

From Alexis DeLee, Press Secretary for Speaker Tom Craddick, in an email to reporters on Friday, 3 August:

The following information is the Speaker's position on the subject of the Attorney General filings of today...

THE MOTION TO VACATE WAS IMPROPER

During the waning days of the 80th legislative session, some House members sought to be recognized for a "motion to vacate the chair" in an attempt remove Speaker Tom Craddick. Some of the proponents of the motion had announced their own candidacies for speaker. This motion was improper both constitutionally and by the rules of the House.

- State election laws specifically prohibit campaigns for speaker while the House is in session. [Tex. Govt. Code Sec. 302, House Rule 1, Sec. 18]. Furthermore, the Texas Constitution specifies that the election of the speaker is to take place only when the House "first assembles". [Tex. Const. Art. 3, Sec. 9(b)].
- The rules that govern the proceedings of the Texas House of Representatives do not authorize a "motion to vacate the chair" or any similar motion. House Speaker Craddick declined to recognize the members for that purpose. The rules of the Texas House bestow on the speaker the specific authority to either recognize or not recognize a member for a motion. [Rule 1, Sec. 9; Rule 5, Sec. 24].

THE SPEAKER ACTED PROPERLY IN REFUSING TO RECOGNIZE

Despite the fact that he could have prevailed in the vote, Speaker Craddick acted properly by not recognizing such a motion. His rulings were correct under the House Rules, the Texas Constitution, and they were consistent with the traditions of the Texas House. Most importantly, he served the citizens of this state by successfully fulfilling his obligation to see to it that the House finished its work on their behalf.

- Because the motion is not authorized under the rules of the House, and given that such a motion conflicts with the terms of the constitutional requirement that a speaker's election occur only when the House first assembles, the speaker would have been legitimizing an invalid motion. This would have been bad precedent for the House and for the institution of the Office of the Speaker.
- The House barely completed its pending business before the 80th legislative session came to an end. Whether or not the motion was valid, the result of displacing the legitimate business of the House in favor of purely political business would have, in this instance, jeopardized the passage of the state budget, as well as other important pending matters. The legislature would have likely gone into a special session with taxpayers footing the bill.
- It has been common practice for speakers, long predating the current speaker, to decline to recognize members, including for purposes for which the rules specifically contemplate recognition, let alone one that the rules don't allow.