

Local Option push is faint hope in special session

BY LESLIE WIMMER

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Editor's note: As of press time, Gov. Rick Perry had not announced when the legislature's special session would begin.

With a special legislative session looming, North Texas transportation leaders are working to bring the Texas Local Option Transportation Act back to life with the possibility of a stronger focus on North Texas.

State Sen. John Carona, R-Dallas, filed the Senate version of the local option bill Feb. 16. After the filing, Carona's bill passed the Senate, but floundered in the House as legislators played last-minute political games, which caused bills to pile up and die, area transportation officials say.

The Local Option Act would have given counties across the state the opportunity to hold bond-style elections where voters would be provided with a list of needed transportation projects and construction dates – projects including roads and public transit – and a list of funding options to pay for those projects.

Another issue contributing to the bill's demise was misinformation spread on the Internet and by political groups looking to categorize the bill as an instant tax hike, officials said.

“Conservative forums were, in my opinion, putting information out there that was leading to those misperceptions, it was a purposeful miscommunication and the consequence of that is of course people react to misinformation,” said State Sen. Wendy Davis, D-Fort Worth, who was one of six co-authors on the bill Carona filed.

Tarrant County Judge Glen Whitley, who serves on the executive committee of the Tarrant Regional Transportation Coalition, said the key misconception spread about the bill was that local officials would be allowed to raise taxes on a whim with no say from voters.

“You had some Republican groups that went out to kill the bill, they put it out that it was just a tax bill, and that we could raise taxes without voter approval,” Whitley said.

Fort Worth Mayor Mike Moncrief agreed that misinformation about the bill was one of several reasons the legislation didn't make its way to Gov. Rick Perry's desk, an issue several transportation officials repeated at the June meeting of the Tarrant Regional Transportation Coalition.

As the legislative session wound down, lawmakers realized the House version of the Local Option Act, House Bill 9, was not going to come up for a vote. Carona then attached the text of the local option bill as an amendment to House Bill 300, the Texas Department of Transportation's Sunset bill, in a last-ditch effort to get the Local Option effort through the House.

House Bill 300 – including Carona's amendment – passed the Senate, but after going back to the House, a conference committee was appointed to comb through the bill and strip the local option provision, Davis said.

The revised House Bill 300 did not pass through the House before this year's legislative session ended.

On June 9, Gov. Rick Perry announced a special session would be called, but no date has been set.

Whitley and other area transit officials are wary about whether the Local Option bill will have a chance in the upcoming special session.

"I don't believe this will come up in the special session, primarily because if the governor wanted this thing passed, I believe it would have passed out of this session," Whitley said. "I'd love to be wrong, but he just has not given me any reason to believe that he's going to write that in such a way as to allow to that."

One plan officials have to bring the local option bill back up for a vote in either the special session or in the 2011 legislative session is to narrowly tailor the Local Option Act to its original regional focus on North Texas.

As a result of the bill's broadening, House representatives began to feel pressured to take a stance on the Local Option Act, Davis said.

"A dynamic was created where... every legislator in the Capitol felt they needed to take a position on it," she said. "I think we would have had a better deference to our local community making decisions and we would have had a better buy in from the greater legislative community if it would have stayed a local bill."

Moncrief agreed, adding that he thought when legislators representing cities such as San Antonio and Austin wanted to be part of the bill that more support from the legislature would have come forward.

“Our next effort will be a North Texas product, and will focus on our local needs and not what’s going on in other areas of the state,” Moncrief said.

Whitley, however, said he believes the key to getting the bill passed in the 2011 legislative session is to garner more support over the next two years from other areas of the state, and to file the bill again with text allowing any region of the state to follow its provisions.

The Texas Local Option Transportation Act began several years ago as a North Texas effort to find funding for area transit projects, including the 250 miles of regional commuter rail in the Rail North Texas plan.