

JOURNAL
OF THE
House of Representatives
OF THE
REGULAR SESSION
OF THE
Seventy-third Legislature
OF THE
STATE OF TEXAS

BEGUN AND HELD AT
THE CITY OF AUSTIN
JANUARY 12, 1993



HR 20 - ADOPTED

The chair laid before the house the following resolution:

By Stiles and Hightower:

HR 20

WHEREAS, Article III, Section 9, of the Texas Constitution requires that the house of representatives elect a speaker of the house from its own membership; now, therefore, be it

RESOLVED, That the secretary of state shall call for nominations from the floor for the election of speaker of the house of representatives for the 73rd Legislature and shall recognize every member who desires to make a nomination; that each person recognized shall immediately advance to the front microphone to make his or her nomination in a nominating speech not to exceed five minutes in length; and, be it further

RESOLVED, That after all nominations have been made, nominations shall be closed; whereupon seconding speeches shall be allowed, one for each nomination, in the order in which the nominations were made; and then other seconding speeches shall be allowed in rotation, with speeches in each round made in the order in which the nominations were made; provided that each nominee shall be allowed a maximum of seven seconding speeches, none to exceed two minutes in length, and no person shall be considered a nominee unless his or her nomination is seconded by at least one member; and, be it further

RESOLVED, That all votes taken for election of speaker shall be record votes and entered in the House Journal; and, be it further

RESOLVED, That the secretary of state shall announce the results of the election; and if one nominee has received a majority of the votes cast, the secretary of state shall declare him or her to be elected to the office of speaker of the house of representatives; but if no nominee has received such a majority, the two nominees receiving the largest number of votes in the first ballot shall be in a runoff election and the procedure shall be repeated a second time with

votes being cast for one or the other of the two nominees, the member receiving the higher vote being declared elected; and, be it further

RESOLVED, That after the election, the oath of office shall be administered under the direction of the secretary of state to the speaker-elect, and the speaker shall thereupon take the chair.

The resolution was read and was adopted without objection.

INTRODUCTION OF GOVERNOR RICHARDS

The secretary of state introduced the Honorable Ann W. Richards, Governor of the State of Texas.

ELECTION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

The secretary of state announced that the next order of business was the election of the Speaker of the House of Representatives of the Seventy-Third Legislature of the State of Texas, and stated that nominations for speaker are now in order.

The secretary of state recognized the Honorable Libby Linebarger of Hays County, who placed in nomination for Speaker of the House of Representatives of the Seventy-Third Legislature of the State of Texas the name of the Honorable James E. Laney of Hale County, speaking as follows:

Mr. Secretary, honored guests and fellow members, tradition dictates that the first act of each new house of representatives is the election of its leader. We select, from among ourselves, that person we believe best suited to the task of guiding this body through its deliberations.

This year, the election is an historic one. We are not just choosing a speaker, we are defining our basic character. We will decide, with this vote, whether we will be a house torn apart by partisan politics or united in a spirit of cooperation. We will decide, with this vote, whether the rules of the house are written to keep most of us out, or to invite all of us in. We will decide, with this vote, how to address the serious, critical needs of the state—whether this legislature will pass the buck or pass the laws. This election marks the beginning of a new era in the way the Texas House of Representatives conducts its business and serves the people of Texas. This is the first significant vote we will make this session, but undoubtedly the most important.

I believe the member worthy of your vote is the Honorable James E. (Pete) Laney, and I am proud to nominate him for Speaker of the Texas House of Representatives. The speaker of the house is our leader—the person whose ability, personality, and demeanor reflect the best in us and the best in government. That person is Pete Laney. He will be good for the members. He will be good for the house. He will be good for the State of Texas. He will be good for the members because he recognizes that each one has a contribution to make, and should have an opportunity to be heard. It has been his style, throughout his 20 years of legislative service, to bring people into the process rather than to exclude them.

A classic example is the way Pete treated me during my first term. When you're a freshman in the legislature, you're told to shut up, sit down, and listen. That's what I may have been told, but that's not the way Pete Laney treated me. His door was always open. He listened to my concerns and helped me to accomplish some of my goals. He was a wise counselor who was willing

to share his experience and expertise so that I might be a better member. He helped to direct my efforts because he made me feel that I was a working, vital part of this legislative body. He believed that I had a contribution to make, and he helped me to do so. That's what I call leadership, and I believe Pete is committed to reforming house rules so that his style of leadership becomes our way of doing business.

Rather than dictate a course of action, Pete will encourage us to come up with one of our own. Rather than listen to only a few, Pete will encourage the participation of us all. The bottom line is that under Pete Laney's leadership the house will make decisions rather than receive mandates. Pete respects the integrity of the process because he has integrity. Perhaps it comes from growing up in a small town where everyone knows each other and everyone knows who keeps their word and who doesn't. He will bring that integrity to house proceedings. And he will keep his word. He will be good for the house because of his ability to build consensus. As chairman of the State Affairs Committee, he has a proven record of overcoming differences to reach an agreement. He can literally get this house moving again by promoting a spirit of cooperation among its members. Through cooperation we can find solutions, and that is good for Texas.

The citizens of this state have, quite simply, lost faith in their government. They are disappointed in our repeated failure to address some of the most serious problems this state has ever faced. They are disillusioned by our inability to get things done, but getting things done is what Pete Laney does best.

We have some very tough decisions that we must face in the next 140 days—the state budget, a school finance bill, health insurance, and our criminal justice system, to name a few. We cannot put off until tomorrow that which we must do today, and Pete Laney is not a procrastinator. He approaches every task with enthusiasm and a determination to forge a solution. The ultimate goal—to be an active, working legislature—will be met under Pete's leadership.

Our speaker must be the kind of optimist that Pete Laney is. We don't want a hand wringer who says "we can't"; we want a person of vision, who says "we will." Pete says "we will" because he knows we can. We can fix the things that are wrong. We can make our streets safer, our schools better, and our citizens healthier.

Government cannot solve every problem. But, it does have a right and proper place in the everyday affairs of our citizens, and we have an obligation to give them the best that we can. Pete Laney will demand the best in us, but he will ask no more of us than he asks of himself. We should deliver our best to him, and to Texas.

We need a speaker who believes in the worth of each member. We need a speaker who believes this institution called the House of Representatives should be a place of honor, integrity, and effectiveness. We need a speaker who believes that this great state deserves no less than the best each of us have to give. We need Pete Laney.

Today, I ask you to cast your vote for the next speaker of the house. For yourselves, for this house, for the State of Texas, I ask you to make Pete Laney our speaker.

The secretary of state asked if there were further nominations for the office of Speaker of the House of Representatives of the Seventy-Third Legislature.

There being no further nominations, the secretary of state recognized the Honorable David Cain, who seconded the nomination of the Honorable James E. Laney, speaking as follows:

Madam Governor, Mr. Secretary, fellow members:

About a year ago I set out on a journey which, if successful, would result in my making a speech here on this day. This quest involved convincing 76 of you, my colleagues, that I was the right member to put together a new leadership team to grapple with the very difficult issues we face over the next two years. You were very generous in sharing your time as we discussed needed rules changes to ensure an open process; as we discussed revamping the committee structure to ensure diversity of representation; and, as we discussed our need as a body to focus on urban problems while not forgetting our rural heritage.

Well, I'm here making a speech today, all right, just not exactly the one I'd planned. But I feel that the speaker we choose today shares a commitment to providing every member of this house access to the process, as well as addressing head-on the difficult issues we face in our great state.

Pete Laney is an institution around here. He doesn't carry a lot of legislation. He doesn't spend much time at the front mike, or the back mike, for that matter. He has not sought out the press for comment on every issue, until recently. But his knowledge of the legislative process and the people who make that process work is unsurpassed.

He has demonstrated again and again as chair of the House Administration Committee and State Affairs Committee his dedication to the house and its members. He is tireless. His election today by acclamation is a tribute to his organizational skills and his ability to inspire hard work in others.

It is my hope that all of us, regardless of party, whether we initially supported Pete or not, will pull together with Pete to give our constituencies the house of representatives they richly deserve.

In closing, I want to quote Pete's first political opponent, Representative Delwin Jones, who lost to Pete in the party primary back in 1972. Representative Jones said that he and Pete became extremely good friends during the campaign. On one interview, someone asked him, "What kind of guy is Pete Laney?" and he said, "If I were not his opponent in this race, I would probably vote for him."

I hereby second the nomination of the Honorable Pete Laney of Hale County for Speaker of the Texas House of Representatives.

The secretary of state recognized the Honorable Tom Craddick, who seconded the nomination of the Honorable James E. Laney.

The secretary of state recognized the Honorable Pete Gallego, who seconded the nomination of the Honorable James E. Laney, speaking as follows:

Governor Richards, Mr. Secretary, and fellow members:

Today, if Texans take notice upon this chamber, they will see the transition of power in the people's house. For the 68th time in the history of our state, we are called upon to place the speaker's gavel into a new hand.

The hourglass will record the time, and the calendar the date of our decision. But only the looking glass can predict what result our deliberations may have for this house, as well as for all Texans.

Perhaps that is why we make this choice, only after months of consideration. And that is why I make this motion without any reservation.

We face as citizens the gravest hours of our state's future. As members, these hours will be long, hard, full of tough choices. And because the hourglass waits for no one, our leader must be strong, deliberate, and fair.

Pete Laney will be these things, because, as members, we can stand no less, and as citizens we deserve this and more. It will not be easy, but difficulty has never deterred this gentleman from Hale Center.

Had he wished to choose the road more traveled, he would not seek the path we send him down today, the course we set for the future, the journey we will make together for the benefit of all the children in this chamber and elsewhere.

Members of my class have made demands on this house, and in turn have great expectations for the future of our state.

Pete Laney will meet these demands and surpass our expectations—not to soothe our own sensibilities, but to satisfy the needs of the people, the will of the electorate, and the destiny of Texas.

Thus, it is without hesitation that I second the nomination of the Honorable Representative from Hale Center, Texas, as Speaker of the Texas House of Representatives.

The secretary of state recognized the Honorable Mike Martin, who seconded the nomination of the Honorable James E. Laney, speaking as follows:

Governor Richards, Mr. Secretary, members of the house, and distinguished guests:

I would like to read an open letter to James E. (Pete) Laney.

Dear Pete: I believe you will be a great speaker. I reach that conclusion confidently, without reservation, not only because of what you have accomplished, but because of the kind of man you are.

I have faith in you. I trust you. You have courage. When one man instills in another his faith and trust, then a leader is born. That ability is uncommon. But, Pete, that is the kind of man you are, uncommon. I am very proud as one of your colleagues to see you become my leader.

This legislative session will be the most challenging in the history of the house. But, in your tenure, you helped me realize our colleagues are the most prized possession of this body. Your conviction for utilizing the diversity of all our membership promises great achievement.

You share the philosophy of many fellow colleagues that all our members must be utilized effectively. I know this house will be informed, that its business will be presented openly, and that every member will have the chance to participate in a fair and orderly legislative process. And, it is your character,

conviction, and sincerity that will make us successful for all Texans, especially Texas children.

My anticipation for your election is one of excitement. That excitement fills the air of the chamber today. It represents the challenge that I know you will meet, a challenge that I know you will exceed.

I believe you will be a great speaker. I have faith in you, I trust you. Best personal regards, Mike Martin.

I am both honored and proud to second the nomination of James E. (Pete) Laney as Speaker for the Texas House of Representatives, 73rd Legislative Session.

The secretary of state recognized the Honorable Senfronia Thompson, who seconded the nomination of the Honorable James E. Laney, speaking as follows:

Your excellency, Governor Ann Richards, Mr. Secretary, distinguished guests, and members:

Twenty years ago, Pete Laney and I were sworn in together as part of the Reform Legislature which followed the Sharpstown Scandal. Today, in our New Texas, Pete Laney will be elected speaker of the house.

I know that many of you younger members do not like the pledge card system. As someone who was elected in the aftermath of Sharpstown, however, I am a firm believer that my constituents have the right to know for whom I voted and supported as speaker of this house, the third most powerful governmental office in our state. So, when I was approached about supporting Pete Laney for speaker, my response was "Where do I sign?"

I was eager because I know Pete Laney. I know he is fair; I know he is decent; I know he is respectful; I know he knows how to build coalitions to get things done; I know he is a tireless worker; and, I know he is no stranger to change. I firmly believe that he will provide a balanced anchor to this house, reasoned reform not demagogic grandstanding, principled change not status quo stagnation, and consensus building not unwavering dogma.

Ten years ago, I seconded the nomination of Speaker Gib Lewis, the first urban speaker in more than 40 years.

Today, we turn to a more traditional candidate as speaker, Pete Laney, who is a west Texas farmer. That in itself says a lot about Pete Laney's fortitude and character. We all know that farmers in modern America have to work real hard and not expect a lot in return. Farming is one of the most traditional American occupations, but one that has perhaps changed the most over the last 20 years. In the last 20 years, American farmers and ranchers have been bought out, sold out, and turned out; those who have survived have fought it out and changed farming operations forever.

Pete Laney is a proven fighter. Just like the farmer, his blistered hands show evidence of hard toil and perseverance. He has repeatedly shown that he is not afraid to roll up his sleeves and get his hands dirty in the muck we call "legislative process." And he has served our state with great dignity and great honor.

As the long-time chair of the powerful State Affairs Committee, Chairman Laney let everyone have their say. No committee in this house worked harder nor dealt with such a diversity of controversy. Those of you who served on his committee know that such service required great patience.

But, the rewards were great; Chairman Laney's committee killed more bad bills during his tenure than can be written in a single legislative session. But, Chairman Laney also forged diverse coalitions to pass so many major reform packages, from workers' compensation to ethics in government. Conflict in the legislature is normal operating procedure, but if gridlock occurs during this session, it will not be due to Speaker Laney's efforts.

While many of us look toward Washington for change from that man from Hope, Arkansas, I will be looking for change right here from that farmer from Hale Center.

That balanced change has already begun. While Pete Laney has promised us a return to the tradition of a two-term speaker, he has plowed new ground in ethics reform by prohibiting the speaker's staff from entering lobbying efforts for one full session after leaving state government. He has made both these changes because he knows that how we do business is as important as what we do.

And we are going to be responsive to the people this session. Ironically, the biggest state issue in Pete Laney's first session was school finance equalization. I honestly believe that under his leadership, we are finally going to get it right this time.

With some trepidation, I look forward to facing the state's enormous crises in education, finance, and health care this session. But, I feel more confident knowing that I will be able to work on your legislative team, Pete.

Pete, I am so proud at last to call you "Mr. Speaker."

The secretary of state recognized the Honorable Robert Earley, who seconded the nomination of the Honorable James E. Laney, speaking as follows:

Madam Governor, Mr. Secretary of State, honored guests, fellow members of the Texas House of Representatives, ladies and gentlemen: I am honored to accept the appointment to the Railroad Commission—Oops! Wrong speech.

Ladies and gentlemen, the purpose today is twofold. One of which is to be sworn in as members of the Seventy-Third Session of the Texas Legislature. The second purpose is to nominate, second, and elect a speaker to lead the house.

That man, ladies and gentlemen, is James Earl Laney. Pete Laney is a man with a real nose for politics. A man with the beak of a hawk—eyes, I mean eyes! Eyes which allow him to see the hope, trials, and triumphs of this legislative body. The sight to see and recognize a change; and with change we sometimes have questions. Questions that only our speaker can provide insight. Questions like—if your name is James Earl Laney, where does the Pete come from? We, as members, have questions. In fact, some members may not be able to locate Hale Center on the map.

But this membership does know that you are a person who sees opportunity when many people only have the short-sighted vision of impossibility. This membership knows that you strive for fairness above all else. This membership knows that it is your desire to discuss openly the issues before us with respect, dignity, and professionalism, and solutions will be discovered by consensus. And this membership knows that in you there is the need to seek a legacy of future pride for this collective body rather than short-term satisfaction. It is the culmination of these realities that make it so

honorable to stand before my peers, family, and friends, and publicly ask you to be our speaker.

Do you trust this man? Do you trust this man enough to buy a used car from him? I do! I trust him enough to be our speaker.

I could at this time invoke the words of Churchill, Kennedy, or Truman. But instead, I turn to Gus McCrae, the Texas Ranger in Lonesome Dove, when Gus said "there's one thing I won't tolerate and that is dawdlin' service." I know Pete feels the same way. Members, it's time to begin the work.

The secretary of state recognized the Honorable Robert Junell, who seconded the nomination of the Honorable James E. Laney and moved that the Honorable James E. Laney be elected Speaker of the House of Representatives of the Seventy-Third Legislature of the State of Texas.

The Honorable Robert Junell then moved that nominations cease, and that the Honorable James E. Laney be unanimously elected, by acclamation, Speaker of the House Representatives of the Seventy-Third Legislature, with any member being permitted to cast a "Present" or a "Nay" vote by providing such information to the journal clerk.

The motion prevailed without objection.

The secretary of state directed the chief clerk to cast the ballots of all members for the Honorable James E. Laney for Speaker of the House of Representatives of the Seventy-Third Legislature.

The chief clerk delivered the written motion casting all members' ballots to the journal clerk.

The Honorable John Hannah, Jr., Secretary of State of the State of Texas, then declared the Honorable James E. Laney of Hale County to be the duly elected Speaker of the Seventy-Third Legislature of the State of Texas.

COMMITTEE APPOINTED

The secretary of state announced the appointment of the following committee to escort the Honorable James E. Laney to the speaker's rostrum for the purpose of taking the constitutional oath of office as speaker: Representatives Counts, chair; Black, Campbell, Delisi, Edwards, Hilderbran, B. Hunter, Rangel, Rodriguez, B. Turner, and Uher.

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

OATH OF OFFICE TAKEN BY THE SPEAKER OF THE HOUSE

The Honorable James E. Laney of Hale County, having been escorted to the speaker's rostrum, took the constitutional oath of office as Speaker of the House of Representatives of the Seventy-Third Legislature of the State of Texas, which was administered by the Honorable James Thomas Boyd, Justice, Seventh District Court of Appeals of Texas.

INTRODUCTION OF GUESTS

The secretary of state recognized the Honorable Tom Uher, who introduced the following members of the speaker's family: Nelda Laney, Kalyne Laney,

Jamey and Ronald Phillips, J. Pete Laney, W. G. and Frances Laney, John and Helen McQuien, Mark and Brenda Laney, and Larry and Carol McQuien.

ADDRESS BY SPEAKER LANEY

Representative Uher recognized the Honorable Layton Black, who introduced Speaker James E. Laney.

Speaker Laney addressed the house as follows:

Members of the house of representatives, distinguished guests, families and friends, I have to say that this is pretty overwhelming for a country boy from Hale Center.

At this moment, I am more than ever aware that you have given me the highest honor that you, the members of the house, can give to a fellow member.

I accept the honor with a great amount of humbleness because I know how I got here. I am here today only because of your support, your friendship, and your trust. I will not forget that.

And, in return, I make you this pledge: I will always be the same person you have chosen. I'm just "Pete"—that's what I am and that's what I will be.

My first priority will always be to serve you and to be the kind of speaker you have made clear to me that you want. And I will have an administration and a staff that will be as committed to serving you as I am.

I intend to preside in a way that gives each of you the resources and the opportunity to do the very best job that you can to represent your districts.

Some people may think it is a long way from Hale County to this chamber—and it is—but only in miles.

From wherever we come and whatever our circumstances, we are all here for the same reason. We are here to bring with us the opinions, the experiences, and the hopes of the people of our communities.

When you grow up on a farm like I did, you learn some important lessons that stay with you all your life—about work, the environment, and education.

You learn there is no substitute for hard work. When things have to get done, you do them.

You learn that a good education is the hope for making a better life.

You learn that the land and the water will support us, but only if we treat it right.

But perhaps more important, you learn that honesty and integrity are the best values a person can possess.

These are my guides as I take on the responsibilities you have given me.

I have been a member of this house going on 21 years. I know this institution as you do—as a group of dedicated, hardworking women and men who make many sacrifices to do this job, and who struggle to make the right decisions for the people of their districts.

But the house as we know it is not the same as the image many Texans have.

It is a sad fact that many people have lost faith in government at all levels and for many reasons.

We ourselves are the only ones who can change that—by the way we conduct ourselves, and by the quality of legislation we pass.

There is no issue more important to me than earning the trust, the respect, and the support of the people of Texas for the house of representatives and the work it does.

Being ethical means doing more than is required. Being ethical means doing less than is allowed.

From the very start today, I will set standards for myself and for the speaker's office that go beyond what is required by law.

I am requiring my top staff members to pledge not to represent anyone before the legislature for a period of time after their employment ends. And I make that same pledge for myself.

I will appoint an ethics advisor who will assist me and all members of the house in understanding and following the laws.

We will also produce an ethics manual to give you and your staff a reference source.

We must establish rules for the house that do more than provide for an orderly and efficient process.

The rules must protect the dignity of this great body so that it has the respect it deserves. The rules must guarantee the right of every member to full participation in the process. And, our rules must inspire public trust in our system.

The Select Committee on Rules, appointed last session, has made many recommendations. I endorse their recommendations. But I will go further. I will propose additional reforms for your consideration.

The Calendars Committee should be required to conduct its business in the same manner as every other committee and I will see to it that it does.

In addition, I will recommend that every bill referred to that committee be acted upon within a certain period of time.

I believe there should be a 12-hour layout rule for substitutes to any bill to give everyone time to study those major amendments.

Because of the number of rules changes that will be proposed by the committee and myself, I will give everyone several days to study these recommendations before we debate and before we vote on them.

We must also restore the people's faith in government to solve crucial and complex issues facing our state.

Given the diversity of our state and the people we represent, it is never going to be easy to reach compromises on difficult issues. It is often hard to find that common ground between what is best for our individual districts and what is best for the entire state.

Philosophical differences must be respected, but purely partisan causes must be put aside.

I believe if all of us work hard enough and long enough, solutions can be found.

No one issue is more crucial to our state at this moment than solving the crisis in financing our public schools.

It is my goal to pass a school finance plan in the house within the next 30 days—a plan with bipartisan support that will meet the requirements of the courts and the needs of our educational system.

We must also meet the challenge of passing a state budget that is within

our current revenues. I believe, perhaps even more strongly than Governor Richards and Governor Bullock, that taxes should not be raised.

Members, if we are going to accomplish all that must be done in this 140 days, we must have the support, the trust, and the respect of the people of Texas—not only for each of us individually in our districts but also for this institution and for our democratic process.

Since I have never claimed to be a great orator and the women in my family suggest I am not the spiffiest dresser, I ought not to count on my great oratory or outstanding looks to get the job done.

But you can count on the fact that I will work long and hard to seek solutions to the problems of Texas.

I want to be judged by what I do and by how well I perform for you—you who have given me your trust.

I will return the faith you have placed in me by my service to you.

Let's get started.