

# HOUSE JOURNAL

---

---

EIGHTY-SEVENTH LEGISLATURE, REGULAR SESSION

---

---

## PROCEEDINGS

FIRST DAY — TUESDAY, JANUARY 12, 2021

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 12:03 p.m., the Honorable Ruth R. Hughs, 113th secretary of state of the State of Texas, called the House of Representatives of the Eighty-Seventh Legislature of the State of Texas to order.

Secretary Hughs recognized the Most Reverend Curtis John Guillory, S.V.D., D.D., Bishop Emeritus of Beaumont, who offered the invocation as follows:

Lord God, heavenly Father, we humbly invoke your assistance over this legislative assembly and over each of its members as they endeavor to address the extraordinary challenges of governing in a time of pandemic. We ask your Holy Spirit to guide the new speaker, Representative Dade Phelan, and his leadership team, that they may lead this body to act in unity for the common good of all Texans. May Texans of goodwill throughout the state come together to indenture peace, reconciliation, and healing in our wounded and strained nation which remains and must always be under God.

We ask that the deliberations of the Texas House be filled with the spirit of right judgment and wisdom and that the decisions made here reflect a selfless concern for the public good. May each house member act with generous concern for the good of all who dwell here as they seek to ensure access to health care, education, and a full life for all. May they take to heart how this exercise of political judgment will affect the lives of the children, women, and men who form the communities great and small that make up the State of Texas.

O Lord, bless all of us in this state to take up generously our responsibilities to one another that ours may be a peaceable reflection of the kingdom of justice, compassion, and peace which though not yet come to fulfillment is yet destined by your grace to renew the face of the earth. In our Lord's name, we pray.

Secretary Hughs recognized the Honorable Terry Wilson of Burnet County who led the house in the pledge of allegiance to the United States flag and the Honorable Barbara Gervin-Hawkins of Bexar County who led the house in the pledge of allegiance to the Texas flag.

## APPOINTMENT OF TEMPORARY OFFICERS AND EMPLOYEES

Secretary Hughs announced the appointment of temporary officers and employees for the House of Representatives of the Eighty-Seventh Legislature of the State of Texas.

|                                                 |                                                                                                                                                                                                                                                                                                                                                                               |
|-------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Parliamentarians .....                          | Sharon Carter and Hugh L. Brady                                                                                                                                                                                                                                                                                                                                               |
| Chief Clerk .....                               | Robert Haney                                                                                                                                                                                                                                                                                                                                                                  |
| Journal Clerk .....                             | Jennifer Teigen Doran                                                                                                                                                                                                                                                                                                                                                         |
| Voting Clerk .....                              | Scottie Hagen                                                                                                                                                                                                                                                                                                                                                                 |
| Sergeant-at-Arms .....                          | Michael Black                                                                                                                                                                                                                                                                                                                                                                 |
| Doorkeeper .....                                | Anthony M. Hester                                                                                                                                                                                                                                                                                                                                                             |
| Committee Coordinator .....                     | Stacey Nicchio                                                                                                                                                                                                                                                                                                                                                                |
| Executive Director, House Business Office ..... | James L. Freeman                                                                                                                                                                                                                                                                                                                                                              |
| Chaplain .....                                  | Most Rev. Curtis John Guillory, S.V.D., D.D.,<br>Bishop Emeritus of Beaumont                                                                                                                                                                                                                                                                                                  |
| Honorary Pages .....                            | Matthew Stafford Phelan, Nicholas McDade Phelan,<br>John Henry Phelan, Luke Anthony Phelan, Michael Arthur Phelan III, Cullen<br>Elizabeth Phelan, Danny Phelan Smith, Mark Finnegan Phelan, Fitzpatrick<br>Cunningham Phelan, Nicholas Miles Saba, Mary Ellis Jenkins, Maximilian<br>Wayne Marquez, Grayson Brooks Watts, Maeve Miers McGaughy, and Porter<br>Gray Mitchell. |

## STATEMENT REGARDING HOUSE DISTRICT 68

Secretary Hughs directed the chief clerk to read the following statement:

The Honorable Drew Springer, elected to serve House District 68, has notified the governor that he declines to qualify for the 87th Legislature. His letter of declination will be entered in the journal.

## HOUSE DISTRICT 68

The following letter of declination was submitted for inclusion in the journal:

December 26, 2020

The Honorable Greg Abbott  
Governor of Texas

Dear Governor Abbott:

Having been elected to the 87th Legislature as State Representative for House District No. 68, I hereby decline to qualify for that office pursuant to Section 201.001, Election Code.

Sincerely,  
Drew Springer  
State Representative

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

Secretary Hughs directed the chief clerk to call the roll of members-elect of the House of Representatives of the Eighty-Seventh Legislature of the State of Texas, according to representative districts.

The roll was called as follows:

| <u>DISTRICT</u> | <u>NAME</u>        |
|-----------------|--------------------|
| District 1      | Gary VanDeaver     |
| District 2      | Bryan Slaton       |
| District 3      | Cecil Bell Jr.     |
| District 4      | Keith Bell         |
| District 5      | Cole Hefner        |
| District 6      | Matt Schaefer      |
| District 7      | Jay Dean           |
| District 8      | Cody Harris        |
| District 9      | Chris Paddie       |
| District 10     | Jake Ellzey        |
| District 11     | Travis Clardy      |
| District 12     | Kyle Kacal         |
| District 13     | Ben Leman          |
| District 14     | John Raney         |
| District 15     | Steve Toth         |
| District 16     | Will Metcalf       |
| District 17     | John P. Cyrier     |
| District 18     | Ernest Bailes      |
| District 19     | James White        |
| District 20     | Terry M. Wilson    |
| District 21     | Dade Phelan        |
| District 22     | Joe Deshotel       |
| District 23     | Mayes Middleton    |
| District 24     | Greg Bonnen        |
| District 25     | Cody Thane Vasut   |
| District 26     | Jacey Jetton       |
| District 27     | Ron Reynolds       |
| District 28     | Gary Gates         |
| District 29     | Ed Thompson        |
| District 30     | Geanie W. Morrison |
| District 31     | Ryan Guillen       |
| District 32     | Todd Hunter        |
| District 33     | Justin Holland     |
| District 34     | Abel Herrero       |
| District 35     | Oscar Longoria     |
| District 36     | Sergio Muñoz Jr.   |
| District 37     | Alex Dominguez     |
| District 38     | Eddie Lucio III    |

|             |                          |          |
|-------------|--------------------------|----------|
| District 39 | Armando "Mando" Martinez |          |
| District 40 | Terry Canales            |          |
| District 41 | Bobby Guerra             |          |
| District 42 | Richard Peña Raymond     |          |
| District 43 | J.M. Lozano              |          |
| District 44 | John Kuempel             |          |
| District 45 | Erin Zwiener             |          |
| District 46 | Sheryl Cole              |          |
| District 47 | Vikki Goodwin            |          |
| District 48 | Donna Howard             |          |
| District 49 | Gina Hinojosa            |          |
| District 50 | Celia Israel             |          |
| District 51 | Eddie Rodriguez          |          |
| District 52 | James Talarico           |          |
| District 53 | Andrew S. Murr           |          |
| District 54 | Brad Buckley             |          |
| District 55 | Hugh D. Shine            |          |
| District 56 | Charles "Doc" Anderson   |          |
| District 57 | Trent Ashby              |          |
| District 58 | DeWayne Burns            |          |
| District 59 | Shelby Slawson           |          |
| District 60 | Glenn Rogers             |          |
| District 61 | Phil King                |          |
| District 62 | Reggie Smith             |          |
| District 63 | Tan Parker               |          |
| District 64 | Lynn Stucky              |          |
| District 65 | Michelle Beckley         | (absent) |
| District 66 | Matt Shaheen             |          |
| District 67 | Jeff Leach               |          |
| District 68 | (vacant)                 |          |
| District 69 | James B. Frank           |          |
| District 70 | Scott Sanford            |          |
| District 71 | Stan Lambert             |          |
| District 72 | Drew Darby               | (absent) |
| District 73 | Kyle Biedermann          |          |
| District 74 | Eddie Morales            |          |
| District 75 | Mary E. González         |          |
| District 76 | Claudia Ordaz Perez      |          |
| District 77 | Evelina "Lina" Ortega    |          |
| District 78 | Joe Moody                |          |
| District 79 | Art Fierro               |          |
| District 80 | Tracy King               | (absent) |
| District 81 | Brooks Landgraf          |          |
| District 82 | Tom Craddick             |          |
| District 83 | Dustin Burrows           |          |
| District 84 | John Frullo              |          |

|              |                          |          |
|--------------|--------------------------|----------|
| District 85  | Phil Stephenson          |          |
| District 86  | John Smithee             |          |
| District 87  | Four Price               |          |
| District 88  | Ken King                 |          |
| District 89  | Candy Noble              |          |
| District 90  | Ramon Romero             |          |
| District 91  | Stephanie Klick          |          |
| District 92  | Jeff Cason               |          |
| District 93  | Matt Krause              |          |
| District 94  | Tony Tinderholt          |          |
| District 95  | Nicole Collier           |          |
| District 96  | David Cook               |          |
| District 97  | Craig Goldman            |          |
| District 98  | Giovanni Capriglione     |          |
| District 99  | Charlie Geren            |          |
| District 100 | Jasmine Felicia Crockett |          |
| District 101 | Chris Turner             |          |
| District 102 | Ana-Maria Ramos          | (absent) |
| District 103 | Rafael M. Anchia         |          |
| District 104 | Jessica González         |          |
| District 105 | Terry Meza               |          |
| District 106 | Jared Patterson          |          |
| District 107 | Victoria Neave           |          |
| District 108 | Morgan Meyer             |          |
| District 109 | Carl O. Sherman Sr.      |          |
| District 110 | Toni Rose                |          |
| District 111 | Yvonne Davis             |          |
| District 112 | Angie Chen Button        |          |
| District 113 | Rhetta Andrews Bowers    |          |
| District 114 | John Turner              |          |
| District 115 | Julie E. Johnson         |          |
| District 116 | Trey Martinez Fischer    |          |
| District 117 | Philip Cortez            |          |
| District 118 | Leo Pacheco              |          |
| District 119 | Elizabeth "Liz" Campos   |          |
| District 120 | Barbara Gervin-Hawkins   |          |
| District 121 | Steve Allison            |          |
| District 122 | Lyle Larson              |          |
| District 123 | Diego Bernal             |          |
| District 124 | Ina Minjarez             |          |
| District 125 | Ray Lopez                |          |
| District 126 | E. Sam Harless           |          |
| District 127 | Dan Huberty              |          |
| District 128 | Briscoe Cain             |          |
| District 129 | Dennis Paul              |          |
| District 130 | Tom Oliverson            |          |

|              |                      |
|--------------|----------------------|
| District 131 | Alma A. Allen        |
| District 132 | Mike Schofield       |
| District 133 | Jim Murphy           |
| District 134 | Ann Johnson          |
| District 135 | Jon E. Rosenthal     |
| District 136 | John H. Bucy III     |
| District 137 | Gene Wu              |
| District 138 | Lacey Hull           |
| District 139 | Jarvis D. Johnson    |
| District 140 | Armando Lucio Walle  |
| District 141 | Senfronia Thompson   |
| District 142 | Harold V. Dutton Jr. |
| District 143 | Ana Hernandez        |
| District 144 | Mary Ann Perez       |
| District 145 | Christina Morales    |
| District 146 | Shawn Nicole Thierry |
| District 147 | Garnet F. Coleman    |
| District 148 | Penny Morales Shaw   |
| District 149 | Hubert Vo            |
| District 150 | Valoree Swanson      |

A quorum was announced present.

### **OATH OF OFFICE ADMINISTERED**

Secretary Hughs directed the chief clerk to administer the constitutional oath of office to the members-elect of the House of Representatives of the Eighty-Seventh 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, that I will faithfully execute the duties of the office of member of the House of Representatives of the Eighty-Seventh Legislature of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this state, so help me God."

### **MOTION IN WRITING REGARDING FLOOR PRIVILEGES**

The Honorable Charlie Geren of Tarrant County offered the following motion in writing:

Madam Secretary:

I move that, pending the election of the speaker, all individuals other than members of the house of representatives, members of their families, the secretary of state, temporary officers and their staffs, and approved guests be barred from the floor of the house of representatives inside the railing.

Geren

The motion was read and prevailed.

**MOTION IN WRITING  
PROVIDING FOR NOMINATION  
AND ELECTION OF THE SPEAKER**

The Honorable Todd Hunter of Nueces County and the Honorable Joe Moody of El Paso County offered the following motion in writing:

Madam Secretary:

I move that, in accordance with Sections 9(b) and 11, Article III, Texas Constitution, and the laws of the State of Texas, the House of Representatives of the 87th Legislature proceed to elect a speaker of the house of representatives 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 each member who desires to make a nomination. The order in which members shall proceed to make a nomination shall be determined by lot.

(b) Each member recognized for this purpose shall immediately advance to the microphone at the reading clerk's desk 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) Not more than two seconding speeches shall be allowed for each nominee.

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

(e) Any member other than a member recognized under Subsection (b) may second a nomination by providing notice of the second to the chair. The secretary of state shall announce the names of members who provided seconds to the chair under this subsection.

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 may recognize a motion to elect that member as speaker by acclamation.

SECTION 4. OATH. (a) After the election, the secretary of state shall:

(1) appoint an honorary committee of members to escort the speaker-elect to the speaker's rostrum for the purpose of taking the constitutional oath or affirmation of office by the speaker-elect; and

(2) direct the administration of the oath or affirmation of office to the speaker-elect.

(b) The speaker shall take the chair immediately after taking the oath or affirmation of office.

Hunter and Moody

The motion was read and prevailed.

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

Secretary Hughs announced that the next order of business would be the election of the speaker of the House of Representatives of the Eighty-Seventh Legislature of the State of Texas and stated nominations for speaker would now be in order.

Secretary Hughs recognized the Honorable Will Metcalf of Montgomery County, who placed in nomination for speaker of the House of Representatives of the Eighty-Seventh Legislature of the State of Texas the name of the Honorable Dade Phelan of Jefferson County, speaking as follows:

Thank you, Madam Secretary, family, friends, and guests. Welcome to your State Capitol. I would like to extend a special welcome to our new members and their families. Thank you for stepping up to serve your neighbors in the Texas House. Members, we are gathered here on the second Tuesday in January, just as we do every other year, for the start of the 87th Legislative Session. While this particular Tuesday looks nothing like the start of any previous session in history, we are here because there is work to be done. The state's business does not recess for pandemics, natural disasters, or a tough budget cycle. It is our job to keep Texas moving forward despite these challenges. And that is what we are collected here today and for the next 139 days to do. To say that a lot has happened over this past year would be an understatement. Our state, our nation, and the world have suffered immense losses due to COVID-19. Our hearts go out to those who have lost loved ones. There's also been the loss of jobs and stable income, lost time with family and friends, and more. We've all had to make great sacrifices, and I think we were all happy to ring in the hope that 2021 brings.

With all that said, hindsight is 20/20, and it is time for us to get to work. In order for this body to tackle the unique challenges ahead of us, we need an innovative leader to guide us to that success, someone familiar with taking on great trials and tackling issues head on, not just for the benefit of themselves or their district but for the entire state. Members, I stand before you today honored to nominate my colleague and my friend Dade Phelan to be that leader for the Texas House. Many of us know Dade as a hardworking, detailed, and policy-oriented member of this body. I want to share with you just a few of the many reasons that Dade will make an outstanding speaker.

Dade was born one of seven children. He was raised in Southeast Texas, where he now raises his own family. He was taught from an early age to give back to his community and spent much of his time volunteering for various local organizations as a young adult. Dade and his wonderful wife, Kim, have been married for 13 years, and they have four sons, Ford, Mack, Hank, and Luke. Family is the most important thing to Dade and Kim. When Dade isn't working, he can be found spending time with their boys at Boy Scout events, going to the ballpark, playing tennis, attending cross country meets, or taking the boys hunting and fishing. However, it isn't all rough and tumble in the Phelan house. Dade loves to cook and loves showing the boys their way around the kitchen. His wife, Kim, is a solo practicing attorney and gives much of her time to nonprofit causes that are important to her. I think it's important to note that these two have the best time management skills of any couple I've ever known. When I asked Kim to describe Dade for me, her first two comments were that he is high energy and passionate about what he believes in. I think we can all agree that those would be an accurate description of our colleague Dade and also great attributes in a potential speaker.

Dade was elected in 2015 to represent House District 21 in the Texas House. I met Dade at this time and immediately saw my classmate's potential to be a great leader, not only for his district but for the entire state. He is hardworking, disciplined, fair, and always gives credit where credit is due. This was on full display in the aftermath of Hurricane Harvey in 2017 as Dade's district in Southeast Texas was one of the hardest hit areas in our state. You will never hear this from him, but I have heard many stories of his selfless actions during that time. After Harvey dropped over 20 trillion gallons of water across Southeast Texas, the people of his district were completely shut off from everywhere. Supplies could not be delivered by truck because every roadway had been flooded over. Dade coordinated with multiple organizations to solve this problem. Planes soon flew in critical supplies so that the most vulnerable among us had their necessities. I heard the Orange County Airport had never seen that many planes in its entire existence. Dade was there in a T-shirt and jeans. He was not there to be seen or to ensure that people remembered him. He was there to get to work and serve his community as he had done many times before.

When we returned for the 86th session two years ago, Dade was ready to get to work for all districts hit by Hurricane Harvey, not just his own. Last session, he helped pass the session's major flood relief bill package in response to the devastation Harvey brought. After session, Dade traveled the state working to

educate other districts on the need for Proposition 8 on the November 2019 constitutional amendment ballot. This paved the way for the state's Flood Infrastructure Fund to help all communities fight against flooding and be better prepared for the next storm event. Dade saw problems and delivered solutions. As a resident of one of the hard-hit districts, he could have simply advocated just for his area. Instead, he worked hard for his district and the state as whole, leaving both better than they were before.

Now, Dade has been asked to help us recover from a different kind of storm. He has been asked to step up and lead this body through what will probably be the toughest session any of us will ever experience. We are weathering the storm of COVID-19, and we need a leader like Dade to help guide this house to solutions for the benefit of all Texans. Members that I've spoken to about Dade all had the same sentiments. We know Dade, we trust Dade, and we have seen Dade in action. He will work hard for us and help us all be successful for our own districts. Dade intimately understands the process of this legislature and knows the most successful sessions happen when members are allowed to represent their districts freely. This is the kind of leader we need right now more than ever. It is time to get to work and leave the problems of 2020 behind. Members, Dade is the right man for this job, and I am proud to nominate Dade Phelan as speaker of the Texas House for the great State of Texas.

Secretary Hughs stated that nominations were closed and recognized the Honorable Nicole Collier of Tarrant County, who seconded the nomination of the Honorable Dade Phelan, speaking as follows:

Members and guests, good afternoon and welcome to your Texas Capitol. I wrote a list of all the reasons why I support Representative Dade Phelan for speaker and they are all in this binder, but because I only have three minutes, I will paraphrase for you. I stand before you not as one of the few courageous women who serve in this body. I don't even stand before you as one of the even fewer blacks who fearlessly serve in this legislature. No, I stand before you as your fellow colleague with the same rights and responsibilities that you have to the great State of Texas and to this legislative body. Because we are one.

I made the decision to support Representative Phelan for speaker based on what I know. My mom often told me that there are times when it is best to stick with what you know instead of what you heard. And what I know about Dade Phelan is that he is the right person for our state. He is a person of discernment and focus. In fact, what I appreciate about Dade Phelan is that he is a person who listens. Let me explain. Toward the end of his first session, he approached me on the floor and asked if he could sign on to one of my bills. You know how we do that. I was taken aback a little because at that time, there were few republicans who asked to sign on to my bills. But not Dade Phelan. He said to me, you have a bill that my wife says I should sign on to. She said it can help people who lose their health insurance coverage. If it isn't possible for me to sign on, then at least I can tell her I tried. Well, we marched right over to the clerk's office and got that man a pen.

Now, that may not seem like anything out of the ordinary to some, but it told me a lot about him. For one, it told me that he is a person with a sense of humility. When he approached me, he admitted it wasn't his idea. A strong leader surrounds themselves with smart people who make them better. And a strong leader has no problem enlisting the help of others. Secondly, it told me that he is a person who listens. Not only did he listen, but I believe he listened to reason when his wife made that suggestion. A leader with integrity has no problem giving credit where credit is due, and in this case, he admitted that it was his wife's brilliant idea. This also told me that he is a person who takes action. He had a conversation with his wife and afterward he acted on it. Thirdly, it tells me he is courageous because he signed on to the bill of a member who had been dubbed by some media outlets as one of the most liberal members in the house. He wasn't afraid or concerned with taking on a position that some may think is risky because he believed in it. Lastly, it tells me he cares. He listened to his wife's recommendation and he even cared about keeping his word. He wanted to be accountable for his actions by keeping his word. Now, if that is how he approaches matters in his own home, just imagine how he will lead this house.

Remember, while we may be on opposite sides of the political aisle, we all reside in the same house. It is the love that we have for our house that makes it our home. And when it comes to our home, we will do what is necessary to take care of it—to protect it. Dade Phelan knows this because he has the desire to build us up, not tear us down. He wants to bring us together and not divide us. I firmly believe that Dade Phelan is the right leader to work with us in tearing down the systemic racism that has eroded so many parts of our system of government. He will support our educational system to ensure that the tools and resources are available to prepare the next generation of leaders. He will work with us to strengthen our economy by helping to get people back to work. And he will work with us to build a health care system that can withstand the strains of a pandemic. We must remember Dade Phelan's leadership qualities and rely on them to help navigate us through these challenging times that lie ahead. Come back to these notions of unity when divisive legislation is before us. Focus on the positives and remember the fact that we all are part of the same house. A house united will not fall. These, my friends, are the reasons why I second the nomination of Dade Phelan as speaker. God bless Texas.

The nomination of the Honorable Dade Phelan was also seconded by the Honorable J.M. Lozano of Kleberg County, speaking as follows:

Madam Secretary and members, I rise today to second the nomination of our friend, our colleague, and the next speaker of the Texas House, Dade Phelan. Dade and I have many similarities. We are both republicans. We both have young families. We are both business owners. We're both pretty good cooks. And we both represent coastal districts which are full of hardworking men and women who keep the Texas economy going strong—so strong that the coast provides one-third of our state's total economic output. But that is not the reason I am nominating him today. Oprah Winfrey once said, "Leadership is about empathy. It is about having the ability to relate and connect with people." And when I first made Dade, I was a second-term state representative. Dade was coming in as a

freshman, and the first thing he did was ask how my now-retiring chief of staff was doing. I learned that when he was a Capitol staffer, as I was when I was much younger, she was his boss. Dade spoke so well of her, he showed that he cared for her as if she was his second mother. Dade has a big heart full of empathy. It is so big that his heart is as big as Texas.

I am proud to speak today because Dade understands that Texas is a coalition of diverse cultures. From Brownsville to Amarillo, from his hometown of Beaumont to the mountains of El Paso, he wants us to represent our communities, to vote our districts, and to solve Texas' challenges. Dade understands that we are united by dinner table issues. That is what this session will be about: solving problems and getting things done on behalf of all Texans. The unique times we face today require steady, thoughtful leadership—the kind of leader that is Dade Phelan.

We are just beginning this 140-day journey of doing the people's business. And at the end of this session, we cannot leave Austin discouraged by our challenges, but be proud to have faced them and risen above them because of our hard work, of our sacrifice, and because of our next speaker of the Texas House, Dade Phelan.

The nomination of the Honorable Dade Phelan was also seconded by the Honorable Cody Harris of Anderson County, the Honorable Shawn Thierry of Harris County, the Honorable Mayes Middleton of Chambers County, the Honorable Erin Zwiener of Hays County, the Honorable Alex Dominguez of Cameron County, and the Honorable Candy Noble of Collin County.

Secretary Hughs stated the nomination of the Honorable Dade Phelan of Jefferson County has been duly seconded and the question immediately occurs on the election of the Honorable Dade Phelan of Jefferson County as speaker of the House of Representatives of the Eighty-Seventh Legislature of the State of Texas.

Pursuant to Article III, Section 12(c), of the Texas Constitution, a record vote was requested by Representatives Harris, Murphy, and Klick.

The question occurring on the election of the Honorable Dade Phelan of Jefferson County as speaker of the House of Representatives of the Eighty-Seventh Legislature, the house elected him speaker by (Record 1): 143 Yeas, 2 Nays, 0 Present, not voting.

Yeas — Mr. Speaker; Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales,

C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Nays — Cason; Slaton.

Absent — Beckley; Darby; King, T.; Ramos.

### **STATEMENTS OF VOTE**

When voting occurred for the election of the Honorable Dade Phelan of Jefferson County as Speaker of the Texas House of Representatives of the 87th Texas Legislature, I was not able to be present due to illness. I would have voted yes.

Darby and T. King

Secretary Hughs declared the Honorable Dade Phelan of Jefferson County to be the duly elected speaker of the House of Representatives of the Eighty-Seventh Legislature of the State of Texas.

### **COMMITTEE APPOINTED**

The chair announced the appointment of the following honorary escort committee for Speaker-elect Dade Phelan: the Honorable Ben Leman of Grimes County, chair; the Honorable Brad Buckley of Bell County, the Honorable Sheryl Cole of Travis County, the Honorable Art Fierro of El Paso County, the Honorable Eddie Lucio III of Cameron County, the Honorable Christina Morales of Harris County, the Honorable Andrew Murr of Kimble County, the Honorable Victoria Neave of Dallas County, the Honorable Toni Rose of Dallas County, the Honorable Shelby Slawson of Erath County, the Honorable Reggie Smith of Grayson County, the Honorable Valoree Swanson of Harris County, and the Honorable James Talarico of Williamson County.

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

Speaker-elect Phelan was recognized at the speaker's rostrum.

The Honorable Dade Phelan of Jefferson County took the constitutional oath of office as speaker of the House of Representatives of the Eighty-Seventh Legislature of the State of Texas, which was administered by the Honorable Eva Guzman, Justice of the Supreme Court of Texas, as follows:

"I, Dade Phelan, do solemnly swear, that I will faithfully execute the duties of the office of speaker of the House of Representatives of the Eighty-Seventh Legislature of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this state. So help me God."

Secretary Hughs recognized the Honorable Joe Deshotel of Jefferson County who introduced family members of Speaker Phelan: his wife, Kim; his sons, Ford, Mack, Hank, and Luke; and his parents, Janey and Michael.

### **ADDRESS BY THE SPEAKER**

Secretary Hughs introduced the Honorable Dade Phelan, speaker of the House of Representatives, who addressed the house, speaking as follows:

Madam Secretary and Justice Guzman, thank you for playing such an essential part in today's proceedings and for your service to our state. Bishop Guillory—I said it right—my friend and spiritual counsel from Southeast Texas, your prayerful words are so appreciated in these turbulent, challenging times. Nicole and J.M., thank you for your kind words and for your friendship. And Will, my former deskmate, you talked me into running for speaker so you didn't have to sit next to me anymore, but I thank you nonetheless. Your speeches were so good, you convinced me to vote for myself. Members, I am grateful for your support to be the next speaker of the Texas House. And to our guests, I welcome you to your Texas House. The confidence you have placed in me today will serve as a constant reminder of what you expect and what this great institution deserves of me as speaker.

I would not be here today without the enduring love and support of my wife, Kim. And while I may now preside as speaker of the Texas House, Kim will always be the speaker's speaker. And I, like any member of this body, am only as strong as the people who support me. Kim is that strong, loving mother and wife. She is an accomplished attorney, executive director of a nonprofit for at-risk youth, and president of the Mental Health Association of Southeast Texas. Throughout this pandemic, Kim has also served as teacher, principal, and superintendent of the Phelan Zoom School. With grace and patience, she undertook all of these roles in addition to her full-time jobs and commitments, and none of these obligations end today. Kim, I am continuously in awe of everything you do for our family. Thank you. Ford, Mack, Hank, and Luke—my boys—having you here today is a moment I will cherish forever. Your understanding of Dad missing too many little league games, scout meetings, and family dinners shows just how cool you think Dad is. Am I right? Luke? Okay, maybe not.

Ten years ago, it was my esteemed colleague, Representative Senfronia Thompson, "Ms. T," who stood here in this chamber in the heat of debate and said, "God made me a woman, and thank God he made your mother a woman, because you men wouldn't be here." It's as though my mother wrote that herself. Mom and Dad, thank you for being here and thank you for your continuous support over the years. You taught me and showed me what it means to love your family, abide by your faith, and serve others. You made me who I am today, and I am so blessed to be your son. To my six brothers and sisters—yes, Irish Catholic if you're asking—and their families, your constant support has been essential, but I'm obviously Mom and Dad's favorite now. To the spouses, families, and children of my colleagues, the State of Texas owes you a debt of gratitude. Being the spouse of a lawmaker is never easy. Members, as you know well, part of

being a public servant means missing moments that you cannot fully experience with a photo or video—a recital, a baseball game, or dinner around the table. We never get those moments back. And for that, let's recognize our significant others who hold our families together while we attend to the work of the people.

To my returning colleagues, welcome back. And to our 16 new colleagues, welcome to your house. Not long ago, as a newly elected house member, I sat where you sit now, ready to take my first oath of office. I was filled with excitement and marveled at the enormity of the responsibility ahead of me. What I have learned is that each member of this illustrious body brings something unique to this chamber. And 27 years ago, I started working here as a young staffer. The privilege of walking into the Capitol to work for the people of Texas humbled me as much then as it does now. It also serves as a reminder to all those who work in and visit this building—always be nice to staff. You never know where they might end up. From where I stand today, a place where 75 speakers have come before me, I am equally humbled by the enormous challenges ahead of this body.

Today, our state begins session at a crossroads. Exactly one year and one day ago, health officials overseas reported the first fatality from COVID-19. Since then, the pandemic has consumed nearly every aspect of our lives. Families across Texas have spent the past year gathered around their kitchen tables discussing the very issues we will wrestle with this session: our children, our loved ones, our health, our economy, and our way of life. Today, we are on the brink of defeating COVID-19. Treatments have improved the chances of recovery for thousands of Texans, and our first responders, frontline workers, and most vulnerable Texans now have access to lifesaving vaccines developed in part with medical advancements made right here in the great State of Texas. Now, the difficult recovery begins, and it begins with a very short runway. And if you want to make a joke about short runways and airplanes, please submit your ideas to the speaker's office by close of business to be submitted to the journal. Texans are resilient, flexible, and capable of incredible feats when they are allowed to do their jobs, operate their businesses, and live their lives as they see fit. In order to unleash our state's full potential and emerge from this challenge, Texas children and educators must continue to be at the forefront of our legislative agenda this session.

When the house last adjourned, we celebrated landmark property tax and school finance reform. But now, Texas children are at risk of falling behind because of disruptions caused to this state as a result of the pandemic. We cannot fail them when they need us the most. To get Texas back to work, we must protect our citizens' health and safety. We must revitalize our economy. We must reduce burdensome regulations that impede our business climate. We can do all this while balancing the budget without shifting the financial burden of recovery to our hardworking families. The pandemic has magnified the antiquated ways we conduct business and deliver services in Texas. We soon transformed nearly every facet of our lives, including our government, to respond to overwhelming adversity. In a matter of days, businesses across the state stepped up to help where it was needed the most. Public and higher education shifted curricula

online, telemedicine made health care accessible in every corner of the state, and 51 years after putting a man on the moon, we finally figured out how to sell a margarita to-go. Members, the red tape cut by Governor Abbott was a lifeline to Texas small businesses. We now enjoy more freedom and economic opportunity. The Texas Legislature should embrace these regulatory changes, learn from them, and eliminate unnecessary, burdensome regulations from our statutes once and for all.

There are many tough decisions before us, and we will approach them with a profound recognition of the hardships Texas families face. Our challenges lie not just with our economy but who we are as a people and a nation. Who could have possibly envisioned the scenarios we would soon be discussing with our families when the Texas House last adjourned? Our children asked why their school was closed or why they could not visit their grandparents. We endured one of the most bitter elections in recent memory. As both sides challenged the motives and tactics of the other, many of our citizens questioned the electoral process itself. This past summer, and as recently as last week, we witnessed the dark side of political and social division as senseless, unacceptable violence swept through our streets and even through our nation's Capitol. During this, our 87th Legislative Session, we have the opportunity to lead by example and work on real issues of real significance for the people of Texas. To do this, I encourage each of you to get to know one another and share your insights, seek one another's point of view when you disagree, and work together for the betterment of Texas.

I take great comfort that we are not alone when we deal with these challenging issues. We have a vital part to play, but the future of Texas lies in the hand of our creator, and it is his people who have entrusted us to represent them in this chamber. The goodwill that fills this chamber today will be tested by external parties seeking to divide us for their selfish purposes. But if we ignore the division and instead embody the grit and resolve of our constituents, we will prevail. Members, history is born out of adversity, and legacies are made by doing what is right. The Lone Star State has overcome tough challenges before, and with the grace of God and the pioneer spirit that made Texas the beacon of our nation, we can and we will do it again. We must all do our part, not as republicans, not as democrats, but as Texans and as Americans. Let us unite in one common purpose to do what is right for the people of Texas. May God bless you all, and may God bless the great State of Texas.

### **MOTION IN WRITING SENATE NOTIFIED**

The Honorable Brooks Landgraf of Ector County offered the following motion in writing:

Mr. Speaker:

I move to direct the chief clerk to prepare and deliver a message informing the senate that the house is organized and prepared to transact business.

Landgraf

The motion was read and prevailed.

### GOVERNOR NOTIFIED

The speaker notified the governor that the house is organized and ready to transact business.

### ADDRESS BY THE GOVERNOR

Speaker Phelan introduced the Honorable Greg Abbott, governor of the State of Texas, who addressed the house, speaking as follows:

Thank you all very much, and let me add to the congratulations. Congratulations to Dade Phelan becoming speaker of the Texas House of Representatives. Speaker, I was very impressed with the remarkable words that you shared with the house. But there really was one thing that stood out to me as I was listening to your speech, and that is your commitment to ensure that moving forward we will continue to remove the regulations that stood as a barrier for so many businesses to operate in the State of Texas—which is a signal to me that the speaker is in favor of keeping alcohol to-go in the State of Texas. It's an honor to join all of you here in this historic house chamber for the start of the 87th Legislative Session. I'm proud today to be joined by the fabulous first lady of Texas, Cecilia Abbott. And I want to congratulate all the members as well as your families on your election victories and for the opportunity that those victories provide to you to serve your constituents as well as the entire State of Texas. I want you to know that coming in here today was a reminder of the times that I spent on the house floor last session, and I look forward to returning many times during the course of this session, working collaboratively with you just as we did together last session.

Make no mistake about it, last session was a tremendous success. Among other things, we passed sweeping reforms to our school finance system and made major investments in our students and in our teachers. But now, as the speaker was articulating, we face new challenges in our state. Over the past year, Texans have been challenged like never before. But we all know Texans are resilient, and our state will emerge from this episode in our typical superior fashion. To do that, however, all of us in this chamber must come together and work together over the next 140 days exactly like we did last session. Over the next 140 days, we have the opportunity to place Texas on a trajectory to achieve an even more extraordinary future for our state. That means doing things like tackling the challenges posed by COVID as well as ensuring that we do more to address the health care needs of the people of our state. It means supporting our law enforcement officers in keeping our community safe. It means safeguarding the freedoms guaranteed to all Texans by the United States and Texas Constitutions. And it means getting Texans back to work as quickly as possible. When we do this, we will create a healthier, safer, freer, and more prosperous Texas for everybody in our state. But I'll tell you this—now, more than ever, Texans need you to succeed. And maybe even more profoundly, America needs Texas to succeed. I look forward to working with you to achieve that success for Texas and for America. And as we do so, may God bless you and your efforts. And may God forever bless the great State of Texas.

### **MOTION IN WRITING AUTHORIZING COMMITTEES**

The Honorable Charlie Geren of Tarrant County offered the following motion in writing:

Mr. Speaker:

I move that staff members employed by house committees at the end of the 86th Legislature continue to be employed by the house, subject to available funding, until standing committee assignments have been made for the 87th Legislature.

Geren

The motion was read and prevailed.

### **INTERPRETER FOR THE DEAF**

The interpretation of the proceedings of the house was provided today by Johnny McDonald and Shirley Gerhardt.

The speaker presented the Honorable Dr. Greg Bonnen of Galveston County and the Honorable Dr. Tom Oliverson of Harris County as the "Doctors for the Day."

The speaker introduced the Most Reverend Curtis John Guillory, S.V.D., D.D., Bishop Emeritus of Beaumont, who pronounced the benediction as follows:

Let us pray. God, our Father, you have created us in your image and likeness. And by doing so, you have placed in our hearts a place for yourself, a place that only you can fill meaningfully and with a purpose. Father, through the scriptures you have also told us that we must continue to build your kingdom here on earth—a kingdom of peace, a kingdom of reconciliation, a kingdom of love and forgiveness. And so Father, help all of us, but particularly our legislature, to keep ever before them that you have called them to build your kingdom through the political process, which is the art of hearing their constituencies, their different opinions and views, and then coming together with those values ever before them and with the common good to move forward for the good of all.

Father, at this time in our history, we are facing some difficult times. To mention a few—which we're all familiar with—the pandemic, which affects the economy, relationships, the building of community, the loneliness that is felt. But Father, this is not new. In the history, from the beginning, there have been challenges and difficulties. Only to mention the one from Ezekiel 37, where the people were dispirited, discouraged, confused, and Ezekiel has that beautiful expression of the dry bones: And Lord, you asked Ezekiel, can these dry bones live again? Can they have life? Can they once again rise and continue to build that kingdom with which I have charged them? Ezekiel smartly responded, "Lord, only you know." A humble response. And then we know God told Ezekiel to breathe upon the dry bones, and they came to life, and once more they continued to build the kingdom. Lord, give us that spirit, give us that courage, give us that wisdom, understanding, and vision to build your kingdom of peace, reconciliation, love, and understanding. Amen.

### **ADJOURNMENT**

The Honorable Joe Deshotel of Jefferson County moved that the house adjourn until 10 a.m. tomorrow in memory of the Honorable James Arthur "Jimmy" Turman, the Honorable D.R. "Tom" Uher, the Honorable James Blackburn Adams, the Honorable Ray Allen, the Honorable Tom Bass, the Honorable John F. Boyle Jr., the Honorable Ben Bynum, the Honorable Jack Willard Connell, the Honorable Lloyd Criss, the Honorable Louis M. Crump, the Honorable Hilary B. Doran Jr., the Honorable Lee Duggan, the Honorable Ronald D. "Ronnie" Earle, the Honorable Al Edwards, the Honorable Gerald Geistweidt, the Honorable Tony Goolsby, the Honorable Roberto Gutierrez, the Honorable Ralph Hall, the Honorable Mike "Tuffy" Hamilton, the Honorable Lamoine Holland, the Honorable Sam Johnson, the Honorable Camm Lary, the Honorable John Allen Mobley III, the Honorable Sergio Muñoz, the Honorable John Otto, the Honorable Hugh Parmer, the Honorable Dick Reed, the Honorable H. Tati Santiesteban, the Honorable Joe Spurlock II, and the Honorable John Wright.

The motion prevailed.

The house accordingly, at 1:24 p.m., adjourned until 10 a.m. tomorrow.

---

### **ADDENDUM**

---

### **OATH OF OFFICE ANNOUNCEMENT**

The constitutional oath of office was administered to the Honorable Michelle Beckley, District 65; the Honorable Drew Darby, District 72; the Honorable Tracy King, District 80; and the Honorable Ana-Maria Ramos, District 102; members-elect of the House of Representatives of the Eighty-Seventh Legislature.

