



Push for more state road funding stalls in Texas House



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AUSTIN — House members rejected a constitutional amendment on Monday that would slightly increase spending on highways, laying bare state GOP leaders' deep divisions over how to pay for infrastructure, given the state's stiff resistance to higher taxes.

House lawmakers fell short of the 100 votes needed to place the measure on next year's statewide ballot. The vote was 84-40.

House leaders said they saw no hope of resurrecting the constitutional amendment on Tuesday, the last day of the summer's second special session. But Gov. Rick Perry and Senate Republican leaders refused to declare the measure dead.

"We're one vote short," Lt. Gov. David Dewhurst, the Senate's presiding officer, announced late Monday. "We'll pass it tomorrow afternoon. I have no idea what the House is going to do."

In a vote on a related bill earlier Monday, the Senate was two votes shy of the two-thirds vote that would be needed to advance the constitutional amendment to the November 2014 ballot.

The setbacks were another sign of the difficulty of ensuring new funds for roads. Leaders warn that it's crucial to keep highway building at pace with the state's population and economic growth. But lawmakers rejected even a fairly modest plan that would have siphoned off some rainy day money but provided only a fraction of the need that transportation planners peg at about \$5 billion a year.

The governor has warned that he would use his power to keep lawmakers in Austin to resolve the matter. He didn't repeat the threat in a statement late Monday but huffed with displeasure.

"Legislators have been in Austin for nearly seven months now, and to go home without dealing with one of the most pressing issues facing all Texans is simply unacceptable," the Republican governor said.

Speaker Joe Straus, though, said a real fix for Texas' road problem "is going to take much more time" to develop and amass support behind.

The speaker, who's shown less enthusiasm for the constitutional amendment than have Perry and Dewhurst, took a thinly veiled shot at the anti-tax and fiscal hawk groups. In recent years, they have opposed local-option gasoline tax increase bills, vehicle-registration fee increase proposals and now, tapping some of the future growth in the rainy day fund for highways.

"Until members are free to consider real options — beyond simply shuffling taxes from one purpose to another — we will not find a responsible solution to this issue," said Straus, R-San Antonio.

The constitutional amendment rejected by the House would, if approved by voters, send half of future rainy day fund revenues to highway upkeep.

It would generate an additional \$880 million for non-toll road projects in state fiscal year 2015 and \$930 million the following year, according to the Legislative Budget Board.

Limited-government gadfly Michael Quinn Sullivan of Empower Texans wrote on Twitter on Monday that the measure was "irresponsible" because it would slow the state's socking away of money for lean times and emergencies.

Many House leaders disagreed.

"This would be the largest infusion of transportation funding in the history of most of us in the Legislature," said House Transportation Committee Chairman Larry

Phillips. The Sherman Republican was first elected in 2002.

Not since the early 1990s have lawmakers provided a steady new stream of money for roads, added Rep. Joe Pickett, D-El Paso. He co-wrote the amendment with Phillips and Rep. Linda Harper-Brown, R-Irving.

Early Monday, House leaders said privately they hoped the Senate would pass the constitutional amendment first. That would have helped generate momentum in the House, they said.

But the toll of back-to-back special sessions, after the regular five months of work, was evident. Senate leaders by lunchtime knew they would have about a half dozen senators absent and told House leaders they would not immediately be able to produce the 21 "yes" votes needed.

Carping by conservative Republicans and "fear of the unknown" among some Democrats sank the measure in the House, Pickett said.

"People still think we're raiding the piggy bank," Pickett said. He deflected GOP fears that the proposal would deplete the rainy day fund. "It's never been proposed."

Rep. Dawnna Dukes, D-Austin, said she feared companion legislation would concentrate too much power in a small group of influential lawmakers who could turn off the rainy day spigot of road money.

After the constitutional amendment was defeated, Pickett appealed for Perry to refrain from calling lawmakers immediately back into session.

"Let us have a vacation, let us have a summer," Pickett said. "Let everybody get through the primaries." He said a session next spring would be ideal.

A Perry spokesman declined to comment.

In his statement, Perry criticized the 40 House members — 27 Republicans and 13 Democrats — who voted no.

"It is disappointing that some members of the House today needlessly delayed our state's ability to deal with the added strain our increasing population and surging economy are placing on our roads and highways," he said.

Perry has announced he won't seek re-election next year. He has not ruled out running again for president. The summer's second session brought him and social conservatives a victory on a bill restricting abortions. It's unclear, though, if he can wring more potential political gain from yet another legislative overtime period.

Staff writers Terrence Stutz and David Barer contributed to this report.

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An easy fix for highway funding, from a budgetary perspective, but not from a political perspective, would be to cease diverting 25 per cent of the fuel taxes to education. Of course, this would mean that additional monies would have to be found for education.

Taxation should be transparent. Diverting a portion of the fuel taxes, which are really user fees, for non-highway purposes is deceptive.

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