

# HOUSE JOURNAL

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EIGHTY-FIRST LEGISLATURE, REGULAR SESSION

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## PROCEEDINGS

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FIRST DAY — TUESDAY, JANUARY 13, 2009

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 Hope Andrade, secretary of state of the State of Texas, called the House of Representatives of the Eighty-First Legislature of the State of Texas to order.

The invocation was offered by Archbishop Daniel Nicholas Cardinal DiNardo of Galveston-Houston, as follows:

Almighty and compassionate Lord, you have revealed your glory to all nations and have care for all. We humbly thank you for this land, our state, a land rich in resources but above all rich in its many people. May we be a people mindful of your love and kindness. Save us from violence, discord and confusion, from pride and arrogance, and from every evil way.

God of power and might, wisdom and justice, through your authority is rightly administered, laws are enacted, and judgement is decreed. Let the light of your divine wisdom direct the deliberations of this legislature and shine forth in all its proceedings and laws framed for our rule and governance. May this house of representatives seek to preserve the common good and continue to bring us the blessings of liberty and equality. Assist with your spirit of counsel and fortitude the speaker and all representatives, that their administration be conducted in right judgment and be eminently useful to the citizens of this state. May they encourage due respect for virtue and religion and execute laws with justice and mercy. May they have the strength and purpose to be accountable to the people and fulfill their roles with responsibility and their duties with honesty and ability.

We pray for the governor, for judges, elected civil officials, and all others who are entrusted to guard our political welfare.

We above all commend to your unbounded generosity and compassion all the citizens of this state, that we may be blessed in the knowledge and sanctified in the observance of your holy law. May we be preserved in unity and in that peace the world cannot give. After enjoying the blessings of this life, may we be admitted to those which are eternal.

We pray to you, who are our Lord and God, forever and ever. Amen.

Secretary Andrade recognized Courtney Nowell of Georgetown who sang the national anthem.

Secretary Andrade recognized the Honorable Doug Miller who led the house in the pledges of allegiance to the United States and Texas Flags.

**ADDRESS BY THE SECRETARY OF STATE**

The Honorable Hope Andrade, secretary of state of the State of Texas, addressed the house, speaking as follows:

Honorable members-elect, distinguished officials, and guests, family members, friends, and fellow Texans, today marks a day of new beginnings. It is a new year, a new legislative session, and we are also welcoming new members to this body. But even in times of new beginnings, we recognize both the traditions and the hallowed sense of duty within this institution, and all that it represents.

It is fitting that we find ourselves here today in this, "the People's Chamber," as you prepare to discuss the priorities and needs of our state and cast votes to ensure the continued prosperity of the people of Texas.

Speaking of people and their importance, I would like to recognize the families of the members-elect of this body. Without their love and support, your service to our great state would not be possible. Texas is blessed by their graciousness.

This chamber is a very special place for me, as only a few months ago, I took my own oath of office here on this dais. And on that September day, as I became the 107th secretary of state, I reflected upon the many blessings that have been bestowed upon me, all because "Texas is the land of unlimited opportunity." I recognize the role that this body plays in fostering similar successes for other Texans. And on their behalf, I thank you.

We Texans are a proud bunch, sharing many core strengths and values. And over the years, the word "Texan" has become synonymous with an appreciation of tradition, a sense of independence, and, of course, our ability to "pull ourselves up by the boot-straps" in times of hardship or adversity. The hardy men and women who settled our state arrived here from many different places. They came with hopes and dreams of realizing their God-given potential in a land that was vast, wide open, and abundantly blessed. Their courage and determination provided us with excellent guideposts for our future. They created a culture that empowers our citizens and protects that which is sacred and precious to us all: our democratic process, safety and freedom from harm, a good quality of life, and the continued prosperity of a state full of promise.

Texas is fortunate. We possess a great diversity of talents, backgrounds, and life experiences. At his inauguration in 2007, Governor Perry referred to our state as, "a tremendous tapestry of diversity, woven together by common threads." I, too, believe that we are enriched by the variety of perspectives and points of view embraced by the people of Texas. Although our state's heritage and diversity are important to the story of Texas, over the next 140 days, the focus should not be about where we come from or how we got here. Instead, we should focus on where we, together as one Texas, are headed. As members of the house, you help guide our course. You have been granted this opportunity to serve your fellow Texans. Your commitment to work across the aisle, and across the state, for the benefit of Texas is essential to good government. Striving to be leaders beyond labels, you consider what is best for the people, above politics.

Dwight Eisenhower once said: "The opportunist, thinks of me, and today. The statesman, thinks of us, and tomorrow."

Looking out into this great chamber, I see a room full of statesmen, passionate and prepared to do what is necessary and right to keep our state on the road to prosperity and greatness.

If demographers are correct, and Texas' phenomenal growth continues, our sustained prosperity is indeed vital. Across our nation, the word is out, that in Texas we encourage the entrepreneurial spirit, we reward hard work, and we welcome newcomers and new ideas. We recognize that personal responsibility is the bedrock of self-empowerment and can advance all Texans as they pursue a lifetime of opportunities. The people of Texas have high expectations. I am hopeful that the leadership of our state continues working to build a foundation for the enduring success of this incredible, 269,000 square mile piece of real estate that we call home.

It has been said that each day presents a new opportunity. You have before you 140 opportunity-filled days, along with 24 million reasons to work together and make a difference for the people of Texas. And given your dedication and your legacy of service, I know that you will rise to the occasion. Working together to advance our state is a matter of Texas pride. And today, I wish you a session of great significance and many successes as you work to provide educational opportunities, safe communities, quality infrastructure, and a favorable business climate that promotes economic prosperity throughout Texas. Thank you for all you give to Texas, and all you do for the 24 million people that call this state home.

Members, as your secretary of state, it is my intent to honor your authority over this distinguished institution. May God richly bless each of you on this day of new beginnings. Thank you for your attention, your service to our state, and may God bless Texas.

**APPOINTMENT OF TEMPORARY OFFICERS AND EMPLOYEES**

Secretary Andrade recognized the reading clerk, who announced the temporary officers and employees for the House of Representatives of the Eighty-First Legislature.

- Parliamentarian . . . . . Denise Davis
- Chief Clerk . . . . . Robert Haney
- Journal Clerk . . . . . Julia Bass
- Sergeant-at-Arms . . . . . Rod Welsh
- Voting Clerk . . . . . Jennifer Teigen Doran
- Reading Clerks . . . . . Natalie Brown and Tyler Murray
- Committee Coordinator . . . . . Stacey Nicchio
- Chaplains . . . . . Daniel Nicholas Cardinal DiNardo and Louis Zbinden
- Doorkeeper . . . . . Alana Gutierrez
- Honorary Pages . . . . Victoria Rose Strama, Austin Maxwell Menéndez, Izabella Paz Gutierrez, Morgan Danielle Vaught, Christopher Frank Thibaut, Alexia Herrero, Kenedy Sue Gattis, Brielle Skye Uballe, Josephine Marjorie Poinsett, Elizabeth Anne Keller, David Lee Cutrone, Bowen Neal Welsh, Langley Marie

Franks, Cooper Lee Boyd, Delany Marie Welch, Max Andrew Montalvo, Anna Marie Woolley, Sydney Emma Isdale, Stella Emory Patrick, Autumn Skye Elkins, Wren Josephine Casteel, Claire Leigh Craddick, Lara Michelle Langford, Lincoln Paul Pogue, Therron Dutton Lewis, Brooklyn Claire Keffer, Samantha Suzanne Speed, Will Bloemendal, and Owen Bloemendal

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

The Honorable Hope Andrade directed the chief clerk to call the roll of members-elect of the House of Representatives of the State of Texas of the Eighty-First Legislature, according to representative districts.

The roll was called as follows:

<u>DISTRICT</u>	<u>NAME</u>
District 1	Stephen J. Frost
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
District 13	Lois W. Kolkhorst
District 14	Fred Brown
District 15	Rob Eissler
District 16	Brandon Creighton
District 17	Tim Kleinschmidt
District 18	John Otto
District 19	Mike Hamilton
District 20	Dan M. 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	John Zerwas
District 29	Randy Weber
District 30	Geanie W. Morrison
District 31	Ryan Guillen
District 32	Todd Hunter
District 33	Solomon P. Ortiz, Jr.

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District 34	Abel Herrero
District 35	Yvonne Gonzalez Toureilles
District 36	Kino Flores
District 37	René O. Oliveira
District 38	Eddie Lucio III
District 39	Armando "Mando" Martinez
District 40	Aaron Peña
District 41	Veronica Gonzales
District 42	Richard Peña Raymond
District 43	Tara Rios Ybarra
District 44	Edmund Kuempel
District 45	Patrick M. Rose
District 46	Dawanna Dukes
District 47	Valinda Bolton
District 48	Donna Howard
District 49	Elliott Naishtat
District 50	Mark Strama
District 51	Eddie Rodriguez
District 52	Diana Maldonado
District 53	Harvey Hilderbran
District 54	Jimmie Don Aycock
District 55	Ralph Sheffield
District 56	Charles "Doc" Anderson
District 57	Jim Dunnam
District 58	Rob Orr
District 59	Sid Miller
District 60	James L. "Jim" Keffer
District 61	Phil King
District 62	Larry Phillips
District 63	Tan Parker
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	Susan L. King
District 72	Drew Darby
District 73	Doug Miller
District 74	Pete P. Gallego
District 75	Chente Quintanilla
District 76	Norma Chávez
District 77	Marisa Marquez
District 78	Joseph E. Moody
District 79	Joe C. Pickett

District 80	Tracy O. King
District 81	Tyron D. Lewis
District 82	Tom Craddick
District 83	Delwin Jones
District 84	Carl H. Isett
District 85	Joe Heflin
District 86	John Smithee
District 87	David Swinford
District 88	Warren Chisum
District 89	Jodie Laubenberg
District 90	Lon Burnam
District 91	Kelly Hancock
District 92	Todd Smith
District 93	Paula Hightower Pierson
District 94	Diane Patrick
District 95	Marc Veasey
District 96	Chris Turner
District 97	Mark M. Shelton
District 98	Vicki Truitt
District 99	Charlie Geren
District 100	Terri Hodge
District 101	Robert Miklos
District 102	Carol Kent
District 103	Rafael Anchia
District 104	Roberto R. Alonzo
District 105	Linda Harper-Brown
District 106	Kirk England
District 107	Allen Vaught
District 108	Dan Branch
District 109	Helen Giddings
District 110	Barbara Mallory Caraway
District 111	Yvonne Davis
District 112	Angie Chen Button
District 113	Joe Driver
District 114	Will Hartnett
District 115	Jim Jackson
District 116	Trey Martinez Fischer
District 117	David McQuade Leibowitz
District 118	Joe Farias
District 119	Roland Gutierrez
District 120	Ruth Jones McClendon
District 121	Joe Straus
District 122	Frank J. Corte, Jr.
District 123	Mike Villarreal
District 124	José Menéndez
District 125	Joaquin Castro

District 126	Patricia Harless
District 127	Joe Crabb
District 128	Wayne Smith
District 129	John E. Davis
District 130	Allen Fletcher
District 131	Alma A. Allen
District 132	Bill Callegari
District 133	Kristi Thibaut
District 134	Ellen Cohen
District 135	Gary Elkins
District 136	Beverly Woolley
District 137	Scott Hochberg
District 138	Dwayne Bohac
District 139	Sylvester Turner
District 140	Armando Lucio Walle
District 141	Senfronia Thompson
District 142	Harold V. Dutton, Jr.
District 143	Ana E. Hernandez
District 144	Ken Legler
District 145	Carol Alvarado
District 146	Al Edwards
District 147	Garnet F. Coleman
District 148	Jessica Cristina Farrar
District 149	Hubert Vo
District 150	Debbie Riddle

A quorum was announced present.

### **OATH OF OFFICE ADMINISTERED**

Secretary Andrade recognized the chief clerk who administered the constitutional oath of office to the members-elect of the House of Representatives of the Eighty-First 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 Eighty-First 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."

### **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.

**TEMPORARY RULES ADOPTED**

Representative Geren moved to adopt the house rules of procedure from the 80th Legislature as temporary rules for the election of the speaker.

The motion prevailed.

**HR 70 - ADOPTED  
(by Geren and Eiland)**

The following resolution was laid before the house:

**HR 70**

BE IT RESOLVED by the House of Representatives of the State of Texas, That, in accordance with Sections 9(b) and 11, Article III, Texas Constitution, the House of Representatives of the 81st Legislature shall receive nominations to 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. The order in which members desiring to make a nomination shall proceed shall be determined by lot.

(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.

(d) The secretary of state shall recognize at any time a member whose name has been placed in nomination for the purpose of withdrawing as a nominee. A member who withdraws is not considered a nominee.

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. MOTION TO ELECT BY ACCLAMATION. If after the close of all seconding speeches only one member's name remains in nomination for election to speaker of the house of representatives, the secretary of state shall recognize a motion to elect that member as speaker by acclamation.

SECTION 4. OATH. If a speaker is elected by acclamation, 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 70** was adopted.



## 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 Eighty-First Legislature of the State of Texas, and stated nominations for speaker would now be in order.

Secretary Andrade recognized the Honorable José Menéndez of Bexar County, who placed in nomination for speaker of the House of Representatives of the Eighty-First Legislature of the State of Texas the name of the Honorable Joe Straus of Bexar County, speaking as follows:

Madam Secretary, members of the 81st Legislature, distinguished guests, family, friends, thank you for the opportunity to speak with you.

Secretary of State Andrade, thank you so much for joining us today. Even though you've recently started serving as our secretary of state, you bring a life-long commitment to Texas and your public service is truly distinguished. Our state continues to be a respected and wonderful place to live and raise our families because of your selfless leadership.

To my new colleagues, welcome to "The People's House." I know you join me in our pledge to give our very best efforts in making this the most productive and responsive legislature in Texas history.

Please join me in extending a special welcome to Representative Straus' family. His lovely wife Julie and their daughters, Robyn and Sara. To his mother and father, Joci and Joe Straus. We also welcome his sister and brother-in-law, Pete and Lynn Selig, his mother-in-law, Barbara Brink, and Julie's sister, Sandy Cash. We are so glad that you could all be here today.

And to the citizens of Texas who have joined us, welcome and thank you for your support, confidence, and loyalty. You are the most important focus of our work here in the days to come.

Friends, many of you know my lovely wife, Cehlia. After watching her deliver three children and after four sessions and 11 elections, you would think that not too much would make me nervous, but the honor of giving this important speech has had me up since 4 a.m. As a representative from San Antonio, the birth place of Texas, I am humbled that my friend, Joe Straus, has asked me to address you today as we turn a new page in our state's history.

An often overlooked facet of the Battle of the Alamo was the inclusive nature of those who volunteered to defend what we know as the cradle of Texas liberty. The defenders of the Alamo included citizens from all walks of life, just as this body does today. Even as those walls were breached, they remained united in purpose and committed to each other. I believe it fitting that the next leader of the Texas House was raised in the shadow of the Alamo, because he will unquestionably bring the same leadership and commitment to the office of speaker.

I've been asked why, as a proud Democrat, I feel so positively about Joe, an unabashed Republican. Well, I could go on about what a great son, husband, father, and Texan he is, but an early event best tells the story how skillfully the

then newest member from San Antonio would wisely use his position in accomplishing a vital goal that affects thousands of Texans. The 79th Session did not have a budget surplus to speak of, and every dollar was being watched carefully. An issue surfaced on fulfilling a matching funds commitment to continue the work of the only publicly funded cord blood bank in the state, intended to provide thousands of Texas families life saving resources. As I grappled with the challenge to find a solution, Joe agreed to work on this bipartisan issue with me. In the face of strong opposition from one of the most influential state agencies, Joe Straus gave a glimpse of his wisdom and leadership: he respectfully listened to all sides of the argument, thought for a moment, smiled and simply asked, "what is the right thing to do here?" Today, Texas has a highly successful and growing cord blood bank that is available to every family and will provide vital opportunities for thousands of our children for years to come.

The needs of this house, the rights of Texas citizens, and the promise for the future rest in the new leadership that is represented by Joe Straus. Not long ago I had a conversation about what constituted leadership. Is it merely a learned trait or one that comes naturally? In truth it is both, but I believe that the core of leadership comes from the heart. It is about character, integrity, and commitment. It is about the courage to do the right thing simply because it is the right thing while still honoring and protecting the rights of others to disagree.

Joe Straus has proudly served District 121 from San Antonio, and he exemplifies this type of leadership. He is unquestionably prepared to bring these values to this chamber, ensuring that the house of representatives serves the interests of all Texans.

Madam Secretary and members, it is my great honor and privilege to respectfully place in nomination, as the next speaker of the Texas House of Representatives, the name of a son of San Antonio and a fine leader for our great state, the Honorable Joe Straus III. Thank you, and God bless our country, our magnificent state, and each and every one of you.

Secretary Andrade recognized the Honorable Senfronia Thompson of Harris County, who seconded the nomination of the Honorable Joe Straus, speaking as follows:

Madam Secretary, Mr. Chief Justice, Speaker Craddick, fellow members, distinguished guests, and the Straus family. It is my great honor to stand before you today. The opening of the Texas legislative session is always an exciting moment. I always look forward to the start of a new session with feelings of hope and renewed enthusiasm. A solemn responsibility is placed on our shoulders as we prepare to debate the issues and go to work on behalf of the people. Our job is straightforward, to do what we can to make this great state even greater.

My friends, to be honest, when I first heard that Joe Straus had been chosen by a group of his peers to run for this critically important position, I was surprised, maybe even a little shocked. As I reflected on that decision, and the important role of speaker, the more this choice seemed to be the right choice, and I offered him my full support.

Last week, I was honored Representative Straus asked me to accompany him, along with several other members, to address the media regarding the hope to bring change to our great body. Before we left my office for the press conference, I was moved that Joe allowed me to lead the group in prayer. I asked God for the power to heal this body, for guidance for Joe, and all of us to work in just and loving ways.

I believe Joe Straus has the qualities of a great leader. He is smart; he is fair; he listens. He knows who he is and what is right. But most importantly, he is a man of his word. Let me give you an example of what I mean.

Many of you will recall that several sessions ago, we passed a certain tax, which at that time we told the people of Texas would have a limited life span. With that in mind, two sessions ago, I authored an amendment to end the tax, but I was not successful in its passage. Two years later, Representative Straus said he would work with me to end the tax. He did just that. Together we convinced enough members that it was time to follow through with the state's commitment to working Texans. We ended the TIF tax because we knew the state should keep its promises.

Joe Straus knows the importance of keeping one's promises and his word is his bond. His word is impeccable. That is being a leader.

In closing, I would only add the simplest, and possibly the most important endorsement of our new speaker. I trust Joe Straus. He keeps his promises. Please join me in supporting him as our new speaker.

Secretary Andrade recognized the Honorable John Smithee of Potter County, who seconded the nomination of the Honorable Joe Straus, speaking as follows:

Madam Chair, members of the 81st Legislature, distinguished family, and friends. I am here today to second the nomination of my good friend Joe Straus for speaker of the Texas House of Representatives.

Joe and I have become good friends during our service in the house. In visiting one day, we discovered that his father, Joe Straus, was a teammate of my father-in-law, Dale Collins, who is also here today, on the Texas A&M football teams of the late 1940's. So we had this instant bond. I mention my father-in-law, Dale, because he has been very faithful in attending these swearing-in ceremonies over the last 25 years. We figure that he holds the record for the most nominating, seconding, and acceptance speeches endured by a non-immediate family member in the history of the Texas House. This is the first time I've had the opportunity to do this, so I assumed that he would be pleased when I told him that after 25 years, his son-in-law would finally be getting up to speak. He just looked at me and said, "Keep it short" and my kids added "Don't try to be funny." Good advice.

Joe Straus is a good and decent man. He has a good heart for his colleagues in this house and for this state. Joe Straus has indicated his desire to lead the house in a new direction, and that's a good thing. Joe and I share the vision that the Texas House should work together for the people of Texas, while upholding the honor and dignity that Texans expect and demand.

Joe Straus deserves the opportunity to strive for his noble vision of how government should work. He deserves the opportunity to lead the Texas House. He also deserves our support and prayers as we embark on this journey together. Because of this, Madam Chair, I second the nomination of Representative Joe Straus, and I urge my colleagues to elect him by unanimous vote of support.

Secretary Andrade recognized the Honorable Burt Solomons of Dallas County, who seconded the nomination of the Honorable Joe Straus, speaking as follows:

Good afternoon. It's a real pleasure to be here with all of you today. I have always been proud to be a member of this body, and have always had respect for this institution and each of its members' sacrifice to be here representing their communities. Today, I am especially honored to be able to second the nomination of the Honorable Joe Straus for speaker of the Texas House of Representatives.

Many of you may be aware that I have had concerns about the divisiveness that had settled into our process last session. This is a critical and unique time for us in history, and I believe it requires a new direction, and Joe Straus is the man to bring that to the Texas House.

I am a proud Republican and am excited to be nominating a Republican candidate for speaker. But I also have great respect for the democratic foundation of our system, that every citizen should have the right to vote, and that each of their representatives in the house should be valued as public servants of our fellow Texans. Like myself, Joe believes we can agree to disagree, but still take the time to listen respectfully to one another. He has promised to be a member's leader, meaning that he wants each of us to vote and do what's right for our districts and the people of Texas. Joe understands the importance of working in a nonpartisan manner for the greater good of our state. In my book, that's worth a lot, and is the mark of a true leader.

Joe Straus also has deep roots in the Republican Party and a long history of public service. In my view he has impeccable Republican credentials.

Like me, Joe is an urban legislator, and this background bodes well for those of us in North Texas and the other urban areas of the state. And, by that I mean he understands the sense of urgency we have on the critical issues facing our growing population, such as transportation and water. But, of course, I also know Joe will ensure that issues for all Texans are fully addressed, including our rural Texas friends.

I look forward to working with Joe and all the members this session, and I know that together, we as a body united can address the important issues that face us this session. Especially today, I am proud to be a Texan, a Republican, a member of the Texas House, and I am proud to be nominating our next speaker, Joe Straus.

Mr. Speaker, I look forward to accomplishing great things with you for the people of Texas.

Secretary Andrade recognized the Honorable Jim McReynolds of Angelina County, who seconded the nomination of the Honorable Joe Straus, speaking as follows:

It's with joy that I rise to second the nomination of Representative Joe Straus as the next speaker of the Texas House of Representatives. When the 11 met a week or so ago, like many of you, I was a bit surprised that Joe was chosen as the candidate for speaker. I suspect that it surprised him as well. However, after subsequent telephone conversations and meetings, I began to ask myself, why wouldn't Straus be a good speaker? I remembered how sensitive he was shepherding a little rural amendment for me on a utility bill conference committee last session. After a closer look at him, I rise to nominate Joe Straus as our speaker for the following reasons.

First, it is crystal clear to me that the members of this chamber must operate in a forum that allows 150 different and independently minded people to find the common ground necessary for crafting and passing policy that will benefit the majority of Texans. If nothing else, Joe will be a natural leader because he is so independently minded. He walks to his own drummer as I and many of you do. This posture takes courage but ultimately translates to leadership. And he has demonstrated to all that he is his own person who always holds his ground, looks after the needs of his district, and resists pressures of conformity in matters with which he disagrees. You may disagree with him but you have to admire that independent spirit.

Secondly, if we are ever to approach statesmanship, we must get along with one another in an open and cooperative way. Joe exudes a spirit of civility and decency. I know that politics knows no grace. Let's face it, I'm a rural Democrat, and he's an urban Republican. But if the voters of this state are to get the service they deserve, all of us must come together for the common good, and Joe will make that happen. I'd ask you a straight-up question, has anyone in this chamber ever heard Mr. Straus say a demeaning or unkind word to or about another member on the floor of this house? In the 140 days of session, policy should transcend politics. I believe that his gentle and wise leadership will permeate this place and that we'll look back on the 81st as a session of moderation, cooperation, and success.

Thirdly, I believe that there's a tremendous amount of talent inside the walls of this chamber. It needs to be unleashed. Every one of us brings to the legislative altar our ideas, dreams, and hopes for a bright future for our state. I'm convinced in both my head and heart that Representative Straus will honor his pledge to see that the process not only works but that each of us will be used to the maximum of our potential.

Finally, if you truly want to know about another person, simply call their spouse. In a visit with Julie last Saturday, I learned about so many of the personal things that Joe has done with his life, his service to our nation under Presidents Reagan and Bush, his love for his wife and his daughters, Sara and Robyn, his past accomplishments of being the fire marshal of his first grade class, his presidency of his high school graduating class, his years at Vanderbilt, and his success in business. Representative Joe Straus will make a dynamite speaker of this house and make each of us proud.

Mr. Straus, summarizing this nominating speech so that you will plainly understand what I'm saying, being the horse lover that you are, we in this chamber want a work horse, not a show pony. And, at the same time, we're not betting on a bob-tailed nag, we're betting on a bay. Thanks for your willingness to serve.

Secretary Andrade recognized the Honorable Veronica Gonzales of Hidalgo County, who seconded the nomination of the Honorable Joe Straus, speaking as follows:

Madam Secretary, fellow members, distinguished guests, family, and friends.

In the city of San Antonio, there is a family that has lived out what it really means when we say that Texans stand tall. They're the type of people who are not comfortable sitting on the sidelines. They don't expect government to solve all our problems and they're not going to wait for somebody else to step up. I am speaking of the Strauses. Joe and Joci Straus, Joe's parents, actively devote their time and considerable talents to improving their community. Tackling tough problems, from helping prevent teen pregnancy to stepping up to support the arts, Joe and Joci Straus have made it their mission to make their community a better place to live, work, and raise a family. What is clear to every member of this body is that Joe and Joci Straus instilled in their son those same values. They're here today and for the example that they've set for all of us and for the legacy they've left us in their son and our colleague Joe Straus, I ask you to join me in recognizing them.

Over the last year, the words "hope" and "change" have been widely used, some may say over-used. But one thing we can definitely take from that is whether you are a Republican or a Democrat, as I am proud to be, the status quo is no longer acceptable. This has been the trend nationwide, and it is no different here in Texas, or for that matter, in the Texas House of Representatives.

Change has occurred. Our body is now made up of 74 Democrats and 76 Republicans. As a Democrat, naturally I had hoped that we'd be electing a Democratic speaker this session, but with numbers so close, I take comfort in knowing that bills will live or die based on their merit and not based on party affiliation, and that members will, by necessity, be required to work together. And under such an atmosphere, it is more critical than ever that our leader, our speaker, be an advocate of the same spirit of cooperation. That is why I am honored today to second the nomination of Representative Joe Straus of San Antonio as speaker of the house.

The last week-and-a-half has been a whirlwind for the members, for the media, but most particularly, I imagine, for Representative Joe Straus. Joe has been referred to as moderate, young, energetic, well-rounded, independent, a man of integrity, easy going, and a person willing to work with others. Critics have pointed out that he has only two sessions under his belt and say he is politically inexperienced, but I see it differently.

Joe Straus is relatively young. I can tell you that I view the '40s and '50s much differently now that I've crossed over that side of the hill. Joe has shown himself to be independent on more than one occasion, voting against what might

be viewed as his party's position. And if you ask anyone who has worked with Joe, he is always willing to extend his hand and to work alongside you to make a bill better or to advance good public policy.

And as for experience, well, I for one do not believe that political experience equates to effectiveness. Rather, I believe it is the character of the man or woman that should be judged.

Joe Straus is a real leader, evident from the fact that he has the confidence to surround himself with others who can challenge his opinion. One of Joe Straus' first hires is former Democratic member Clyde Alexander as his chief of staff. That's a sign not just of bipartisanship, but of intellectual maturity. It is that spirit of cooperation that the country and that our constituents have been yearning for. It is that spirit of cooperation and that desire to do what's right that will hopefully restore civility to the Texas House.

I know this session will bring many challenges. Our national economy is extremely weak, and while Texas has not felt the effects to the same degree as other states, we too have limited dollars to fund unlimited needs in a state that is highly diverse and that continues to grow in population. Whether you live in North, West, East, or South Texas, as I do; whether your city borders Oklahoma or New Mexico or the country of Mexico, as mine does; whether you are rural or urban or a combination of the two, as my area is; we share many values, to provide a good and equitable education to our children; to take care of the health needs of Texans, especially the youngest and the oldest; to create jobs that fuel our economy; permit families to put a decent roof over their head and provide for themselves; to keep our citizens safe; and the list continues.

I hope that this session those shared values that unite us will be bigger than us and more important than the past struggles that have divided us. I appreciate the immense responsibility that awaits us and what better way to start than to elect as speaker of the house a man who may not have all the experience in the world, who has not been grooming himself for this position, but who has a strong admiration for this institution, who views diversity as an asset, not a liability, and who is willing to step up to make Texas better for all Texans.

Ladies and gentlemen, we've had "Joe the Plumber," and now please join me in electing Joe Straus as speaker of the Texas House of Representatives. May God bless each of you, and may God bless Texas.

Representative Gonzales moved that nominations cease and that the Honorable Joe Straus be elected speaker of the Texas House of Representatives of the Eighty-First Legislature by acclamation.

The motion prevailed.

### **COMMITTEE APPOINTED**

The secretary of state announced the appointment of the following committee to escort Speaker-elect Straus to the speaker's rostrum: Corte, Castro, McCall, Martinez Fischer, Leibowitz, Villarreal, Gutierrez, Farias, Pickett, Hartnett, Darby, Deshotel, Merritt, Eissler, Harper-Brown, Raymond, Y. Davis, Button, and Gonzalez Tourelles.

**HCR 17 - ADOPTED**  
**(by Callegari, et al.)**

The following resolution was laid before the house:

**HCR 17**, Congratulating His Eminence, Daniel Cardinal DiNardo, Archbishop of Galveston-Houston.

**HCR 17** was read and was adopted.

On motion of Representative Callegari, the names of all the members of the house were added to **HCR 17** as signers thereof.

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

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

The Honorable Joe Straus of Bexar County took the constitutional oath of office as speaker of the House of Representatives of the Eighty-First Legislature of the State of Texas, which was administered by the Honorable Wallace Jefferson, chief justice of the Texas Supreme Court, as follows:

"I, Joe Straus, do solemnly swear, that I will faithfully execute the duties of the office of speaker of the Texas House of Representatives of the Eighty-First 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."

**ADDRESS BY THE SPEAKER**

Speaker Straus addressed the house as follows:

Chief Justice Jefferson, thank you for being here today to administer this oath. For each of us, the oaths just taken represent the hope, the promise, the stewardship, the future of Texas.

Madam Secretary, Hope, a dear friend of my family for more than 25 years, thank you for chairing our proceedings today.

To our state and federal officials, distinguished guests, welcome all. Thank you for honoring the house of representatives with your presence today.

To Senfronia, Jim, Burt, José, John, and Veronica, thank you for your generous words and warm sentiments. You heaped high praise on me. But I stand on your shoulders, and on the shoulders of all the members of this great body. I am truly humbled by the broad-based support of my house colleagues.

I would also like to thank Tom and Nadine Craddick for their historic service to Texas. Tom has served the people of Midland and Ector Counties for 40 years. He cares about this state and I honor him. We also are grateful to Nadine for her extraordinary work for the people of Texas. Our families are friends and will remain so.

To my family, thank you for standing with me. Mother and Dad, thank you for showing me by your examples the importance of service to the community. Dad, you're my best friend. Mom, I guess I didn't follow the advice given to our



friend, Secretary Jim Baker, by his grandfather, and used as the title of his recent book: Work Hard, Study. . . and Keep Out of Politics! Well, two out of three ain't bad.

Julie, Sara, and Robyn, I may be speaker of this house, but it is sometimes hard to get in a word at home. But you know I love it, and I love you.

And to my extended family of colleagues in the house, thank you for putting your faith and trust in me. It is a privilege to be here with you in this place of history and service.

Last Saturday, I was at the State Cemetery for the burial of a friend's father. Listening to flags snapping in a strong breeze and the crack of the Ross Volunteers' rifle salute made me reflect on all who have come before us in leading this great state. We follow in their footsteps. Let us come together as colleagues and servants to do what is right for Texas. Collaboration is the key to success in this session.

"A house divided against itself cannot stand." This statement, that originated in the Bible, has been preached by Sam Houston and Abraham Lincoln, and it is appropriately used here today. The Texas House of Representatives cannot conduct the people's business if it is divided. And this is why I became a candidate for speaker.

Our challenges this session are great, yet our opportunities are endless. Together, we will build a house where members have an opportunity to express their views and a chance to do something great for their districts and for Texas. We will create an atmosphere where everyone's voice can and should be heard. A place where we respect each other's points of view, Democrat and Republican, urban and rural, liberal and conservative. I know we will disagree at times. On a daily basis, we will debate. These disagreements and debates are necessary because the end result will be stronger and better laws.

I will try my best to empower members so that they can do what is right for their constituents and for the people of Texas. After all, that is why we are here.

Our top priority, of course, is to write the state's budget, to review each revenue and spending decision as if it impacted the pocketbooks of every Texan—because it does. We must work to provide quality education at all levels for our children and create opportunities for them to succeed. They are the future of Texas. We must continue to improve access to healthcare; we must improve our transportation system and make it more transparent; we must continue to work to bring jobs to Texas and invigorate our economy; we must be better stewards of our natural resources and our environment.

I know that every member of this house has something unique to offer and that together, we will rise to the challenge. There is much wisdom and experience amongst the members who have served far longer than I. Your guidance is essential. Likewise, I am eager to hear the fresh ideas and perspectives which our new colleagues will bring. There is much talent in this room.

For the next 140 days, the 150 of us have the important responsibility of representing 24 million Texans. Let us reach across the aisle, then reach across the rotunda to build a better future for Texas.

Let me offer, in closing, what another great President, Ronald Reagan, said in his first inaugural address: "There are no constraints on the human mind, no walls around the human spirit, no barriers to our progress except those we ourselves erect." Let's promise ourselves, let there be no walls in this house.

May God bless the State of Texas, and keep her brave and strong.

### **INTRODUCTION OF GUESTS**

The secretary of state introduced the Honorable Dan Branch of Dallas County who introduced the following members of the speaker's family:

Joe Jr. and Jocelyn Straus, Lynn and Pete Selig, Julie Brink Straus, Barbara Brink, Sandy Cash, and Robyn and Sara Straus.

### **ADDRESS BY THE GOVERNOR**

Speaker Straus introduced the Honorable Rick Perry, governor of the State of Texas, who briefly addressed the house.

### **COMMITTEES APPOINTED**

The speaker announced the appointment of the following committee to notify the senate that the house is organized and ready to transact business: Cook, chair; Dunnam, Lucio, Olivo, and Woolley.

The speaker announced the appointment of the following committee to notify the governor that the house is organized and ready to transact business: Kuempel, chair; Jones, Keffer, Coleman, and Rios Ybarra.

### **INTERPRETER FOR THE DEAF**

The speaker presented Billy Collins and Deborah Drummond who provided the interpretation of the proceedings of the house.

### **CAPITOL PHYSICIAN**

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

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

The speaker recognized Courtney Nowell who sang "Texas, Our Texas."

The benediction was offered by Louis Zbinden, Minister Emeritus, of San Antonio, as follows:

We seek your blessing, Lord, as we depart from this significant new beginning. Send us now with anticipation and confidence for the future. Infect us then to live each day in this term with contagious hope and bold courage. Though there are differences in strategy and methodology, energize this legislature with their common desire to serve, fuel their fervor for truth, embolden them in a pursuit for justice for the marginal and the voiceless. Let there always be a striving for the common good.

Guard now the new leader of the house, Joe Straus, against all that would tarnish or stain or trivialize. May he, with all of the legislature, be granted then that inspiration without which they could settle for what is ordinary or mediocre. We make this our prayer in the confidence that your future for this legislature and this state is good. And we pray in your holy name. Amen.

Representative Solomons moved that staff members employed by house committees at the end of the 80th Legislature may continue to be employed by the house subject to available funding until all committee assignments have been made for the 81st Legislature.

The motion prevailed.

### ADJOURNMENT

Representative Craddick moved that the house adjourn until 10 a.m. tomorrow in memory of the Honorable Ray Allen Lemmon, the Honorable John J. Gavin, the Honorable Richard "Dick" Waterfield, the Honorable Walter Thomas Caven, the Honorable Jean Edmond Hosey, the Honorable Nancy Hanks McDonald, the Honorable Bobby Webber, the Honorable Milton Fox, the Honorable Dorothy Gillis Gurley-Cauthorn, the Honorable Ric Williamson, the Honorable Ralph Ray Wallace III, the Honorable Arves Jones, the Honorable Wilson Foreman, the Honorable William Benton Carsow, Sr., the Honorable H. G. Wells, the Honorable Russell Bennett Cummings, the Honorable Lena Guerrero, the Honorable Joseph Hugh Allen, the Honorable George E. "Buddy" West, the Honorable W. Reed Quilliam, Jr., the Honorable George Jerome Jones, and the Honorable Jim Mattox.

The motion prevailed.

The house accordingly, at 1:59 p.m., adjourned until 10 a.m. tomorrow.

