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Finger-pointing abounds over defeat of DFW local-option measure

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AUSTIN — Fallout over the defeat of legislation designed to fund billions of dollars' worth of North Texas transportation projects resulted in angry finger-pointing Sunday as Metroplex officials reeled from the second defeat in two years of one of the region's biggest legislative priorities.

Tarrant County Judge Glenn Whitley faulted several North Texas lawmakers for failing to support an initiative that he said was vital to helping the region beat back chronic traffic congestion. And Sen. John Carona, R-Dallas, threatening an adjournment-eve filibuster, charged that the bill died "out of the eye of the public, out of the eye of the press" and as a result of "an utter lack of leadership."

As supporters and opponents alike delivered post-mortem assessments on the failure of the local-option-funding measure, North Texas leaders acknowledged that extensive road improvements and construction of a 251-mile regional rail system would remain on hold until they come up with another funding strategy.

The tax-fee plan was killed when House-Senate conferees stripped it out of inches-thick legislation overhauling the Texas Transportation Department. Similar legislation died in the closing days of the 2007 Legislature.

In response, North Texas leaders restructured the fee plan, adopted a new strategy, hired one of Austin's premier lobbying firms and marched toward the 2009 Legislature vowing that the same thing wouldn't happen again.

But it did.

The proposal would have allowed counties to conduct elections on the financing of road and rail projects. Unlike a proposed sales tax blamed for the downfall of the 2007 bill, the latest initiative would have given county commissioners three funding options to put on the ballot: a gasoline tax of up to 10 cents a gallon, a driver's license fee and a mobility improvement fee collected with auto registration renewals.

Aggressive campaign

Although by ditching the sales tax the bill's sponsors felt they had a more sellable proposition, conservative groups denounced the measure as a tax bill being pitched in an economic downturn. They unleashed a massive e-mail and phone-call campaign that undoubtedly turned many conservative lawmakers against it.

Texans for Fiscal Responsibility, a conservative watchdog group, delivered more than 800 letters to lawmakers Friday while House and Senate negotiators were deliberating on whether to keep the funding measure in the Transportation Department bill. Tarrant County GOP Chairwoman Stephanie Klick said

opponents also sent hundreds of missives through Twitter and Facebook, which she described as "phenomenal tools for grassroots activists."

Rep. Vicki Truitt, R-Keller, the House sponsor, said the e-mail blasts put lawmakers on notice that they would be targeted for political defeat if they supported local option. "That taints their objectivity from Day One," she said.

Asked what killed the proposition, Sen. Wendy Davis, D-Fort Worth, a supporter, replied: "Political fear. The fear of moving a bill forward that looks like a tax increase."

Although supporters consistently sought to counter that argument by insisting that the bill would give voters the option to decide on a tax and fee increase, they apparently were unable to overcome the opposition campaign.

Naming names

Whitley, in a telephone interview Sunday, said that opposition within the Tarrant County delegation also undercut the bill's chances. He specifically mentioned Rep. Charlie Geren, R-Fort Worth; Rep. Kelly Hancock, R-North Richland Hills; and Sen. Jane Nelson, R-Flower Mound.

"We needed help in getting it passed, and a number of our local delegates weren't doing that," Whitley said. "The bottom line is they weren't there to support us when we needed them, and none of them had anything to offer as a better alternative."

Geren explained Sunday why he opposed the bill: "There was no representation from northwest Tarrant County on the project committee, and Judge Whitley knew that. And I told him from the start that I would support him if he'd guarantee representation from northwest Tarrant County, and that never happened."

Nelson voted against the bill when it passed the Senate, saying her position reflected widespread opposition among her constituents. Hancock has also voiced concerns about the bill and was one of 84 House members who voted to instruct the House conferees not to include the local provision in the larger Transportation Department bill.

Whitley was also critical of Rep. Linda Harper Brown, R-Irving, one of the House conferees who chose to strip the initiative from the larger bill. Harper Brown said Sunday that while she tried to search for a compromise, the mood in the House was overwhelmingly against keeping the initiative in the so-called sunset bill restructuring the Transportation Department.

"The other members of the House came to me and begged me not to leave it in the sunset bill because they didn't want to vote for the tax," she said.

Staff writer Aman Batheja contributed to this report.

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