

## **Editorial: Big losers in Legislature**

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The Texas Legislature is *legally* obligated to accomplish only a few things, like passing a budget and paying the bills, when it meets every other year. It is *morally* obligated to take on other challenges, if lawmakers hope to leave a better state for the next generation. We are disappointed that our elected representatives in Austin fell short this year in two fundamental areas:

### Transportation

Despite the choking traffic congestion and the consensus that transportation funding is so anemic that something must be done, the Legislature chose to do nothing.

There's not a better example of negligence out of this lawmaking session.

It's not like there wasn't a plan. For the second session in a row, Republican Sen. John Carona of Dallas volunteered to carry one for the North Texas leaders who have been pleading for tools to build out the region's transit system as a way to combat gridlock.

Carona took the lead on crafting a fair, transparent means of asking voters whether they wanted to boost local fuel taxes and fees in return for specific road and rail projects listed on county ballots. The Senate felt the groundswell of interest from other metro areas whose motorists are weary of corrosive traffic congestion, and the plan advanced quickly.

But the merits of local control meant nothing to the House majority. Self-interested members were more concerned with looking "tax friendly," and they conspired to bury the proposal.

They ignored warnings that the state will be unable to start new highway projects after two years. They ignored outrage from the public that hundreds of millions of highway dollars are being siphoned off for other purposes. They ignored data that show Texas urban areas among the most congested in the nation – an inconvenient truth for a state that fancies itself a great place to do business.

Carona got his back up, and we're glad he did. When other lawmakers stripped the local-option plan out of the session's major transportation bill, he threatened to go nuclear. Rather than invite the fallout, legislative leaders backed off and let the whole bill become a casualty.

In one sense, that's too bad, because it avoided a Carona filibuster that might have brought the session to an ignominious close. He might have had a platform to lecture top leaders – specifically Gov. Rick Perry, Lt. Gov. David Dewhurst and House Speaker Joe Straus – for their lack of resolve to confront one of the state's most obvious shortcomings.

North Texas House members who did nothing to advance the local-option plan – or those, like Irving's Linda Harper-Brown, who undermined it – could have sweated out a filibuster in fear of getting their own tongue-lashing. It would have been deserved.

Even Carona's opponents have to agree with him on one thing: Turning your back on a stubborn problem won't make it go away.

## Water

Too many lawmakers also forgot Texas' can-do attitude when it came to planning for the state's water needs, taking a decidedly un-Texan wait-and-see attitude.

## Drought of cash

If Texas doesn't fund its water plan:

- Water shortages during drought could cost businesses and workers \$9.1 billion *per year* by 2010 and \$98.4 billion *per year* by 2060.
- 85 percent of Texas' projected population will not have enough water by 2060 in drought conditions.

SOURCE: Texas Water Development Board

Despite the best efforts of GOP Sen. Kip Averitt, Austin's hands-down leader on water issues, lawmakers once again failed to approve a way to pay for the state's water plan. Averitt worked the House floor at the last of the session, hoping to get members to put a fee on sales of bottled water to finance the plan, whose projects would supply Texans water for the next 50 years.

*Nothing happened.* The Legislature instead threw some change into the budget for the next two years for water projects and said adios. The bulk legislators may think they're doing the Lord's work by funding water projects in the state budget every two years. But some projects that regional authorities have put in the plan, including reservoirs across the state, require years of planning and the knowledge that the money will be there when the project's ready to roll.

This incremental approach won't cut it. Not when the state's plan contains 4,500 projects and strategies, the total cost of which is \$30.7 billion.

Maybe this reality will get more folks' attention in Austin: If the state doesn't have the money for these initiatives, Texans are looking at serious personal and economic risks.

The Legislature has no choice but to take another crack at finding a revenue stream for these projects before the 2011 session begins. If they don't want a fee on bottled water, come up with another idea, whether that's a sales tax on new water hookups or some other means.

Whatever happened to the Texas way? The frontier ethic that says you do what it takes to get a job done? On transportation and water, two of Texas' most critical issues, too many legislators have forgotten that spirit.