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House deals setback to transportation bill

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J.D. Holzheuser, state House messenger to the Senate, handles Senate-approved bills Wednesday.
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AUSTIN — The state House voted 84-59 on Wednesday to urge five legislative negotiators to strip proposed higher gasoline taxes and fees that would finance local transportation projects from a massive bill restructuring the Texas Department of Transportation.

The vote, which came five days before the end of the 2009 Legislature, delivered a blow to North Texas leaders' goal of securing legislation authorizing countywide elections to raise money for road and rail projects. Officials in Fort Worth, Arlington and other Metroplex cities hope to construct 251 miles of regional commuter rail to help alleviate worsening traffic congestion.

The Senate has included the local-option transportation measure, SB855, in a high-priority bill to overhaul the Transportation Department, which oversees the state's vast transportation system. The House version of the bill does not include the local-option provision.

Late Wednesday, a group of 17 senators wrote a letter to House members urging them to support the local-option financing provision.

The legislation now goes to a 10-member conference committee that will negotiate differences between the House and Senate versions and cobble together final legislation that would be subject to a final vote by the House and Senate without amendments.

In a vote that showed significant opposition to the local-option provision, House members instructed its five conferees not to include the local-funding concept. Though the instructions are nonbinding, SB855's supporters acknowledged that the development poses a serious setback. Four of the five conferees voted in favor of the motion.

"It's not a good sign," said Rep. Vicki Truitt, R-Keller.

Taxes and fees

She said House members have never gotten a chance to debate the bill and may have been reacting to organized e-mail campaigns against the revenue sources. Under SB855, county commissioners could decide on three sources of funding to include on the election ballot — a gasoline tax, a driver's license fee, and a mobility improvement fee that would be collected along with annual auto registration renewals.

Conservative organizations, watchdog groups and many Republican activists have waged an aggressive campaign against the local-option feature, saying it would drastically increase gasoline taxes while Texans are struggling with an economic downturn. But supporters say the new funding sources are vital to help the populous North Texas metropolitan region deal with traffic problems.

House members also voted, 103-28, to instruct its conferees to stand behind a House provision in the Transportation Department bill to phase out red-light cameras. Senators narrowly defeated an amendment to include the phaseout in their bill.

Tarrant County's House delegation voted 8-2 against instructing the conferees to strip out the local-option provision, with Reps. Marc Veasey, D-Fort Worth, and Kelly Hancock, R-North Richland Hills, supporting it. Veasey has sponsored an alternative local transportation funding bill, and Hancock had earlier expressed concerns about the concept.

House Transportation Committee Chairman Joe Pickett, D-El Paso, described the motion as a "straw poll" to gauge House members' views on local-option funding before beginning deliberations on the Transportation Department bill. The message from the vote, he said, was that "the House is not a big supporter of the local-option tax."

The Senate rejected an amendment to knock local-option funding from the bill, and its conferees — expected to be named by this morning — will likely support that position. Sen. John Carona, R-Dallas, SB855's sponsor and chairman of the Senate Transportation and Homeland Security Committee, expected to be on the conference committee.

'Still alive'

"It's still alive and well in the Senate," said Truitt, expressing hopes that the Senate negotiators "will prevail" when the joint panel begins looking for compromise.

The House vote raised the stakes for North Texas officials, who planned a news conference today and a rally Friday to bolster support for SB855.

In the Senate, local representatives saw several bills nudged through the chamber, including:

HB1310, co-authored by Rep. Mark Shelton, R-Fort Worth, would prohibit anyone 16 1/2 years old and younger from using a tanning bed and keep those between ages 16 1/2 and 18 from using a tanning bed without written parental consent.

HCR22, from Rep. Lon Burnam, D-Fort Worth, would grant a North Texas family permission to sue the Denton State School and state authorities for the severe beating of their mentally disabled son.

HB469, from Rep. Phil King, R-Weatherford, would grant up to \$300 million in tax breaks to the first three companies to build plants in Texas that sequester carbon dioxide emissions. King said he had to review the amendments added by senators to see whether the House could concur with the Senate version without negotiations.

HB1043, from Rep. Rob Orr, R-Burleson, would establish a hiring preference at state agencies for individuals who were in the state foster care system until they turned 18.

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