higher Education.

HB 141 (By Wise), Relating to the prosecution of and punishment for the offenses of kidnapping and aggravated kidnapping.

To Criminal Jurisprudence.

HB 142 (By Wise), Relating to the punishment for the offense of possessing or promoting child pornography.

To Criminal Jurisprudence.

HB 143 (By Deshotel), Relating to posting reports of inspections of certain food service establishments.

To Public Health.

HB 144 (By Pickett), Relating to land surveyor licensing, certification, or registration.

To Licensing & Administrative Procedures.

HB 145 (By Pickett and A. Reyna), Relating to the recall of a member of the board of trustees of an independent school district.

To Public Education.

HB 146 (By Wise), Relating to the eligibility of certain defendants charged with or convicted of sexual offenses against children for release on community supervision.

To Criminal Jurisprudence.

HB 147 (By Wise), Relating to the use of visual aids in the prosecution of certain offenses committed against or witnessed by a child.

To Criminal Jurisprudence.

HB 148 (By Wohlgemuth), Relating to the appeal of an interlocutory order to certify or refuse to certify a class action.

To Civil Practices.

HB 149 (By Wohlgemuth and E. Reyna), Relating to persons eligible to receive a license plate honoring peace officers killed in the line of duty.

To Transportation.

HB 150 (By D. Jones), Relating to the composition of the districts of the Texas House of Representatives.

To Redistricting.

HJR 11 (By Corte), Proposing a constitutional amendment to limit the tax rate on the income component of the franchise tax.

To Ways & Means.

HJR 12 (By McClendon), Proposing a constitutional amendment to permit the denial of bail to certain persons charged with committing intoxication manslaughter.

To Criminal Jurisprudence.

HJR 13 (By Oliveira and Pickett), Proposing a constitutional amendment authorizing the legislature to provide for the issuance of bonds for certain improvements to the state highway system.

To Transportation.

HJR 14 (By Telford, et al.), Proposing a constitutional amendment relating to the right to hunt and fish.

To State Recreational Resources.

HJR 15 (By Hupp), Proposing a constitutional amendment relating to a right of privacy.

To State Affairs.

HJR 16 (By Pickett), Proposing a constitutional amendment authorizing elections for the recall of independent school district trustees.

To Public Education.

HJR 17 (By Gallego), Proposing a constitutional amendment creating a vacancy in a judicial office if a judge or justice becomes a candidate for a public elective office other than a judicial office.

To Judicial Affairs.

HJR 18 (By B. Turner), Proposing a constitutional amendment providing for four-year terms of office for members of the house of representatives.

To State Affairs.

HR 6 (By J. Jones), Honoring the 2001 National Veterans Golden Age Games.

To Rules & Resolutions.

HR 7 (By J. Jones), Honoring Larry Shaw for 33 years of municipal service.

To Rules & Resolutions.

HR 9 (By Goolsby), Honoring Dr. James S. Cole of Dallas on his appointment as dean of the Baylor College of Dentistry.

To Rules & Resolutions.

HR 13 (By Pitts), In memory of the Honorable Frank Bobbit McGregor.

To Rules & Resolutions.

HR 17 (By Pitts), In memory of the Honorable Frank Bobbitt McGregor.

To Rules & Resolutions.

HR 18 (By Wise), Honoring Guadalupe Carranza on the occasion of his 85th birthday.

To Rules & Resolutions.

HR 19 (By Gallego), In memory of Jesus L. Fernandez.

To Rules & Resolutions.

- HR 20** (By Gallego), In memory of Tony Benavides.
To Rules & Resolutions.
- HR 21** (By Gallego), In memory of Frances M. Harvey.
To Rules & Resolutions.
- HR 22** (By Gallego), In memory of Manuel G. Soza.
To Rules & Resolutions.
- HR 23** (By Gallego), In memory of Keesey H. Kimball.
To Rules & Resolutions.
- HR 24** (By Gallego), In memory of Elena Hernandez.
To Rules & Resolutions.
- HR 25** (By Gallego), In memory of Roxana Holland Donnell.
To Rules & Resolutions.
- HR 26** (By Gallego), In memory of Guy Crawford Stillwell.
To Rules & Resolutions.
- HR 27** (By Gallego), In memory of Olivia Cordero.
To Rules & Resolutions.
- HR 32** (By Gallego), Honoring John R. Foster on the occasion of his retirement.
To Rules & Resolutions.
- HR 33** (By Uher), Honoring Dr. William H. Cunningham for his contributions as chancellor of The University of Texas System.
To Rules & Resolutions.
- HR 34** (By Cook), In memory of Morris Swenson.
To Rules & Resolutions.
- HR 35** (By Cook), In memory of Alice Pohler Tait.
To Rules & Resolutions.
- HR 36** (By Cook), In memory of Lanier Hester.
To Rules & Resolutions.
- HR 37** (By McClendon), Honoring Dr. Harmon Kelley and Mrs. Harriet Kelley for their contributions to the advancement and enjoyment of African American art.
To Rules & Resolutions.
- HR 41** (By Truitt, et al.), Honoring Captain Joey J. Ziemian on his retirement from the Euless Police Department.
To Rules & Resolutions.
- HR 42** (By West), In memory of Fred Douglas Deaver.
To Rules & Resolutions.
- HR 44** (By Chisum), In memory of John S. Coleman, Jr.
To Rules & Resolutions.
- HR 45** (By Chisum), In memory of the Honorable R. L. Templeton.
To Rules & Resolutions.

HR 47 (By G. Lewis), Congratulating the District 95 spelling bee winners.

To Rules & Resolutions.

HR 49 (By Chisum), In honor of the Stratford High School Elks football team winning the UIL Class 1A State championship.

To Rules & Resolutions.

HR 55 (By Carter), In memory of Joanie Spellman.

To Rules & Resolutions.

HR 57 (By R. Lewis), Recognizing January 29, 2001, as Orange County Day at the State Capitol.

To Rules & Resolutions.

HR 65 (By Marchant), Honoring Dr. Annette T. Griffin on her receipt of the 2000 Superintendent of the Year award.

To Rules & Resolutions.

HR 66 (By Pitts), Congratulating Sharon B. Fitzpatrick on her retirement from TxDOT.

To Rules & Resolutions.

HR 67 (By T.King), In honor of George Washington and the 104th observance of the Washington's Birthday Celebration in Laredo.

To Rules & Resolutions.

HR 68 (By Williams and Kolkhorst), Honoring Randolph Foster for his role in Texas history.

To Rules & Resolutions.

HR 69 (By Truitt), Honoring the groundbreaking of the National Cowgirl Museum and Hall of Fame in February 2001.

To Rules & Resolutions.

HR 70 (By Truitt), Honoring the Colleyville Area Chamber of Commerce on the occasion of its 25th anniversary.

To Rules & Resolutions.

HR 71 (By Truitt), Congratulating Keith Shankland on his receipt of the Spirit of American Award from American Airlines.

To Rules & Resolutions.

HR 72 (By Truitt), Honoring the dedication celebration of the Southlake Town Hall.

To Rules & Resolutions.

HR 74 (By West), Honoring Hunter Blain on his significant achievements.

To Rules & Resolutions.

HR 75 (By Gray), In memory of June Pickney Ross of Galveston.

To Rules & Resolutions.

HR 79 (By Gallego), In memory of Dr. Arvel R. Ponton, Jr.

To Rules & Resolutions.

HR 80 (By Denny and Hamric), Recognizing March 22, 2001, as Texas Federation of Republican Women Day at the Capitol.

To Rules & Resolutions.

HR 81 (By Wise), Congratulating Julissa and Eric Barbosa on the birth of their daughter, Elissa.

To Rules & Resolutions.

HR 83 (By Carter, et al.), Congratulating Bob Terrell of Fort Worth on his retirement as city manager.

To Rules & Resolutions.

HR 87 (By Pitts), Congratulating Cheryl Wixtrom on being named Red Oak Independent School District Teacher of the Year for 1999-2000.

To Rules & Resolutions.

HR 91 (By Kuempel), Congratulating Gloria Clennan on her retirement as Comal County tax assessor-collector.

To Rules & Resolutions.

HR 93 (By Salinas), Recognizing February 1, 2001, as Jim Wells County Day at the State Capitol.

To Rules & Resolutions.

HR 94 (By Cook), In memory of Fred "Fritz" Paul Dornak of El Campo.

To Rules & Resolutions.

HR 96 (By Brimer), Recognizing January 30, 2001, as Farmers Insurance Group Day at the State Capitol.

To Rules & Resolutions.

HR 97 (By Howard), Welcoming Leadership Fort Bend to the State Capitol on February 7, 2001.

To Rules & Resolutions.

HR 98 (By Green and Kuempel), In memory of Texas State Trooper Randall W. Vetter.

To Rules & Resolutions.

HR 100 (By Uher), In memory of Caroline "Karo" Gracely.

To Rules & Resolutions.

HR 102 (By Uher), In memory of Robert Jay "Bob" Wilkinson of Bay City.

To Rules & Resolutions.

HR 103 (By Uher), Congratulating the Bay City High School football team on winning the UIL Class 4A Division I state championship.

To Rules & Resolutions.

HR 104 (By Uher), In honor of Maggie Marie "Pat" Rosebud's outstanding record of service in Brazoria County.

To Rules & Resolutions.

HR 105 (By West), In memory of the Honorable Lucius D. Bunton III.

To Rules & Resolutions.

HR 107 (By J. Jones), Honoring H. Ron White on his receipt of the 2001 Martin Luther King, Jr., Justice Award.

To Rules & Resolutions.

HR 108 (By Ramsay), Honoring the outstanding educators of the Mount Vernon ISD.

To Rules & Resolutions.

HR 109 (By Ramsay), Recognizing April 25, 2001, as County Government Day at the State Capitol and welcoming members of the Texas Association of Counties.

To Rules & Resolutions.

HR 110 (By McClendon), Honoring Dorothy H. McClinton of San Antonio on her selection by the Huston-Tillotson College National Alumni Association to receive the Outstanding Alumnus award.

To Rules & Resolutions.

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
Wednesday, January 24, 2001

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 7 Craddick SPONSOR: Bivins
Honoring St. Ann's School in Midland on its 50th anniversary.

HCR 31 Keffer SPONSOR: Sibley
Designating Eastland as the official home of "Old Rip—The Most Famous Horned Toad in Texas."

Respectfully,

Betty King
Secretary of the Senate

APPENDIX

ENROLLED

January 23 - HCR 1

SENT TO THE SECRETARY OF THE STATE

January 23 - HCR 1