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OF THE

STATE OF TEXAS

BEGUN AND HELD AT

THE CITY OF AUSTIN

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VOLUME I

HR 2 - ADOPTED

The chair laid before the house the following resolution:

By Black and Crabb,

HR 2

WHEREAS, Section 9, Article III, 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 74th 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 five seconding speeches, none to exceed three 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.

ELECTION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

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

The secretary of state recognized the Honorable Robert Junell of Tom Green County, who placed in nomination for Speaker of the House of Representatives of the Seventy-Fourth Legislature of the State of Texas the name of the Honorable James E. "Pete" Laney of Hale County, speaking as follows:

Madam Governor; Lieutenant Governor; Mr. Secretary; Members of the Texas House of Representatives; distinguished state officials; and ladies and gentlemen:

It would be quite easy to read through the resume of James E. "Pete" Laney and tell you all the many accomplishments and honors he received in college, in business, in his community, and in the legislature.

Last session: he reformed the way we do business to make the legislative process more open and accessible to all members; he restored faith that the business of the house was not for sale to special interest; and through his leadership we passed a school finance plan, not once but twice—the last time in order to keep the school doors open. We now have a penal code that, coupled with a prison and state jail building program, ensures that violent criminals stay behind bars for a long time. We now have a constitutional provision that requires a vote of the people of this state before a personal income tax can be instituted. And, of course, for the first time in over a decade we passed a state budget without a tax increase.

There is no question that the speaker has accomplished much in his lifetime up to now, but I think we would all agree, and I know the speaker would agree, that what is important about him is not the honors and awards he has received in the past. It's not the plaques on the wall. It's not awards from every magazine and newspaper that covers Texas politics from Rolling Stone to the Progressive Farmer. But more important than individual accomplishments and honors to the speaker is where we go as a whole and where we as a legislature lead the State of Texas.

In the days of the great cattle drives, when men and women of vision and courage put together vast herds of cattle and drove them north over the plains and prairies, they faced dangers and hardships akin to what we saw through the eyes of Gus and Captain Call in Larry McMurtry's western epic Lonesome Dove. This house and the challenges we have before us is analogous to the cattle drive in Lonesome Dove. Some of us will scout ahead for the best trail to take and the safest place to cross the rivers. Some of us will ride "point" and follow the trail the scouts have found for us. Some of us will ride "swing"

and make sure that the herd doesn't split up and stays on the trail. Some of us will have the worst job of all and have to ride "drag" and make sure that the herd doesn't get too spread out ... and go after any "mavericks" or strays that don't want to go with the rest of the herd.

The person who was in charge of the hands and the herd on these long drives had the toughest job of all. He was the "trail boss." It was the job of the trail boss to ensure that the herd and all the hands made it to the end of the drive. Once the drive started every cowboy was expected to complete it ... unless they buried you somewhere along the way. The trail boss had to have the wisdom and foresight to know when to push the herd hard and when to bed them down and let them graze for a day or two. He had to know which hands he could depend on and which ones needed a little seasoning. But the most important thing that the trail boss had to do was to be committed to making sure that the hands and the herd all made it safely to the end of the drive. The trail boss' loyalty was to the hands and to the herd. This loyalty was called "riding for the brand."

We are fortunate to have a trail boss who has led us on this trail before. We have a speaker who knows where the dangers are and which trails to take us on. Even though the dangers and the hardships are not the same today as they were for Gus and Call. There are still very real problems ahead for us and the people we represent but fortunately we have a trail boss who is committed to ride for the brand, Pete Laney is committed as he has been his whole life to be fair; to be honest; to work hard; to finish what he starts; and to have a vision for all Texans. I'm proud to ride with our speaker and it is a great honor for me to nominate for the Speaker of the Texas House of Representatives the Honorable James E. "Pete" Laney.

The secretary of state recognized the Honorable Patricia Gray of Galveston County, who seconded the nomination of the Honorable James E. "Pete" Laney, speaking as follows:

Pete Laney may be best known outside his district as the speaker of this house. But what should be known about Pete Laney are those qualities that make him worthy of the title.

Both his personal and his professional reputations bear witness to the traditional title of "Honorable" given those of us privileged to hold public office. His agreement to serve again as our speaker is as much an honor for us as it is for him.

When Pete Laney accepted the role of speaker, he honored the true meaning of representative government with his openness and his commitment to the role we have as members of this house in governing this state.

When Pete Laney presides over this house, he honors all of the people we represent with his fairness and his decency.

And when Pete Laney speaks for this house, he honors us as its members with his credibility and his integrity.

Mr. Speaker, my favorite gospel song begins with the line: "May the work I've done speak for me."

When your work is done, Mr. Speaker, it will speak well for you. We know that the commitment we see demonstrated in your service to this house

is exceeded only by the commitment you share with Nelda and your family. The honor accorded you as our speaker is but a dim reflection of the honor your leadership bestows on this house. Sam Raburn, who also served as speaker of the house, once said, "There are no degrees of honor. You are either honorable or you are not."

Colleagues, friends, I am delighted and proud to second the nomination of the Honorable Pete Laney.

The secretary of state recognized the Honorable Harold Dutton of Harris County, who seconded the nomination of the Honorable James E. "Pete" Laney, speaking as follows:

Three characteristics distinguished the Texas House of Representatives during the last legislative session: free speech, open debate, democracy.

Free speech—the ability to say what you please. Open debate—the ability of others to say what they please. Democracy—the ability of all lobbyists to speak to all members.

These reforms are a tribute to James "Pete" Laney, the house speaker.

There is an old western African proverb that says, "When the people are ready, the master will appear."

There is a spiritual dimension and a physical dimension to this proverb.

In the spiritual, we are reminded that there is a force greater than the sum of all forces.

In the physical, we are reminded that leadership is the catalyst that changes struggle into progress.

This house has progressed under the leadership of Pete Laney.

And so, I rise to say well done is always better than well said.

And to second the nomination of Pete Laney, the greatest speaker in the history of the great State of Texas.

Thank you.

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

Two years ago I stood at this podium to second the nomination of a new speaker, marking the 68th time this body placed the gavel into new hands. I rise today, on the anniversary of that nomination, to ask my colleagues to return that gavel to the familiar hands of Pete Laney, the gentleman from Hale Center.

Especially for those of us who have served in this house, the beauty of the restoration and renovation of this chamber and our state capitol is remarkable.

Today, however, I and others can reflect on another restoration, one less visible but arguably more important than the historic preservation of this chamber.

The restoration I speak of is not in the bricks and mortar of our offices. It is the restoration of faith in state government and in this house, and it is embodied in one man, Pete Laney, our speaker.

When I came to the house only four years ago, I found a body somewhat dispirited, somewhat skeptical. But in today's house of representatives, we find excitement and enthusiasm for the challenges ahead.

That is what Pete Laney has done. Brought many members together to accomplish important goals. Worked to open the process in this house, a move that now perhaps our newest colleagues might take for granted.

Our speaker encourages the best in us, he expects no less of anyone. He is fair, honest.

As you and your families look about this grand chamber, celebrate your swearing-in. When you marvel at the restoration of the Capitol, ponder also on the transformation of our own institution.

His record is clear. His abilities and advantages are many. Because of this, I hereby second the nomination of Pete Laney as Speaker of the Texas House of Representatives.

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

The secretary of state recognized the Honorable Paul Sadler of Rusk County, who seconded the nomination of the Honorable James E. "Pete" Laney, speaking as follows:

For one hundred and ten years a small number of elected representatives have gathered in this historic and magnificent chamber for the purpose of debating and governing the future of this land we know as Texas.

In the beginning they came by horseback clothed with the hope and resolve of a frontier land. Independant, sometimes cantankerous, they debated a constitutional form of government and through the decades the issues of education, law and order, public health, budget, public transportation, property rights, agriculture, and thousands of other issues have been balanced weighing the public good and the needs of Texans.

At the beginning of each of those sessions, just as we are doing today, they began by selecting one of their number to lead the body as a whole to ensure the orderly conduct of business, to defend the individual right to be heard on behalf of their constituents, and to protect the peaceful transition of governmental power.

Unique to this body is the method by which it selects its leader. Only in the house of representatives is the leader of the body elected, not by the public at large, but rather, by the elected representatives themselves. The office we call speaker is one of great responsibility and trust. For through the selection of a speaker we elevate one of our own for the public as worthy of statewide recognition and trust. It is a position that is earned and yet derives its very authority from the will of this body. It is a position essential to the task of governing. It demands a leader.

Within this chamber the quality of leadership adorns many faces. For some, leadership is evidenced by the ability to move the human spirit by the spoken word. For others leadership is demonstrated by example utilizing their drive and devotion to inspire others to reach for life's greatest achievements. For all it is the ability to illuminate tomorrow with vision and perception and clarity. It requires strength of character, courage, and common sense.

Leadership is demonstrated by an intolerance of injustice. It moderates the extreme. It has compassion for the downtrodden. It bears no label, nor is it the possession of any gender, race, or party. It reflects the heart and soul of the people. It is a quality we should all strive for, hope for, and pray we recognize in others.

There is one in this body that has excelled in his leadership. You have

heard him described by your colleagues, his name is Pete Laney. He is presented to you as one of great experience, knowledge, and compassion. Through his service in this body he has demonstrated the strength of his conviction. He has kept his word as speaker of the house by opening the process, protecting the individual member's right to be heard, and conducting the daily business of this house with integrity. He has earned our trust and the trust of the citizens of Texas. And as elected members of this body we are proud to once again elevate Pete Laney to the highest honor and office of the Texas House of Representatives.

I second the nomination of Pete Laney as Speaker of the Texas House of Representatives.

The secretary of state recognized the Honorable Paul Sadler, who moved that nominations cease and that the chief clerk of the house of representatives be instructed to cast the vote of all members of the house of representatives for the Honorable James E. "Pete" Laney of Hale County for Speaker of the House of Representatives of the Seventy-Fourth Legislature, and that the Honorable James E. "Pete" Laney of Hale County be unanimously elected speaker by acclamation, with any member being permitted to cast a "Present" or "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. "Pete" Laney for Speaker of the House of Representatives of the Seventy-Fourth Legislature of the State of Texas.

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

The Honorable Ronald Kirk, Secretary of State of the State of Texas, then declared the Honorable James E. "Pete" Laney of Hale County to be the duly elected Speaker of the House of Representatives of the Seventy-Fourth Legislature of the State of Texas.

HOUSE NOTIFIED

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

COMMITTEE APPOINTED

The secretary of state announced the appointment of the following committee to escort speaker-elect James E. "Pete" Laney to the speaker's rostrum for the purpose of the taking of the constitutional oath of office by the speaker-elect: Representatives Brimer, chair, Black, Cook, Davis, Hamric, Heflin, Hernandez, T. Hunter, Rangel, Swinford, S. 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. "Pete" 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-Fourth Legislature of the State of Texas, which was administered by the Honorable John Thomas Boyd, Justice of the Court of Appeals for the Seventh Court of Appeals District of Texas.

INTRODUCTION OF GUESTS

The secretary of state recognized Representative Black, who introduced the following members of the speaker's family: Nelda Laney, wife; KaLyn Laney, daughter; Jamey and Ronald Phillips, daughter and son-in-law; J Pete Laney, son; W. G. and Frances Laney, father and mother; John and Helen McQuien, father-in-law and mother-in-law; and Larry and Carol McQuien, brother-in-law and sister-in-law.

ADDRESS BY SPEAKER LANEY

Representative Black recognized the Honorable Tom Uher, who introduced Speaker James E. "Pete" Laney.

Speaker Laney addressed the house as follows:

Members of the House of Representatives, distinguished guests, families and friends, I thank you.

To the members, thank you for again giving me the honor of serving as the presiding officer of your house.

Today, I renew my pledge to serve you in a way that enables each and every member to do the very best job of representing your district.

You have been gone for a long time, more than 19 months to be exact.

In six previous legislatures, there were a total of 20 special sessions. In the 73rd Legislature, there were none.

That accomplishment is the result of your hard work in the session two years ago.

And I want to congratulate all of you who helped make the 73rd Legislature so productive and successful.

Today, I welcome you back to a Capitol that has been restored to its original beauty and glory.

This building reflects the great heritage of our state and our vision for the future.

In recent weeks, we have enjoyed showing this restored Capitol to Texans, especially young people, and telling them this:

"The Capitol is yours. It belongs to you and your families and it will belong to your children."

This Capitol belongs to the people of Texas.

And now that we have restored this building, the work that we do here should restore the idea that the people are the government.

Government should not be something separate and apart from its citizens.

Here in the house, we must understand that, and we must believe that, because the house is the part of government that is closest to the people.

We are part-time citizen legislators. That is what our founders intended and that is what the people of Texas still want.

Last November, the people clearly expressed their feelings about how the legislative process has been handled in Washington.

We have done a better job here in Austin. And we will continue to do it better.

In the next 139 days, we have the opportunity to show how to do it right—to show that representative government can work for the people.

That means nonpartisan action rather than partisan gridlock.

In this chamber, I see no Democrats, no Republicans. I see 150 representatives of the people of Texas.

Last session, we changed the way we conduct our business in the house.

We made this process open to every member and every citizen who wished to participate in it.

That will continue to be my goal during this session: to remove obstacles that prevent anyone from contributing their ideas and their talents.

To be active participants in the legislative process, our citizens must have information.

And beginning today, any citizen can have computer access to our legislative information systems.

From home computers, they will be able to track the progress of legislation, read the text of all bills, review our calendars and receive notice of committee meetings.

We have also created new services in the house that will help the media inform the public of the daily activities of the house.

And during this session, I will request committee hearings on ways to broadcast future house sessions so that all Texans can watch the proceedings and committee hearings of the house.

I want the people of Texas to be a part of this process more than ever before.

Every person should be able to make their voice heard in this chamber—and they should not have to hire a lobbyist to do it.

In the coming months, we must decide how to distribute the available funding for state services. And once again, we will balance our budget without increasing state taxes.

We are fortunate to have a strong economy generating state revenues. But the growing demands of education, criminal justice, and federally mandated programs will require difficult decisions on all areas of the budget.

In this session, we will reassess the entire structure of public education in Texas.

We will pass a new education code. And I want us to place a higher priority on learning than on the bureaucracy, with a system that promotes local initiative more than statewide conformity.

I truly hope this session can be devoted to improving the quality of education in Texas rather than creating yet another school finance plan.

Once again, we are waiting to learn whether the courts will approve the current finance system or change directions on us one more time. Until we hear from the court, our top priority should be fully funding the commitment we made to school districts two years ago.

We must also change our juvenile justice system—a system that was designed back at a time when no one imagined the current level of juvenile crime and violence.

I don't know whether it is within the power or ability of state government to solve the family and social problems at the root of this explosion of youth violence.

But at the very least, we must do a better job of dealing with juveniles who commit crimes. We must do a better job of protecting our citizens from violence.

And we should hold some parents responsible for the actions of their children.

These issues, and all the others we debate, will demand the very best representation we can give the people of Texas.

Those of you who served in the last legislature know what to expect in this session.

And those of you who are new will soon learn. We will work from "can 'til can't," from dawn until late in the night.

And we must conduct ourselves and our business in ways that earn the respect and the support of the people of Texas.

To me, it is very simple.

Believing in democracy means believing the people are going to be right more often than they are going to be wrong.

And it means believing that the more people who participate in our decisions, the better those decisions will be.

With your hard work and dedication, and with the help of the people, I know we can give Texans the kind of government they want and the kind of government they deserve.

Let's get to work.