

# HOUSE JOURNAL

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SEVENTY-EIGHTH LEGISLATURE, REGULAR SESSION

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## PROCEEDINGS

FIRST DAY—TUESDAY, JANUARY 14, 2003

In accordance with the laws and Constitution of the State of Texas, the members-elect of the house of representatives assembled this day in the hall of the house of representatives in the city of Austin at 12 noon. The Honorable Gwyn Shea, secretary of state of the State of Texas, called the House of Representatives of the Seventy-Eighth Legislature of the State of Texas to order.

The invocation was offered by the Most Reverend Michael D. Pfeifer, Bishop of the Catholic Diocese, San Angelo, as follows:

Loving God, Father, and Creator, we give you praise and glory with our presence here today, our prayer, and the service that we have the privilege of giving you as citizens and leaders of the State of Texas. We thank you for your countless blessings, both material and spiritual, that are poured out upon us each day like the gentle rain.

Father, we ask that you send the Holy Spirit upon your servants who begin this 78th Legislative Session as they gather here for deliberation, discussion, and decisions for the common good of the people of the State of Texas. May they always show a special concern for the poor and our children. May this great Spirit guide them with wisdom and truth, with light, with knowledge, with courage, and support them with your power.

God our Father, you desire justice for all. We ask that you enable these elected servants to uphold the rights of others, and do not allow them to be misled by ignorance, selfish interest, or corrupted by fear or favor. Unite them to yourself in the bonds of love and keep them faithful to all that is true. I leave you with this reflection from the great prophet Isaiah, "Justice will bring about peace; right will produce calm and security." Amen.

## **ADDRESS BY THE HONORABLE GWYN SHEA**

The Honorable Gwyn Shea, secretary of state, addressed the house, speaking as follows:

This is a very auspicious day to begin the 78th Legislative Session because today marks the anniversary of the birth of a great dream. On January 14, 1784, the Treaty of Paris was signed between Great Britain and the fledgling nation known as the United States, formally ending the Revolutionary War. The first and greatest threat to America's noble experiment in democratic government had been vanquished. Today, two hundred and nineteen years later, we are a free people privileged to enjoy the fruits of that experiment. You are sitting on the floor of this chamber, the heirs to the American legacy of Washington, Jefferson,

Adams, and Franklin. You are also heirs to the Texas legacy of Sam Houston, Lorenzo de Zavalla, Jose Antonio Navarro, Samuel McCulloch, and Stephen F. Austin.

Isaac Newton once said, "If I have seen further than most men, it is because I stood on the shoulders of giants."

You, too, stand upon the shoulders of giants. In addition to the immortal names I have just mentioned, you also stand upon the shoulders of the everyday men and women who have built Texas over the past three centuries. Texas is a place that exerts a profound influence on all who come into contact with her. I believe John Steinbeck put it best when he wrote of our state:

"For all its enormous range of space, climate, and physical appearance and for all the internal squabbles, contentions, and strivings, Texas has a tight cohesiveness perhaps stronger than any other section of America. Rich, poor, Panhandle, Gulf, city, country, Texas is the obsession, the proper study, and the passionate possession of all Texans."

It is no exaggeration to say that the destiny of our great state lies, to a large degree, in your hands. Your actions this session will have a profound impact on our state and its future. The question before you now is, what sort of Texas will you bequeath to our children and grandchildren?

I think our intrepid ancestors might have some words of wisdom for you if they could address you today. I think three things in particular might come to mind. First, it's nice to be eloquent, but it's better to be forthright. Second, it's good to be clever, but it's essential to be honest. Finally, ingenuity and resourcefulness are the two qualities you must possess if you hope to fill the boots of those who have come before you.

Collectively, you embody the rich history and enormous diversity of our great state. You are the best and brightest of Texas, and your fellow citizens have chosen you to guide our state into the peaceful and prosperous future that we all envision. That is a tremendous honor, but it comes wrapped in the mantle of responsibility. Over the next 140 days, I urge all of you to remember the sacred charge that you have accepted—to approach lawmaking with the values of reason, civility, virtue, responsibility, integrity, compassion, and piety. Remember the noble legacies of the giants upon whose shoulders you now stand. Always seek to honor their sacrifices, and give the people of Texas nothing but your very best. Thank you and may God continue to bless our great State of Texas.

**APPOINTMENT OF TEMPORARY OFFICERS AND EMPLOYEES**

The Honorable Gwyn Shea recognized the reading clerk, who announced the temporary officers and employees for the House of Representatives of the Seventh-Eighth Legislature.

- Parliamentarian . . . . . Steve Collins
- Chief Clerk . . . . . Robert Haney
- Journal Clerk . . . . . Julia Bass
- Sergeant-at-Arms . . . . . Rod Welsh
- Voting Clerk . . . . . Jennifer Teigen
- Reading Clerk . . . . . T. C. Turner

Chaplain ..... Bishop Michael D. Pfeifer  
 Doorkeeper ..... Ken Dittlinger  
 Honorary Pages. .... Claire Elizabeth Baxter,  
 Cody Berman, Savannah Berman, Stewart Mertz, Daniel Branch, Jr., Spencer  
 Branch, Catherine Branch, Charles Branch, Sarah Branch, Steven Campbell,  
 Berkeley Sol Capelo, Audrey Luna Capelo, Lindsey Christian, Lauren Christian,  
 Austin Coleman, Evan Coleman, Ginne Cook, Katie Louise Cook, Jenna Cook,  
 Taylor Cook, Reagan Edward Davis, Samuel Frederic Davis, Gaston Costner  
 Davis, Madeleine Hannah Allene Strain, Daniel Jeffrey Strain, Peter Dutton, Jon  
 Harold Dutton, Nicholas Dutton, Jeremy Dutton, Robert Tucker Eiland, Blake  
 Kincaid Eiland, Sean Parker Ellis, Kristopher Wade Ellis, Worth Farabee, Nancy  
 Farabee, Russell Farabee, Ismael "Kino" Flores, Jr., Eric Daniel Flores, Morgan  
 Jones, Jessica Flynn, Whitney Flynn, Keeley Flynn, Josh Blake Flynn, Amanda  
 Lee Hamric, Michael Lewis Hamric, Jr., Bethany Noel Harper, Cassie Lynee  
 Harper, Haleigh Nicole Brown, Callee Olene Heitz, Johnathan Jennings Heitz,  
 Haley Hilderbran, Carolyn Reagan Hilderbran, Suzannah Melanie Evans, John  
 Westhues "Jack" Evans, Sofia Rose Evans, Felicity Elaine Evans, Samuel  
 Stephen Evans, Elizabeth Elaine Hedrick, Anne Marie Hedrick, Benjamin  
 Kenneth Hedrick, Wyatt David Hill, Brady Jackson Hill, Austin Hamon, Hilton  
 Hamon, Parker Hamon, Rachel Lilley, Ryann Lilley, Ashton Rivers Taylor  
 Drenner, Keaton Rivers Ashworth Drenner, Ansley Rivers Drenner, Landon  
 Hunter Phillips, Chad Daniel Phillips, Emily Mae Phillips, Alexander Gratia  
 Hupp, Ethan Gratia Hupp, Joan Isett, Alexander Isett, Nicholas Isett, Victoria  
 Isett, Mary Elizabeth Isett, Michael Isett, Annabell Ellen Jones, William  
 Christopher Jones, Sean Thornton Keel, Travis Bryan Keel, Lois Kate Kolkhorst,  
 Jacob Robert Kolkhorst, Rose Brady, Enrico Andres Gonzalez, Jose Miguel  
 Gonzalez, Logan Madden, Alisa Barzellone, Samantha Barzellone, Codey Ince,  
 Jonathon Wyatt McReynolds, Dominic Michael Newman-Menendez, Victoria  
 Elise Newman-Menendez, Wesley Fichera, Marissa Fichera, Camille Fichera,  
 Anna Pzi Zhen Hefferman, Nicholas Nixon, Stewart Nixon, Matthew Nixon,  
 Richard J. Noriega, Jr., Victor Olivo, IV, Roman Olivo, Conrad Joseph Pickett,  
 Christina D'Marie Pickett, Dora Michelle Ramsey, Ryan Pitts, Alec Robert  
 Puente, Liana Theresa Puente, Luke Michael Puente, Aren Davis Raymond, Eva  
 Rebecca Raymond, Ryan Rubio Raymond, Christian Gabriel Reyna, Evan  
 Samuel Reyna, Jonathan Benjamin Cuff, Judie Angel Cuff, Carlie Elisa Cuff,  
 Spencer Thomas Smith, Sawyer Harold Smith, John Smithee, Jr., Rebecca  
 Smithee, Jimmy "Trey" Solis, III, David Alan Swinford, Daniel Ellis Swinford,  
 Phillip Regan Bates, William David Bates, Hailey Nix, Bryson Nix, Ravyn  
 Duncan, Sidney Jones, Shelby West, Baylee Bennington, Scotty Satterwhite,  
 Landon Satterwhite, Lexi Satterwhite, Colby Wilson, Abbie Jackson, Morgan  
 Jackson, Jamie Woolley, Jakeob M. Kennedy, Jordan J. Giddings, Marquis A.  
 Giddings, Samuel Travis Werkenthin, Rachel Elkins, Elizabeth Elkins, Averie  
 Elkins Boyd, Brittany Chisum, Blake Chisum, Cayce Hardcastle, Christie  
 Hardcastle, Stephanie Chew, Michael Chew, Lauren Grace Chew, Nicholas  
 Wong, Madeleine Amie Van Arsdale, Brooks Ripley Van Arsdale, Shyrell Dawn  
 Van Arsdale, Trudy Taylor, Carly Taylor, Jake Taylor, Anthony Peña, Alyssa

Peña, Chelsea Peña, Aquiles Jaime Garza, III, Will Hartnett, Jr., Winston Harrison Hartnett, Jordan Craig, Jenna Craig, Jami Craig, Gregg Snodgrass, Scott Snodgrass, Ashley Turner, Hannah Elizabeth King, Joshua Daniel King, Mary Lynn King, Leah Kate King, Lily Elaine Orona, Marshall Griffin Haynes, Cole Matthew Perry, Amanda Rachel Hutton, Robert Alexander Hutton, Aaron Paul Hutton, Hannah R. Crabb, Ethan James Crabb, John Arthur Crabb, Annabelle Rose Zedler, Alex Wolens, Lily Wolens, Max Wolens, Miguel D. Wise, III, Mark R. Wise, Zachary A. Wise, Tucker Allen Paxton, Abigail Elizabeth Paxton, Madison Lee Paxton, Katherine Lillian Paxton, Catherine Carter Land, Cynthia Morigan Land, Scott Keffer, Caroline Keffer, Doug Keffer, Will Callegari, Doug Callegari, Derek Bull, Michael Callegari, David Bull, Emory Callegari, Dylan Bull, John Callegari, Annie Callegari, Elizabeth Callegari, Sean Ellis, Kristopher Ellis, Haley Elizabeth Solomons, Melissa Rene Seaman, Mary Ellen Seaman, John Ryan Seaman, Ben Eric Seaman, Scott Cody Seaman, Donald Ray Butts, III, Abigail Elise Butts, Thompson Christopher Butts, Jacob Michael Riddle, Meredith Payne Senterfitt, Reed Andrew Senterfitt, Jocee Michaela Bennett, Samuel Travis Werkenthin, Sidney Phillips, Henry Phillips, Meribeth Phillips, Danielle Hope, Ruben Hope, IV, Blythe Hope, Stuart Hope, Adrienne Marie Oliveira, Lauren Dunnam, Mason Dunnam, Rachel Dunnam, Hanna Ray Homer, Harrison Wade Homer, Hayden Joseph Homer, Ezekiel Michael Richards, Robert Taylor Allen, Morgan Dawn Carey, RaeAnne Grace Allen, Michael Lynn Carey, Jr., Andrew James Richards, Scarlett Grace Richards, Alisha Willis, Krystina Youngblood, Branson Davis, Coebry Clemons, Trudy Taylor, Carly Taylor, Jake Taylor, Michael Joseph Hamilton, Lacey Ann Hamilton, Roberto Daniel Gutierrez, Ana Cecilia Gutierrez, Iris Isabel Gutierrez, Joel Roberto Romero, Sarita Cecilia Gonzales, Grabiela Marie Gonzales, Sarah Mercer, Rebekah Mercer, Liz Laubenberg, David Laubenberg, Eric Flores.

### **ROLL OF MEMBERS-ELECT SHOWING DISTRICTS REPRESENTED**

The Honorable Gwyn Shea directed the chief clerk to call the roll of members-elect of the House of Representatives of the State of Texas of the Seventy-Eighth Legislature, according to representative districts.

The roll was called as follows:

<u>DISTRICT</u>	<u>NAME</u>
District 1	Barry B. Telford
District 2	Dan Flynn
District 3	Mark Homer
District 4	Betty Brown
District 5	Bryan Hughes
District 6	Leo Berman
District 7	Tommy Merritt
District 8	Byron Cook
District 9	Wayne Christian
District 10	Jim Pitts
District 11	Chuck Hopson
District 12	Jim McReynolds

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District 13	Lois W. Kolkhorst
District 14	Fred Brown
District 15	Rob Eissler
District 16	Ruben Hope
District 17	Robby Cook
District 18	Dan Ellis
District 19	Mike "Tuffy" Hamilton
District 20	Dan Gattis
District 21	Allan B. Ritter
District 22	Joe Deshotel
District 23	Craig Eiland
District 24	Larry Taylor
District 25	Dennis Bonnen
District 26	Charlie Howard
District 27	Dora Olivo
District 28	Glenn Hegar
District 29	Glenda Dawson
District 30	Geanie W. Morrison
District 31	Ryan Guillen
District 32	Gene Seaman
District 33	Vilma Luna
District 34	Jaime Capelo
District 35	Gabi Canales
District 36	Kino Flores
District 37	Rene O. Oliveira
District 38	Jim Solis
District 39	Miguel Wise
District 40	Aaron Peña
District 41	Roberto Gutierrez
District 42	Richard Raymond
District 43	Irma Rangel
District 44	Edmund Kuempel
District 45	Patrick M. Rose
District 46	Dawanna Dukes
District 47	Terry Keel
District 48	Todd Baxter
District 49	Elliott Naishtat
District 50	Jack Stick
District 51	Eddie Rodriguez
District 52	Mike Krusee
District 53	Harvey Hilderbran
District 54	Suzanna Gratia Hupp
District 55	Dianne White Delisi
District 56	John Mabry
District 57	Jim Dunnam
District 58	Arlene Wohlgemuth
District 59	Sid Miller
District 60	James L. "Jim" Keffer
District 61	Phil King
District 62	Larry Phillips
District 63	Mary Denny

District 64	Myra Crownover
District 65	Burt Solomons
District 66	Brian McCall
District 67	Jerry Madden
District 68	Rick Hardcastle
District 69	David Farabee
District 70	Ken Paxton
District 71	Bob Hunter
District 72	Scott Campbell
District 73	Carter Casteel
District 74	Pete P. Gallego
District 75	Chente Quintanilla
District 76	Norma Chavez
District 77	Paul C. Moreno
District 78	Pat Haggerty
District 79	Joe C. Pickett
District 80	Timoteo "Timo" Garza
District 81	G. E. "Buddy" West
District 82	Tom Craddick
District 83	Delwin L. Jones
District 84	Carl H. Isett
District 85	James E. "Pete" Laney
District 86	John Smithee
District 87	David Swinford
District 88	Warren Chisum
District 89	Jodie Laubenberg
District 90	Lon Burnam
District 91	Bob E. Griggs
District 92	Todd Smith
District 93	Toby Goodman
District 94	Kent Grusendorf
District 95	Glenn Lewis
District 96	Bill Zedler
District 97	Anna Mowery
District 98	Vicki Truitt
District 99	Charlie Geren
District 100	Terri Hodge
District 101	Elvira Reyna
District 102	Tony Goolsby
District 103	Steve Wolens
District 104	Roberto R. Alonzo
District 105	Linda Harper-Brown
District 106	Ray Allen
District 107	Bill Keffer
District 108	Dan Branch
District 109	Helen Giddings
District 110	Jesse W. Jones
District 111	Yvonne Davis
District 112	Fred Hill
District 113	Joe Driver
District 114	Will Hartnett

District 115	Kenny Marchant
District 116	Trey Martinez Fischer
District 117	Ken Mercer
District 118	Carlos "Charlie" Uresti
District 119	Robert R. Puente
District 120	Ruth Jones McClendon
District 121	Elizabeth Ames Jones
District 122	Frank J. Corte, Jr.
District 123	Mike Villarreal
District 124	Jose Menendez
District 125	Joaquin Castro
District 126	Peggy Hamric
District 127	Joe Crabb
District 128	Wayne Smith
District 129	John E. Davis
District 130	Corbin Van Arsdale
District 131	Ron Wilson
District 132	Bill Callegari
District 133	Joe Nixon
District 134	Martha Wong
District 135	Gary Elkins
District 136	Beverly Woolley
District 137	Scott Hochberg
District 138	Dwayne Bohac
District 139	Sylvester Turner
District 140	Kevin Bailey
District 141	Senfronia Thompson
District 142	Harold V. Dutton, Jr.
District 143	Joe E. Moreno
District 144	Robert E. Talton
District 145	Richard "Rick" Noriega
District 146	Al Edwards
District 147	Garnet F. Coleman
District 148	Jessica Farrar
District 149	Talmadge L. Heflin
District 150	Debbie Riddle

A quorum was announced present.

### **OATH OF OFFICE ADMINISTERED**

The Honorable Gwyn Shea, secretary of state, recognized the chief clerk who administered the constitutional oath of office to the members-elect of the House of Representatives of the Seventy-Eighth Legislature of the State of Texas, all of those present rising together and repeating the following oath, prescribed by the constitution, as it was read to them, as follows:

"I, \_\_\_\_\_, 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-Eighth 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."

**TEMPORARY RULES ADOPTED**

Representative West moved to adopt the house rules of procedure from the Seventy-Seventh Legislature as temporary rules for the election of the speaker.

The motion prevailed without objection.

**HR 1 - ADOPTED**  
**(by Puente and Grusendorf)**

The following resolution was laid before the house:

**HR 1**

BE IT RESOLVED by the House of Representatives of the 78th Legislature of the State of Texas, That pending the election of the speaker, all persons other than members of the legislature, members of their families, temporary officers, and approved press representatives be barred from the floor of the house of representatives inside the rail.

**HR 1** was read and was adopted without objection.

**HR 2 - ADOPTED**  
**(by Smithee and Turner)**

The following resolution was laid before the house:

**HR 2**

BE IT RESOLVED by the House of Representatives of the State of Texas, That, in accordance with Section 9(b), Article III, Texas Constitution, the House of Representatives of the 78th Legislature shall elect a speaker of the house from its own membership as follows:

**SECTION 1. NOMINATIONS.** (a) The secretary of state shall call for nominations from the floor for the election of speaker of the house of representatives and shall recognize every member who desires to make a nomination.

(b) Each member recognized for this purpose shall immediately advance to the front microphone and make the nomination in a nominating speech not to exceed five minutes in length.

(c) After all nominations have been made, the secretary of state shall declare nominations to be closed.

**SECTION 2. SECONDS.** (a) A person is not considered a nominee unless the nomination is seconded by at least one member.

(b) One seconding speech shall be allowed for each nomination in the order in which nominations were made, then other seconding speeches shall be allowed in rotation in the same order.

(c) No more than five seconding speeches shall be allowed for each nominee.

(d) A seconding speech may not exceed three minutes in length.

**SECTION 3. VOTING.** All votes taken shall be record votes entered in the House Journal.



SECTION 4. RESULTS; RUNOFF. (a) The secretary of state shall announce the results of the election. If a nominee has received a majority of the votes cast, the secretary of state shall declare that nominee to be elected to the office of speaker of the house of representatives.

(b) If no nominee has received a majority of the votes cast, the two nominees receiving the largest number of votes in the first ballot shall be in a runoff election conducted in accordance with the voting procedures for the first ballot. The secretary of state shall announce the results of the runoff election and declare the nominee receiving the higher vote to be elected.

SECTION 5. OATH. After the election, the secretary of state shall direct the administration of the oath of office to the speaker-elect. The speaker shall take the chair immediately after taking the oath of office.

**HR 2** was read and was adopted without objection.

### **ELECTION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES**

The secretary of state announced that the next order of business would be the election of the speaker of the House of Representatives of the Seventy-Eighth Legislature of the State of Texas, and stated nominations for speaker would now be in order.

The secretary of state recognized the Honorable Peggy Hamric of Harris County, who placed in nomination for speaker of the House of Representatives of the Seventy-Eighth Legislature of the State of Texas the name of the Honorable Tom Craddick of Midland County, speaking as follows:

Madam Secretary, distinguished guests, fellow members:

I stand before you on the threshold of a historic event. Not since the turbulent days in the aftermath of the Civil War has our chamber witnessed a transfer of power of this magnitude.

As Texans, and as Americans, we look to the example of our forefathers, first established by the Father of our Country who served his presidency and then allowed the power of government to peacefully pass to others. It is with this inspiration in mind that I am here today, to nominate a new leader for our chamber—a leader who will take up the cause and carry the Texas House of Representatives into the new millennium.

It is altogether proper and fitting that we should first look to the past and acknowledge from whence we came. Many honorable and dignified persons have held the position of Speaker of this House and none more honorable or more dignified than the Honorable Pete Laney. With charm, grace, and distinction, Speaker Laney has steered the people's House—always cognizant of the very tenet upon which American and Texan democracy is founded—government of the people, by the people, and for the people. For his unswerving dedication and guidance, Speaker Laney is to be applauded, celebrated, and most importantly, remembered.

We now turn the page to a new era of Texan democracy—an era of hope, purpose, and expectation. Now is not a time to wander from the path. Now is not a time to falter. Now is a time to select a leader who will likewise embrace the complex challenge that is Texas and will likewise hold hands and step forward with the many diverse faces of Texas. I believe that individual is Representative Tom Craddick of Midland.

Tom Craddick embodies the very qualities that leadership demands and has charted a path few before him dared to tread. For it is no small measure to be elected to the Texas House of Representatives in 1968 at the ripe old age of 25 as a Republican from Midland, Texas. It was still within the era of Lyndon Johnson Democrats that Tom Craddick thrust himself onto the Texas political scene. It was from the realization of his surroundings that Tom Craddick learned the skill most essential to leadership of the Texas House, the art of compromise. The political philosopher Edmund Burke said it best, "All government, indeed, every human benefit and enjoyment, every virtue and every prudent act, is founded on compromise and barter."

For as the politics of our nation, and perhaps our state, becomes ever more partisan, should we not look to a leader who has seen firsthand what it is to try to serve a constituency while the odds suggest little chance of success? Nevertheless, it is in the middle of difficulty that opportunity often lies, and despite the political challenges before him, Tom Craddick has endured—he has remained to witness changes in the political landscape time and time again.

To what do we attribute Tom's longevity? Perhaps Tom Craddick's success is a credit to his own intestinal fortitude. Perhaps it is that Tom reminds me of a time when a handshake symbolized more than a thoughtless whim, or perhaps it is that we see in Tom Craddick what we all as representatives of the people of Texas aspire to be—dedicated, resourceful, tenacious, and of course, resilient.

Tom no doubt finds strength in the stability he has fostered in his personal life with wife, Nadine, and children, Christi and Tommy. I do not believe I have ever seen a more close-knit family. In fact, Tom once discounted a run for Congress when he discovered such an endeavor would take away too much time from his family. His simple explanation, "I can't...because I swim with my children every day."

Yet, what more do the people of Texas look for in the leader of their House? Texas history is replete with many great leaders, each of whom embodied a quality integral to our Republic's and our State's evolution. Stephen F. Austin, the pioneer; Sam Houston, the revolutionary; Juan Seguin, the defender; Lyndon Johnson, the idealist; Barbara Jordan, the orator; and George W. Bush, the motivator. Each of these great Texans and the principles for which they stand exemplify the undisputed notion that democracy cannot endure without vision. Tom Craddick is a visionary.

Tom's vision is one of acceptance and inclusion. Tom's vision is one of equal opportunity and cooperation, and Tom's vision is one of allowing every member elected to this house to serve their constituents with undaunted enthusiasm. For in the words of the great American essayist Ralph Waldo Emerson, "Nothing great was ever achieved without enthusiasm."

Tom Craddick is a steward of our institution; one of its senior members; one of its ambassadors. I can assure you that the preservation of the integrity of this chamber is a responsibility not taken lightly by Representative Craddick. And the honor, diligence, and humility with which Tom Craddick has always conducted himself leaves little doubt in my mind that he will carry on the noble standards upheld by his predecessor.

Tom Craddick has undoubtedly reached the heights personally, professionally, and politically. Though Midland will always be in his heart, Tom Craddick has traveled into many members' districts and is well aware of the diversity of this great state—from the wide open spaces in the west, to the piney woods in the east; from the coastal bend and fertile valley in the south, to the prairies in the north—Tom Craddick has seen Texas. From cotton country to oil country; from ocean's bounty to semiconductors—Tom Craddick knows Texas.

Madam Secretary, it is my honor and pleasure to nominate as Speaker of the House for the 78th Legislative Session my friend and colleague, Representative Tom Craddick of Midland.

The secretary of state recognized the Honorable Phil King of Parker County, who seconded the nomination of the Honorable Tom Craddick, speaking as follows:

Madam Secretary, members of the house, guests, family, as I was trying to decide what to say today, it occurred to me that selecting a speaker is probably the most personal vote we make. Now, I know we take up a lot of tough bills, but bills are somewhat intangible, they're about concepts and policies, procedures, things like that. Yet, when we vote for a speaker, we're choosing between fellow members and friends, some with whom we've had long, good relationships.

It's also very personal because, to a great extent, a speaker defines our role in the body and our ability to serve our constituents, what we came here for. So, what I thought I'd do in my short time today, is just tell you, member to member, friend to friend, a couple of the personal reasons behind my support for Tom Craddick.

Last session during redistricting, I got to work very closely with Tom, really for the first time, and I learned a lot about him. I learned that he is very adept at being a leader among leaders. I learned that Tom's a team builder. He draws people together, not with manipulation or with pressure, but by being very open, very approachable, and very inclusive. He has that quiet style of leadership that you often see in top CEO's. It's a style that I think can serve this body and the people of Texas really, really well.

That's not to say that we don't have other members who are ready and qualified to do this job. We absolutely do. But I truly believe that Tom Craddick is the right leader, the right person, for this job today.

Now, I want you to know that I struggled with what I'm about to say, and I don't want to sound too partisan here, but, to my Republican friends, I'd also say that Tom has earned the right over 30 years of distinguished service to take these reins. Actually, he paved the way for a lot of us.

And to my Democrat friends who wonder about their role under new leadership, I'd just say that no one knows more what it feels like to be a member of a minority party than Tom Craddick. And no one is more committed to making sure that every member has the opportunity to lead, to represent their district, and to be a player in this great institution.

Tom, I know you are a good man and that you'll make a great speaker, carrying on the long tradition of good men who have led this body well. So, members, friends, I'm proud today to second this nomination. And I hope you'll join me so we can give a unanimous vote of support to our next speaker of this house, Representative Tom Craddick.

The secretary of state recognized the Honorable Vilma Luna of Nueces County, who seconded the nomination of the Honorable Tom Craddick, speaking as follows:

Since I first was elected to the Texas House in 1993, I have endeavored to increase the educational opportunities and economic prosperity of the people of my home, Corpus Christi, and the entire Coastal Bend area.

The Texas House of Representatives' history is etched by the voices of our predecessors, who stood proudly and spoke eloquently on behalf of their constituents. We are privileged to carry that legacy forward, and in doing so, each member of this hallowed institution becomes a living, active participant in the governing of our state.

When we gather as a legislative body, I believe that it is our responsibility to focus on developing public policy that will lead our state toward prosperity. And I believe it is important to be thoughtful in the important decisions that we make here—decisions that can help provide valuable resources and services to the people in our districts.

My support for Tom Craddick for speaker represents my intent to continue the house's historic tradition of working together to create good public policy. It also represents my determination to pursue my own personal objectives as a state representative for my constituents and the Coastal Bend.

A very popular movie, *Spiderman*, affirms a life lesson to which we all should adhere, "With great power comes great responsibility." I am not the kind of person who normally turns to fictional characters for inspiration. However, this line resonated with me and, incidentally, with my seven-year-old son, Andres. When something resonates among people of different ages, different genders, and different perspectives, I believe that we can trust that it contains an element of truth.

Our status as elected members of the Texas House of Representatives carries great power and a great responsibility to focus on the purpose for which we were sent here. I believe that our biggest responsibility during this session is to be willing to focus on policy without partisanship.

In Tom Craddick, we have a man who is strong enough to include diverse viewpoints in developing public policy. I support him in his efforts to accomplish that goal in the forthcoming session.

Members, I second the nomination of Tom Craddick as speaker of the Texas House of Representatives.

The secretary of state recognized the Honorable Kenny Marchant of Dallas County, who seconded the nomination of the Honorable Tom Craddick, speaking as follows:

Madam Secretary, fellow members, colleagues, distinguished guests:

It is my honor today to add my seconding to the nomination of Representative Tom Craddick of Midland County as the speaker of the Texas House of Representatives for the 78th Legislature.

It has been my privilege to know Tom Craddick for my entire legislative career. In those years, I have come to know him not only as a fellow legislator but most importantly as my friend and my leader.

I discovered early on that his friendship was extended not based on the expectation of some derived benefit from that friendship but was grounded in mutual respect and admiration. I recommend him to you today not only as your next speaker but also as your friend.

As a leader, Tom Craddick has seen a lot in his 34 years of service to Texas. He knows that in Texas, there have been no problems created because of our neglect that cannot be resolved by caring.

He believes that there are no divisions that ignorance has created that cannot be erased through better understanding of each other. Tom is interested in progress and solution, but he doesn't believe that there is a program for every problem.

I believe leadership in times like these should have some predictability to it. Character cannot be summoned at the moment of crisis if it has been squandered by years of compromise and rationalization.

One thing you can say about Tom Craddick is that his philosophy has been consistent from day one. He has no history of signaling right and turning left. Regardless of political philosophy, refreshingly, no one has to guess where Tom stands.

A man named Ted Engstrom once wrote, "The world needs (and I say the Texas House needs) people who cannot be bought; whose word is their bond; who have opinions and a will; who are larger than their vocation; who do not hesitate to take chances; who will not lose their individuality in a crowd; who will be honest in small things as in great things; who will make no compromise with wrong; who are not afraid to stand for truth when it is unpopular; who can say no with emphasis, although the rest of the world says yes."

Our next speaker, Tom Craddick, I believe, is this man.

The secretary of state recognized the Honorable Dianne White Delisi of Bell County, who seconded the nomination of the Honorable Tom Craddick, speaking as follows:

Members of this great body, former lawmakers, distinguished guests, family, friends, and fellow Texans, we gather today in this chamber to affirm our oaths to the people of Texas and to choose our leader for this, the 78th Legislative Session.

By virtue of the legendary figures who have held it, and by virtue of the powers granted to its occupant, the office of speaker of the Texas House of Representatives stands as one of the state's premier leadership positions. This office, more than any other in the legislature, shapes the discussion of issues and sets the tone for our service. And this office, more than any other in the state, is the voice of the people, chosen as it is from among the membership of the people's chamber. Today we nominate a leader worthy of the office's high calling: an eagle scout, a devoted husband, a loving father, a man of faith. A man who has dedicated himself to public service longer than almost any among us. A man whose breadth and depth of knowledge of public policies is unequaled. A man whose work ethic is legendary. A man whose leadership abilities have been relied on from Midland to Austin to Washington. A man who answered the calling of his own conscience, always speaking with clarity and civility.

Tom Craddick is a determined man of vision, a leader who has been tested, an individual who is uniquely qualified to lead this body. Tom Craddick knows that the principle that guides us, doing what's best for the people of Texas, is also the principle that unites us.

Today, we are witnessing a leadership change that has been years in the making, but this vote today is larger than any political party, it is about the leadership attributes that have transcended time in defining our leaders. Sam Houston implored us to "do right and risk consequences." Throughout the history of this state, our leaders have taken the words of Sam Houston to heart. We are their heirs, heirs to their vision. We are the generation to whom the torch of leadership has now passed.

For 34 years, Tom Craddick has shown his persistence, and he has sacrificed for what he believes in. 34 years ago, a young man from Midland, Texas, full of fire and a desire for change, secured a seat in the Texas House the old fashioned way, campaigning from door to door. Tom has known the lonely struggle of the minority. He has lived the words of Andrew Jackson: "One man with courage makes the majority." Did Tom know 34 years ago, when he was chased off a front porch by a voter with a broom, that someday he would be elected speaker of this great body? Here we are, all these years later. Tom Craddick's heart is still full of fire and a desire for change. But today, instead of stepping onto a porch, he is stepping onto the speaker's dais.

New members, the hope of this story is the hope for all of us here today; do your best, always stay in touch with the home folks, make the votes that are best for Texas, and someday, dear members, you may find your own hand gripping the gavel.

We all know it is easier to lead when times are good. True leadership is demanded when times are troubled. Sam Houston knew that. All of Texas is looking to us to lead for these next 140 days, and they will judge us by how well we rise to the challenges we face. Sacrifice and persistence, vision and faith. These are the attributes Tom Craddick holds in great degree. He is the right man, in the right place, at the right time, for this job. Tom Craddick is uniquely experienced in the history of this legislature and he is uniquely qualified to lead this body in these most serious times.

Today is Tom's day. Today is 34 years in the making. It is my high honor to second the nomination of Tom Craddick for speaker of the Texas House.

The secretary of state recognized the Honorable Glenn Lewis of Tarrant County, who seconded the nomination of the Honorable Tom Craddick, speaking as follows:

Thank you Madam Secretary, members, honored guests, family, and friends. I, too, have known Tom Craddick for the entire length of my service in the Texas House of Representatives. In fact, if I'm not mistaken, every member of this body has known Tom Craddick for the entire length of their service.

When I first arrived on this floor in 1995, one of the first people to meet me practically at the door and extend the hand of friendship and cooperation was Tom Craddick. And through those eight years there have been many times when I have found myself with my shoulder to the wheel trying to move issues forward for the State of Texas and to my right or to my left I've seen Tom Craddick with his shoulder right next to mine.

But you know, the essence of our relationship was not forged in those thousands of times that we agreed with one another. The real essence of our relationship was forged in those few times when we disagreed with one another. But when we disagreed, given the fact that he was such a senior member and had much more experience, Tom Craddick could have easily taken the position that my disagreement with him was a result of his intellectual or moral superiority. And he could have used that to try to circumvent my efforts, but he didn't.

Tom Craddick was one of those that recognized that disagreements are most often the product of all of us coming from diverse backgrounds and having viewed life from different perspectives. And the best way for us to work those things out is not to try to circumvent one another, but to try to broaden our minds and take a broader view of the world so that we can attempt to see things from the perspective of our colleagues and through that find some common ground.

Now I'm sure all of you have heard the dire predictions of the 78th Session and the difficulties we're going to have, and there are people outside that door and maybe inside this chamber who are predicting a disastrous session. If we are to have any hope of putting to rest those predictions, each and every one of us is going to have to come through those doors with the same type of spirit, of being willing and desiring to recognize that there are differences, and recognize where most of those differences come from and be willing to try to work to find common ground.

It is with the highest honor and privilege that I stand here to second the nomination of a man with whom for eight years I have enjoyed a relationship of mutual respect, the Honorable Thomas Russell Craddick from Midland, Texas.

Representative Lewis moved that nominations cease and that the Honorable Tom Craddick of Midland County be elected speaker of the House of Representatives of the Seventy-Eighth Legislature.

A record vote was requested.

The Honorable Tom Craddick of Midland County was elected speaker of the House of Representatives of the Seventy-Eighth Legislature by (Record 1): 149 Yeas, 1 Nay, 0 Present, not voting.

Yeas — Allen; Alonzo; Bailey; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Campbell; Canales; Capelo; Casteel; Castro; Chavez; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Craddick; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Ellis; Farabee; Farrar; Flores; Flynn; Gallego; Garza; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Gutierrez; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Isett; Jones, D.; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Lewis; Luna; Mabry; Madden; Marchant; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Mercer; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega; Oliveira; Olivo; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Rangel; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Stick; Swinford; Talton; Taylor; Telford; Thompson; Truitt; Turner; Uresti; Van Arsdale; Villarreal; West; Wilson; Wise; Wohlgemuth; Wolens; Wong; Woolley; Zedler.

Nays — Burnam.

The Honorable Gwyn Shea, secretary of state of the State of Texas, then declared the Honorable Tom Craddick of Midland County to be the duly elected speaker of the House of Representatives of the Seventy-Eighth Legislature of the State of Texas.

### **COMMITTEE APPOINTED**

The secretary of state announced the appointment of the following committee to escort Speaker-elect Tom Craddick to the speaker's rostrum for the purpose of the taking of the constitutional oath of office by the speaker-elect: the Honorable Tom DeLay, house majority leader, United States Congress, honorary chair, Representatives Hill, co-chair, Giddings, co-chair, Berman, Chavez, Corte, Denny, Driver, Dukes Dutton, Flores, Hope, J. Keffer, Morrison, Mowery, Reyna, Ritter, and Seaman.

Speaker-elect Craddick and his party were escorted to the speaker's rostrum.

### **OATH OF OFFICE TAKEN BY THE SPEAKER OF THE HOUSE**

The Honorable Tom Craddick of Midland County, having been escorted to the speaker's rostrum, took the constitutional oath of office as speaker of the House of Representatives of the Seventy-Eighth Legislature of the State of Texas, which was administered by the Honorable James R. Nowlin, chief justice of the United States District Court, Western District of Texas, as follows:



"I, Tom Craddick, do solemnly swear, that I will faithfully execute the duties of the office of speaker of the Texas House of Representatives of the Seventy-Eighth 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."

### **INTRODUCTION OF GUESTS**

The secretary of state recognized the Honorable David Swinford of Moore County who introduced the following special guests: Comptroller Carole Keeton Strayhorn, Attorney General Greg Abbott, Land Commissioner Jerry Patterson, Railroad Commissioner Charles Matthews, Railroad Commissioner Michael Williams, Agriculture Commissioner Susan Combs, Congressman Joe Barton, Congressman Henry Bonilla, Congressman Kevin Brady and Mrs. Brady, Congressman John Culberson, Congressman Tom DeLay, Congresswoman Kay Granger, Congressman Sam Johnson and Mrs. Johnson, FEMA director Joe Allbaugh and Mrs. Allbaugh, Congressman Jeb Hensarling and Mrs. Hensarling, and the Honorable Denis Simonneau, consul general of France.

The secretary of state introduced the Honorable Beverly Woolley who introduced the following members of the speaker's family: Christi, his daughter; Tommy, his son; Jo and Fred Nayha, his parents-in-law; Betty and David Wintroath, his sister and brother-in-law; Judy and Tony Worden, his sister and brother-in-law; Bonnie and Lee Kelley, his sister and brother-in-law; and Jeanne and Keith Brewer, Nadine Craddick's sister and brother-in-law.

The secretary of state introduced the Honorable Terry Keel who introduced Nadine Craddick.

### **ADDRESS BY SPEAKER CRADDICK**

Representative Keel recognized the Honorable Ron Wilson of Harris County who introduced Speaker Craddick.

Speaker Craddick addressed the house as follows:

When I took office as a freshman representative, we had a Texas president in the White House. Today, as I accept this honor, we have a Texas president in the White House. And I would prefer that none of you mention that 34 years have passed between these two events.

Madam Secretary, members of the house, distinguished guests, families and friends, I welcome you and thank you for being here. In particular, I thank my colleagues for their support and confidence in electing me as their speaker. I am humbled and grateful for the trust you have placed in me.

I want to start my speech by remembering my father and his support in my first election as a candidate for state representative in 1968. As parents do, he provided love and support, even though his belief was that it was a foolish undertaking—that Republicans couldn't win in Texas.

Much has been made of the fact that I am the first Republican speaker of the Texas House in modern history. That is a historical fact and one that speaks to the changing political face of this great state. Our election system is a partisan one.

We run as Democrats or Republicans because that's how the system works, but our system of government also expects that we will work together for the common good of all Texans.

Remember, we are only temporary trustees of this great institution and this great state. We should never forget, in either word or action over the next 140 days, that what we do in this chamber is not about personal gain or glory. This is about Texas.

While partisan issues may arise from time to time, legislative action and certainly, legislative leadership, must be truly bipartisan. I believe that was reflected in the comments you have just heard from Democrats and Republicans who spoke on my behalf. Effective leadership means leadership that is fair, honest, balanced, and inclusive. Our mutual goal here is to solve the many issues and challenges facing this state and to make Texas a better place to live.

One part of our state that has been overlooked is our 800-mile border with Mexico. Consequently, I am recommending the establishment of a House Border Committee, which will strive to help the hundreds of thousands of Texans who occupy this still-developing region.

In a broader sense, we face challenges in the coming session concerning a large slate of issues that are important to all Texans.

Without a doubt, the budget will be a complicating factor this session. We are faced with billions of dollars in shortfalls, the retirement of 16 committee chairs after the last legislative session, and 75 percent of our house members having never served with a deficit. There will be a learning curve.

I have proposed creation of the House Committee on Government Reform, which will have jurisdiction over all state agencies, departments, institutions, and advisory committees. Simply put, this committee will eliminate inefficiencies and duplications in government that waste tax dollars that otherwise could be used in worthwhile state programs.

One of the ways that we can eliminate the state's deficit is to create opportunity and prosperity through expanded economic development. I intend to work closely with the governor and the lieutenant governor to streamline and simplify the steps that businesses must go through in order to operate in Texas. By making it easier for individuals and companies to come here, establish, and expand their operations, we create jobs and increase individual prosperity.

The governor has marked two proposals as emergency legislation, and both of them have my strong support. The first is homeowners insurance. There are hundreds of thousands, if not millions, of homeowners who either lost their insurance, as I did, or are still suffering sticker shock from premiums they are paying to maintain it. We are going to make homeowners insurance available, affordable, and we are going to make it happen.

The other emergency issue cited by the governor is medical malpractice insurance. Our front line for Texas healthcare is the physician community. Texas physicians cannot afford to practice in Texas because of soaring insurance costs and our legal system. We are not going to just look at this problem. We are going to fix it.

One other issue of note, perhaps the most significant of all, is education, because from education springs opportunity. If we shortchange our children, we will have failed as leaders. A number of proposals regarding education will be examined. We will also look at the relationships between institutions in Texas and the best ways to manage them. Public education in Texas must evolve into a new system. I cannot promise that we will achieve the final result during this session. However, we will make progress. It is a goal that must be achieved.

As we enter this new era in our state's history, I wish to acknowledge the many individuals who have served Texas before us. This institution has been honored by their presence and their contributions. Because of their efforts, Texas has become the greatest state in America—a magnet for people, both nationwide and globally. It is a historical and undeniable fact that Texans are a unique, proud, and diverse people whose spirit, determination, and tradition are unmatched anywhere.

Today, as I look upon my 149 colleagues, I see enormous talent and potential greatness. The house of representatives is Texas, and in our deliberations and actions, we will honor the diversity and individuality of all Texans.

It is a privilege to have been elected by my colleagues to serve as speaker of this great body. The foundation of our future will be built upon friendship, accessibility, and cooperation. I promise to discharge my duties with dignity, and I salute you—the men and women of Texas who will lead the house of representatives in the days ahead.

In closing, putting politics aside, I am a father and a husband, and in those roles, I want to thank my family for their love and support. I want to thank my partner and best friend. Nadine, I love you. And I want to thank God for giving me this opportunity. May God bless you all.

### **HOUSE NOTIFIED**

A committee from the senate was announced at the door of the house and, being admitted, notified the house that the senate is organized and ready to transact business.

### **COMMITTEE TO NOTIFY GOVERNOR APPOINTED**

The speaker announced the appointment of the following committee to notify the governor that the house is organized and ready to transact business: Representatives Hilderbran, chair, Edwards, Heflin, Madden, and Truitt.

### **ADDRESS BY GOVERNOR**

Speaker Craddick introduced the Honorable Rick Perry, governor of the State of Texas, who addressed the house, speaking as follows:

Mr. Speaker, members, it is a great honor to be here today. Tom asked me to make one small correction, and I'll gladly do that. He said in his introductory remarks that he failed to mention someone who plays a very important role in my life and is one of his dear friends. That is a lady who serves the state so well in such a gracious and beautiful way as the first lady, Anita Perry.

Anita has been an outspoken advocate for spousal abuse and domestic violence across the State of Texas and she'll continue to be. And in Midland, Texas today, she looked around and there's nobody left in Midland. They're all here. Welcome to town, Midland.

It is an honor to be here on this historic day. You've heard the word history spoken by almost every speaker who's been up here, and as I look around at my friends in statewide offices who've helped make part of that history, Colonel, it's a great day to be a Texan. It's a great day to be back in this chamber where you and I, Harold Dutton, and John Smith some eighteen years ago raised our hands to take the oath of office as state representatives, knowing full well we were going to change the world. We had a small learning curve to make, but we're still here and we're still going to change the world. We're going to make a difference. One of the reasons we're going to make a difference is because of the man standing behind me. A person I'm proud to call my friend, and I'm incredibly proud to call Mr. Speaker.

I want to congratulate the newest members of this distinguished body, the class of 2003. Welcome. In this historic chamber you're going to follow in the footsteps of great Texans. And now, it's your chance to leave lasting imprints. The challenges before us are great, but among the membership of this body, there is the commitment, the courage, and the compassion to continue to confront the challenges of our time in a manner worthy of our people. Together we can continue to move forward, to build the future of this state with our commitment to our children and their education. Together we can lower those insurance rates, increase the economic security of Texans, and together we can balance our budget without raising taxes.

It won't be easy, but I know this house. This house, our house, has a leader who has been here for 34 years doing what is right, even when it hasn't been easy. He's fair, he's honest, and he's dependable, and you can be proud to call Tom Craddick your speaker.

Campaign season is behind us. The hour of governing is now upon us. I look forward to working with all 150 members of this great body, Republicans and Democrats alike, to put Texas first. Because at the end of the day, Texas matters most. God bless you and God bless this great Texas House of Representatives.

### **COMMITTEE TO NOTIFY SENATE APPOINTED**

The speaker announced the appointment of the following committee to notify the senate that the house is organized and ready to transact business: Representatives Krusee, chair, Bailey, Hartnett, E. Jones, and Menendez.

### **HCR 22 - ADOPTED (by Craddick)**

The following resolution was laid before the house:

**HCR 22**, Congratulating John Younger of Midland on being selected as Top Hand by the Permian Basin Petroleum Association.

**HCR 22** was read and was adopted without objection.

**INTERPRETER FOR THE DEAF**

The speaker presented Sandra Rouse who provided the interpretation of the proceedings of the house.

**CAPITOL PHYSICIAN**

The speaker presented Dr. Robert Hogue of Brownwood, president of the Texas Academy of Family Physicians, as the "Doctor for the Day."

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

**ADJOURNMENT**

Representative P. Moreno moved that the house adjourn until 10 a.m. tomorrow in memory of the Honorable Paul Hilbert, former member from Harris County.

The motion prevailed without objection.

The house accordingly, at 1:55 p.m., adjourned until 10 a.m. tomorrow.

