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## SUPPLEMENT

FORTY-FIRST DAY — WEDNESDAY, MARCH 21, 2007

### **HB 459 - DEBATE**

REPRESENTATIVE MILLER: Mr. Speaker and members, **HB 459** is a monuments protection bill. Currently monuments or memorials located on state property may be removed, relocated, or altered only by the legislature, the Texas Historical Commission, or the State Preservation Board if they honor a Texas citizen for war or military-related service. **HB 459** would expand that statute to protect a monument or memorial that honors a citizen of the United States or person from a state territory or nation now part of the U.S., and it ensures that monuments of all peoples such as Martin Luther King, Cesar Chavez, Stephen F. Austin, and Juan Seguin would be protected. They're not currently protected under our current law.

REPRESENTATIVE GALLEGO: Mr. Miller, what you're asking the legislature to do then is that every time that any state agency anywhere in the state wants to change a plaque or move a statue, it's going to require a vote of the legislature?

MILLER: No, that's not what the bill does. They can get permission from the legislature if we're in session. They can get that permission from the historical commission, or they can get it from the State Preservation Board. One of three sources.

GALLEGO: Don't the preservation board and the historical commission already oversee removal and relocation of monuments and memorials on the Capitol?

MILLER: Yes, only on the Capitol grounds, but not state properties. That only applies to State Capitol grounds.

GALLEGO: So, we're giving the preservation board and the historical commission authority over all state property at this point?

MILLER: Yes, actually there's no authority over any state property at this time.

GALLEGO: So, and I guess one of the examples that caught my attention is the House Research Organization's, the Confederate soldiers deal at the supreme court. I remember having had that conversation when an additional plaque was placed on the supreme court building. How would that be impacted by your bill?

MILLER: It would have protected that from being removed. However, the bill does not address flags, such as Confederate flags. They would not.

GALLEGO: So, for example, I always thought that the supreme court had jurisdiction over the supreme court's building, The legislature had jurisdiction over the Capitol, and the executive branch had jurisdiction over their stuff. What your bill would do is say the supreme court no longer has jurisdiction over what they put in their building, and how they handle their building has always been the supreme court's prerogative. You're going to move that to the preservation board and the historical commission?

MILLER: And the legislature. This legislative body.

GALLEGO: Okay, so the nine justices on the supreme court will no longer get to decide? As an example, I mean, what I worry about is—

MILLER: Actually, Mr. Gallego, here's the way it works. They can put up any monument, memorial, or plaque they want.

GALLEGO: Right.

MILLER: Before they can remove it, they would have to go through the process of checking with the historical commission or preservation board.

GALLEGO: So, if they hang a plaque on a wall, I guess what I worry about is the across-the-board, the breadth of the legislation, because if they hang something on the wall, I'd hate for them to have to ask legislative permission every time they want to remove something.

MILLER: Well, this would only apply to permanent plaques or memorials. It wouldn't apply to picture hanging or something like that. So they wouldn't need to do that.

GALLEGO: Well, I'm not sure any plaque per se is permanent, though, because by nature, a plaque can be removed.

MILLER: It would apply to plaques.

GALLEGO: Well, and that's why—

MILLER: They memorialize a person or an event.

GALLEGO: Well, as an example, if you have a monument or a plaque in some state agency in some state building, and that person is later sent to prison for whatever crime, they'll have to come to the legislature in order to remove that plaque?

MILLER: And we would grant that, certainly.

GALLEGO: I'm sure that we would grant it, but the level of bureaucracy that would be required just to remove the plaque.

MILLER: See, here's the problem. If I could just—

GALLEGO: Sure.

MILLER: explain the problem we're trying to fix. If a civic group donates, raises the money to put up a Juneteenth monument on state grounds, what we want to do is make sure that that stays on state grounds—that some city, university, TxDOT, Parks and Wildlife—on their own cannot remove that. Most of these

plaques, memorials, statues—the money is raised by private individuals, and that's what we're actually trying to prevent from happening.

GALLEGO: Well, and I guess the difficulty I have with that is that standards change over time. For example, in the attorney general's office, I remember there are statues of the Lady Justice, and they're based on Greek gods, and Greek gods wear somewhat limited clothing on occasion. And so, a statue that somebody later on decided they wanted to cover and make a little more modest, or a plaque that was deemed later on to be inappropriate, you would make a vote of the legislature be required, or a vote of the historical commission be required to change that.

MILLER: I don't think putting a drape over that would require any legislative approval. It would only be if they wanted to remove that from the state, not relocating it, but removing it from those grounds.

GALLEGO: Because here's the issue for me. It's essentially the same local control argument. If the supreme court wants to put something in their building and change something in their building, or A&M, or UT, or Sul Ross, or whatever.

MILLER: They can change it within the building, on the property. They just can't remove it.

GALLEGO: Right, but if somebody decides—

MILLER: Moving it on the property is fine.

GALLEGO: If somebody decides that something—

MILLER: Relocation is—

GALLEGO: —is inappropriate later on, then it seems to me that just by virtue of local control that you ought to be able to remove anything that you put up. I know that's happened on the Capitol grounds. There was a star out here that's no longer out here, there's some water fountains that are no longer out there. And I believe they went to the—

MILLER: This doesn't apply to water fountains.

GALLEGO: Well, all I'm saying is the principle is what bothers me. And that is that you have to come to some state agency somewhere every time you want to change something. And I think that's bad.

MILLER: I think we have a couple of amendments.

[Amendment No. 1 by Thompson was laid before the house.]

REPRESENTATIVE THOMPSON: Mr. Speaker and members, this amendment merely says that, it adds some language between "state" and "this", and inserts "unless the person engaged in an armed insurrection against the United States," those statues will not remain. I move passage.

MILLER: Members, regretfully I'm going to have to move to table this amendment. This amendment would basically remove our memorials, statues, anything commemorating anything related to the Confederacy. It would require

us to remove the one right outside the front Capitol door here, that private money was used to raise and install on the Capitol grounds. So, I'm going to move to table.

THOMPSON: Thank you, Mr. Speaker and members. Mr. Speaker and members, this is really an amendment that says that if we're going to have anybody on the Capitol grounds and they later engage in any kind of insurrection against the United States, we don't want their statues on our grounds. This is prospective, not retrospective. I keep trying to get him to understand that. So I ask you to vote no on the motion to table.

REPRESENTATIVE BONNEN: Thank you. I'd like to be very clear for myself and for the membership. There seems to be some level of confusion. It is your intention and your legislative intent that this would not be used to remove any current statues from the Capitol grounds, specifically those that would be honoring those from Confederate wartimes.

THOMPSON: We don't want anybody's statues on—

BONNEN: Or any other place?

THOMPSON: We don't want anybody's statues on our Capitol grounds who was engaged in insurrections against the United States.

BONNEN: Okay, so then I want to be clear. So then basically you are saying it could remove those Confederate statues?

THOMPSON: Well, the legislation is prospective, not retrospective.

BONNEN: Okay, thank you.

THOMPSON: You're welcome.

REPRESENTATIVE C. HOWARD: Ms. Thompson, it says that if that person was engaged in insurrections against the United States. That would include all of our Confederate generals. General Wheeler is sitting on his horse right here in the most prominent position as you come up the promenade to the Capitol.

THOMPSON: I've been seeing him out there, but I didn't know who he was.

C. HOWARD: Well, I know who he is.

THOMPSON: I didn't. I really didn't, y'all. I'm not saying it because—

C. HOWARD: It was General "Fighting Joe" Wheeler. He led the—

THOMPSON: I didn't know the man.

C. HOWARD: He led the Confederate calvary in the Civil War, and we have honored him, and we've honored several others, and your bill would say we can't have them on our grounds, and I think that we're trying to go back and rewrite history here. That's not what we should be doing, and that's not the intent of Mr. Miller's bill, I don't think. Thank you.

THOMPSON: Oh, I thought you had a question. Mr. Speaker and members, I ask you to vote no on the motion to table. This is prospective not retrospective.

[Amendment No. 1 was tabled by Record Vote No. 152.]

REPRESENTATIVE VEASEY: Mr. Speaker, members, this is the amendment that I would really like for the body to accept because we wouldn't have to visit the next amendment, which is really what these statues and these historical discussions really boil down to, and that is the peculiar institution of slavery and then race in this county. So I'm going to deal with the first amendment and that would basically allow the board of regents that the state has entrusted to run our universities to make decisions in regards to these statues and plaques, and if the board of regents, if they're not doing what they are supposed to do, then let the correct decision regarding them be made there. I think that obviously people feel very strongly about these types of issues and rightfully so because of the history that we've had in this country. And I think that the best thing to do is, like people say, let's move on. Let's vote for this first amendment and let's do the right thing, and let's let our board of regents decide whether or not these statues should be removed because as you know institutions change, the demographics and the racial makeup and the student bodies of these institutions change, and it would be inappropriate and very difficult for certain universities and institutions to make those changes when they occur if we were to take the steps that were taken today.

[Amendment No. 2 was laid before the house.]

MILLER: Mr. Speaker and members, I'm going to have to respectfully move to table. This would cause a serious amount of problems. I can give you any number of instances, but if we gave that authority to the board of regents, basically what could happen if our colleague, Warren Chisum, donated enough money to UT to name a library after him and then he passed away and they wanted to change the name of the Chisum Library to the Woolley Library, they could do that because the Woolley estate would donate more money. So we don't want to be put in a position like that. Once one of those buildings is named, it needs to remain for the people who actually donated that money. That's what my bill is trying to prevent, so this would basically gut the bill. So I'm going to move to table.

VEASEY: Did you vote to allow colleges and universities to set their own tuition rates?

MILLER: I actually talked against that bill. I'm not in favor of that. Actually, Mr. Veasey, this bill, this very bill that we're talking about, passed unanimously off this house floor last session, so I think you have already voted for this bill.

VEASEY: And that may have happened late in the session.

MILLER: It was about this time during the session. It passed off early last time. It actually got held up in the senate behind the school finance bill.

VEASEY: And that's fine, but we allow universities to make other decisions when it comes to setting tuitions and doing other things of that nature, so why would we want to take this away from them? I don't understand why were taking something like this. This is a very major decision that we are making today. Don't you entrust your board of regents? I believe Tarleton State University is one of our state institutions in your district. Correct?

MILLER: That's correct.

VEASEY: Don't you entrust the board of Tarleton University to make decisions when it comes to making decisions?

MILLER: Actually, I don't because the board of Tarleton State University is not even in Erath County. They're far removed. They are under the governing board of regents of Texas A&M University which actually know very little about the campus of Tarleton State University. So I move to table.

VEASEY: Mr. Speaker, I'm asking the body—so we won't have to do the next amendment here—to please vote no on the motion to table.

REPRESENTATIVE CRABB: Do you know how many statues of Joe Jamail are on the UT campus that the regents accepted?

VEASEY: You know what, I don't think that this, you know really, for the conversation to go in that direction and to start coming up with all these hypothetical situations about Joe Jamail and Cesar Chavez. This bill is not about that. That's not what this bill is about. Let's discuss this bill on its proper merits and that is about Confederate statues and about the peculiar institution known as slavery.

CRABB: You're not answering my question. Do you know how many statues of Joe Jamail? Will you answer my question?

VEASEY: I'm sure there are statues of lots of different people on the campus, but those individuals aren't ingrained into the fabric of this country and aren't as controversial as these statues that we're talking about from a time period that happened back in the 1860s, and that's what this is about.

CRABB: Do you know how many statues of Joe Jamail are on the UT campus? Can you tell me how many statues of Joe Jamail are on the UT campus with all your verbalization?

VEASEY: Joe Jamail has given UT lots of money. I would imagine there are probably statues and plaques and names—

CRABB: Do you know how many statues of former presidents of the university are on the UT campus?

VEASEY: Will you say that again? I'm sorry.

CRABB: Do you know how many statues of former presidents of The University of Texas are on the UT campus?

VEASEY: I'm sure there's plenty, but that's not what this bill is about. That's not what this bill is about, in my opinion—

CRABB: It's about honoring—

VEASEY: That's not the intent of this bill so I don't want to engage in a conversation about individuals that buildings are named after that aren't controversial figures. This bill is about controversial figures—

CRABB: Perhaps this bill is controversial, do you realize that?

VEASEY: And the reason why people have strong feelings about this bill is because it deals with a very controversial time in American history.

CRABB: Do you realize that Mr. Jamail may be controversial to some people?

VEASEY: To some people, but not to most.

CRABB: Well maybe the Confederate—and my ancestors by the way did not support secession and had to leave Walker County and move to Lavaca County to keep from being lynched over the issue of secession because they did not support it. You're trying to rewrite history.

VEASEY: I'm not trying to rewrite history at all.

CRABB: Yes, you are. You're trying to turn it over to what's politically correct today.

VEASEY: I've read lots about the Civil War, on the Confederate side and the Union side. I'm not trying to rewrite history and I'm not even advocating the removal of any statues. I'm just saying that it needs to be left up to the board of regents.

REPRESENTATIVE COLEMAN: Representative Veasey, do you bring this amendment to this house in order to allow for those plaques and statues to be removed based on changes as the world moves forward?

VEASEY: Exactly.

COLEMAN: Not based on anything at this moment.

VEASEY: It's not based on anything at this moment. It's not based on anyway how I feel about the Civil War or anything of that nature. It gives institutions the right to decide how their universities are going to reflect the community in which they are located.

COLEMAN: Let's talk about the Civil War for a moment. I wasn't there. Do you think, for example, the battle flag of the Confederacy is viewed the same by all people, that the emotions that come up when they see it are the same?

VEASEY: Absolutely not. When people see that flag, dependent on your experiences, dependent on the stories that your grandparents told you, dependent on the experiences that generations before you may have or may not have had, will reflect on how you truly feel about the Confederate flag.

COLEMAN: And this is a part of our history as a country good, bad, or indifferent, no matter how one feels about it.

VEASEY: It is a part of our country good, bad, or indifferent, and as the country progresses—and you know what's interesting, Garnet, is that you said that this was something that happened way back in the 1860s, happened over 100 years ago, but it's amazing that we're still arguing about it today. And we're arguing about it for a reason. It's because it's very controversial and because people still have very strong feelings about it and so to make a bill that would make it where everybody would have to embrace one side of this issue or the other is a bad direction for the legislature to step in.

COLEMAN: Well, Mr. Veasey, I really appreciate you bringing your amendment to leave that flexibility at those campuses around the state.

[Amendment No. 2 was tabled by Record Vote No. 153.]

[Amendment No. 3 by Veasey was laid before the house.]

VEASEY: Mr. Speaker, members, this amendment would basically exempt the part of this bill that honors a person who owned slaves that I talked about earlier or if a person was a member of a terrorist organization. When I say a terrorist organization, basically what I'm talking about is the Ku Klux Klan. If you know anything about the history of the Klan in this country, that group that was formed from a group of Confederate generals from Tennessee. They basically terrorized school children, went into churches, burned down churches, prevented people from exercising their right to vote, and basically, even after the Civil War and after the Emancipation Proclamation, tried to set up a system in this country that would basically make people still subjects and slaves, even after the Civil War had passed. And if a university or place of higher learning feels that because demographics of the college have changed, because the social mores of the country have changed over the last 100 plus years, that they would like to deal with this appropriately. It allows them to do that. So, that's basically what this amendment is about.

REPRESENTATIVE PHILLIPS: I just wanted to make sure because the way you have written that amendment, you've written it in such a way that there's a first section in it and it regards those who have owned slaves, so I would assume that would include Thomas Jefferson. If there is, President Thomas Jefferson or any of those who have been slave owners, that would be inclusive in this. Is that correct?

VEASEY: It would include anyone who had owned slaves, but that's—Thomas Jefferson is not who we are talking about here today. Maybe if we were in the Northeast, I would engage you on that level, but we're not talking about Thomas Jefferson today. Let's just be clear.

PHILLIPS: I know, but it came up as an issue.

VEASEY: Okay, if you want to say Nathan Bedford Forrest, use Nathan Bedford Forrest, as an example. Use him as an example. Let's not go there and start coming up with all these outrageous examples of different people.

PHILLIPS: Mr. Veasey, I don't mean to, but you have two sections there and that's an awful broad one there.

VEASEY: Well, you know, that's something that this country has to deal with and it's amazing, Larry. I think that I should probably share sentiments with you in that I think that we just ought to move on. I hate that we're even having to debate this today. I think that we ought to move on. And I don't know why this bill, why we're even having the debate today. I think the universities are already doing a great job.



PHILLIPS: Mr. Veasey, you're bringing up this issue as it relates and that's the thing. It's being brought up. I certainly don't want to debate this. I think that we need to go on, and I understand where you are coming from on this. I just want a broad amendment.

C. HOWARD: Mr. Veasey, are you aware that our first president, George Washington, had slaves and that he freed those slaves? And the way that your amendment reads it says that anyone who owned slaves—that would include Stephen F. Austin, Robert E. Lee, George Washington, Thomas Jefferson. So what your amendment says is that we can't have any monuments to any of our forefathers. That's what your amendment says. You may not mean that, but that's what it says.

VEASEY: That's truly not what I'm talking about today.

C. HOWARD: You're going to have to change your amendment if that's not what you mean because that's what it says.

VEASEY: If this amendment was passed, The University of Texas is not going to start removing all their statues tomorrow.

C. HOWARD: You're going to have to change your amendment because that's the wording it says.

VEASEY: No. The bill does not address exactly what you are saying.

REPRESENTATIVE BURNAM: Your amendment would affect current law such that the only thing that your amendment is talking about is in the review process. It has nothing to do with any of the current existing statues or plaques, such that the last two questioners were really raising red herrings, weren't they?

VEASEY: I'm sorry, Mr. Burnam, tell me again?

BURNAM: Mr. Veasey, your amendment only addresses the proposed bill and it only addresses current existing situations. It does not to apply to any future, putting up Washington plaques, or whatever. So the previous questioners were really raising red herrings and misrepresenting your amendment. Isn't that correct?

VEASEY: That is absolutely correct.

BURNAM: Thank you.

VEASEY: Thank you.

REPRESENTATIVE ISETT: Mr. Veasey, please explain to me why you added line 2, under paragraph (e), in your amendment.

VEASEY: Because I feel very strongly that organizations that prevented people from voting, you know voting is something that we in this country hold very—

ISETT: Are you trying to make members of this house who believe that the preservation of history is important and that you will now claim that we are voting in support of terrorist organizations and the Ku Klux Klan if we do not support your amendment?

VEASEY: I'm basically telling you that this is a part of the American culture of society and that we have to deal with it. I think that it's a shame that this bill, that we're even debating it today. After 100 plus years—

ISETT: I find this offensive. I find this paragraph, this sentence, offensive.

VEASEY: And I find it offensive that you don't understand that if someone was part of a terrorist organization that prevented my ancestors from voting that maybe I would want the university to be able to remove something or maybe move it to another location on the campus. Do you not have any empathy?

ISETT: I have great empathy with you. I have great empathy with you that has little to do with this second sentence. The point of this is that we abhor, I abhor, what the KKK stands for. I abhor it. I abhor the institution of slavery. I believe it was an anathema on our nation. However, I'm authorized to wear the medal for the Global War on Terrorism, as is Representative Noreiga, as is Representative Corte, and if you think that I would vote—because I believe in history, I'm the son of a historian—that if I would vote to support these organizations, which I think you could equally have included your purpose without including this line. I do not support the KKK, I do not support terrorist organizations, I have fought against them, I will continue to fight against them and I really don't believe and I can't believe that you believe that this sentence—

VEASEY: Do you support people that were former members of the KKK or that have been members in the past?

ISETT: No.

VEASEY: Okay, well that's what this is talking about. There are people that people in this country look up to that used to belong to this organization. And this organization, when this country was trying to move in the right direction after the Emancipation Proclamation, this organization of former Confederate generals terrorized people at churches, at schools, at freedmen's bureaus, that's what this is about.

ISETT: It is about that.

VEASEY: They terrorized people, are you aware of that?

ISETT: I just told you that I believe that the institution of slavery was anathema. I believe that it would have destroyed our nation.

VEASEY: Do you believe that the people that were members of the KKK were an anathema?

ISETT: Yes.

VEASEY: Okay, that's what this is trying to address today. It's not trying to insult you by saying that you are for the KKK. That's what this is about today.

ISETT: I have to tell you that these types of debates are healthy and we shouldn't remove them from society.

MILLER: Members, I regret that this has gotten to be an emotional issue. I'm going to have to, again, move to table this amendment. What this amendment would do is prohibit us from having statues or monuments to great Americans like George Washington, Thomas Jefferson, and many other of our great American heroes. It's simply just not acceptable. I do not condone slavery. I think it's a deep scar on America's soul.

THOMPSON: Mr. Miller, you know slavery has never ended. Oh my God, listen, the room is silent. Did you know that?

MILLER: Unfortunately, it's still going on in parts of the world.

THOMPSON: Well, if you were in my shoes, and I was in your shoes, I probably would have the same answer. But, as a person who has been a person of that culture, slavery has never ended. Don't you think that we have enough agencies that protect the monuments and the statues that you are trying to protect already?

MILLER: Well, it's apparent that I don't believe that statement is true, or else I wouldn't have brought this bill forward. I believe this bill is for that specific purpose, to protect the monuments that are on state-owned grounds that TxDOT, Parks and Wildlife, universities—

THOMPSON: It's just amazing to me how a bill like this gets to the floor with so many pertinent pieces of legislation that needs to be discussed on the floor that can't even get here. It's just amazing to me that we're up here talking about Confederate heroes, slavery, Ku Klux Klansmen, all those things that touch the wrong button in each and every one of us in this room.

MILLER: I don't believe this bill protects any monuments to the Ku Klux Klan.

THOMPSON: And we are taking up hours of time on something like this, when we could be dealing with something that is more pertinent to the issues of our constituency. I don't have no one in my district that's concerned about the Confederate statues, or the Confederate heroes, up there on those grounds, or wherever they are located, and yet we're taking up this valuable time doing this. And quite frankly, I'm insulted by your bill—

MILLER: You voted.

THOMPSON: As a member of this body, and I'm just disappointed.

MILLER: You voted for it last time, Ms. Thompson.

THOMPSON: As much as we have worked together, as long as you have been here and as much as we have worked together, I feel offended by your bill, and I feel offended by the speaker for allowing this bill to come to the floor.

MILLER: Ms. Thompson, you actually voted for the bill last time, and you didn't seem to have a problem with it.

THOMPSON: Well, I've got one today.

MILLER: I—.

THOMPSON: I've got one with you, I've got a problem with you, and I've got one with the speaker of the house.

MILLER: I move to table, members.

REPRESENTATIVE WOOLLEY: Members, I want to make it perfectly clear. I allowed this bill on the house floor. The speaker did not have anything to do with it.

VEASEY: Members, as you can see, although the Civil War was fought back in the 1860s, people still feel strongly about this today, and there are other controversial issues that we face, that have faced this nation much more recently, much more currently than back in the 1860s, and people don't feel this strongly. You can already see the feelings and the emotions that this has invoked in this body. And I'm asking you today to vote no on this motion to table, and I'm asking you today to vote no and later to vote for this amendment so we can truly move on. And moving on means us working together, and not me moving on on your terms or you moving on on my terms. That means everyone coming and working together in order to come and put down good legislation that everyone can feel good about at the end of the day. It's sad that members of this body would have to feel insulted by legislation that was passed here and that had to deal with a subject that happened over 100 years ago because we can't come to a conclusion on this. So, I'm urging everyone to vote no on this, and I've even told Representative Miller that I would even be for an amendment that would exclude former presidents. But, let's vote no on this motion to table and let's truly move in the right direction.

REPRESENTATIVE Y. DAVIS: Mr. Speaker?

SPEAKER: Ms. Davis, for what purpose?

MILLER: Mr. Speaker, members. I close.

[Amendment No. 4 by Coleman was laid before the house.]

THOMPSON: Mr. Coleman, do you know whether or not there's a senate bill companion bill?

COLEMAN: I do not know, I don't believe there is. There is not.

THOMPSON: You mean to tell me there is no senate companion bill and we're asked to be voting on a bill that may or may not make it to the senate?

COLEMAN: You know, there a lot of bills that don't make it places.

THOMPSON: Thank you.

COLEMAN: Thank you, Mr. Speaker. Members, what I did was try to help one of our colleagues try to put together some language that might be a little more acceptable and what this one says is that the section that is being offered does not apply to a monument or memorial that honors a person who is or was a member of or that is affiliated with a terrorist organization or hate group. It doesn't call any group by name. It doesn't call any terrorist organization by name. I don't really know who or what they are. You know, I think that some people might call

me a terrorist or a hate group all by myself but I don't see anybody putting any monuments up to me anytime soon anyway so maybe my reputation will get better. But that's what this amendment does is take the names out and some issues that may give people a feeling one way or another but says that we're not interested in terrorists and we're not interested in hate, and I move adoption.

MILLER: Mr. Speaker and members, I'm also going to move to table. I believe the definition for terrorist would be one that would mean in opposition to the United States. Of course, that would be all of the Confederate states of the southern states, which would include Texas and all of our Texas heroes, so I'm going to move the table.

COLEMAN: Thank you, Mr. Speaker. Members, I don't think that the definition that Mr. Miller gave is an appropriate definition for the term terrorist. One of the things that I think we've looked at is that there are individuals that the FBI investigates and others that would fall into the category of hate group or terrorist group and I think the intention of this is not to call the Confederates a terrorist group or the hate group, that's the past. We're talking about somebody that would be honored that is affiliated with a group that we considered terrorist organization or hate groups, not someone in the past who is part of our history. It doesn't apply to that because what we're trying to do is make sure we are not misrepresenting the feelings of this country. So I would ask you, or is state to vote no on the motion the table because this is an attempt to find a compromise on people's displeasure with certain language that was in the previous amendment, but it does carry the same spirit.

REPRESENTATIVE NORIEGA: Mr. Coleman, would you be surprised to know there are 102 definitions of terrorist or terrorism?

COLEMAN: Actually, I'm not surprised.

NORIEGA: Would you be surprised that the definition of terrorist or terrorism differs from the Department of State to the Department of Defense to the FBI, that there are multiple uses of the term? Would you be surprised?

COLEMAN: I wouldn't be surprised because I think that people do. You have a different definition of each and I think what we mean is someone who is creating a challenge with our country, that is trying to defeat us, in that sense, and use certain methods to do that. And then the other piece on here has to do with people who spew hate and I can think of a couple right now. It's supposed to be prospective. That's what the issue is.

REPRESENTATIVE STRAMA: Mr. Coleman, just so I understand how this amendment works with the bill, all your amendment says is that if a university or the Parks and Wildlife Department or TxDOT decide to move or remove a monument to somebody who had at some point in time participated in some kind of terrorist organization, they don't have to come and ask us for permission. That's all it says. It doesn't mean they have to remove it, it just says they don't come ask us for permission. Is that correct?

COLEMAN: That is correct.

STRAMA: Thank you.

COLEMAN: So again, the thought of this is that we're not starting to erect monuments to people who don't represent our values. So I bring this in good faith to try to find a compromise between the author and my colleague, Mr. Veasey. With that I would ask you to vote no on—I ask you to look at this amendment in good faith and would ask you to vote no on the motion to table.

[Amendment No. 4 was tabled by Record Vote No. 155.]

[Amendment No. 5 by Thompson was laid before the house.]

THOMPSON: Mr. Speaker, members, all this amendment says is this section does not apply to a monument or memorial for a person who does not believe in one nation under God. I move its passage.

SPEAKER: Members, we're back on the Thompson amendment. I recognize Ms. Thompson.

THOMPSON: Mr. Speaker, all my amendment says is that any of these persons that we honor, we want them to believe in one nation under God, and I think Mr. Miller has a problem with God. So I move for the adoption of my amendment.

MILLER: Mr. Speaker, and members, I'm going to have to move to table. What this amendment will do is go back and remove all, again, all the monuments dedicated to the Confederacy, our Confederate generals, because they didn't believe in one nation. They separated. I believe that's the purpose of this amendment. I move to the table.

THOMPSON: Mr. Speaker and members, we believe in one nation under God. We believe in God we trust. We have it in our constitution's preamble, I will pledge allegiance, what's wrong with it, what's wrong with God? The Confederacy was a nation, I don't know why Mr. Miller doesn't understand that. They did believe in God, and the only thing we're talking about is we don't want to have somebody out here who is an atheist that we are honoring erected on our Capitol grounds or any of our property, so I ask to vote no on the motion to table.

REPRESENTATIVE HARTNETT: Ms. Thompson, for a little legislative intent as a history buff, if I understand, most of the Confederates took oaths of allegiance—

THOMPSON: I didn't know the people.

HARTNETT: —in which they pledged loyalty to the country. So are they exempt if they took an oath of allegiance?

THOMPSON: They took an oath of allegiance under God. They believed in God and they believed in one nation.

HARTNETT: So once they took their oaths of allegiance they are exempt from this?

THOMPSON: They were one nation and they believed in one nation under God. Everybody knows that. Thank you. I ask you to vote no on the motion to table. We think that God is important in our life and we need to put him here on our monuments.

[Amendment No. 5 was adopted.]

[Amendment No. 6 by Martinez Fischer was laid before the house.]

REPRESENTATIVE MARTINEZ FISCHER: Thank you, Mr. Speaker, members. This is an amendment that would also protect historical religious figures who have had a significant effect on Texas, speaking specifically of state cemeteries and places like that and I believe it was acceptable to the author, I just don't know where he is.

[Amendment No. 6 was adopted.]

VEASEY: Mr. Speaker, members, I know this has been a very emotional day for everyone, and I particularly wanted to thank the folks who voted with me on my amendments, and I particularly want to thank those that voted for me when several years ago, if you didn't look like me, you probably wouldn't have been able to vote for this amendment. In 2001, I went to the civil rights pilgrimage in Birmingham, Alabama. It was a very moving experience for me. I visited Selma, visited Montgomery, walked over the Edmund Pettus Bridge in Selma. I went to the church where Martin Luther King first pastored. One of the things I learned about the Civil Rights Movement was those that were not African American that stood with the Civil Rights marchers sometimes were called communists, were sometimes called lovers of African Americans. That's not the term they used, but it took them a lot of courage to stand for civil rights in this country, because there was a time that if you belonged to the local Lions Club or the local civic league or whatever, to be pro-civil rights was a bad thing, and you couldn't do it. You couldn't go back to your neighborhood or your church. I want to thank everybody that voted with me, and voted with Ms. Thompson and Terri Hodge, and the other members of the black caucus that voted with us on this. Thank you for standing with me, because it wasn't too long ago in this country where you wouldn't have been able to do that and I hate that these types of issues keep coming up. This is a very divisive issue and it's been a while since this body has had to deliberate such a racially divisive issue like this. So, hopefully this will be the last time, and, Mr. Speaker, I would be glad to take a question from Mr. Strama.

STRAMA: Mr. Veasey, this bill would say that when Texas Parks and Wildlife or TxDOT or a public university in Texas makes a decision to move or relocate, to move or remove a monument, they can't do so, essentially, without our permission.

VEASEY: Exactly.

STRAMA: I can kind of understand the logic of that for Parks and Wildlife and TxDOT, but don't you find it odd we deregulated tuition because we trust the public universities of Texas to set their own tuition rate, but we don't trust them

to make their own decisions about what they do with monuments on their campuses?

VEASEY: Absolutely, especially something like monuments that should just be a part of everyday paperwork and the everyday work at a university, that's absolutely correct.

STRAMA: And don't you think that universities have the appropriate sense of judgement about history and how they want to commemorate history on their campuses?

VEASEY: Yes, that's absolutely correct. As you know, The University of Texas is just to the north of us here. The student body makeup of The University of Texas has changed since the 1950s, which was not that long ago. There are many members that were living during the 1950s.

STRAMA: Oh, I doubt that very much.

VEASEY: You're right, as times change and the university grows, you need to put in more infrastructure. There's lots of different reasons.

STRAMA: Don't you find that college students really take the issue of how their campus commemorates history pretty seriously and it's part of their education, the type of activism that occurs on a campus in making these kinds of decisions, and we're effectively taking away from a university and the students on that university and the regents of that university their ability to make those decisions?

VEASEY: Absolutely.

STRAMA: Don't you think that kind of undermines the educational purposes of those institutions?

VEASEY: Those types of decisions need to be made on the university campus.

STRAMA: Thank you.

VEASEY: Thank you, Mr. Speaker, I close.

REPRESENTATIVE SWINFORD: Mr. Speaker and members, I come here to apologize for our committee because I'm chairman of that committee and let me tell you, when this bill was presented, it was about someone, some family or someone putting a monument or a name on a building at a university or somewhere else. And then later on, Mr. Big, the big buck guy came along and said, "I'd like to name that building after my folks" and the folks that probably deserved it throughout history got flushed, and we got a big name and a big rich guy up there instead of the family. This was never meant or never intended to be anyway like this. Mark was gone that day and I went back and asked him, "Why didn't you bring this up or something?" It was just presented as it was and what we understood. We had no intention of having anything like this on the floor. I give you my personal apology. I apologize to our committee, but since we've gone through this, Mr. Miller can do whatever he wants to with the bill. But I want you to know that our committee had no intent on passing anything this divisive on this house floor. I apologize.



MILLER: Mr. Speaker and members, the bill that Chairman Swinford just described to you is exactly my intentions on this bill. It is to protect the naming of those buildings on the universities, to protect the statues and the monuments that the Daughters of the Revolution had bought, the veterans groups that had bought them and put them on our state property. I never envisioned having the debate on this floor that we had today. That was not my intention. The debate about slavery. Slavery as far as I'm concerned, is a scar on America's soul. It is regrettable that we were ever—I apologize for this bill getting out of hand, I apologize to Chairman Swinford for this bill morphing into something that it was not intended to be and for that reason, Mr. Speaker, I'm going to ask that you pull down **HB 459** and postpone it until July 4th. Thank you.

