

State Senate committees quickly approve roads, sentencing bills

Posted Tuesday, Jul. 02, 2013

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The Associated Press

AUSTIN — -- A major transportation funding plan and a new sentencing option for 17-year-olds convicted of capital murder advanced in the Texas Senate on Tuesday, as lawmakers looked to make quick work of those issues with major fights still to come over new abortion restrictions.

The transportation and juvenile justice bills have widespread bipartisan support and were set to pass in the previous special session until they were wiped out as collateral damage from the Senate filibuster against the abortion measure.

Both issues have been overshadowed in the new special session by legislation further restricting abortions, an issue that heated up again with Tuesday's hearing in the House Committee on State Affairs. At the abortion hearing, which began at 3:30 p.m. and was scheduled to last until midnight, nearly 2,000 witnesses were scheduled to testify.

Just 10 days ago in the first special session, a similar hearing began a series of protests by abortion-rights supporters. On the last day of the special session, a filibuster by Sen. Wendy Davis, D-Fort Worth, and protests from the Senate gallery killed the bill.

The transportation funding measure is a constitutional amendment that would divert nearly \$1 billion per year from the state's cash reserve fund to spend on building and maintaining roads. The reserve fund is filled with oil and gas severance taxes.

State transportation leaders have said Texas needs to spend \$4 billion more per year to keep up with its rapidly growing population. Supporters of the plan admit it won't cover the state's financial needs for roads but say it lays the foundation for a pay-as-you-go approach to building roads after years of amassing billions in long-term debt.

Critics warn that it puts transportation at the front of the line for money and could leave lawmakers in a bind if they face another crisis.

The Senate Finance Committee met for nine minutes Tuesday before sending the plan to the full Senate with a unanimous vote.

"We just approved spending \$1 billion in about 10 minutes," quipped Sen. John Whitmire, D-Houston.

If approved by the Legislature, the plan would go to voters statewide in November.

The state Transportation Department manages nearly 200,000 miles of roads and more than 50,000 bridges. The agency largely relies on a 20-cents-a-gallon fuel tax that hasn't been raised since 1991. Lawmakers have struggled with transportation funding for years and have been reluctant to raise taxes or fees in a Legislature controlled by a Republican majority for a decade.

The Senate Criminal Justice Committee took 18 minutes before unanimously approving a bill to move Texas closer in line with a recent U.S. Supreme Court decision banning mandatory sentences of life in prison without parole for convicted killers younger than 18. In Texas, 17-year-old defendants are considered adults and are subject to a sentence of life without parole if convicted of capital murder.

Sixteen Texas district attorneys wrote to Gov. Rick Perry asking that the bill be included in the special session to rescue the criminal justice bill, which aims to resolve constitutional questions that they say have blocked prosecution of 17-year-olds accused of capital crimes.

Parker County District Attorney Don Schnebly was among those asking for the change in law. His office has been waiting to try Jake Ryan Evans, 18, on a capital murder charge in the deaths of his mother and sister in October. Evans was 17 then.

Sen. Joan Huffman, R-Houston, is proposing capital murder sentences for 17-year-olds that includes life in prison with the option of parole after 40 years, the sentence already in place for 14- to 16-year-olds in the same position.

Huffman refiled the bill that passed the committee and the full Senate in the regular and first special sessions.

The House version of the bill includes the option of sentencing 17-year-olds to life without parole.

Opposing the bill are youth advocate groups and the Texas Defender Service.

Rebecca Bernhardt of the Texas Defender Service predicted that even if lawmakers offer parole options after 40 years, few would be released. Though Texas has a statewide parole rate of about 30 percent, Bernhardt noted that from 1995 to 2007, only two people convicted of capital murder were released.