

HOUSE JOURNAL  
*of the*  
REGULAR SESSION  
*of the*  
EIGHTY-THIRD LEGISLATURE

January 8, 2013

*through*

May 27, 2013

**HR 1 - ADOPTED**  
**(by Geren)**

The following resolution was laid before the house:

**HR 1**

BE IT RESOLVED by the House of Representatives of the 83rd Legislature of the State of Texas, That pending the election of the speaker, all persons other than members of the legislature, members of their families, the secretary of state, temporary officers and their staffs, and approved guests or press representatives be barred from the floor of the house of representatives inside the rail.

**HR 1** was adopted.

**HR 2 - ADOPTED**  
**(by Hunter, Hughes, and Branch)**

The following resolution was laid before the house:

**HR 2**

BE IT RESOLVED by the House of Representatives of the State of Texas, that, in accordance with Sections 9(b) and 11, Article III, Texas Constitution, the House of Representatives of the 83rd Legislature shall elect a speaker of the house from its own membership as follows:

SECTION 1. NOMINATIONS. (a) The secretary of state shall call for nominations from the floor for the election of speaker of the house of representatives and shall recognize every member who desires to make a nomination. The order in which members desiring to make a nomination shall proceed shall be determined by lot.

(b) Each member recognized for this purpose shall immediately advance to the front microphone and make the nomination in a nominating speech not to exceed five minutes in length.

(c) After all nominations have been made, the secretary of state shall declare nominations to be closed.

SECTION 2. SECONDS. (a) A person is not considered a nominee unless the nomination is seconded by at least one member.

(b) One seconding speech shall be allowed for each nomination in the order in which nominations were made, then other seconding speeches shall be allowed in rotation in the same order.

(c) No more than five seconding speeches shall be allowed for each nominee.

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

SECTION 3. VOTING PROCEDURES: VOTING MACHINE. (a) If after the close of all seconding speeches only one nominee remains for election to the speaker, the secretary of state shall recognize a motion to elect that nominee by acclamation. If no motion is made or five or more members make a written request for a record vote, the members shall record their votes from their desks on the voting machine with the yeas and nays taken as in other record votes of the house.

(b) If there are two or three nominees for speaker, the members shall record their votes from their desks on the voting machine with a different colored light on the machine indicating a vote for each nominee. If the nominees cannot agree on the color that will indicate a vote for each nominee, the presiding officer shall draw lots to determine the color for each nominee.

(c) Before the close of voting on the voting machine, the presiding officer shall provide several warnings to the members that the voting period is about to close.

(d) A verification of a vote taken by voting machine shall be by roll call vote, with the members seated and the house at order, beginning with the members recorded as voting for the nominee with the most votes. During verification, a member may not change a vote unless it was erroneously recorded, and any member not having voted for a nominee may not cast a vote.

(e) If there are three nominees for speaker, a member who does not cast a vote for a nominee but who was recorded as present at the initial roll call shall be recorded as "present, not voting" in the record of the vote.

**SECTION 4. VOTING PROCEDURES: ROLL CALL VOTE.** (a) If there are more than three nominees for speaker, the election shall be held in the manner provided for a roll call vote of the members with the chief clerk calling the members' names in alphabetical order. When the chief clerk reads aloud the name of a member, the member shall vote by stating the name of one of the nominees or state that the member is present, not voting. The chief clerk shall repeat the member's vote aloud and record the vote on a tally sheet.

(b) After all members have announced their votes, the chief clerk shall prepare a report containing the total votes received by each nominee and the total number of members who are present, not voting. The chief clerk shall provide a copy of the report to the secretary of state.

(c) A verification of a vote taken by roll call consists solely of ensuring that an announced vote was tallied correctly.

**SECTION 5. RECORD VOTE.** All votes taken shall be record votes with the vote of each member entered in the House Journal.

**SECTION 6. RESULTS; RUNOFF.** (a) The secretary of state shall announce the results of the election. If a nominee receives a majority of the votes cast, the secretary of state shall declare that nominee to be elected to the office of speaker of the house of representatives.

(b) If no nominee receives a majority of the votes cast, the two nominees receiving the largest number of votes in the initial vote shall be in a runoff conducted by voting machine as provided by Section 3 of this resolution. The secretary of state shall announce the results of the runoff and declare the nominee receiving a majority of the votes cast to be elected.

**SECTION 7. TIE VOTES.** (a) If in the initial vote no nominee receives a majority of the votes cast and it is not possible to determine the two nominees receiving the largest number of votes cast because of a tie vote, additional rounds of voting shall occur among the same nominees, other than a nominee who

withdraws, until a nominee receives a majority of the votes cast or, if no nominee receives a majority of the votes cast, until it is possible to determine the two nominees who receive the largest number of votes cast.

(b) If in a runoff between two nominees no nominee receives a majority of the votes cast because of a tie vote, additional rounds of runoff voting shall occur between the same two nominees until one of the nominees in the runoff receives a majority of the votes cast.

SECTION 8. OATH. After the election, the secretary of state shall direct the administration of the oath of office to the speaker-elect. The speaker shall take the chair immediately after taking the oath of office.

**HR 2** was adopted.

**ADDRESS BY REPRESENTATIVE SIMPSON  
ON A MATTER OF PERSONAL PRIVILEGE**

The chair recognized Representative Simpson who addressed the house on a matter of personal privilege, speaking as follows:

Fellow members, honored guests and citizens, G. K. Chesterton said, "I believe in getting into hot water; it keeps you clean." I concur.

Though choosing a speaker is a momentous event, it need not be a fearful one. Unlike our fellow legislators in the other chamber whose presiding officer is determined by the people in a statewide election, we have the privilege and responsibility of choosing one of our own members.

During the last several weeks I have enjoyed speaking with all of you about the office of speaker and how we conduct the business of this house. Our democratic republic, our system of civil government is honorable and perhaps the best ever devised.

However, as with all human institutions, from time to time reforms are needed when an institution becomes encumbered and unnecessarily burdened by practices that hinder its operations. Anytime we find ourselves at odds with the "principles of liberty and free government" espoused in the preamble of our Texas Constitution, we should pause and reflect how we have allowed our system to be handicapped. As is often the case, it is not so much the system that needs change as it is our own actions. Intimidation, payback, and uneven or outcome-based application of the rules are not demanded by our system and are at odds with free and open government.

Should we wait to enact such reforms? Should we wait until we are the minority and have no other option but to protest? I say no. We must enact those reforms when it is most difficult—when we have the power. That is when we must use restraint, doing the right things in the right way even though we can get away with doing otherwise. How can we promote liberty and limited government in the state and within the districts that we serve if we do not ourselves also respect such in this house?

Every member here has been duly elected by his or her constituency and deserves to be treated with respect and dignity and to have confidence that the promises we have made to one another in our rules will be fulfilled not merely when it is convenient, but most importantly when it is not—when our convictions differ.

After a divisive and close race for president, Jefferson in his inaugural address reminded us that "though the will of the majority is in all cases to prevail, that will to be rightful must be reasonable; that the minority possess their equal rights, which equal law must protect, and to violate would be oppression." Proceeding further to unite the nation, he encouraged comity and warned against political intolerance, saying, "Let us restore to social intercourse that harmony and affection without which liberty and even life itself are but dreary things. And let us reflect that, having banished from our land that religious intolerance under which mankind so long bled and suffered, we have yet gained little if we countenance a political intolerance as despotic."

I belong to the majority party, but I may not always. And even so, not all majorities are decided by party. We have also similar or dissimilar interests by region, by philosophy, and by disagreement over how to accomplish common goals. It is in all of our districts' best interest—and the state's—that the majority never undermine the rights of the minority. The majority may prevail in our decision-making process, but the majority is not sovereign. It cannot justly take away inalienable rights from a minority except by due process and for aggression.

Besides being faithful to the rules and respecting the rights of all members, there has been a third theme to my candidacy: ceasing retribution. No member of this body should feel like their decisions are subject to arbitrary retribution from those in leadership. Many have experienced it and have come to expect it, but none should allow it. We must take a stand. That is our duty to our constituents. I sincerely believe that my constituents are best served when I fight for their interests rather than go along to get along. The same may be said for each of you. I promised not to participate in such practice if I were elected, and I invite you today to join with me in refusing to stifle the respectful and principled representation of members of our diverse districts and constituents. If fear of retribution were not so very real, conscientious support for an alternative choice for speaker would not cause such trepidation. But since it is, and absent a certainty of winning this contest, at the request of my colleagues, I withdraw my candidacy. I have sought to point to a better way. Our system does not demand retribution, and I think the best way to deal with it is to refuse to submit to it. Do what is right; explain why it is right; and love those who differ even if there is no reciprocation.

Finally, I would like to end with an encouraging note. A number of the reforms that were promoted are being seriously considered by the leadership and have been well received by many in the body. I sincerely hope the leadership will prove through their actions that my candidacy was unnecessary. I hope that the 83rd Legislature will be honorable, one characterized by fidelity to the principles of liberty, free and open government, protection of minority rights, and where the rules of this house are evenly applied without regard to party, personality,

seniority, or issue so that we may serve our constituents and come together to help address the challenges to this great state we all love so dearly. Let us strive to unite our body on the higher ground of doing unto others as we would have others do to us—for Texas and liberty.

### **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.

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

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

Secretary Steen recognized the Honorable John Zerwas of Fort Bend County, who placed in nomination for speaker of the House of Representatives of the Eighty-Third Legislature of the State of Texas the name of the Honorable Joe Straus of Bexar County, speaking as follows:

Today it is my distinct honor to place in nomination the name of Representative Joe Straus for speaker of the Texas House of Representatives this 83rd Legislative Session.

Leadership in this house is not unlike leadership in many many other organizations, and though we are here at this moment to elect the speaker, each of us as elected representatives from our district must be expected to exhibit these same qualities. The qualities we look for in individuals to assume such important roles are unquestionable, they are numerous. But let me share with you three characteristics that I think stand out as we consider our next speaker: character, trust, and servanthood.

John Maxwell has written numerous books on leadership. In his book, entitled *The 21 Indispensable Qualities of a Leader*, he begins the whole book of these 21 considerations with character. In this chapter, he goes through a number of sort of examples of what this particular sort of quality would be, but this chapter stands out to me because it begins with a quote from British Field Marshal Bernard Montgomery, and what he states is that, "Leadership is the capacity and will to rally men and women to a common purpose and the character which inspires confidence."

Joe Straus clearly has that capacity and has that will to rally this body to a common purpose for the benefit of all Texans. We have seen it in the 81st and 82nd sessions. A few of these accomplishments include balancing our state budget without tax increases despite very sizeable shortfalls, cutting taxes for over 40,000 small businesses, increasing local control in our educational institutions, and promoting the development of Tier One universities. We will again need that character as we address the challenges of the 83rd session.

Leadership is also steeped in trust. I also believe trust is sometimes hard to define—very clear when it exists, and perhaps even clearer when it does not exist.

In part of my career at Memorial Hermann Healthcare, I had the opportunity to work with some truly great leaders. Among them was a gentleman by the name of Dan Wilford, who served as CEO from 1985 to 2002—truly a man whose character also inspired confidence. In his book *Trust Matters*, he describes precisely the sense of trust that exemplifies Joe Straus' leadership. He states that, "Trust is the intuitive confidence and sense of comfort that comes with the belief that we can rely on a person or organization without thinking about it. We simply know we can trust them." The role of speaker demands this level of trust, and Joe Straus has repeatedly demonstrated that degree of trust and integrity.

In addition to impeccable character and trustworthiness, Joe Straus embodies the concept of servant leadership. He is an individual who clearly sees service to this great state and to this particular legislative body as a moral imperative of the highest calling. Putting others ahead of his own personal agenda has been a hallmark of the Straus leadership in 2009 and 2011. And more than ever, we need this kind of leadership in the 83rd session as we address a number of things that Speaker Straus has already asked us to take a very serious look at, such as state funding for public education and continued strengthening of our universities and community colleges so that Texas students are prepared for the high-demand, high-quality jobs that occur in the growing industries in the State of Texas; the pursuit of policies that encourage more manufacturers to relocate and expand in Texas; to take a meaningful step in addressing our ever-increasing water needs, as well as our long-term transportation and energy demands; and to bring greater transparency to our state budget by using various fees only for their intended purposes.

And finally, a few words about the unwavering support Joe has from his family. His mother and father are legendary leaders in their community and, in particular, the Republican Party. But most importantly, they have instilled those very important values that have such consequence when serving in public office. And Mr. and Mrs. Straus, we thank you for raising such a fine son and such a fine patriot. Julie Straus has been a rock not only for Joe but for all of us in this house of representatives. And in addition to raising two beautiful daughters, she has stood strong with her husband through all the trials of campaigns as well as the challenges of the office of speaker. She takes an extraordinary personal interest in us as members of this body, as well as our families.

And I share with you a very personal and touching example of this from this past summer. When Cindy and I were dealing with a medical condition, she was required to be isolated for a short period of time, about two weeks. That meant isolation from two very important people in our lives: our grandchildren, Matthew and Isabella. She knew that, and she had delivered to our home, for each of these children, for each day of those two weeks, a very small package that was all wrapped up very nicely that we could give to them on each day of this period of time that we were sort of "quarantined," I guess you would say. And I will say this—now let me be clear about this—Joe's name was on the package that we

received, but I can tell you that I think this was all Julie Straus. And I will tell you the smiles on those two faces during those weeks is a gift that Cindy and I can never replace. And so we thank Julie for being a dear friend to the Texas House and such a great ambassador to this body. Thank you, Julie.

Joe Straus—he has the experience of two incredibly successful legislative sessions under his belt. He has the character that inspires confidence and a level of trust that is intuitively obvious. He leads with a sense of confidence combined with humility, a passion for service first and foremost, and above all, a sacred respect for the legislative process. Mr. Secretary and fellow members, it is with great honor I place a nomination for Speaker of the Texas House of Representatives for the 83rd Legislative Session, the Honorable Joe Straus.

Secretary Steen recognized the Honorable Jason Isaac of Hays County, who seconded the nomination of the Honorable Joe Straus, speaking as follows:

Members, honored guests, it's a privilege to be here with you today. Two years ago I was beginning my first term as state representative. Two years ago, when casting my first vote on the house floor, I did not vote for the man I stand up here today to support. After his successful election to continue to lead the house, I listened intently to Speaker Straus' speech. He talked about conducting ourselves in a way that politicians in D.C. might learn from. He mentioned the fair and respectful way that we want to run this house, about how truth and reason should prevail, how constructive arguments will lead us to a brighter future for Texas. More importantly, I watched how he conducted himself and led this house over the next 139 days. I was treated fairly and respectfully, I was given an opportunity to lead, an opportunity to serve my district effectively, and I was able to successfully pursue legislation and policy priorities that were important to the constituents I served.

After the session ended, I was proud to be part of a legislature that truly represented the ideals that I believe in and stand for. We passed legislation to support small business owners, to protect the environment, to defend the innocent, to increase election integrity, and to safeguard the pocketbooks of the people we work for. Most impressively, we reduced total spending for the first time in 50 years.

Over the last year and a half I've had the opportunity to meet with legislators from other states and they're envious of Texas. They're envious that their businesses and their constituents are moving here and that we are creating more jobs than all of the other states combined. But the secret to our success isn't a secret at all. Our thriving economy is made possible through a commitment to responsible spending and common sense governing. Most of all, it's due to the leadership of the state, specifically the house. Leadership, who through a reasonable and respectful manner, allow us, the elected representatives of the people of Texas, to pursue this path to prosperity.

After reflecting upon all that we have accomplished last session, and looking forward to the work that lies ahead of us, I am proud today to cast my vote for Joe Straus. Mr. Secretary, it is my honor to second the nomination of the Honorable Joe Straus III to be speaker of the House of Representatives for the 83rd Legislative Session. Thank you, and may God continue to bless Texas.



Secretary Steen recognized the Honorable René Oliveira of Cameron County, who seconded the nomination of the Honorable Joe Straus, speaking as follows:

Mr. Secretary, members of the house, and special guests. Thank you for the privilege of addressing you today to second the nomination of Joe Straus III for speaker of the Texas House of Representatives. For those returning members, it is a pleasure to see you and your families again. Thank you for your friendship and dedication. To each new member: a heartfelt congratulations. This is a day you will never forget. I wish you and your loved ones all the best on this most special day.

I fondly recall, as a newly elected freshman, driving up to this magnificent building in 1981. I was in awe, nearly in disbelief, that this is where I was going to work. Little did I know that I would eventually work under five governors and five speakers while proudly serving 28 years in the house. Today, I challenge that we should not act as mantle bearers of a particular ideology or party, but rather to serve Texas.

Texas has a changing face, a countenance that is proudly defined by the diverse makeup of this body. Past nominating speeches for Texas speaker have continually reflected themes of fairness, inclusiveness, respect, and the independence of the membership. Those particular themes echo the leadership philosophy of the man I am here to proudly nominate.

I first got to know Joe when we served together on the House Committee on Regulated Industries where I watched him quickly absorb the complexities of tough issues, build consensus, and pass important legislation. I remember one day during a committee hearing, Joe knelt next to me trying to secure my vote for a bill he really wanted to pass. He doesn't come to me on bended knee anymore, but he's still as respectful and still seeks out my counsel. Joe so impressed us with his good judgment that we granted him the highest honor any of us could be given: the speakership of the Texas House.

Shortly after becoming speaker, he called me and my staff to a meeting. Afterward, I was struck by how much Texas politics had changed. In the meeting was the speaker, an African American woman who was his chief of staff, a Hispanic male who was his general counsel, me, a Hispanic chair of a majority committee, and a Hispanic female who was committee clerk and general counsel. When I first got elected, I could not imagine that kind of diversity.

Descriptions of Joe have been consistently shared by many: fair, humble, accessible, thoughtful, and even-tempered. I agree with those assessments, and I agree with the way he leads. But I support Joe Straus, not because I agree with him on everything, but because I can disagree with him without fear of reprisal or ridicule. I know that Joe Straus respects and protects my right—and your right—to disagree. Protecting that right ensures that deliberation, debate, and reason rule this house. Political whims and personal grudges have no place in our house.

Has Joe been perfect? No. But, he is now a seasoned speaker who has demonstrated great fairness and has learned from any mistakes he may have made. What we, as members of the Texas House of Representatives, should

require in a speaker is not someone who tells us what to do and when to do it, but rather someone who will let us decide. Our rules and our speaker have been tested by time. Members, if you don't get what you want, it is not because the rules or the speaker are at fault—sometimes the rules worked for me, sometimes against. With Joe Straus presiding, everyone has a clear understanding of the legislation with a fair opportunity to debate and influence that legislation. As an experienced member—one who has been in the majority party and the minority party, and on and off leadership teams—I know Joe Straus will be a fair and seasoned speaker. He will honor the will of the majority while preserving the rights of the minority.

Members, I respectfully submit to you that Joe Straus will accept the responsibility that comes with your trust. So please join me in moving our house forward and voting to re-elect Joe Straus III as our speaker. Thank you, and may God bless you, your families, and the great State of Texas.

Secretary Steen recognized the Honorable Patricia Harless of Harris County, who seconded the nomination of the Honorable Joe Straus, speaking as follows:

I'm grateful to have the privilege to second the nomination of my speaker, Joe Straus. It is truly an honor because I respect and appreciate the speaker's leadership and his commitment to the people of Texas. Speaker Straus is a model representative for the people he serves in District 121. He's also proven himself as a capable and fair leader of the Texas House of Representatives. Joe respects and values all members, regardless of their seniority or their party, and he's made it clear that his door is always open to us.

If I had to choose one word to describe Speaker Straus, it would be respectful. Joe has set a mature and thoughtful tone in the house and fostered an environment where we can debate the issues of the day, honorably represent the people who sent us here, and start fresh the next day.

What I respect most about Speaker Straus is he's a small business person. And as a small business person, he challenges us to be proactive rather than reactive. He believes we are here to tackle the big issues that will affect our kids and our grandkids. It's not about the headlines with him, it's about getting the job done so that Texas has a secure future for more than just the next two years.

As a body, we must focus on the Texas we want to leave our children. And I believe, with every fiber of my being, to address these serious issues, we need Joe Straus' leadership in the Texas House.

Thank you, Mr. Speaker; thank you to your family, for your sacrifice and willingness to serve as our speaker. I'm grateful and honored for the privilege to second the nomination.

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

Mr. Secretary, Mr. Chief Justice, fellow members, and distinguished guests. It is a great honor to nominate Joe Straus for speaker of the Texas House of Representatives.

Joe has proven that he knows how to run a fair and balanced house, a house that puts the needs of all Texans ahead of politics. Through his leadership, Speaker Straus has managed to balance the fresh energy and new ideas of incoming members with the institutional knowledge and experience of senior members. He knows that this house was not only built by the people, but for the people.

The Bible says, "where there is no vision, the people perish." Well, members, Speaker Straus has shown that he has a vision for moving Texas forward by working with members to prepare our state for the future. The speaker knows that if Texas is going to develop and attract the types of businesses and industries that are going to drive the economy, we must put aside our personal and petty politics and work together to bring about solutions to the real issues facing Texans today. Real issues like providing funding for public education; meaningful school testing and real accountability; ending diversion funding and creating more budget transparency; working on a water plan to avoid critical drought repercussions; and building a stronger manufacturing and skilled workforce.

Unlike Washington-style politics, in this Texas House, we reach across party lines, we find common ground, and we work together for the betterment of this great state. I am convinced that our differences are less than our similarities, because at the end of the day, we are all Texans.

When I see Joe Straus, I see a man who will enable this house to strive for the Texas I know we will all want to leave for our children, grandchildren, and all the generations of Texans to come. I believe Joe is the right leader and I am proud to second the nomination of Joe Straus for speaker of the Texas House.

Secretary Steen recognized the Honorable John Otto of Liberty County, who seconded the nomination of the Honorable Joe Straus, speaking as follows:

Members, I am proud to be able to second the nomination of my classmate, Joe Straus, as speaker of the Texas House. Each one of us is sent here to represent our districts, but as leader of the Texas House, the speaker must enunciate the long term vision for the state, and Joe Straus has done that and is continuing to do that.

Last session he demonstrated his conservative values when addressing the most significant budget shortfall in recent history. Whether it be his call for better budget transparency or his leadership on speaking out about the tough issues facing the state—water, transportation, and education—Joe Straus is a leader.

I hope you will join me in electing Joe Straus as speaker for the Eighty-Third Legislative Session.

Representative Otto moved that the nominations cease and that the Honorable Joe Straus be elected speaker of the Texas House of Representatives of the Eighty-Third Legislature of the State of Texas 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.

### **COMMITTEE APPOINTED**

Secretary Steen announced the appointment of the following committee to escort Speaker-elect Straus to the speaker's rostrum: Parker, E. Rodriguez, K. King, Farney, Gonzales, Wu, Ashby, J. Sheffield, Lavender, Burkett, Herrero, Raney, Muñoz, Lewis, Pickett, Button, Perez, and Carter.

### **HOUSE AT EASE**

At 1:12 p.m., Secretary Steen announced that the house would stand at ease.

Secretary Steen called the house to order at 1:19 p.m.

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

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

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

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

### **ADDRESS BY THE SPEAKER**

Secretary Steen recognized Representative McClendon who introduced Speaker Straus and members of his family: Jocelyn and Joe Straus, Jr., Julie Brink Straus, and Sara and Robyn Straus.

Speaker Straus addressed the house, speaking as follows:

Members, I am humbled by your support, grateful for the confidence you have placed in me, and honored to serve again as your speaker. I'd like to thank my fellow San Antonians, Secretary Steen and Chief Justice Jefferson, for helping us begin this session. And I deeply appreciate the kind words of Dr. Zerwas and the members who seconded my nomination.

I would also like to recognize and thank all of the members' families, both those who are with us today and those who were not able to make it. As surely as we serve the State of Texas, so do you. You honor us and you honor this state by supporting our service.

I would especially like to thank my own family for being here today, including my parents, Joci and Joe Straus, Jr., and my wife, Julie, and our daughters, Sara and Robyn. I couldn't be more proud of the young women that Sara and Robyn have become, and I am equally proud of the way that Julie has represented the house with grace and distinction over the last four years.

We gather today to chart a path forward for the state we love. We have a lot to be proud of in Texas, from leading the nation in job creation to leading an American energy revolution. For eight straight years Texas has led the nation in

exports, and our unemployment rate is well below the national average despite a massive influx of new workers. Our economy is so vast and diverse that if Texas were its own country—and no, don't worry, that isn't something we're going to do this session—but if we were, we'd be the 14th largest economy in the world.

Other states envy our strength. But we should not allow our state's many successes to hide some very real and very urgent challenges. Instead, now is the time to get serious about solving those challenges, to take the next step forward and to lead Texas into a new era of innovation and opportunity. We begin this work at a moment of significant change for this house. Today the largest class of new members in 40 years took the oath of office, and nearly half our members are in their first or second terms. We welcome our new members. We are glad that you're here, and we value the perspective that you bring to this house.

Even more importantly, Texas itself is in the midst of fast, profound change. Since the year 2000, our state has added more than 6 million people—or roughly the population of the entire Houston metro area. Demographers project that by the time we celebrate our bicentennial in just over 20 years, about 36 million people—10 million more than today—will call Texas home.

With balanced budgets, one of the lowest per-capita spending burdens in the country, and a pro-growth tax structure, our greatest challenges are not fiscal in nature. Texas does not face a fiscal cliff, but we do face a demographic cliff. Our rapid growth requires a steadfast commitment to the core responsibilities of government, such as a quality education, a reliable water supply, a healthy transportation system, and an honest state budget. These are the priorities that you and I discussed around the state in recent months—the issues that voters expect us to address because they will play the largest role in determining our shared future.

Our priorities should begin where our future does: in public education. More than 5 million children are enrolled in our public schools, which is more than the total population of 29 states. More than three million of them are deemed economically disadvantaged, and almost one million of them speak limited English. The education of all our students will determine whether Texas is a land of prosperity or lost opportunities. There should be no sacred cows when it comes to our children, including our accountability system. For more than a decade, this state has used an increasingly rigorous series of standardized tests to measure academic excellence. But by now every member of this house has heard from constituents at the grocery store or the little league fields about the burdens of an increasingly cumbersome testing system in our schools. Teachers and parents worry that we have sacrificed classroom inspiration for rote memorization. The goal of education is not to teach children how to pass a test, but to prepare them for life. The goal of every teacher is to develop in students a lifelong love of learning, and we need to get back to that goal in the classroom.

To parents and educators concerned about excessive testing, the Texas House has heard you. We will continue to hold our schools accountable. But we will also make our accountability and testing system more appropriate, more flexible, and more reasonable.

I ask also that in this session we focus on making higher education accessible and affordable for more Texans. Our institutions of higher education come in many shapes and sizes. We all realize the importance and prestige of our four-year and graduate universities, and the need to expand Tier One institutions in Texas to compete globally. We will continue to strengthen them. But in a state as large and complex as Texas, we need a range of educational options to empower students to reach their full potential.

Many of us have focused over the last year on attracting more manufacturers to Texas. Manufacturers and employers in every sector say that they cannot find the skilled workers they need, because many Texans simply do not know how to access appropriate training. The Texans who could take these jobs don't necessarily need four year degrees, but they do need to know their educational options. In September, I visited Texas State Technical College in Marshall where students receive hands-on training for cutting-edge careers in manufacturing, information technology, and health care, among others. These programs respond directly to the needs of industry and offer the specific training that open high-demand fields to students. Let's expand opportunity in Texas this session by improving coordination among high schools, community and technical colleges, and the private sector so that no young person feels destined to spend life drifting from one low-skilled, minimum-wage job to the next.

Employers need the workforce that improved technical programs will produce. But that's not all they need. They also need a modern, innovative transportation system that is funded appropriately. And, like all of us, they need water. Our state continues to cope with historic drought conditions. Over the last couple of years, severe restrictions have been imposed in both urban and rural areas throughout the state, and water has been trucked into a number of Texas communities whose wells ran dry. The cost of this drought has been estimated at almost \$8 billion in losses to agriculture alone, with untold economic and environmental costs elsewhere. And businesses wonder whether Texas will have the water supply necessary for short- and long-term economic growth. There is no single or easy answer to our water challenges. But we know a 50-year water plan without funding is not the solution. If we are going to applaud ourselves for attracting new Texans into our state, we have to be honest about the demands of such growth. I encourage the members of this house to take action this session—bold, substantial action—to address our water needs.

Finally, we should work in this session to make our state budget more transparent. We may disagree at times about the size of government and the need for spending, but I think we can all agree that our budget should be honest and straightforward with taxpayers. Soon after I was elected to the house, I found that a fee created in the early days of the Internet in order to expand online access was still being collected on the phone bills of Texas consumers, even though the program it funded had ceased to exist. Hundreds of millions of dollars collected through this fee each year sat dormant in the treasury so that the state could show on paper that it had the money to cover the rest of its spending. In 2007, I worked with many of you to halt collections of that fee and erase all references to the program in state statutes. But that was just one fee. The use of others to certify the

state budget has grown for 20 years, and today almost \$5 billion in various fees and surcharges are not going toward their intended purpose. Let's reverse that trend this session and strive to use all fees as the law intends, or not collect them at all.

Let's also reduce the amount of gas-tax dollars that aren't spent on transportation and use that money to construct a system that will support the growth of our population and the strength of our economy.

These are the challenges—education, water, infrastructure, jobs, and budget transparency—that will determine what kind of state we'll be when 36 million people live here. And these challenges require a spirit of consensus and collaboration from the members on this floor. Our capacity to work together is what distinguishes this body from Washington, D.C. In the Texas House, we don't put the republicans on one side of the room and the democrats on the other. In our house, there is no aisle that divides us. Instead, we work with our colleagues, regardless of party, because our mission transcends partisan politics. We will work together this session, and we will remember whom we serve.

During the course of campaigning for this office, you said or did something that appealed to the hopes and aspirations of your neighbors, and you inspired them to entrust you with a seat in this house. I ask that every day you walk on this floor, you think about all the people you represent: the business owner trying to meet a payroll, the farmer praying for rain, the parents trying to save money for college, and the child who is just beginning to read. These are the people, the only people, whom you will owe any explanation for how you represent your district over the next 140 days. And they are waiting to see if we are willing to confront the serious issues that will determine this state's future.

Theodore Roosevelt once said, "The best prize that life has to offer is the chance to work hard at work worth doing." Improving education, expanding opportunity, and meeting the challenges of a growing population—this is work worth doing, and it is work that can no longer be ignored. So let us be consumed by the urgency of the task before us. Let us be bold. Let us be visionary. And let us focus on what Texas can be. Thank you again for your support. Now let's get to work for the people of Texas.

### **COMMITTEES APPOINTED**

The speaker announced the appointment of the following committee to notify the senate that the house is organized and ready to transact business: Aycock, chair; R. Sheffield, Dale, Coleman, Morrison, Hilderbran, Riddle, and White.

The speaker announced the appointment of the following committee to notify the governor that the house is organized and ready to transact business: Alonzo, chair; Bell, Longoria, Darby, Springer, Ratliff, S. King, and Collier.

### **INTERPRETERS FOR THE DEAF**

The interpretation of the proceedings of the house was provided today by Billy Collins and Beverly Young.

### CAPITOL PHYSICIAN

The speaker presented Dr. Troy Fiesinger of Sugar Land as the "Doctor for the Day."

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

The speaker recognized members of the choral ensemble, Conspirare, who sang "Texas, Our Texas."

The benediction was offered by Dr. Kie Bowman, Hyde Park Baptist Church, Austin.

### ADDRESS BY THE GOVERNOR

Speaker Straus recognized Representative Dutton who introduced the Honorable Rick Perry, governor of the State of Texas, who addressed the house, speaking as follows:

Yesterday, we heard from the comptroller, and the news was good. It confirmed much of what we've known over the past two years: that the Texas economy is healthy and growing, and thanks to the hard work and dedication of people working all across this state, the revenue forecast is up, and up significantly.

Again, all good news, and a complete change from the forecast we faced just two years ago. At that time, we were still dealing with the effects of an ugly national recession, and much of the talk, both in the newspapers and around town, surrounded not whether we'd have to raise taxes, but how much we'd have to raise them to keep our state afloat.

As you all know, that's not the path we chose. We chose the responsible path, the fiscally-conservative path, and that path has led us here today. We sat down, separated our wants from our needs, prioritized, and tightened our belts, wherever necessary, and wherever possible. Far from the catastrophe many predicted for us at the time, that approach helped our economy improve more quickly, and more profoundly, than many had expected. The main lesson to draw from that story is simple: When people keep more of their own money it's better for them, it's better for their families, and it's better for the state. That's a lesson we must take to heart as we begin the 83rd Legislature.

Trust me when I tell you that there are interests all across this state who view Monday's revenue estimate as the equivalent of ringing a dinner bell. They all want more for their causes, they all figure we have money pouring out of our ears now, and they all have your address and phone number. However, in the face of that kind of pressure, we have to remember that Monday's revenue estimate represents not a chance to spend freely, but an opportunity to rededicate ourselves to the very policies that have made Texas economically strong in the first place. It's also a chance to put our fiscal house in order for the years to come. That's why, over the past several months, I have called for major budgetary reforms that include reducing diversions, a stricter constitutional limit on spending, a renewed commitment to stopping any and all new taxes or tax increases, and stopping any



attempt to raid the rainy day fund for ongoing expenses. For the sake of all Texas taxpayers, we must control the appetite for more spending. We need to stop writing IOUs to the next budget and delaying payments we know will come due. We need to reduce the use of fees and dedicated accounts for anything other than the purpose for which the fees were collected, and if we're not going to use them in the way proposed, stop collecting them. With a better budgetary picture, now is the time to set the books straight and improve the fiscal outlook for future legislatures.

It's also time to take a hard look at providing tax relief. We need to ensure consumers and employers alike have more cash on hand to pay their bills, hire more people, and invest in new efforts. We need to reduce the demands on our innovators so they're free to innovate and able to turn their great ideas into great success. We need to continue streamlining our government, do more with the resources we have available, and continue delivering needed services in an effective and efficient manner.

Of course, budgetary issues aren't all you will be tasked with. We must deal with infrastructure needs in water, energy, and transportation, both for now and stretching into the future. We need to find the right ways to educate our workforce, whether that means a college degree or technical certification, so employers can continue to count on finding the best and brightest here in Texas. We need to reform our laws to make it harder for people to abuse our public assistance and unemployment insurance systems by authorizing drug screenings for those programs. We also need to better protect our most vulnerable citizens, the unborn, by expanding the ban on abortion to any baby that can feel the pain of the procedure and putting in place common-sense oversights on clinics and physicians involved.

These are just a few of the issues we'll address this session, and I look forward to working with Lieutenant Governor Dewhurst and each of you in doing the people's business over the next 140 days. At the end of the day, I'm certain you'll work together in the best interest of our state and merit the faith placed in you by the millions of Texans who put you here.

May God bless you and, through you, may he continue to bless the great State of Texas.

Representative Geren moved that staff members employed by house committees at the end of the 82nd Legislature continue to be employed by the house subject to available funding until all committee assignments have been made for the 83rd Legislature.

The motion prevailed.

### ADJOURNMENT

Representative Craddick moved that the house adjourn until 10 a.m. tomorrow in memory of the Honorable Ken Legler, the Honorable A. M. "Bob" Aikin III, the Honorable Thomas M. "Tom" Andrews, the Honorable Maurice Angly, Jr., the Honorable Robert Avant, the Honorable Scott J. Bailey, the Honorable Fred Blair, the Honorable R. Paul Brashear, the Honorable Jack Brooks, the Honorable Hiriam Childress, the Honorable Anne Cooper, the

Honorable Frank H. Cain, Jr., the Honorable Harold Davis, the Honorable Virginia Duff, the Honorable Eldon Edge, the Honorable Henry Fletcher, the Honorable Mario Gallegos, the Honorable R. A. "Bob" Gammage, the Honorable Ernestine Glossbrenner, the Honorable Forrest Green, the Honorable W. O. "Bill" Harrison, Jr., the Honorable Bill Hollowell, the Honorable Alonzo Jamison, Jr., the Honorable William Kilgarlin, the Honorable Don Kennard, the Honorable Kenneth Kohler, the Honorable Don Lee, the Honorable John N. Leedom, the Honorable Scott McDonald, the Honorable Jim McWilliams, the Honorable George O. Nokes, Jr., the Honorable Albert Price, the Honorable Paul Ragsdale, the Honorable Bill Thomas, the Honorable Carlos Truan, the Honorable Robert "Bob" Valles, the Honorable Ed R. Watson, the Honorable Jack Welch, and the Honorable C. K. "Chock" Word.

The motion prevailed.

The house accordingly, at 2:10 p.m., adjourned until 10 a.m. tomorrow.