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80th LEGISLATURE — REGULAR SESSION

Present, not voting — Mr. Speaker; Chisum(C).

Absent, Excused — Eiland; Isett; Martinez Fischer; Moreno.

Absent — Pierson.

HB 2042 ON THIRD READING
(by Dukes and Veasey)

HB 2042, A bill to be entitled An Act relating to an electronic database of physicians, hospitals, and other health care providers participating in the state Medicaid program.

A record vote was requested.

HB 2042 was passed by (Record 982): 142 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusec; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Mowery; Murphy; Naishtat; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Chisum(C).

Absent, Excused — Eiland; Isett; Martinez Fischer; Moreno.

Absent — Noriega; Pierson.

HB 1034 ON THIRD READING
(by Riddle, Berman, Flynn, Hilderbran, Branch, et al.)

HB 1034, A bill to be entitled An Act relating to the pledge of allegiance to the state flag.

(Speaker in the chair)

Friday, May 4, 2007

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HB 1034 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE HOCHBERG: Thank you, Mr. Speaker, thank you, Ms. Riddle. I'm just trying to get clear in my own mind, because I'm going to have constituents ask me about my vote, of course, one way or another, and I voted with you last night.

REPRESENTATIVE RIDDLE: Thank you.

HOCHBERG: And I expect to vote with you today. Tell me why you picked out, you said last night that you were trying to essentially conform our pledge to the national pledge, and if I'm misstating what you said, please clarify that for me.

RIDDLE: No, that, I think, is what I made very clear, that in our national pledge, we say, "one nation under God." I felt like it was altogether right and appropriate for us to have in our state pledge, that we would say, "one state under God."

HOCHBERG: We also, in the national pledge, if I'm not mistaken, say, "with liberty and justice for all." You didn't include that in your bill, I don't believe. Was there some reason that you didn't include that, but you did include the "under God" part?

RIDDLE: No.

HOCHBERG: No? Would you take a third reading amendment to add, "with liberty and justice for all?"

RIDDLE: No.

HOCHBERG: Because?

RIDDLE: I think that the way we have it now, it reads smoothly, it says what we wanted it to say, and I think that we voted on it yesterday, and I think that we have a consensus that basically says what we want it to say.

HOCHBERG: Okay, but you're basically trying to pick up the religious piece from the national pledge and just move it down to our state pledge. Is that fair?

RIDDLE: What I said yesterday is that it simply mirrors the national pledge in that area.

HOCHBERG: It mirrors the religious part of the pledge.

RIDDLE: This pledge is, in fact, unique to Texas, and we're not trying to replicate the entire pledge, but there are parts of the pledge that I thought we could put in it.

HOCHBERG: And why did you think that that particular part was appropriate to replicate rather than the other?

RIDDLE: That is the part that I thought of. I didn't even think about the other, sir.

HOCHBERG: And so why would you be opposed to the "with liberty and justice for all" part, isn't that important, too?

RIDDLE: We're in the third reading.

HOCHBERG: I just thought of it.

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RIDDLE: You just now thought of it?

HOCHBERG: I did, ma'am.

RIDDLE: You just now thought of it?

HOCHBERG: I did, ma'am. I really did. It was a little late last night, ma'am, it really was. Had I thought of it then, I really would have brought it up to you then, but I didn't, and so I guess what I'm trying to understand, because I don't want to mess with the purpose of your bill, and I don't want to put a point of order on your bill, I don't want to do any of that stuff. If the purpose of your bill is you're just trying to do the religious part of it, I understand that. If the purpose of your bill was to mirror the federal pledge to the national flag to the star-spangled banner, then it's not getting that, because you're missing an important part. I want it to serve whatever purpose you said that you think it's supposed to serve.

RIDDLE: Well, I didn't think of the other, our pledge is unique to Texas, and I think that we have it the way we want it, but next session, if you'd like to put that in it, then I welcome you to do that.

HOCHBERG: Okay, but why was this part a priority?

RIDDLE: I think I shared that last night.

HOCHBERG: Well, I'm sorry, it was late last night and it's hard to hear back here, you have a soft voice and sort of a smooth voice, and it's very hard for me to hear back here.

RIDDLE: I'm a horse woman, I live on sixteen acres, I can holler from my house to the barn and have all the horses hear me. So I can raise my voice.

HOCHBERG: You should probably do this without microphones. I'd probably hear you better than with the sound echoing.

RIDDLE: It kind of tends to echo, does it not?

HOCHBERG: I'm sorry, okay.

RIDDLE: I think I made my point very clear last night, and I think I've made my point very clear today.

HOCHBERG: And your point is that the "under God" part is what you think is important to move over?

RIDDLE: That is what we put in there, sir. It mirrors the national pledge. It's a very simple concept and I feel like it's being redundant to have to say that over and over.

HOCHBERG: Thank you. I never mean to make anybody be redundant. Thank you, ma'am.

A record vote was requested.

HB 1034 was passed by (Record 983): 124 Yeas, 12 Nays, 2 Present, not voting.

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Yeas — Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Gattis; Geren; Giddings; Gonzales; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Herrero; Hilderbran; Hill; Hochberg; Homer; Hopson; Hughes; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Macias; Madden; Martinez; McClendon; McReynolds; Menendez; Merritt; Miller; Morrison; Mowery; Murphy; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Talton; Taylor; Truitt; Turner; Van Arsdale; Vaught; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Nays — Allen; Bolton; Burnam; Castro; Chavez; Cohen; Davis, Y.; Hodge; Howard, D.; Miles; Naishtat; Thompson.

Present, not voting — Mr. Speaker(C); Mallory Caraway.

Absent, Excused — Eiland; Isett; Martinez Fischer; Moreno.

Absent — Gonzalez Toureilles; Hernandez; Howard, C.; Lucio; McCall; Pierson; Straus; Veasey.

STATEMENTS OF VOTE

When Record No. 983 was taken, I was in the house but away from my desk. I would have voted yes.

C. Howard

When Record No. 983 was taken, I was in the house but away from my desk. I would have voted yes.

Lucio

When Record No. 983 was taken, I was in the house but away from my desk. I would have voted yes.

Veasey

REASON FOR VOTE

I am and have been a Baptist all my life, and the concepts of religious liberty and separation of church and state are firmly ingrained in me. Roger Williams who lived in the 1600s is widely viewed as the father of Baptist life in America. He gave up a very powerful position in England and came to the colonies, fleeing religious persecution. However, even in the colonies he faced persecution because he wouldn't worship as the leaders prescribed. In fact, late in his life he was banished to an uninhabited island and expected to die there. When, by God's grace, he prospered there, the leader of the colony sent him a scathing letter demanding to know why he hadn't just gone ahead and died as expected.

Roger Williams risked everything for what he believed. I have not been asked to risk as much, but my belief in religious liberty is that it is worth fighting for. It would be very easy to vote yes on this bill to avoid being seen as voting against God but I am very confident in my Christian faith and my relationship with God. I will be voting no and voting for religious liberty.

Bolton

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 1).

REMARKS ORDERED PRINTED

Representative Burnam moved to print remarks between Representative Riddle and Representative Hochberg.

The motion prevailed.

**GENERAL STATE CALENDAR
SENATE BILLS
THIRD READING**

The following bills were laid before the house and read third time:

**SB 1752 ON THIRD READING
(Swinford - House Sponsor)**

SB 1752, A bill to be entitled An Act relating to the election, powers, and duties of the members of the board of directors of the Midland County Hospital District.

A record vote was requested.

SB 1752 was passed by (Record 984): 138 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Gattis; Geren; Giddings; Gonzales; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, D.; Hughes; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Riddle; Ritter; Rodriguez; Rose; Smith, T.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.