

1 sacrilegious, that it is sinful to speak the word "God,"  
2 and in fact -- or to write it, and in fact when they  
3 write it, they will write something like G space D  
4 because they believe in their religion? Their sincere  
5 religious belief is that they should not speak that word.

6 And so should -- are we, by your amendment,  
7 allowing those very devout, very religious students to  
8 avoid violating their religious beliefs by adhering to  
9 someone else's?

10 REPRESENTATIVE BURNAM: Scott, while I was  
11 not aware of that Judeo tradition or that element within  
12 your tradition, it is certainly a really good example of  
13 why every child should have the right to opt out and  
14 every teacher should be taught about that child's right.

15 REPRESENTATIVE HOCHBERG: Thank you. I  
16 think you have a good amendment, Mr. Burnam.

17 REPRESENTATIVE JACKSON: Mr. Speaker?

18 THE SPEAKER: Mr. Jackson, for what  
19 purpose?

20 REPRESENTATIVE JACKSON: The gentleman  
21 yield?

22 REPRESENTATIVE BURNAM: I will gladly  
23 yield.

24 THE SPEAKER: The gentleman yields.

25 REPRESENTATIVE JACKSON: Mr. Burnam, I'm

1 trying to figure out what this -- what this amendment has  
2 to do with the bill before us.

3 REPRESENTATIVE BURNAM: This amendment is  
4 very straightforward and has everything to do with the  
5 bill before us.

6 If this bill had not been hoisted on the  
7 children of Texas by a well-meaning person but  
8 nevertheless misdirected, this bill would not be  
9 necessary; but, in fact, there are many reasons why a  
10 teacher needs to be instructed as to what can be expected  
11 of the student.

12 A student should not be coerced to say the  
13 pledge and certainly not indicate a faith preference in  
14 what would -- is what she's advocating with this bill.

15 REPRESENTATIVE JACKSON: Well, I didn't  
16 know this had anything to do with the Education Code. I  
17 thought it just had to do with the pledge --

18 REPRESENTATIVE BURNAM: I'm sorry. I  
19 couldn't understand you, Mr. Jackson.

20 REPRESENTATIVE JACKSON: I didn't know we  
21 were dealing with the Education Code. I thought this was  
22 just about the Texas pledge.

23 REPRESENTATIVE BURNAM: I'm sorry. Would  
24 you repeat your question? I wasn't able to hear you.

25 REPRESENTATIVE JACKSON: I didn't know this

1 had anything to do with the Education Code. I thought it  
2 was just about the Texas pledge.

3 REPRESENTATIVE BURNAM: This is about the  
4 Texas pledge being imposed on school children.

5 You may not have the history or the  
6 knowledge to know that four years ago we forced this on  
7 the school children of Texas and it's a mandatory part of  
8 the daily activities in every Texas school.

9 REPRESENTATIVE JACKSON: Did you know that  
10 right up above you it says "in God we trust"?  
11 Representative Raymond, I believe it was, made that  
12 motion earlier in the year and I didn't hear you object.

13 REPRESENTATIVE BURNAM: I'm sorry. What  
14 did you say?

15 THE SPEAKER: Members, could we have some  
16 order on the floor.

17 REPRESENTATIVE BURNAM: I believe Mr.  
18 Jackson asked something about previous activity on this  
19 house floor.

20 Mr. Jackson, I was one of two people that  
21 voted against that because I believe it is wrong for  
22 state government or any government to try to impose any  
23 faith.

24 I was raised a Southern Baptist. The  
25 Southern -- the Baptist came to this country and founded

1 Rhode Island colony. One of the reasons they came here  
2 is to avoid religious oppression.

3 I'm a faith-based Quaker today. Three of  
4 the 13 colonies were founded by Quakers because they were  
5 trying to escape religion imposed on them by their  
6 government.

7 UNIDENTIFIED SPEAKER: Will the gentleman  
8 yield?

9 REPRESENTATIVE BURNAM: I'll gladly yield.

10 THE SPEAKER: The gentleman yields.

11 UNIDENTIFIED SPEAKER: Representative  
12 Burnam, did you know that it is already the Texas law  
13 that you may opt out of pledging to the -- any allegiance  
14 to any flag in the schoolhouse?

15 REPRESENTATIVE BURNAM: No.

16 UNIDENTIFIED SPEAKER: That you may opt out  
17 of prayer?

18 REPRESENTATIVE BURNAM: I did not know that  
19 that was the case, and it certainly wasn't my experience.  
20 And what this amendment does is require them to post it  
21 so every teacher knows it.

22 UNIDENTIFIED SPEAKER: Right. So it's a  
23 good amendment, but I wanted you to know that it's  
24 already on the books.

25 But did you also know that the Jehovah

1 Witnesses don't pledge to any flag?

2 REPRESENTATIVE BURNAM: That's correct, and  
3 there have been a number of court battles over that; but  
4 as we heard in previous discussion about matters of faith  
5 in our schools earlier this -- in the last two weeks, it  
6 is frequently the case that the teacher or the  
7 administrator does not know how to implement the law.  
8 And by posting this in the classroom, it will clarify our  
9 commitment to the First Amendment.

10 THE SPEAKER: Time has been expired.

11 UNIDENTIFIED SPEAKER: Thank you. This is  
12 America. Thank you.

13 THE SPEAKER: Okay. Members, the question  
14 occurs on the adoption of the Burnam amendment. Ms.  
15 Riddle moves -- moves to table. All those in favor of  
16 the motion to table vote aye. All those opposed vote no.  
17 It's a record vote.

18 Show Ms. Riddle voting aye, Mr. Burnam  
19 voting no. Show Mr. Parker voting aye.

20 Have all voted. There being 89 -- 90 ayes  
21 and 42 nays, the motion to table prevails.

22 The Chair recognize Ms. Riddle to close.

23 REPRESENTATIVE BURNAM: Mr. Speaker, would  
24 the lady yield?

25 REPRESENTATIVE RIDDLE: Mr. Speaker, I

1 close and I move adoption.

2 REPRESENTATIVE BURNAM: Mr. Speaker, would  
3 the lady yield?

4 THE SPEAKER: The lady has yielded the  
5 floor, Mr. Burnam.

6 REPRESENTATIVE BURNAM: Mr. Speaker, does  
7 the lady not care to answer questions about her bill?

8 THE SPEAKER: I have no -- I'm not advised.

9 REPRESENTATIVE BURNAM: Thank you, Ms.  
10 Riddle.

11 THE SPEAKER: Members, the question occurs  
12 on the passing engrossment of House Bill 1034. All those  
13 in favor vote aye. All those opposed vote no. It's a  
14 record vote.

15 Clerk, ring the bell.

16 Show Mr. Geren voting aye. Show Ms. Riddle  
17 voting aye.

18 Have all voted. Have all voted. There  
19 being 124 ayes, five nays, two present not voting, House  
20 Bill 13 -- I mean 1034 is passed to engrossment.

21 REPRESENTATIVE BURNAM: Mr. Speaker?

22 THE SPEAKER: Mr. Burnam.

23 REPRESENTATIVE BURNAM: May I request that  
24 all the comments between Ms. Riddle and myself during the  
25 discussion of this bill be reduced to writing in the

1 journal?

2 THE SPEAKER: Members, you've heard the  
3 motion. Is there objection? Chair (inaudible).

4 REPRESENTATIVE BURNAM: Thank you.

5 \* \* \* \* \*

6 THE SPEAKER: (inaudible) Chair lays out on  
7 third reading final passage of House Bill 1034. Clerk  
8 will read the bill.

9 THE CLERK: HB 1034, by Riddle, relating to  
10 the pledge of allegiance to the state flag.

11 THE SPEAKER: The Chair recognize  
12 Representative Riddle.

13 REPRESENTATIVE RIDDLE: Thank you, Mr.  
14 Speaker. This is the bill that we passed last night that  
15 puts "under God" in our pledge. Thank you.

16 THE SPEAKER: Representative --

17 REPRESENTATIVE HOCHBERG: Mr. Speaker?

18 THE SPEAKER: Representative Hochberg, what  
19 purpose?

20 REPRESENTATIVE HOCHBERG: Will the lady  
21 yield for a question?

22 THE SPEAKER: Do you yield, Ms. Riddle?  
23 The lady yields.

24 REPRESENTATIVE RIDDLE: Yes.

25 REPRESENTATIVE HOCHBERG: Thank you, Ms.

1 Riddle. Thank you, Mr. -- thank you, Mr. Speaker. Thank  
2 you, Ms. Riddle.

3 I'm just trying to get clear in my own mind  
4 because I'm going to have constituents ask me about my  
5 vote, of course, one way or another. And I voted with  
6 you last night.

7 REPRESENTATIVE RIDDLE: Thank you.

8 REPRESENTATIVE HOCHBERG: And I expect to  
9 vote with you today.

10 Tell me -- tell me why you picked out --  
11 you said last night that you were trying to essentially  
12 conform our pledge to the national pledge. And if I'm  
13 misstating what you said, please clarify that for me.

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

19 REPRESENTATIVE HOCHBERG: We also in the  
20 national pledge, if I'm not mistaken, say "with liberty  
21 and justice for all."

22 You didn't include that in your bill, I  
23 don't believe. Was there some reason that you didn't  
24 include that but you did include the "under God" part?

25 REPRESENTATIVE RIDDLE: No.

1 REPRESENTATIVE HOCHBERG: No? Would you --  
2 would you -- would you take a third reading amendment to  
3 add "with liberty and justice for all"?

4 REPRESENTATIVE RIDDLE: No.

5 REPRESENTATIVE HOCHBERG: Because?

6 REPRESENTATIVE RIDDLE: I think that the  
7 way we have it now, it reads smoothly. It says what we  
8 wanted it to say. And I think that -- we voted on it  
9 yesterday, and I think that we have a consensus that it  
10 basically says what we want it to say, sir.

11 REPRESENTATIVE HOCHBERG: Okay. So you're  
12 trying -- but you're basically trying to pick up the  
13 religious piece from the national pledge and just move it  
14 down to our state pledge; is that fair?

15 REPRESENTATIVE RIDDLE: What I said  
16 yesterday is that it simply mirrors -- mirrors the  
17 national pledge in that area.

18 REPRESENTATIVE HOCHBERG: It mirrors the  
19 religious part of the pledge.

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

24 REPRESENTATIVE HOCHBERG: And why did you  
25 think that that particular part was appropriate to

1 replicate rather than the other?

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

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

8 REPRESENTATIVE RIDDLE: We're in the third  
9 reading, and --

10 REPRESENTATIVE HOCHBERG: I just thought of  
11 it.

12 REPRESENTATIVE RIDDLE: You just now  
13 thought of it?

14 REPRESENTATIVE HOCHBERG: I did, ma'am.

15 REPRESENTATIVE RIDDLE: You just now  
16 thought of it?

17 REPRESENTATIVE HOCHBERG: I did, ma'am. I  
18 really did, just then. It was a little late last night,  
19 ma'am. It really was. Had I thought of it then, I  
20 really would have brought it up to you then, but I  
21 didn't.

22 And so -- and so I guess what I'm trying to  
23 understand, because I don't want to -- I don't want to  
24 mess with the purpose of your bill, and I don't want to  
25 put a point of order on your bill, or I don't want to do