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John Mica ready to take powerful gavel of Transportation chairmanship

If GOP wins the House, he'll have a chance to be head of the House Transportation and Infrastructure Committee.

Posted: October 18, 2010 - 12:00am

Subscription Offer



U.S. Rep. John Mica: How will he justify spending with a vocal tea party against it?

By Larry Hannan

U.S. Rep. John Mica, R-Fla., was supposed to become chairman of the House Committee on Transportation and Infrastructure in 2007.

"That didn't work out," said Mica, who saw the coveted chairmanship go to U.S. Rep. James Oberstar, D-Minn., after the Democratic Party took control of Congress in the 2006 elections. Mica has been the ranking Republican on the committee ever since.

But Mica, whose congressional district runs from St. Johns to Orange counties, may soon have a second chance to win the gavel if he beats challenger Heather Beaven and gets re-elected next month. Polls have repeatedly shown the Republican Party winning enough seats in November to retake the House.

As chairman, Mica would be able to funnel money into Northeast Florida for future road, rail, aviation and bridge projects. But the power Mica might gain comes with the potential for backlash because the Republican Party has taken a sharp rightward turn in the last two years.

The thought of Mica as chairman intrigues Clay County Commissioner Doug Conkey, who also serves as chairman of the North Florida Transportation Planning Organization, which prioritizes long-term transportation projects.

"It would be tremendously exciting to have [Mica] at the helm," Conkey said. "It would allow us to access more federal money and help move some of our projects from theoretical to practical."

Mica understands the transportation needs of the area, so it wouldn't be necessary to lobby or sell him on what needs to be done, Conkey said.

The tea party movement, which has become a dominant force in Republican politics, is calling for less government spending. That will make it difficult for Mica to bring the largesse to Florida that the last

What could be funded around town

Projects that could receive funding help from the House Transportation and Infrastructure Committee include:

- A commuter rail system from downtown Jacksonville to the suburbs.
- Converting the Prime Osborn Convention Center into a bus and rail hub for Northeast Florida.
- Constructing the First Coast Outer Beltway from Interstate 10 in Duval County to Interstate 95 in St. Johns County.
- Constructing Florida 9B from Florida 9A past Interstate 95 to County Road 2209 in St. Johns County
- Bus-only lanes for Jacksonville Transportation Authority buses in the downtown that go out to suburban areas.

Republican Transportation Committee Chairman, Rep. Don Young, R-Alaska, became known for.

Young secured \$941 million for Alaska as part of a \$286 billion transportation bill that was passed in 2005. It included \$223 million for a bridge in Alaska that was nicknamed the "Bridge to Nowhere" because it went to an island that had only about 50 people living on it.

Lynne Holicky, governmental affairs liaison for the First Coast Tea Party, said Republicans lost the support of the people, and majorities in the House and Senate in 2006, because of projects like the Bridge to Nowhere.

Mica needs to avoid that because the area doesn't want unnecessary spending, she said.

Jacksonville University political science professor Stephen Baker said promoting higher levels of federal funding for commuter or high-speed rail, even locally, will seem hypocritical when the major argument for changing party control of Congress is based on fiscal responsibility.

"Mica would have to explain that additional federal infrastructure spending leads to fiscal peril and must be discontinued," he said, "except when we do it here."

In a far-ranging interview last week Mica said he wasn't worried about a backlash and was already working with Republican Minority Leader John Boehner on ways to decrease spending if Republicans take the majority. He also vowed to be responsible with taxpayer funds.

"If you try to be parochial you get in trouble," he said. "I became the ranking member of this committee because my colleagues believe I'll be fair to everyone."

He will push for necessary projects in the area, but not at the expense of more necessary projects in other states, he said.

But Lance deHaven Smith, a political science professor at Florida State University, said Mica won't have to work to get more local projects funded.

"Washington agencies know who the chairs of these committees are," said Smith. "If Northeast Florida is competing for federal dollars, they'll win that competition for as long as Mica is chairman."

Mica said a transportation committee with him as chairman will focus on cutting government red tape and getting projects built quicker. He will oppose raising the federal gas tax to increase funds for transportation, and seek to fund future projects like the high-speed rail from Orlando to Tampa via public-private partnerships.

Published November 03 2010

MINNESOTA: Political upstart rocks House dean Oberstar out of office

Republican Chip Cravaack edged U.S. Rep. Jim Oberstar in the northeast Minnesota district 48 percent to 47 percent with 98 percent of precincts counted. The lead early today was just more than 4,000 votes.

By Don Davis, Forum Communications

ST. PAUL -- An upstart politician upset U.S. Rep. Jim Oberstar Tuesday by the narrowest of margins.

Republican Chip Cravaack edged Oberstar in the northeast Minnesota district 48 percent to 47 percent with 98 percent of precincts counted. The lead early today was just more than 4,000 votes.

Oberstar has been a congressman since 1975 and rose to chairman of the influential Transportation Committee.

He was not the only chairman Minnesota lost. Although all other incumbent congressmen won Tuesday, a Republican wave that gave them control of the U.S. House meant Collin Peterson, who represents western Minnesota, will lose his Agriculture Committee leadership.

While Democrats Peterson and Oberstar did not have good news, Republican John Kline, who serves an area south of the Twin Cities, likely will lead the education committee. He will begin his fifth two-year term in January after handily beating Democrat Shelley Madore.

Peterson won his 11th term by beating Republican Lee Byberg, holding a 55 percent to 38 percent lead with most of the 8th Congressional District's western Minnesota precincts reporting.

Across the southern counties, Democratic U.S. Rep. Tim Walz beat Republican state Rep. Randy Demmer. He led by 5 points with most votes in.

The most expensive House race in the country was in the 6th Congressional District, which stretches across the northern Twin Cities to St. Cloud and was won by Republican Michele Bachmann over Democratic State Sen. Tarryl Clark. She led by 13 points with most precincts counted.

"This is a very humbling moment," Bachmann said as she accepted victory, adding thanks for people "having faith in the founding principles of this country."

U.S. House incumbents from the Twin Cities won easily Tuesday: Republican Erik Paulsen, Democrat Keith Ellison and Democrat Betty McCollum.

U.S. Sen. Amy Klobuchar, D-Minn., said she will work with the new GOP-controlled House.

"We're going to see a different makeup in Washington, D.C.," she said. "We will say to our new colleagues 'courage is not standing alone by yourself, courage is standing with people you don't always agree with and getting stuff done for the country.'"

Republicans hoped the wave would stretch into the state Legislature and help them snare three statewide offices that now are Democratic-Farmer-Laborite.

Dissatisfaction with Democrat President Barack Obama was expected to help Republicans running for Congress, but the coattails also did not stretch into most state races.

Incumbent Democrats won the three non-governor statewide races, each with about 50 percent of the votes.

Of the three races, the most combative was Republican Pat Anderson trying to regain the state auditor's office from Democrat Rebecca Otto, who won it four years ago.

Otto accused Anderson of making mathematical mistakes when she was auditor. Anderson said Otto was too chummy with local government officials she was supposed to audit.

In the secretary of state race, incumbent Democrat Mark Ritchie won election to a second term, reminding voters that his handling of the controversial 2008 U.S. Senate race gained widespread praise. Republican opponent Rep. Dan Severson said Ritchie made lots of mistakes two years ago and that requiring Minnesotans to show a photo identification card before voting would reduce voter fraud.

Incumbent Democrat Attorney General Lori Swanson did little campaigning, but won big. Republican Chris Barden accused Swanson of running a disorganized and scandal-ridden office.

"The mission of my administration the next four years will be the same as it has been the last four years and that's to make sure ordinary everyday Minnesotans have a friend and an ally in the attorney general's office," Swanson said in her victory speech.

Well-known Supreme Court Justice Alan Page, a former Vikings football star, beat Tim Tingelstad of Bemidji for the second time. And Justice Helen Meyer held off Greg Wersel, who has fought all the way to the U. S. Supreme Court to allow political parties access to judicial campaigns.

Andrew Tellijohn and Martin Owings contributed to this story. Don Davis reports for Forum Communications Co.

Tags: daily updates, jim oberstar, elections 2010, mn politics, congress, news, politics, minnesota

THE WALL STREET JOURNAL.

WSJ.com

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Game of Musical Chairs Begins for Committee Posts

In a surprise, senior Democratic Rep. **James Oberstar** was defeated in his attempt to win a 19th term in the House.

Mr. Oberstar was chairman of the Transportation and Infrastructure Committee, a position that made the Minnesotan a behind-the-scenes Capitol Hill power broker because his committee approves billions of dollars in federal spending projects each year.

Next year, Mr. Oberstar planned to take the lead in approving a \$500-billion transportation-spending bill that is due to expire soon. The transportation bill is usually mundane.

But with the election of tea party Republicans, the legislation could be a flashpoint for a battle over government spending. To help enact the bill smoothly, Congress will need some senior lawmakers in both parties who know how to grease the skids. With Mr. Oberstar gone, it's unclear who will replace him in that role.

Next in line for the role is Rep. **Nick Rahall** of West Virginia, who narrowly averted his own defeat on Tuesday. Mr. Rahall is currently the chairman of the Natural Resources Committee, so it's unclear if he would change jobs.

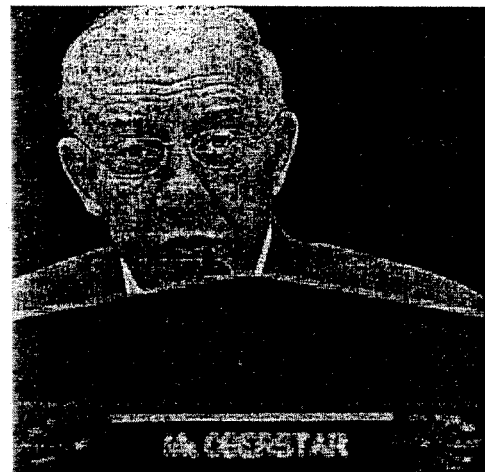
Next in line for the job behind Mr. Rahall is Rep. **Peter DeFazio**, a liberal Democrat from Oregon who favors increased spending on public-transit projects.

Another Democrat in the running is Rep. **Eleanor Holmes Norton**, who is the elected representative from Washington, D.C. Because Ms. Norton doesn't represent a state, she isn't a full-fledged member of Congress. She is permitted to vote on legislation in committees, but she does not have vote on the House floor.

If Ms. Norton becomes the top Democrat on the Transportation and Infrastructure Committee, she could draw the ire of tea party Republicans, who are already opposed to government spending — much less spending-bills promoted by a lawmaker who doesn't have full voting rights in Congress.

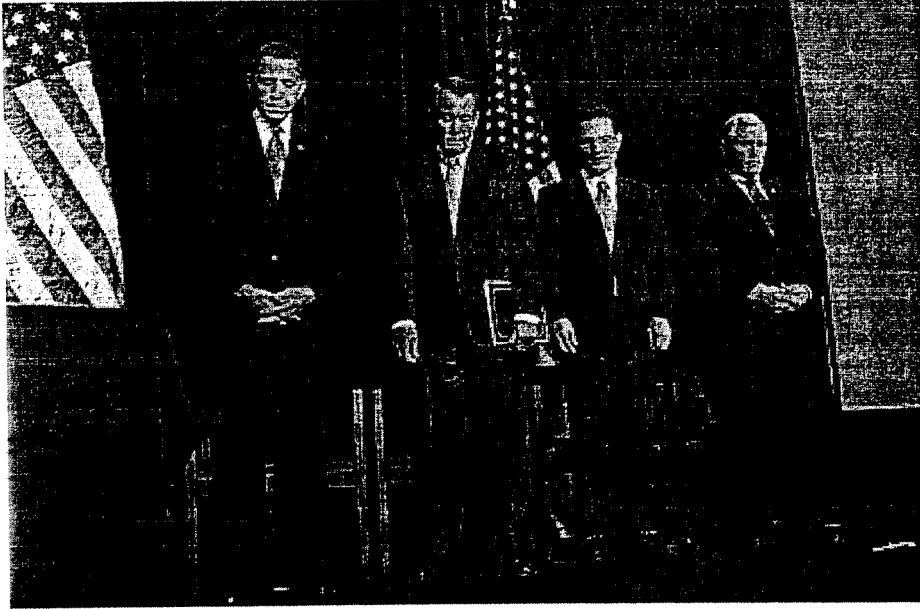
Meantime, if Mr. Rahall moves to the Transportation and Infrastructure panel, he would set up musical chairs at the Natural Resources Committee. Mr. Rahall, who represents West Virginia, is considered to have a better relationship with the coal, oil and gas industries than many congressional Democrats.

Among the Democrats in line to replace Mr. Rahall at the National Resources panel is New Jersey Rep. **Frank Pallone**, a supporter of strong environmental regulations who is strongly opposed by the energy industry.



Getty Images

What comes next in a universe where the government works



On Feb. 5, 2011, the president signed the Economic Growth and Deficit Reduction Act of 2011 into law. The legislation lifted the employer-portion of the payroll tax for a year, approved more than \$50 billion in infrastructure investments, and cut the deficit. The markets cheered the move, and employers, realizing that consumers were about to have more money in their pockets and that hiring new employees had suddenly become a bargain, quickly moved to expand their labor forces. It was a coup not just for the president, but for the new speaker of the House.

Six days after the 2010 election, John Boehner and Mitch McConnell were invited to the White House to meet with President Obama. When they got there, they found Obama and Pete Rouse sitting at a table with a single piece of paper in front of them. It was a clipping of Gov. Mitch Daniels's September op-ed proposing a conservative stimulus plan. "Congratulations on your win last week," said the president. "You really thumped us. What do you think of this?"

McConnell didn't think much of it. He wanted to talk about the Bush tax cuts. But Boehner was more intrigued. The House was about to be his responsibility, after all. If he could begin by passing a massive payroll tax cut that also froze salaries for federal employees and maybe even made some progress on the deficit? It would be quite a way to introduce himself to the American people. And he'd been struck by a column he'd read a few weeks back quoting Bernanke's advice to Japan in the early Aughts: Bernanke had told them to pair quantitative easing with a big tax cut to make sure the money got into the economy. Boehner had always liked the Fed chairman, and figured if it made sense to Bernanke, it probably made some sense.

A few hours after the meeting, Boehner directed an aide to quietly come up with some numbers. There were two conditions, Boehner said. First, the deficit has to come down. Second, it has to come down in at least a couple of ways Democrats really don't like.

The second condition was easier than the first. They needed about \$400 billion, and it all needed to come from spending cuts. On the bright side, they could take 10 years to get the money. It seemed possible. You could freeze discretionary spending, take back some TARP and stimulus funds, make a one-time cut to federal-employee pay, and try a couple of other small things. Boehner liked it, particularly the cut on federal-employee pay. He confidentially sent the proposal up to the president, knowing he'd veto some of the spending cuts.

But that wasn't the deal the president wanted. He was willing to buckle on most of them. In return, he wanted more infrastructure spending. Boehner agreed; he had plenty of Republican governors and even congressmen asking him to get some infrastructure-funding moving. But he wanted Davis-Bacon suspended. Privately, the president told him that he'd do it if he could, but there was no way to get Democrats on board with it. He had a counter-offer, though: He'd set up an accelerated process for getting projects past environmental regulations, such that many of them could be certified after-the-fact, rather than waiting around for the paperwork to clear before workers could break ground. Boehner mulled it over for a day, and called the White House back. If they could get Harry Reid to agree, he'd do it.

By Ezra Klein | November 3, 2010; 9:47 AM ET

The Washington Post

Key GOP lawmaker cool to high-speed rail grants

By JOAN LOWY
The Associated Press
Wednesday, November 3, 2010; 6:05 PM

WASHINGTON -- The Republican lawmaker in line to head the House Transportation Committee says he wants to re-examine \$10 billion in federal grants for high-speed train service, one of President Barack Obama's signature programs.

Rep. John Mica, R-Fla., the committee's ranking GOP member, told The Associated Press in an interview on Wednesday that he believes high-speed trains are a good idea, but he doesn't agree with the projects selected by the Transportation Department for funding.

The biggest awards announced last January were \$2.3 billion to California to begin work on an 800-mile-long, high-speed rail line tying Sacramento and the San Francisco Bay area to Los Angeles and San Diego; \$1.25 billion to Florida to build a rail line connecting Tampa on the West Coast with Orlando in the middle of the state, eventually going south to Miami; \$1.1 billion to Missouri and Illinois to improve a rail line between Chicago and St. Louis so that trains travel up to 110 mph, and \$810 million to Wisconsin to build a new line between Madison and Milwaukee, which eventually could be part of a line connecting Minneapolis to Chicago.

Mica complained that most of the projects weren't truly high-speed trains like the trains in Europe and Asia. He also said that the Northeast is probably the only region in the United States with a population density great enough to financially support a high-speed rail network.

"I am a strong advocate of high-speed rail, but it has to be where it makes sense," Mica said. "The administration squandered the money, giving it to dozens and dozens of projects that were marginal at best to spend on slow-speed trains to nowhere."

Mica said he wants to "refocus on several projects that could be a success, particularly in the Northeast corridor, which was almost totally neglected by the administration. We'll revisit all of those projects."

Two weeks ago, Transportation Secretary Ray LaHood announced a second round of high-speed rail grants. California was awarded an additional \$902 million; Florida \$800 million.

Mica suggested possibly scaling back the Florida project to a line that runs between the Orlando airport and theme parks and tourist destinations in the Orlando area.

Such a route would have "tremendous potential for actually making money," he said.

Several GOP candidates who won gubernatorial races in Florida and Wisconsin on Tuesday are opposed

to proposed rail lines in their states, including Scott Walker in Wisconsin and Florida's Rick Scott. Walker has created a website, notrain.com.

Republican John Kasich, who defeated Democratic Gov. Ted Strickland in Ohio, is also opposed to plans to introduce faster train passenger service there. The administration awarded that project over \$400 million earlier this year.

(This version corrects third paragraph that train line between Madison, Milwaukee would be new.)

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Mica Eyes Revenue Sources, Policy Tweaks for Transportation Bill in Republican House By Adam Snider BNA Transportation Watch - 10/26/10

Rep. John Mica (R-Fla.) is poised to become chairman of the House Transportation and Infrastructure Committee should Republicans take control of the House, a change that could have a number of up-front and ripple effects on a multi-year surface transportation reauthorization the Obama administration is rallying for.

Mica's biggest priority is approving the highway and transit legislation that is more than a year overdue—but he would face a number of difficulties, including pushing a bill through Congress before the 2012 presidential cycle all but kills the chances of any major legislation.

How to pay for legislation expected to total around \$500 billion would be the biggest hurdle facing a Republican-controlled House eager to showcase its low-spending, anti-tax campaign points. Mica has already ruled out an increase in the federal gas tax that currently funds highway and transit programs, forcing him to look to other revenue options.

"Both the Republicans and Democrats that are coming will be much more conservative," Mica told BNA in an interview. "The last thing they're going to do is vote for a gas tax increase."

Legislative Action Still Possible

But that does not preclude action on a bill, even one as expensive as current Chairman James Oberstar (D-Minn.) unveiled in the summer of 2009, Mica says.

"I want to try to get it as close to the level that we're talking about [\$500 billion]. But there's different ways to do that without increasing the gas tax," the potential chairman said.

Those include a number of policy changes—including increased flexibility for states to enter into private-sector agreements, streamlining the permit process to speed up project construction and lower costs, and shrinking the core program that is eligible for gas tax receipts.

"First you stabilize the revenue that's coming in, then you look at other revenue that's been diverted, then you look at leveraging," Mica said of ways to approve a bill without a gas tax increase. "There's a host of those things, so maybe you could get a net worth of the bill that even exceeds [\$500 billion]."

Private Dollars, Construction Pace

The Republican lawmaker, who has chaired the Aviation panel but never the full committee, says he will look to alternative ways to get the most out of current transportation revenue.

"There's a whole host of things that can be done to get more for less," Mica said. "I'm open to any ideas that can speed up the process and leverage the money, those are going to be my major focal points."

Mica likely would push to create broad general terms outlining how and when states can tap private-sector money to help support transportation projects, but would leave most decisions to the states, an industry lobbyist said.

For example, Mica has questioned the Office of Public Benefit, created by Oberstar's bill, that would have veto authority over public-private transportation agreements. Mica would prefer to give states the final say in transportation projects involving private-sector funds, while Oberstar's bill would leave the ultimate decision in the federal government's hands.

Pace of Construction

Mica also would look at ways to speed up project delivery time, which would lower overall costs.

"Mr. Oberstar started on streamlining programs and speeding up the process of getting projects completed, and I think that's a theme Mr. Mica will continue with," an industry lobbyist told BNA.

Mica has applauded the goals of the Office of Expedited Project Delivery created under Oberstar's bill, but also has said that it does not go far enough in speeding project timelines.

He frequently cites his "437-day" plan as a way to speed project delivery by streamlining environmental and other permitting processes. The Interstate-35 W bridge in Minneapolis, Minn., that collapsed in 2007 was rebuilt in 437 days because it replaced an existing structure and did not require a new round of permits.

Cuts to Core Program?

With federal dollars scarce, Mica also may look to trim expenses funded out of the falling gas tax revenues, several lobbyists said.

"It may be a more 'back to the basics' program, but with more diversified revenue streams," a transportation stakeholder told BNA.

Mica himself said "other revenue that's been diverted" is one of the ways to reach a \$500 billion price tag for the legislation.

One potential revenue diversion that could be targeted under Mica is the transportation enhancements program. Current law requires states use at least 10 percent of their highway funds on "transportation enhancements" such as sidewalks, bike paths, roadside beautification projects, or transportation museums. That funding totals more than \$4 billion annually.

End to Discretionary Programs

As Transportation Committee chairman, Mica would have a powerful position from which to critique the Obama administration's transportation policy.

Among other things, he has criticized the 2009 stimulus package (Pub. L. No. 111-5), including its slow spend-out rate and the way some of the discretionary spending was directed.

"You can expect him to be very involved in looking at how the administration has spent their money and I think he's going to be tough on them," a highway lobbyist told BNA.

For example, Mica has repeatedly slammed how the Department of Transportation divvied up \$1.5 billion from a discretionary grant program, calling them "executive earmarks."

Money from the Transportation Investment Generating Economic Recovery (TIGER) program was used mostly for streetcar and freight rail projects, but Mica said several times that the program should have directed its money at high-unemployment states, such as his home state of Florida.

Any reauthorization legislation produced by Mica would likely cut or end discretionary programs such as TIGER that he has criticized, several lobbyists said.

No Vast Policy Overhaul

But for all the potential policy differences he may have with a Democratic White House and Senate, lobbyists point out that Mica's overall transportation policy is not leaps and bounds away from Oberstar.

"I think when you look at the Republican makeup in the House, Mica is about as close to Oberstar as one can find in terms of his approach to transportation," a lobbyist told BNA in an interview. "On ideology you'll probably have some differences, but when you get down to writing a bill I don't know if it's going to look all too different."

While Mica might want to approve a transportation bill with his own policy priorities, his leadership may stand in his way.

"Mica as the Republican chairman of the committee is probably only as good as the length of the leash that his leadership provides to him," a lobbyist said.

Several transportation stakeholders expressed concern that Republican leadership, eager to ratchet up the pressure on Obama and Democrats, might not give Mica the freedom to write and win support for the transportation bill. The primary concern—how to pay for the bill—could be enough to derail it.

If GOP tide rises today, Texas will gain allies on transportation as U.S. embraces Perry's priorities: tolls, privatization



5:31 PM Mon, Nov 01, 2010 | [Permalink](#) | [Yahoo!](#)

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There's been a lot of buzz nationally over what today's elections will mean for transportation. High-speed rail supporters, in particular, have gone to the mattresses and are warning that a big night for the GOP means President Obama's push for bullet trains will fade away like smoke from a dwindling campfire.

Here in Texas, which has never been -- thanks mostly to its own stubbornness -- seriously in the run for the billions the Obama Administration has handed out to California, Florida and other states, that might not matter as much. But with the governor's mansion on the line, tonight's results will have plenty of impact here at home.

I made that case last month, in this [page one story](#) laying out some of the broader themes. For a more pointed take, you can check out Streetsblog Capitol Hill's view: [Texas Gov Rick Perry Could Get Four More Years to Build Mega-Highways](#).

But for a bit of perspective, let's remember this: Few Texans are going to cast their vote today based on the pressing issues we discuss here at the transportation blog. Heck, neither will I.

And neither will voters across the country, where the election has turned on many things but not transportation policy. But that doesn't mean that the control of Congress, and the power of the White House, for that's what is at stake, won't have impact that will be felt heavily here in Texas.

So it's worth asking what's at stake for transportation as the votes are counted. That means what's at stake for tolls, for privatization, for taxes, for leveraged debt financing, and all the other areas in which Texas has helped lead transportation policy in a new direction.

It also means asking what's at stake for the push in the opposite direction, the push for high-speed rail, for sustainability, for the so-called silo-busting approach to planning transportation, housing and energy and air quality improvements holistically. Those ideas have entered the conversation since Democrats gained control of Congress in 2006, and gathered a lot of steam following the election of President Obama in 2008.

Now, just two years later, all that is back on the balancing scales and we could be set for a giant reshuffling of priorities.

To get a sense of where those scales were leaning, I called former Transportation Secretary James Burnley on Monday. He said the new Congress will be worried about a lot of things before its gets around to talking transportation, even if the highway trust fund is already bankrupt and the six-year authorization bill that expired last year is being kept on life support by infusions from the general fund.

"Obviously the election will have an impact on how those issues are addressed," said Burnley, who led the DOT under Presidents Reagan and (H.W.) Bush. "But this campaign has not centered on issues that are related to transportation. Those have been perhaps sort of second-tier issues compared to those that touch on the fundamentals of the economy. ... The new Congress, whatever its constitution, will instead be focused on trying to reduce expenditures to address our deficit. That will bring a lot of pressure to bear on education spending, transportation spending, all discretionary spending."

That fiscal reality will match the one confronting lawmakers in Austin, and nearly every statehouse, and it will likely mean that big plans for transportation will be shelved. That's a buzz kill for legions of transportation advocates, and urbanists of all stripes, who have been calling on Congress to think big -- very big -- when it finally authors the next six-year transportation plan.

The talk started in earnest in January, 2007, after Democrats seized control of Congress. And it reached its apogee two years later, after President Obama's inauguration, when Rep. James Oberstar, D-Minn., marked up a \$500 billion plan to completely overhaul the way we build and pay for roads and rail in this country.

That bill died, Burnley noted, when President Obama refused to consider a gas tax increase, and since then reformers and budget realists in Congress have been circling each other in a political dance that has so far resulted in stalemate.

Tonight's election results could well tip the scale in favor of restraint. Burnley and others I spoke to this week said the nation will likely limp along as it has on transportation funding, at least until 2012. What happens then is anybody's guess. But the enthusiasm for big spending on transportation may have run its course, at least in a Congress where the GOP appears certain to have a much greater say.

If Congress is going to be focusing on the deficit, and without an appetite to think grandly about transportation, what of the President? And what of his priorities? After all, he's spent or committed at least \$10 billion on high-speed passenger rail. That money has always been seen as a down payment.

As Burnley noted in our chat, governor candidates across the country are promising to do what Texas' Perry (selectively) did from the get-go when it comes to federal spending on transportation: Say thanks but not thanks. Perry told me in our interview last month that he opposes more discretionary spending on infrastructure because Texas "is really getting screwed" to put it as he did, by distributions that send too much of the money elsewhere.

But across the country, GOP candidates for governor are saying the money from Washington for high-speed rail isn't worth it, and promise to send it back if elected. That's what has the folks at Streetsblog Capitol Hill so worked up, and Burnley said it's an accurate indication that high-speed rail as a grand investment may be stuck on the tracks for a long time, should the election today go as observers expect it will.

The other hallmark of the Democrats' approach to infrastructure has been one that has been well embraced by planners and officials in North Texas. It's the silo-busting notion that transportation, housing, land-use, energy and environmental policy ought to be shaped in concert with each other. That hasn't gotten much talk in the campaigns this year, but a Tea Party mindset, with its passion for smaller government and deficit reduction both, doesn't auger well for that kind of expansive role for regional and federal policy makers.

Where does that leave us? In Texas, if Perry wins a third term, it will mean a heavier focus on the only transportation funding solution he's ever liked: That of toll roads, and the use of private equity to help build and pay for them.

That same priority will find increasing favor in Congress, should the GOP gain power there. Higher taxes, and more deficit spending, will both be out of favor, he said. That will make both parties more amenable to seeking investments from private firms.

"I think there will be a lot more interest in attracting private capital to infrastructure projects, more than there has been with Democrats in power," he said. "And whether you are a Democrat or a Republican, if there isn't any other funding source, then what's left is the private sector."

In doing so, Congress will be moving closer to where Perry has always been. And while the Texas Legislature clipped his wings on privatization two years ago, lawmakers there will be facing the same brutal budget realities that Congress will confront.

Whether Perry wins his third full term or not, look for his emphasis on privatization to be back in vogue in both Congress and the Legislature. In that since, you could argue that when it comes to transportation, the governor wins today no matter how the voters are tallied.

Create A Screen Name

Screen names can only consist of letters and numbers.

Your screen name will appear to everyone.

NOTE: You cannot change, delete, or edit your screen name once you hit "Save".

(Washington, D.C. — Todd Zwillich, Transportation Nation)
 One of the House's most powerful voices on transportation all of the sudden finds himself in a tough re-election race.

Even in an anti-incumbent year, Rep. Peter DeFazio (D-Ore.), was considered one of the most invulnerable. The 11-term congressman won reelection in 2008 with 82% of the vote in his sprawling coastal Oregon district and was once heavily courted by Democrats to run for Senate. But now a recent GOP poll has DeFazio just 6 percentage points ahead of Republican Art Robinson. All the important caveats about the validity of one single poll — and a GOP internal one at that — of course apply here. But DeFazio chairs the House Highways and Transit subcommittee, so any prospect of his ouster does raise questions, especially about the prospects for the next national highway bill.

DeFazio has **told** constituents on the campaign trail that passing the \$500 billion national highway authorization bill will be one of his top priorities should he be re-elected. The bill is in limbo now as lawmakers struggle to make up a \$150 billion funding shortfall for the bill without taking the dreaded and politically suicidal step of raising the federal gas tax. DeFazio, who enjoys heavy support from transit unions, has made beefing up infrastructure and transit programs, including high-speed rail, a priority during his time at the head of the committee.

The Republican most likely to take over the Highways and Transit subcommittee in the event of a GOP House takeover is Rep. John "Jimmy" Duncan (R-Tenn.), an 11-term veteran who is nearly **guaranteed** re-election. Still, even in this fractious Congress, Duncan, a conservative, and DeFazio, a staunch progressive, are not as

DeFazio, a staunch progressive, are not as far apart as one would think on transportation policy.

Duncan has repeatedly called for a long-term reauthorization of the traditionally bi-artisan highway bill, which he helped craft along with DeFazio and other senior members of the House Transportation Committee. But Duncan has also joined calls for a ban on lawmakers' pet spending projects known as earmarks, which make up about one percent of total funding in any given highway bill. While that may not seem like much, it can easily decide the fate of that extra new lane on your local commercial road or the highway overpass your county council is trying to get built.

A broader question, beyond simply who heads up the Highways and Transit subcommittee, might be what a House GOP takeover means for big-picture federal spending. One of Republicans' biggest planks is reducing the government expenditure, especially on the domestic discretionary side. That could put GOP priorities and a well-funded highways bill at direct odds.

Republicans have already spent time attacking President Barack Obama's call for a \$50 billion infrastructure spending package aimed at highways, rail lines, runways and air traffic control. The White House says it wants to try and pass the funding in the lame duck congressional session scheduled for the weeks after the midterm elections.

One poll isn't enough to suggest that DeFazio is really in danger of losing his seat. As surprising as those latest numbers are, poll aggregators like FiveThirtyEight still give DeFazio more than a 99% chance of reelection.

Scott, Rider

From: Amanda Wilson [AWilson@nctcog.org]
Sent: Wednesday, October 20, 2010 4:06 PM
To: Vic Suhm; Scott, Rider
Subject: Report for November RTC Meeting

Vic/Rider,

I believe both of you were at the RTC meeting last week and heard members' requests to have DRMC and TRTC prepare brief reports on what you have heard from legislators (that you can publicly report) related to transportation legislation in the upcoming session. I would say the focus would be on items in the RTC's draft actively pursue legislative program (funding, PPPs, protecting RTR funds, Proposition 12).

I would like to include this in the mail out, rather than as a handout, if possible. Is there any way you could provide brief written reports by Monday, November 1? Let me know if you have any questions.

Thanks,
Amanda

Amanda Wilson, AICP
Communications Supervisor
North Central Texas Council of Governments
Transportation Department
616 Six Flags Drive
Arlington, Texas 76011
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(817) 640-3028 - fax
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82ND SESSION OBSERVATIONS DALLAS REGIONAL MOBILITY COALITION

The 82nd Session of the Texas Legislature will convene on Tuesday, January 11, 2011. The Legislature will adjourn 140 days later on Monday, May 30, 2011. The first day of pre-filing of legislation for the 82nd Session begins on Monday, November 8, 2010. We anticipate that somewhere around 400 bills will be filed in the first week of pre-filing.

The State of Texas will be faced with a budget shortfall at the end of the current biennium. Only the amount of the deficit is uncertain. House Appropriation, Ways and Means and Senate Finance have been meeting regularly during the last month and will continue those meetings through the end of 2010 seeking options for legislative consideration during the regular Session. All state agencies have been required to submit LARs (Legislative Appropriation Requests) reflecting a 10% budget reduction.

House Bill 1, to be filed shortly after the convening of the Session, will have even greater agency cuts, than the 10% LAR submittals.

Interim charges on transportation, both in the House and Senate have focused on the declining viability of user fees funding the transportation system. The House Select Interim Transportation Committee draft reports are scheduled to be submitted to the Speaker's office December 1, 2010. Interim reports will be available in December outlining the consequences of not adequately funding transportation.

Opportunities to address sustainable revenue generation mechanisms will be limited. A Constitutional amendment to end diversion from Fund 6 in a gradual stair stepped fashion is a possibility. At the state level, emphasis will be placed on significant regional state thoroughfares, with quantifiable congestion or mobility issues. Only a select few of those will be authorized to proceed with a private equity component. The projects selected will require a local request, support and involvement.

The scope of the legislation to implement the Sunset Review Commission recommendations will depend in large part on the actions taken by the TxDOT three member Restructure Council. The agency practice of using of discretionary allocation of bond revenue will be examined as a possible reorientation to formula allocation. Debt repayment obligations will be reviewed as a cash flow issue for state general revenue and the continuing obligation of revenues in Fund 6.

Most bills that have a significant fiscal note attached to them will not be well received by the 82nd Session of the Texas Legislature. 140 days may not be enough time.

Scott, Rider

From: Amanda Wilson [AWilson@nctcog.org]
Sent: Wednesday, November 03, 2010 3:48 PM
To: Scott, Rider
Subject: RTC report

Rider,

Here is what Vic provided.

What I hear from legislators is that transportation revenue will be hard to come by in the 82nd session due to other competing issues such as the budget shortfall, redistricting, TxDOT Sunset and continuing legislative distrust of the agency, voter ID and immigration. All believe that Texas has a transportation revenue need to fund needed transportation improvements but that support for addressing the issue is lacking from the state elected leaders, from constituents and from business. I believe they are looking to us to generate or demonstrate such support from these groups.

Thanks,
Amanda

Amanda Wilson, AICP
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DRMC

Proposed 82nd Session Legislative Agenda*

1. Recommend revision of specific state statutory language to clarify that Regional Toll Revenue received from local tolls as a concession fee or excess toll revenue, when obligated by a written agreement between local political subdivisions and TxDOT is no longer state revenue, but becomes obligated local funds subject to appropriation by signator entities.
2. Support a constitutional amendment to restrict appropriations from Fund 6 to TxDOT only from funding allocations for expenditure for roads, rail and other intermodal purposes.
3. Support reauthorization of public-private partnerships ("PPP") as a financing option where the transportation project cannot be fully funded by public revenue; in particular, support specific authorization to fully fund I-35E.
4. Preserve those gains that have been made to provide flexibility and innovation for transportation funding.
5. Support the development and implementation of a state rail plan that reasonably funds and improves passenger and freight rail without excessive regulation.
6. Support the review of financing enhancements for transportation including a vehicle miles traveled fee; an annual vehicle registration fee that more accurately reflects road impact; and corridor incremental value added contributions.
7. Support rule making or legislation that requires allocation of TxDOT discretionary funds, not otherwise categorized, to be distributed by formula or equalized to formula allocation amounts each fiscal year.

*Approved by DRMC Legislative Committee 10/1; Pending approval by DRMC Board

Scott, Rider

From: Speaker Joe Straus [joe@joestraus.org]
Sent: Wednesday, October 20, 2010 2:49 PM
To: Scott, Rider
Subject: A Blueprint for Addressing Our Budget Shortfall

Speaker
JOE STRAUS

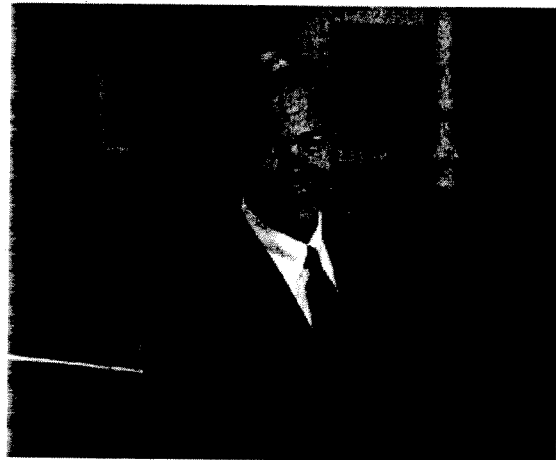
An Update from the Speaker

By now, most Texans are well aware of the significant budget shortfall our state faces as we head into the next legislative session. Last week, I had the privilege of addressing a group of business leaders at the Texas Taxpayers and Research Association meeting on this very topic.

When businesses face fiscal challenges, they look at what is causing the problem and monitor the factors that impact their bottom line. We have to do the same thing in state government. We've been hit with a one-two punch: declining revenue and increased spending to meet the demands of our growing population. Our approach to solving the budget shortfall is simple, but not easy.

First, we must return to the fundamentals of state government: education, healthcare, transportation infrastructure and public safety. Second, we must do more with less, and be more efficient and more effective with taxpayer funds. And third, most of all, we must make hard choices about our "needs" versus our "wants."

The real discussion about our priorities will begin in January when the House introduces the budget. As most of you know, the state does have a savings account, commonly known as the Rainy Day Fund, which could be used, in part, to balance our budget. However, before we decide whether and how much of the Fund should be spent, I strongly believe lawmakers need to have a clear picture of the true cost of running state government. The proposed cuts may seem drastic and painful, but we must make the tough choices now, to leave our state in better financial shape down the



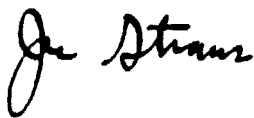
from which to develop the base bill:

- One: We must spend no more than our available revenue;
- Two: We must not assume the use of the Rainy Day Fund;
- Three: We must limit government, and
- Four: We must not raise taxes.

As someone who worked at one time in the Reagan Administration, I always remember his quote that, "business isn't a taxpayer, but a tax collector," meaning when business taxes are raised, those taxes are ultimately passed on to consumers as higher prices. That's why I have asked members of the House to recommend ways to balance our budget without placing an additional tax burden on Texas families.

While other states continue to experience economic challenges, Texas is widely noted as having the best business climate in the nation: Forbes, The Economist, CNBC, and The Wall Street Journal all agree. So, while we will face a significant budget shortfall next session, I know that we are up to the challenge.

Sincerely,



Speaker Joe Straus

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REPRESENTATIVE WARREN CHISUM
CANDIDATE FOR SPEAKER OF THE TEXAS HOUSE

October 13, 2010

Dear Colleagues,

Today I throw my hat, my experience, and my commitment to the House into the ring for consideration as Speaker of the Texas House of Representatives. Those of you who know me, know that this is not a decision I have entered into lightly, but like many of you I have come to realize that the time has come for us to unite behind a speaker that will lead the Texas House next session as we face our state's many challenges together.

The times demand a strong and decisive leader. The Texas House has enjoyed strong, experienced leadership under Speakers Laney and Craddick, who were fully supported by majorities of their respective political parties. Sadly, recent history has shown us that when a chamber's leadership does not enjoy majority support from his own party mixed with good support from the opposition party, his leadership is weak and ineffective. As a candidate for Speaker of the House, I will give Republicans and Democrats an opportunity to decide whether the Texas House wants to lead this session, or whether it doesn't.

Since 1989, I have served with you, lead with you, fought in the trenches with you, and submitted myself to the leadership of the speaker we all elected. You know my character, my trustworthiness, my fairness, and my faithfulness to conservative principles. In January, we will be facing the most difficult session Texas has ever faced. Together, we must find a way to appropriately fund the state's obligations while not raising taxes. This can only be done by reducing government budgets, a fight I have fought before, and won.

The budget is only one of our challenges; we must also face the contention that redistricting brings. I have served with you during the last three redistricting sessions, and know how to fairly navigate those treacherous waters while continuing the other serious business the House must complete for a successful session.

In deciding to run for Speaker of the House, I heavily weighed the experience of last session with the demands of the upcoming session. In earnest, we entered the 81st session with open minds, hoping for the brand of leadership Speaker Straus had pledged. However, his approach, guided by his inexperience, instead allowed the

minority party to control much of the session's agenda, and the result was no leadership during the total breakdown in the most critical days of the session. Speaker Straus has never served on Appropriations, never served on Ways and Means, has never even faced a difficult budget cycle, much less served as a member during a redistricting session. As the 82nd Legislature approaches, Texas demands a speaker who can successfully navigate these waters. I have the experience and skill that the House requires.

The vote for the Speaker is a decision made by us, by 150 individuals and whom we trust to lead us through 140 days. It is a vote about leadership, experience, and trust. I look forward to visiting with each of you soon about the challenges and opportunities ahead and how we can bridge those gaps together.

Sincerely,

Warren Chisum

For immediate release:
Wednesday, November 3, 2010

Statement from Speaker Joe Straus:

"On the night of this landmark election, Texas heard a resounding call from voters for continued fiscal responsibility and conservative leadership in Austin. I am proud that Republicans have gained a record number of seats in the Texas House, reversing the losing trend for the past three election cycles."

"As Speaker, I congratulate every House candidate elected tonight, and I look forward to working with each member for the good of our state. I will continue to lead the Texas House in a fair and respectful way as Speaker, and at this early hour, I'm grateful to have 122 colleagues support me for Speaker, including 76 Republicans and 46 Democrats, and I look forward to visiting with more members in the coming days."

Confirmed List of Pledges for Republican Texas House Speaker Joe Straus
UPDATED: November 3, 2010 12:00 a.m.

Confirmed List of Pledges for Republican Texas House Speaker Joe Straus
UPDATED: November 3, 2010 1:25 a.m.

Aliseda, Jose
Allen, Alma
Alonzo, Roberto
Alvarado, Carol
Anchia, Rafael
Anderson, Charles "Doc"
Aycock, Jimmie Don
Beck, Marva
Bohac, Dwayne
Bonnen, Dennis
Branch, Dan
Brown, Fred
Burnam, Lon
Button, Angie Chen
Callegari, William "Bill"
Carter, Stefani
Castro, Joaquin
Coleman, Garnet
Cook, Byron
Creighton, Brandon
Crownover, Myra
Darby, Drew
Davis, John
Deshotel, Joe
Driver, Joe
Dukes, Dawnna
Dutton, Harold
Eiland, Craig
Eissler, Rob
Elkins, Gary
Farias, Joe
Farrar, Jessica
Fletcher, Allen
Frullo, John
Geren, Charlie
Giddings, Helen
Gonzales, Larry
Gonzales, Veronica
Gonzalez, Naomi
Gooden, Lance
Guillen, Ryan
Gutierrez, Roland
Hamilton, Mike

Hancock, Kelly
Hardcastle, Rick
Harless, Patricia
Harper-Brown, Linda
Hartnett, Will
Hernandez, Ana
Hilderbran, Harvey
Hochberg, Scott
Hopson, Chuck
Howard, Donna
Huberty, Dan
Hughes, Bryan
Hunter, Todd
Jackson, Jim
Johnson, Eric
Keffer, Jim
King, Susan
King, Tracy
Kleinschmidt, Tim
Kolkhorst, Lois
Kuempel, Edmund
Larson, Lyle
Laubenberg, Jodie
Lavender, George
Legler, Ken
Lewis, Tryon
Lozano, J.M.
Lucio III, Eddie
Lyne, Lanham
Madden, Jerry
Mallory Caraway, Barbara
Margo, Dee
Marquez, Marisa
Martinez, Armando
McClendon, Ruth Jones
Menendez, Jose
Miles, Borris
Miller, Doug
Miller, Sid
Munoz, Sergio, Jr.
Murphy, Jim
Naishtat, Elliott
Nash, Barbara
Oliveira, Rene
Orr, Rob
Otto, John

Parker, Tan
Patrick, Diane
Paxton, Ken
Pena, Aaron
Phillips, Larry
Pickett, Joë
Pitts, Jim
Price, Four
Quintanilla, Chente
Raymond, Richard
Reynolds, Ron
Riddle, Debbie
Ritter, Allan
Rodriguez, Eddie
Schwertner, Charles
Scott, Connie
Sheffield, Ralph
Shelton, Mark
Smith, Todd
Smith, Wayne
Smithee, John
Solomons, -Burt
Strama, Mark
Straus, Joe
Taylor, Larry
Thompson, Senfronia
Torres, Raul
Truitt, Vicki
Turner, Sylvester
Veasey, Marc
Villarreal, Mike
Vo, Hubert
Walle, Armando
Weber, Randy
Workman, Paul
Zedler, Bill
Zerwas, John

*Updated Partial Listing as of 1:25 a.m.; 11/3/2010

126 total
77 Republican and 49 Democrat
Partial Listing as of 1:25 a.m.; 11/3/2010

126 total
77 Republican and 49 Democrat

WEDNESDAY, NOVEMBER 3, 2010

Notes from Chisum's press conference

posted by paulburka at 9:02 PM

This report is from my colleague Patricia Kilday Hart, who attended Warren Chisum's press conference this morning:

Warren Chisum, surrounded by an impressive array of dead animal heads on his basement Capitol office walls ("I still remember the looks in their eyes") announced this morning that he was still a candidate for Speaker of the Texas House.

Chisum said he interprets the huge Republican win Tuesday as an endorsement by Texans of conservatism, rather than a rebuke of Washington-style politics.

Under that reasoning, he called for the Republican Caucus of the Texas House to meet and choose the next Speaker – which is how things are done in Washington, D.C. (He acknowledges he opposed this idea when Democrat Pete Laney was Speaker, but said times – and politics – have changed.)

"The race is not over," Chisum said. "I am still in the race for Speaker of the House." I asked whether that meant Democrats did not count in the Speaker's race. "That's not where we are at," he said – explaining further that with such a large majority elected Tuesday "the Republicans need to act like Republicans and choose a leader in the caucus." He added that he did not think such a move would "disenfranchise" the Democrats.

Reporters asked: What mistakes has Straus made as Speaker?

Chisum: Some committee chairs were not sufficiently conservative.

I asked about the document that Republican activist David Barton circulated at the Republican convention in Dallas in June calling for Straus' removal. Did he endorse the contents? "I don't know that there are any false statements in there," he responded.

On further questioning about Straus' record, Chisum said "I didn't notice any illegal immigration bills getting passed" last session and said he would be willing to take a long look at an Arizona-style law. He added that "a carbon copy" would probably not work in Texas.

As for Straus' pledges, he said, "Money talks."

On other issues, Chisum said Texas should seriously consider "opting out" of Medicaid – but quickly added, "we can't just walk away." He seemed to indicate some government health insurance program would need to fill in the role of a safety net.

He did not rule out the possibility of seeking a coalition with Democrats if he failed to win the Speakership within the Republican Caucus He did not elaborate on how he could effectively win over Democrats after trying to exclude them from the speaker election. Immediately after the press conference, I hopped aboard an elevator with State Rep. Senfronia Thompson, who was headed to a Joe Straus press mixer. In typical "Miz Thompson" fashion, she confided to the assembled reporters that she was disappointed that her friend, Mr. Chisum, would want to cut Democrats out of the process of electing a Speaker. (I was reminded of the killer Ann Richards' line about many an adversary: "Bless his heart.")

Straus, protected by an impressive front line of House members, told reporters he wasn't opposed to the Republican Caucus meeting and choosing a Speaker. "I'll leave it up the members," he shrugged. "It's something we haven't done before." He claimed pledges from 79 of 99 Republicans, and insisted, "I'm not defensive" about a caucus vote. My take: Hard to figure how Chisum peels off enough Republicans after Straus's active campaign contributions – plus, how do Democrats justify voting for a guy who excluded their votes in the first go-round? He's going to need a helluva pick-up line.

GOP members not pledged to Straus

posted by paulburka at 4:10 PM

There are 25, including Zedler, who withdrew his pledge.

Republicans/District X = new member

2 Flynn

3 Cain X

6 Berman

7 Simpson

9 Christian

12 White X

26 Howard, Charlie

30 Morrison

45 Isaac X

61 King

66 Taylor, Van X

74 [Gallego pledged to Straus]

82 Craddick

83 Perry

85 Landtroop X

88 Chisum

96 Zedler X (withdrew pledge)

101 Burkett X

106 Anderson X

107 Sheets X

117 [Garza pledged to Straus]

134 Davis X

November 3, 2010 4:41 PM

CHAIRMEN VACANCIES IN THE TEXAS HOUSE

Nine open slots allow for leadership maneuvering room

Mark Homer (D), Chair of Culture, Recreation & Tourism

Tommy Merritt (R), Chair of Public Safety

Jim McReynolds (D), Chair of Corrections

Yvonne Gonzalez Toureilles (D), Chair of Agriculture & Livestock

Patrick Rose (D), Chair of Human Services

Jim Dunnam (D), Chair of Federal Economic Stabilization Funding** & House Democratic Leader

Brian McCall (R)*, Chair of Calendars

Delwin Jones (R), Chair of Redistricting

Frank Corte (R), Chair of Defense & Veterans Affairs

*McCall has already resigned & been replaced by **Van Taylor**; Calendar has no chair currently...

** This is a select committee, so very much an open question, as to whether it exists next session.

By John Reynolds

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Incumbents Defeated in the General Election

H-1 Rep. Stephen Frost (D)
H-3 Rep. Mark Homer (D)
H-12 Rep. Jim McReynold (D)
H-33 Rep. Solomon Ortiz, Jr. (D)
H-34 Rep. Abel Herrero (D)
H-35 Rep. Yvonne Gonzalez Toureilles (D)
H-45 Rep. Patrick Rose (D)
H-47 Rep. Valinda Bolton (D)
H-52 Rep. Diana Maldonado (D)
H-57 Rep. Jim Dunnam (D)
H-78 Rep. Joseph Moody (D)
H-85 Rep. Joe Heflin (D)
H-93 Rep. Paula Pierson (D)
H-96 Rep. Chris Turner (D)
H-101 Rep. Robert Miklos (D)
H-102 Rep. Carol Kent (D)
H-106 Rep. Kirk England (D)
H-107 Rep. Allen Vaught (D)
H-117 Rep. David Leibowitz (D)
H-133 Rep. Kristi Thibaut (D)
H-134 Rep. Ellen Cohen (D)

THE TEXAS TRIBUNE

Texas House Has More Than Three-Dozen New Members

by Emily Ramshaw and Matt Stiles
November 4, 2010

When the Legislature convenes in January, more than three-dozen new members will take their seats in the Texas House.

Almost all the newcomers are Republicans — and many of them perhaps as surprised to be there as you'll be to see them.

Here's a freshman facebook to help you keep them straight:

GEORGE LAVENDER, HD-1

Lavender, a small-businessman from Bowie County who ousted Stephen Frost, D-New Boston, grew up on the Arkansas side of Texarkana and holds a degree in management from the University of Arkansas-Fayetteville. A partner in Elco Distributing, a Texarkana electronics distribution company, he only became active in local Republican politics in recent years. He describes himself as pro-life, pro-gun and in favor of fiscal responsibility in government.



Lavender



ERWIN CAIN, HD-3

The former chairman of the Hopkins County Republican Party and an avowed conservative, Erwin knocked off the perpetually vulnerable incumbent Mark Homer, D-Paris. The attorney and real estate company owner, who graduated from East Texas State University (now Texas A&M Commerce) and holds a law degree from the University of Arkansas, prides himself on fighting "frivolous" lawsuits.

LANCE GOODEN, HD-4

Cain Gooden, an insurance and risk-management consultant from Terrell, toppled his former boss, six-term incumbent Betty Brown, R-Athens, in the Republican primary and faced no Democratic challenger in the general election. He attended Terrell High, where his father was the head football coach, and earned degrees in finance and government from the University of Texas.



Gooden



DAVID SIMPSON, HD-7

Simpson, who grew up in Highland Park but served as mayor of his ancestors' tiny town of Avinger during the 1990s, cruised to easy victory after beating an incumbent with an independent streak, Tommy Merritt, R-Longview, in the GOP primary. The president of a timber company, Simpson rode the Tea Party wave to the capitol: He is a devout Christian who has campaigned for 10th Amendment rights and against illegal immigration.

Simpson

JAMES WHITE, HD-12

White, a Woodville Republican who defeated seven-term incumbent Jim McReynolds, D-Lufkin, attended Prairie View A&M before spending six years in the army. He teaches, coaches basketball and football, keeps a modest cattle ranch and is finishing doctoral studies in political science at the University of Houston.



CHARLES SCHWERTNER, HD-20

Elected without a runoff in a four-way Republican primary, Schwertner is a longtime orthopedic surgeon in Georgetown. The UT grad, who boasted of his strong agricultural roots during the campaign, says he wants to "continue the outstanding service" of outgoing state Rep. Dan Cattis, D-Georgetown.



White

RON REYNOLDS, HD-27

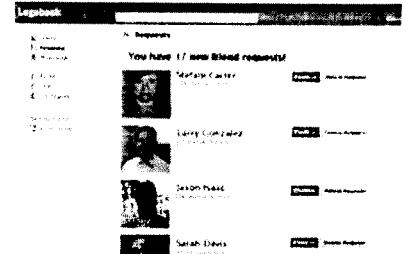


photo illustration by: *Todd Wiseman*

11/4/2010

The Texas Tribune

Schwertner

In a district considered a lost cause by most Republicans before the race even began, Democrat Ron Reynolds easily swept the Fort Bend County seat formerly held by Dora Olivo, D-Missouri City. An attorney with the firm Brown, Brown & Reynolds, he attended Texas Southern University and got his law degree at the Texas Tech.



Reynolds

**RAUL TORRES, HD-33**

Torres, an accountant and financial consultant and former auditor for the state, upset incumbent Solomon Ortiz Jr., D-Corpus Christi. Torres, who has five kids, went back to college at 35 and is the first in his family to graduate. He earned his degree from Corpus Christi State University, now Texas A&M-Corpus Christi.

Torres

CONNIE SCOTT, HD-34

Scott, a longtime player in local party politics, beat incumbent Abel Herrero, D-Corpus Christi. The former director of the Bay Area Citizens Against Lawsuit Abuse, she pushes for stronger penalties for gang violence.



Scott

**JOSE ALISEDA, HD-35**

Beeville native Jose Aliseda, a former county judge, toppled incumbent Yvonne Gonzalez Toureilles. Aliseda earned his law degree from the UT and was appointed to the Texas Board of Pardons and Paroles by Gov. Rick Perry.

Aliseda

SERGIO MUÑOZ JR., HD-36

The South Texas criminal and civil law attorney and Palmview municipal judge won the Democratic primary and had no opponent in the general election. But he's got family experience: His father — who shares the same name — used to hold the seat, which was recently vacated by Ismael "Kino" Flores, D-Mission. Munoz, who attended UT, earned a law degree at Texas Southern University's Thurgood Marshall School.



Munoz

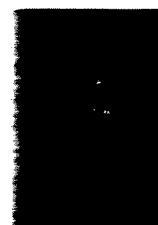
**J.M. LOZANO, HD-43**

J.M. Lozano, a Kingsville businessman, defeated incumbent Tara Rios Ybarra, D-South Padre, in the Democratic primary and Libertarian Richard Shuey by a wide margin in the general election. He'll be a freshman this session but not a fresh face on the Capitol grounds: Lozano interned for former State Sen. Carlos Truan while studying government at UT. He has also worked for U.S. Rep. Ruben Hinojosa, D-Edinburg.

Lozano

JASON ISAAC, HD-45

Isaac, a Republican transportation consultant, defeated Hays County Democrat Patrick Rose in the general election. The 1996 graduate of Stephen F. Austin University founded his college lacrosse team and "worked, borrowed and utilized grants" to put himself through school, which he says makes him an advocate for new funding methods for students who want to go to college.



Isaac

**PAUL WORKMAN, HD-47**

A Texas A&M alum, Workman logged a general election win over twice-elected incumbent Valinda Bolton, D-Austin. Workman founded his own commercial construction company in 1971, served in the U.S. Army Reserves for 10 years as an engineering officer and is currently the national director of the Associated General Contractors of America. He sits on the board of Citizens Against Lawsuit Abuse of Central Texas.

Workman

LARRY GONZALES, HD-52

A former aide to Lt. Gov. David Dewhurst and the owner of a direct mail firm, Gonzales bested freshman Diana Maldonado, D-Round Rock, on Election Day. A native of Alvin and a father of three, he was backed by the newly formed Hispanic Republicans of Texas and prolific donor Bob Perry. Gonzales makes the case for fiscal conservatism and, more generally, a return to Williamson County's conservative roots.



Gonzales

**MARVA BECK, HD-57**

Beck, who received considerable financial support from Texans for Lawsuit Reform, unseated Democratic lion Jim Dunnam, D-Waco — and she's already talking about a voter ID bill, fighting federal health care reform and creating job growth in the Waco area. Beck has had what some would call a tragic life: One of her sons died in an auto accident, another died in a boating accident and her husband died of cancer. She formerly worked for the Post Oak Resource Conservation and Development division of the U.S. Department of Agriculture.

Beck

VAN TAYLOR, HD-66

11/4/2010

The Texas Tribune

Unopposed on Tuesday, the Plano Republican has been serving as a replacement for veteran member Brian McCall in April. The Harvard-educated businessman and former Marine officer has a passion for military matters and fiscal conservatism.

**LANHAM LYNE, HD-69**

Lyne, who spent the last four and a half years serving as mayor of Wichita Falls, steps into a seat occupied by retiring Democrat David Farabee. A graduate of Midwestern State University, he has logged decades in the oil and gas industry. Currently he serves as president of Lyne Energy Partners.

Lyne



Taylor

NAOMI GONZALEZ, HD-76

After toppling Norma Chavez, D-El Paso, in a contentious primary, Gonzalez was unchallenged in her general election bid. She'll be the only female face among the new Democrats in January. Gonzalez received her bachelor's degree from Our Lady of the Lake University and her law degree from St. Mary's University. She is an assistant county attorney in El Paso.



Gonzalez

**DEE MARGO, HD-78**

The third time was the charm for Margo, who twice ran unsuccessfully for this El Paso seat defeating freshman Democrat Joe Moody on Tuesday. Margo, who grew up in Midland, Dallas and Alabama, is chairman and chief executive of the insurance agency John D. Williams, which he joined in 1977. He holds an undergraduate degree in history and economics from Vanderbilt University, which awarded him a football scholarship.

Margo

CHARLES PERRY, HD-83

Perry, a Tea Party supporter who owns an accounting firm and is a land developer, faced no Democratic opposition after knocking off incumbent Delwin Jones, R-Lubbock, in a spring Republican primary runoff. He grew up in Sweetwater and received an accounting degree from Texas Tech University.



Perry

**JOHN FRULLO, HD-84**

Frullo replaces Carl Isett, R-Lubbock, who chose not to seek re-election. He defeated Mark Griffin, a former Texas Tech regent, in an April GOP runoff and subsequently claimed the seat after defeating Democrat Carol Morgan on Nov. 2. A member of the of Lubbock Chamber of Commerce board of directors and the former chairman of the MidAmerica region of the Printing and Imaging Association, Fullow earned a degree in accounting from the University of Wyoming in 1984.

Frullo

JIM LANDTROP, HD-85

Landtroop, a Tea Party-approved Republican and State Farm insurance agent, beat incumbent Joe Helflin, D-Crosbyton. The A&M graduate and active church member from Plainview is pro-life and counts stopping "any attempts at state control of water rights" as a priority for the session.



Landtroop

**WALTER "FOUR" PRICE, HD-87**

Price, a Republican, claimed the open seat left by David Swinford, R-Dumas. He describes himself as a pro-life, pro-business, pro-private property and pro-gun rights candidate. The Amarillo native graduated from UT in 1990 and attended St. Mary's Law School in San Antonio.

Price

BARBARA NASH, HD-93

A Republican real estate investor who grew up in Fort Worth and has lived in Arlington for 40 years, Nash narrowly defeated Democratic incumbent Paula Pierson. The former city council, school board and PTA member who attended Texas Wesleyan University lists education, crime, and cutting taxes as her main priorities.



Nash

BILL ZEDLER, HD-96

Zedler, a 30-year Arlington resident, succeeded in reclaiming his seat from incumbent Chris Turner, D-Arlington, in a heated rematch of their 2008 race. A self-proclaimed "conservative defender of limited government, limited taxation, and free enterprise" who was first elected in 2003, Zedler received his master's degree in business administration from Sam Houston State University in 1967. The former hospital personnel officer during the Vietnam War is retired from the health care industry.

11/4/2010

The Texas Tribune

**ERIC JOHNSON, HD-100**

Zedler

One of the few Democrats joining the Legislature this session, Johnson, a Dallas attorney, defeated embattled and indicted incumbent Terri Hodge in the Democratic primary and was unopposed in the general election. A neighborhood boy who went to college at Harvard, then got graduate degrees at the University of Pennsylvania and Princeton, Johnson will set his sights on education legislation.



Johnson

**CINDY BURKETT, HD-101**

Burkett

Republican Burkett, co-owner of a company that runs five Subway sandwich shops, defeated freshman Rep. Robert Miklos in the Mesquite district. The UT-Arlington graduate and former assistant to state Sen. Bob Duell thinks welfare has gotten out of control and that the U.S. is becoming "way too European."



Carter

STEFANI CARTER, HD-102

Carter knows her Republican affiliation seems unlikely: She was raised in a family of Dallas Democrats, went to University of Texas and Harvard Law School and interned in the Clinton White House. The North Texas prosecutor, who defeated incumbent Carol Kent, says she's had "enough with the socialism and enough with the entitlement mentality."

**RODNEY ANDERSON, HD-106**

Anderson

Grand Prairie native Anderson, who narrowly defeated Democratic incumbent Kirk England, built his platform on promising to cut spending, balance the budget and revive small businesses. Anderson graduated from UT-Arlington with a real estate degree and is currently the vice president of Commerce Title Company.



Sheets

KENNETH SHEETS, HD-107

In a race between two Iraq War veterans, Mansfield native Sheets, a Republican who serves as a captain in the Marine Corps Reserves, defeated Democratic incumbent Allen Vaught. A graduate of UT-Arlington with an honors degree in political science, he wants to address the state's growing student dropout rate and strengthen Texas' economy by lessening the burden on small businesses.

**JOHN GARZA, HD-117**

Garza

In a rematch of their 2008 race, Republican Garza eked it out over incumbent Democrat David Leibowitz. An architect and founder of a Rio Grande Valley housing company, Garza earned his bachelor's degree in mass communication from the University of Denver in 1977.



Larson

LYLE LARSON, HD-122

Larson, a former Bexar County Commissioner, came up short in his attempt to unseat U.S. Rep. Ciro Rodriguez, D-San Antonio, in 2008, but he handily defeated Democrat Masarrat Ali on Tuesday to succeed Frank Corte Jr., R-San Antonio. Larson is a small-business man who received his degree in business administration from Texas A&M University in 1981.

**DAN HUBERTY, HD-127**

Huberty

Huberty replaces veteran Republican Joe Crabb, R-Kingwood, who decided not to seek re-election in 2009. A trustee of the Humble Independent School District who served as its board president during the 2009-10 school year, Huberty defeated Democrat Joe Montemayor on Nov. 2. He is the vice president of business development for Clean Energy, a natural gas provider. He received his MBA from the University of Phoenix and an undergraduate degree from Cleveland State University.



Murphy

JIM MURPHY, HD-133

If you're sensing some déjà vu, it's because Murphy has held this Harris County seat before. He won it in 2006, only to lose it to freshman Democrat Kristi Thibaut, D-Houston, in 2008. A real estate executive and UT graduate, Murphy will emphasize job creation and border security, which he says is a "federal obligation ... but can be addressed at the state level."

**SARAH DAVIS, HD-134**

The Republican personal injury lawyer swept out two-term Ellen Cohen, D-Houston. Raised in Sugar Land, Davis went to Baylor for college and got her law degree from the University of Houston. She says she'll work

11/4/2010

The Texas Tribune

Davis

Miles returns to the House after defeating Democrat Al Edwards, D-Houston, in the March primary. He lost to Edwards in 2008 after he allegedly brandished a weapon and kissed another man's wife at a Christmas party.

Miles is the owner of Borris L. Miles Insurance. He holds a bachelor's of science in criminal justice and criminal science from Sam Houston State University.

Morgan Smith, Kate Galbraith, Elise Hu, Julian Aguilar, Reeve Hamilton, Becca Aaronson, Tristan Hallman and Ryan Murphy contributed to this story.



Miles

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Huge GOP majority in Texas House likely dooms transportation funding increase



7:24 AM Wed, Nov 03, 2010 | [Permalink](#) | [Yahoo! Buzz](#)
 Michael Lindenberger/Reporter | [Bio](#) | [E-mail](#) | [News tips](#)

Whatever tiny hopes North Texas local leaders had for more transportation funding in Austin come January probably died last night.

Robert Garrett, with vivid prose, sized up the sweeping victory Republicans had in Texas House races.

AUSTIN - Republicans smashed their way to their biggest modern-day majority in the Texas House on Tuesday and are now very likely to draw claret-red political maps and deeply cut education and social programs next year.

The new House will confront a massive budget shortfall, and do so with a 99-51 Republican majority. The infusion of new, especially conservative voices, will make talk of new taxes, or laws that could lead to local votes on new taxes, for transportation unlikely in the extreme. If such ideas were already in the coffin, thanks to Gov. Rick Perry's re-election, the margin in the House provided the nails.

As Bob points out, it's unclear whether Speaker Joe Strauss will retain his post, but it seems clear that even if he does he will have to shift the House harder to the right. What that means for Rep. Joe Pickett, D-El Paso, who leads the House transportation committee is not yet clear. (Pickett survived.)

Tuesday's results will mean a tightening of Texas' already conservative approach across any number of policy areas. What it means for transportation will unfold slowly - though it's already clear that unlike 2007 and 2009, there will be precious few voices declaring 2011 "a transportation session."

Is it safe, even, to count on a greater reliance on toll roads, as I laid out yesterday? Certainly, Gov. Perry prefers them, but they've always been less popular in the House than in the Senate, and the House will be in no mood for compromise with such a large majority -- not with Democrats and not likely with senators.

What I can say is we'll keep you posted as the smoke clears. Meanwhile, let's hear your ideas about what ought transportation priorities ought to be discussed in Austin come January.

Pickett: No certainty he'll remain transportation chairman, rules out new funding in 2011



3:35 PM Wed, Nov 03, 2010 | [Permalink](#) | [Yahoo! Buzz](#)
 Michael Lindenberger/Reporter | [Bio](#) | [E-mail](#) | [News tips](#)



Rep. Joe Pickett, D-El Paso, survived last night's Republican surge, but doesn't yet know whether he'll keep the reins of the Texas House transportation committee.

"Nobody does," he said. "I support Straus, and I think Straus has got the commitments to stay. I was a Straus supporter - Burt Solomons and I - from the beginning. Even though there was the Republican tsunami, as you called it, there are Democrats, too, who remain."

To stay chairman, he suggested, Straus will have to remain Speaker. Some challengers have already begun . But even if Straus stays in charge of the radically changed House, Pickett noted that he can't be certain that Straus will keep his same team on board, not with a House Republican caucus full of new faces.

"You could ask the same question of the Republican committee chairs and you'd get the same answer," he said. "It's up to the whim of the Speaker, and it's against the law, the Speaker can't promise anything. He or she makes the appointments. Until then, I will work like I been working--like there is no tomorrow until January. We are going to be finishing up some stuff and probably have a couple hearings between now and then. "

When the new members arrive for the 2011 Legislature, many of them will just be sizing up Democrats like Pickett for the first time, he suggested. He's only cautiously optimistic he'll survive the scrutiny.

"I think transportation has been one of the issues that is not as partisan as health and human services, and voter ID, and state affairs stuff. There will be a lot of new faces, and they won't know whether I know anything about what I am talking about or not. But I think members know that I have tried to be fair to all concerns."

Whether Straus stay speaker, or not, Pickett said no new state funding is likely in 2011.

"It's going to be a rough session for transportation," Pickett said, repeating what he and others have been saying for months. "I don't think its high on people's list of priorities,

even though it's almost a crisis. But I already knew that before the elections last night. I know that when I have spoken to chambers of commerce and transportation advocacy groups they realize that so many people have taken pledges that there will be no new taxes and that they will cut the budget, I think it will be enough for us to maintain what we have."

Pickett said last night's results made clear what he already sensed.

"I believe - last night just solidifies it -- that there is not is any new funding for transportation. People don't believe there isn't enough money now. So I have always told people this is going to be an educational session not just for members but also for the public. They need to understand where the money comes from in order to make a decision about whether TXDOT spending it wisely.

"There is still plenty to do, to get a handle on TxDOT and to grow the confidence level of the Legislature and the public," he said.

If there is no money, then what happens when TxDOT, as it has warned, runs out of money for new construction projects in 2012?

Give the locals more tools, Pickett said, repeating a worn phrase. He likes so-called economic reinvestment zones and said if locals agree, they should be able to build public or private toll roads. Still, he said, not many areas will support toll roads.

"I think we're about tapped out on tolls roads," he said. "But if the local officials want to do that they should be able to as long as it is approved by the MPO and everybody is on board.")

The option long pushed by North Texas elected leaders is a so-called local option bill, that would allow counties to call elections to ask voters to agree to higher taxes or fees to pay for new roads or rail. That option is dead, Pickett said. "I'd be willing to listen but I don't see it growing many legs because of the perception that it requires a vote that members would have to take in favor of allowing a tax increase."

And given Tuesday's results, he said, that's not going to happen.

Instead, he predicts conservatives who don't want to raise taxes but also don't want to tell constituents there is no more money for new roads will up the pressure on TxDOT to issue more debt.

"We are going to get a lot of pressure to borrow more money for TxDOT, more Prop 12 dollars. I am curious how the new conservatives are going to respond. Everywhere I've gone I've gotten pressure to borrow another \$2 to \$3 billion for TxDOT."

But the department already owes some \$11.3 billion for its highway projects, and officials warn that more borrowing would require it to siphon money away from

construction and maintenance projects to pay debt service - unless the Legislature provided new funds to cover the debt, an unlikely step given the massive shortfall expected to confront lawmakers when they return to Austin.



House Transportation

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AUSTIN (10/25/10, E2.014, 9:00 AM)

Committee(s): House Committee on Transportation's Subcommittee on the Environmental

Meeting type: Public Hearing

Subject: Streamlining the environmental review process for transportation projects and evaluate the outsourcing, engineering services at the Texas Department of Transportation

Bills discussed: (N/A)

Testimony: John Barton, TxDOT / Carter Smith, Texas Parks and Wildlife Department (TPWD) / David Brymer, TCEQ's Air Quality Division / Katherine Nelson, TCEQ's Water Quality Planning Division / Mark Wolfe, Texas Historical Commission / Sheri Land, the General Land Office's Coastal Resources Division / Steve Stanger, Texas Council, Engineering Companies / Kari Banta, The Lone Star Chapter of the Sierra Club

The House Committee on Transportation's Subcommittee on the Environmental Review Process, under the direction of Chairman Wayne Smith, met today in the Capitol Extension for testimony on streamlining the environmental review process for transportation projects. Additionally, the Subcommittee will also evaluate the outsourcing of engineering services at the Texas Department of Transportation.

The committee convened at 9:00 a.m.

(9:01) John Barton of TxDOT discussed the agency's environmental review process and the coordination of federal and state agencies.

(9:06) Mr. Barton testified to the development of initiatives in uniform standards, "compliance action plans," a tracking database, staffing in other agencies to expedite projects, regional centers, and training.

(9:12) Rep. McClendon inquired about project delays. Mr. Barton stated the US Fish and Wildlife Service has only 1 staff member to review state projects for endangered species issues and this 1 staff member has 23 other duties, which results in delays of 6 months or longer. He told the members TxDOT would like to fund a specialist at US Fish and Wildlife Service but it would require \$150,000. Mr. Barton said a 1- year delay in construction adds 4% to the total cost of a

project. Responding to Rep. McClendon, Mr. Barton said the agency would need \$1 million per year to fund 1 or 2 positions respectively at US Fish and Wildlife Service, Army Corps of Engineers, Federal Highway Administration, Texas Historical Commission, Parks and Wildlife Department, and TCEQ.

☞ (9:20) Chairman Wayne Smith and Rep. Pickett engaged Mr. Barton in a dialogue about federal and state funding, the approval process, MOUs, "standards of uniformity," agency coordination, and other parts of his testimony.

☞ (9:55) Mr. Barton testified on the outsourcing of engineering services at TxDOT and the savings related to it.

☞ (10:10) Rep. Pickett inquired about 60% expended of \$2.2 billion and "indefinite deliverables." Mr. Barton said the agency has become "more dependent" on outside engineering firms and its internal engineering staff has been reduced by 2,000 through attrition and reassignment. Discussion ensued.

☞ (10:26) Chairman Wayne Smith asked about regional entities/authorities and their role in the environmental review process. Discussion ensued about the "hiring chill," retirement age, the 30% reduction in area offices, use of outside consultants, local partnerships, MOUs, etc.

☞ (10:43) Chairman Wayne Smith inquired about TCEQ and water pollution. Mr. Barton discussed TCEQ's role is in stormwater prevention.

☞ (10:49) Carter Smith of Texas Parks and Wildlife Department (TPWD) said the agency provides "biological information" for TxDOT projects and provides recommendations to "minimize" environmental impacts. He stated its 6 wildlife biologists review 1,200-1,500 projects yearly, of which 25%-33% are transportation projects. Further, 3 of the wildlife biologists are "exclusively reviewing" CREZ projects. Mr. Smith discussed its MOU with TxDOT.

☞ (10:54) Rep. Pickett and Mr. Smith discussed the review process, the length of time a review takes, CREZ, available resources, and needed resources.

☞ (11:00) Rep. Pickett inquired about the review process and how projects are prioritized.

☞ (11:07) Mr. Smith recommended "advanced cooperation" in the planning process and utilization of its Natural Diversity Database. The members and Mr. Smith discussed the database.

(11:14) David Brymer of TCEQ's Air Quality Division testified on its MOU with TxDOT and its review process - 54 each month. The members inquired if additional resources are necessary and about the agency's role in air quality in Texas.

(11:27) Responding to Rep. Pickett, Mr. Brymer said it currently has "sufficient FTEs" but future "challenges" may require additional resources.

(11:30) Katherine Nelson of TCEQ's Water Quality Planning Division discussed water quality issues with the subcommittee.

(11:39) Mark Wolfe of the Texas Historical Commission stated its MOU with TxDOT funds on position and "half" of all projects do not require consultation with TxDOT. Discussion ensued about online database, turnaround, LAR, and Washington-on-the-Brazos State Park.

(11:57) Sheri Land of the General Land Office's Coastal Resources Division testified on its Coastal Management Program and the 18-county coastal zone.

(12:05) Steve Stanger of the Texas Council of Engineering Companies testified on the "endless" comments and re-comments of the environmental review process, "standards of uniformity," and other issues of the industry. Discussion ensued.

(12:29) Kari Banta of the Lone Star Chapter of the Sierra Club testified on protection of natural resources and public health. She stated the process must maintain public input. She offered recommendations to the members.

There was no public testimony.

The House Committee on Transportation's Subcommittee on the Environmental Review Process adjourned at 12:43 p.m.

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Committee Members: Pickett (D) - CHAIR / Phillips (R) - VICE CHAIR / Callegari (R) / Davis, Yvonne (D) / Dunnam (D) / Guillen (D) / Harper-Brown (R) / McClendon (D) / Merritt (R) / Smith, Todd (R) / Smith, Wayne (R)



House Select Committee on Transportation Funding *

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AUSTIN (10/13/10, E2.036, 9:00 AM)

Committee(s): House Select Committee on Transportation Funding's Subcommittee on Funding

Meeting type: Public Hearing

Subject: Invited and Public Testimony

Bills discussed: (N/A)

Testimony: Dr. David Ellis, Texas Transportation Institute / Dr. Tim Lomax, Texas Transportation Institute / Dr. Ginger Goodin, Texas Transportation Institute / Trey Baker, Texas Transportation Institute / Ken Allen, senior vice president of supply chain and logistics, HEB

The House Select Committee on Transportation Funding's Subcommittee on Funding, under the direction of Chairman Darby, met today in the Capitol Extension for invited and public testimony.

The committee convened at 9:05 a.m.

(9:07) Dr. David Ellis of the Texas Transportation Institute testified on the costs of congestion, stating that maintained lane miles have not kept pace with growth of population, registered vehicles and miles driven. Dr. Ellis said despite logistic costs declining, the cost of transportation has increased due to congestion. Congestion "shrinks" the pool of job candidates for employers, who must then offer higher wages so that such candidates will commute on congested roads. Further, congestion results in economic costs which "devolve" into quality of life issues for employees.

(9:30) Dr. Tim Lomax of the Texas Transportation Institute discussed alternatives to current transportation trends to a household. He stated the average yearly cost to a household is \$220, but the average yearly "penalty"/burden of current congestion (from 2010-35) to the household is \$5,400, which results in an yearly average of 38 hours lost to congestion and will grow to 135 hours by 2035. Dr. Lomax said the "lowest revenue" alternative scenario would use oil and gas revenue tax and the household cost would be \$240 and the "penalty"/burden would be \$5,000. Utilizing TERP funding would cost \$280 and the "penalty"/burden would be \$4,800. Recapturing the gas tax diversions would cost \$300 and the "penalty"/burden would be \$4,200. Combining TERP and diversions would cost \$360, the "penalty"/burden would be

\$3,500, and the average commuter delay would be 84 hours. Finally, an annualized \$4 billion in construction would cost \$570, the "penalty"/burden would be \$2,000, and the average commuter delay would be 48 hours.

☒ (9:39) Rep. Pickett opined about educating the public, the present debt of \$10.4 billion, the total debt (including debt service) of \$19.6 billion, the \$7.54 in monthly cost of the current fuel tax to a consumer, the declining registration fees, the increasing number of fuel efficient vehicles, the \$17 billion in debt capacity and the \$31 billion needed to "pay it off," the "off the books" debt of counties which is "backed by the state," pass-through financing, TxDOT's current biennial debt service of \$1.64 billion, TxDOT's current biennial maintenance budget of \$5.64 billion, TxDOT's biennial "cash for new construction" of only \$700 million. Dr. Lomax stated the average annual fees, taxes and cost of a vehicle is \$155.10 which is 46th or 47th in the nation.

☒ (10:11) Chairman Darby inquired about the overall cost of transportation for the average Texan.

☒ (10:20) Dr. Ginger Goodin of the Texas Transportation Institute discussed the preliminary findings of a TxDOT study about vehicle mileage fees as an alternative to the fuel tax. Due to increasing fuel efficiency, the fuel tax will "become less sustainable and equitable." So, the institute conducted focus groups to ascertain public opinion of using vehicle mileages fees as an alternative. The conclusion of their focus group study was mileage fees would be a "logical replacement" to the fuel tax but there would be "significant public resistance" to them due to a "lack of a compelling argument or rationale."

☒ (10:39) Rep. Hunter offered "practical" questions regarding odometer readings, costs, savings, his concern of the impact on rural drivers, out-of-state drivers, tourism, and electric vehicles. Rep. Rodriguez stated the public perception of mileage fees would be it is additional tax.

☒ (10:55) Rep. Harless said inaccurate odometer readings are a common occurrence in databases. Rep. Pickett also expressed concern about out- of-state drivers and inquired about other states which use mileage fees.

☒ (11:03) Trey Baker of the Texas Transportation Institute spoke of the difficulties of determining "future policy assumptions." Rep. Pickett addressed non-automotive fuel usage, e.g. lawnmowers.

☒ (11:11) Ken Allen, senior vice president of supply chain and logistics for HEB, discussed his company's efforts to address congestion and efficiency. He said HEB supports heavier trucks to reduce trips. Mr. Allen and the members discussed specific time deliveries, its Temple warehouse, registration fees, "scary" hidden costs, need for better roads, SH130, its Houston toll costs of \$35,000 per month, etc.



Senate Transportation and Homeland Security

Info | **News** | **Audio**

AUSTIN (10/13/2010, 8:00 AM, E1.016)

Committee(s): Senate Transportation and Homeland Security Committee

Meeting type: Public Hearing

Subject: Interim Charges 2, 10 and 11 as well as Quarterly Updates

Bills discussed: (N/A)

Testimony: Jay Kimbrough, Member. TXDOT Restructuring Council / Amadeo Saenz, Executive Director. TXDOT / James Bass, Chief Financial Officer / Steven McCraw, Director. Department of Public Safety / Victor Vandergriff, Chairman. Texas Department of Motor Vehicles / Ed Cerna, Executive Director, DMV / Steve Farrar, President, My Plates / John Barton, Assistant Executive Director of Engineering Operations, TXDOT / Dan Kessler, Executive Director, Association of Texas Metropolitan Planning Organization / Brian Cassidy, law firm Locke Lord Bissell and Liddell / Dr. Carlos Brown, Texas Hospital Association / Steven McCraw, Director, Department of Public Safety / The Honorable Mark Atkinson, Texas Center of Judiciary / Meredith Melecki, LBB / The Honorable Terry Simpson, Texas Association of Counties / Victor Vandegriff, Chairman, North Texas Tollway Authority / Robert Collie, Harris County Toll Road Authority/ Amadeo Saenz, Executive Director, TXDOT / Peter Rahn, Senior Vice President, HNTB / Michael Morris, Director. Transportation at the North Central Texas Conference of Governments / Alan Clark, Houston Galveston Area Council / Brian Cassidy, Locke Lord Bissell and Liddell / Terri Hall, representing TURF / Bill Lewis, Mother's Against Drunk Driving / Jorie Klein, Trauma Nurse at Parkland Hospital / Mel Borel, TURF member

The Senate Transportation and Homeland Security Committee met this morning.

(8:03 a.m.) Chairman Williams opened the hearing stating a quorum was not present, however since the committee recessed last time it met it can meet with a quorum according to Senate rules.

Quarterly Updates:

(8:05) Jay Kimbrough, Member of the TXDOT Restructuring Council, provided testimony on an update of activities. He stated the best way to move forward with improvements was to conduct a comprehensive review of the various reports and recommendations of the last 2-3 years. He highlighted the Grant Thornton recommendation categories, and actions taken in relation to that report including agency personnel that has recently been hired.

(8:11) Chairman Williams asked if the council intended to continue to work in the interim on implementation follow through, and the administrative requirements including any legislative implementation.

(8:12) Mr. Kimbrough assured the Senator he would work diligently to assure the follow up process was thorough, and stated the legislative policy wasn't something he was involved in unless directed.

(8:13) Senator Shapleigh asked whether the report would focus on policy choices with respect to resources, to which Mr. Kimbrough replied they would.

Senator Shapiro asked about the other organizations which are involved other than the council, and are they being monitored. Mr. Kimbrough replied that he is monitoring and auditing those entities.

(8:15) Senator Nichols asked if the council would have a separate list of recommendations specific to the Sunset Commission. Mr. Kimbrough said he did not, but would be happy to coordinate as directed.

(8:16) Amadeo Saenz, Executive Director of TXDOT, provided a review of the agency's quarterly report. He covered the implementation of recommendations that the Sunset Commission contained. He explained the "Share Point" system of best practices, an online portal the agency can view. He mentioned improvements in the agency's professional services contract process.

(8:24) Senator Shapiro asked about the money from 121 being held up, and asked why that was happening. Mr. Saenz explained the structure of the account statutorily and the process. He explained that he will work on providing the committee with a review of those projects that have been identified.

(8:27) Mr. Saenz explained general appropriation bonds, and various projects including \$1 billion appropriated for the current biennium. The state rail plan was also discussed, as well as the agency legislative appropriations request, which was \$7.4 billion. Exceptional items for rail were included. All stimulus money was obligated within the required deadline.

(8:33) James Bass, Chief Financial Officer, was called forward by Senator Shapleigh to answer questions.

(8:34) Senator Shapleigh asked about there being no money for new projects in 2012, and the status of that forecast.

Mr. Bass stated that the agency chose to reduce the level of dollars allocated for maintenance, and use that funding for certain mobility projects.

Senator Shapleigh asked if projects would be awarded after 2010, to which Mr. Bass replied there would be projects awarded, but they would be commitments for specific projects.

1:14 (8:39) Senator Wentworth asked for clarification on whether construction costs were going up or down. Mr. Saenz replied that certain project costs were going up, which is why monies had to be moved from maintenance. However in 2009-2010, there were some decreases.

1:14 (8:40) Senator Nichols asked about the tier 1-4 road category system, and who the winners and losers are, as well as how low a quality roads will be allowed to get to before maintenance.

Mr. Saenz explained the tier system, with tier 1 being the higher volume roads. The study hasn't been completed, and he is concerned about some of the key roads. The commission has yet to adopt any policies. A decision will probably not be made until the beginning of next year.

1:14 (8:43) Chairman Williams discussed the Prop 12 bonds, and whether the debt service that is not being appropriated for the bonds would mean the legislature would be going backwards, to which Mr. Saenz replied yes.

1:14 (8:46) Chairman Williams asked about how much money it would take to maintain roads at our current level, to which Mr. Saenz replied \$3.5 - \$4 billion per year.

1:14 (8:52) Chairman Williams asked about whether any federal enhancement dollars might be available, to which Mr. Bass provided an example of funds that were likely ineligible under federal requirements.

1:14 (8:54) Senator Williams asked the agency to compile a list of the total balances on such federal funds, and if any of these funds might be unencumbered C-MAC funds that are non-attainment areas that are used to help improve air quality.

1:14 (8:55) Senator Shapiro asked about recent status of projects from President Obama's announcement. Mr. Saenz explained that a reauthorization of the federal bill is required, and he did not know the source of the funds.

1:14 (8:56) Senator Shapleigh asked about DPS diversions, and Senator Williams and Mr. Bass clarified that about \$1.2 billion in diversions remain.

1:14 (9:00) Senator Ellis asked if funds related to bicycle riding were still in tact to which Mr. Saenz replied he believed they were.

1-4 (9:01) Steven McCraw, Director of the Department of Public Safety, came forward to testify. He provided his agency's overview of the biggest threat to transportation, which he considered to be the drug cartel activity in recent months. Gang activity and their use in the cartel system was discussed. The use of cartel technology to achieve a more structured organization was also discussed. He discussed the statewide report on the Mexican gangs and cartels his agency just completed and provided to the legislature, emphasizing the need to approach the problem from a multi-jurisdictional, multi-team strategy.

1-4 (9:09) Senator Shapleigh discussed the serious nature of the situation, and the goal of making the DPS the 21st century crime fighting agency it needs to be. Specifically he asked about the forfeiture of assets, including dollar amounts from 2006, 2007, 2008, 2009 and 2010.

1-4 (9:11) Mr. McCraw stated the cash was bulk cash primarily seized at ports, and cash amounted to \$134,944,000 cumulative back to 2006. Year to date it is \$29 million.

1-4 (9:16) Senator Shapleigh stressed the importance of the reorganizing of the agency in order to bring it up to the needs of fighting this violence and crime in the 21st century. Both Senator Shapleigh and Williams commented on the virtuous work the state troopers and rangers are doing across the state.

1-4 (9:22) Victor Vandergriff, Chairman of the Texas Department of Motor Vehicles, provided testimony on the revenue generated from the registration fees and other programs. He gave a synopsis of the first year of the agencies operations, including the fact that the agency's aligned board was a success. He stated that the retail oriented approach is what his agency is going to try to be best at. He mentioned the Vision 21 program, which is aimed at making the registration process more efficient and more high tech.

1-4 (9:34) Senator Davis stated she would like to get a more detailed discussion later on the possibilities for combining resources, and Senator Wentworth echoed Senator Davis's praise of the agency's approach.

1-4 (9:36) Ed Cerna, Executive Director of the DMV, provided testimony on the specialty plate program including the simplification of the registration process.

1-4 (9:43) Senator Davis asked to clarify a description of the trucks over 80,000 pounds that seek registration from the agency. Mr. Cerna explained these are the regular semis seen on the road. A discussion ensued on the options for the agency to address the registration of these trucks in a way that might make the renewal process more efficient.

1-4 (9:50) Steve Farrar, President of the company My Plates, provided testimony on the aspects of the specialty plates program and his company's relationship

with the DMV. He mentioned that Texas has grown as a market for the plates, from 2007 when it was the lowest among states. He discussed the revenue the program has raised for the state, using no state dollars and holding the state harmless. The vendors are also HUB certified.

Charge 10: Evaluate outsourcing at the Texas Department of Transportation, including, but not limited to, engineering services and aerial mapping.

(10:02) John Barton, Assistant Executive Director of Engineering Operations at TXDOT provided brief oral testimony on outsourced activities of the agency. The dollar volumes associated to these construction bids averages \$267 million per month of outsourced services over the last two years. Administrative services are also outsourced, as well as legal services and technical expertise. Engineering design services also are contracts which are outsourced. (10:10) Senator Davis stated she would like to work with the agency to refine the rules in order to maximize opportunities to outsource.

(10:12) Chairman Williams asked how many FTE's are at TXDOT, to which Mr. Barton replied there were 12,000 currently. And the number of licensed professional and licensed engineers is 1,300-1,400. The number of employees directly supporting engineers was, as of August 31st, 2010, was roughly 3,500.

(10:14) Senator Williams asked how Texas compared to other states in the number of engineering support staff, to which Mr. Barton gave California and Florida as examples, stating we are somewhat in between those states. He stated he would provide the details to the committee in the near future.

Charge 2: Review and make recommendations relating to the Texas Department of Transportation's organizational structure and working relationship with local governments, Metropolitan Planning Organizations, Regional Tolling Authorities and Regional Mobility Authorities.

(10:16) John Barton, Assistant Executive Director of Engineering Operations at TXDOT provided testimony on the agency's adoption a long range transportation plan, and how the metropolitan planning organizations fit into that plan. He also discussed the agency's collaboration with tolling agencies in urbanized areas.

(10:24) Dan Kessler, Executive Director of the Association of Texas Metropolitan Planning Organization, provided testimony on the structure of his organization and provided a brief overview of relationship between his association and TXDOT.

(10:34) Brian Cassidy, with the law firm Locke Lord Bissell and Liddell, provided testimony on the background of Regional Mobility Authorities.

He also provided many aspects of status of the RMA's working with the agency presently, with an emphasis on the vision of local control.

☐ (10:42) Senator Shapleigh asked about the conflict created from the disparity between institutional capacity and the money needed to get the biggest bang for the buck.

Mr. Barton responded that it takes a collaborative effort, and encouraging maximum flexibility of funds, to best meet those challenges.

☐ (10:47) Senator Watson engaged in a discussion of the toll equity participation requirements, and the process of the MPO funds and how that process might be better fixed.

☐ (10:57) Chairman Williams followed up on project delays, and expressed concern about what the state might be able to solve at the state level. Mr. Barton stated there is a federal review process that can contribute to the delays, as well as other processes at the local level. He also mentioned the environmental review process.

☐ (11:02) Chairman Williams and Mr. Barton took several minutes to discuss the final review and approval process, clarifying whether there is a way to expedite the review process before it heads to the federal level. Senator Nichols provided insight as to a recent panel in Amarillo in which similar issues were discussed.

Charge 11: Review the possible increase in number of unlicensed and uninsured drivers resulting from license suspensions or indigence resulting drivers' inability to pay Driver Responsibility surcharges in light of new Department of Public Safety rules.

☐ (11:14) Dr. Carlos Brown, with the Texas Hospital Association, testified on the Driver Responsibility Program. He provided statistics and information about vehicular crash victims, and the trauma system in relation to the Driver Responsibility Program.

☐ (11:19) Senators Shapleigh and Watson discussed the problems with the program, in terms of collection of funding, and the dollars not going to the trauma centers.

☐ (11:21) Steven McCraw, Director of the Department of Public Safety, testified on the Driver Responsibility Program. He provided a background on the number of surcharges, and the fines which have been assessed. Upcoming agency rule changes were also discussed.

(11:25) Senator Shapleigh asked about those who go into default, and their ability to get to work, and what solutions are being addressed with respect to the reducing the punitive aspects preventing people from getting to work. Mr. Crawford explained that the agency can only reduce the amount by rule, otherwise they will implement the program as instructed by the legislature.

(11:29) The Honorable Mark Atkinson, Texas Center for the Judiciary, provided testimony regarding his experience with driving while intoxicated cases, and it's relation to the program. He discussed the problem of the program encouraging citizens to drive without a license, as they look for any way possible to get out of getting a DWI.

(11:36) Senator Williams asked why the in car breathalyzers aren't being used more, since he feels they work well. Judge Atkinson explained that they are widely used.

(11:38) Senator Shapleigh stated his concern for the economic side of the fines, and whether Mr. Atkinson could provide the average fine for those in default currently.

(11:39) Meredith Melecki with the LBB provided testimony about the numbers of compliance rates, for persons driving without a license. To date, \$373.4 million has been distributed to 281 hospitals.

(11:44) Chairman Williams returned to Interim Charge #2.

(11:45) The Honorable Terry Simpson, Texas Association of Counties, provided testimony on the ability of counties to create certain transportation entities to help finance projects.

(11:51) Senator Watson and Chairman Williams expressed interest in discussing how the Judge's vision of county authority would differ from using current RMA's.

(11:52) Chairman Williams and Judge Simpson engaged in a conversation of the importance of preventing the balkanization of county transportation authorities as counties grow in population and urbanize.

(11:58) Victor Vandegriff, Chairman of the North Texas Tollway Authority, testified at length on his insight into the best ways transportation planning should be structured in the state of Texas, including the aspects of TXDOT's involvement which he supports.

(12:10 p.m.) Chairman Williams asked how factionalism could be alleviated, and Mr. Vandegriff responded that disclosure in advance, and reducing the problem of too many competitors in one space are what he feels to be the best ways.

12:12 Robert Collie, Harris County Toll Road Authority, provided an overview of his agency's background and jurisdiction, as well as projects completed and underway. He provided many recommendations on how to meet transportation needs, in regard to toll roads and his suggestions on their viability, and TXDOT's role.

12:23 At the request of Chairman Williams, Mr. Collie provided a broad overview of the Grand Parkway project in the various counties involved in that roadway's construction and management. He specifically mentioned the various litigation that has been resolved to get the project moving.

Charge 4: Examine the public policy implications of Comprehensive Development Agreements (CDAs) and recommend whether they should be reauthorized to construct specific roadways.

12:28 Amadeo Saenz, Executive Director of TXDOT, provided testimony on CDA's. He provided a synopsis of the procurement method of CDA's and what the agency had been working on presently.

12:36 Peter Rahn, Senior Vice President of HNTB, provided a snapshot of federal funding and reauthorization. He explained the differences between financing and funding when talking about transportation. He provided statistics and examples of revenue created from P3 concession models.

12:42 Senator Williams asked for clarification on how CDA money is considered new revenue and not borrowing, to which Mr. Rahn replied that it is not borrowing because the P3 model is producing new revenues, even though they may not be fully funding.

12:54 When asked by Senator Nichols. Mr. Rahn stated that he felt the more flexibility you give organizations, the more successful they will be,

12:58 Senator Shapleigh asked about how transparency factors into selling the concept of CDA's to the public, to which Mr. Rahn replies he agrees that accountability is important.

1:00 Michael Morris, Director of Transportation at the North Central Texas Conference of Governments, provided testimony on Prop 12 Bond commitments. He spoke on varied recommendations he had for public private partnerships moving forward in this legislative session, and his desire to be very strategic in that process.

1:14 Chairman Williams and Mr. Morris discussed an issue specific to Collin county projects.

1:21 (1:21) Senator Davis asked for clarification on the primacy issue, and she and Mr. Morris discuss the concept in terms of future project funding.

1:28 (1:28) Alan Clark, with the Houston Galveston Area Council, testified on the importance of having the proper tools for local entities, and the 3P type projects would be best implemented locally with TXDOT coordination on the public private partnerships.

1:34 (1:34) Brian Cassidy, Locke Lord Bissell and Liddell, testified on aspects of the authority of local entities in terms of concession vs. design-build funding mechanisms.

1:38 (1:38) Chairman Williams and Mr. Cassidy discussed the history of the RMA's and CMA's in Texas, stating the case is strong for design build however the risk might be high.

Public Testimony:

1:47 (1:47) Terri Hall, representing TURF, testified on interim charges 2 and 4. Her testimony spoke to the problems the tax-paying public has had across the state with MPOs and CDA's.

1:56 (1:56) Bill Lewis, with Mother's Against Drunk Driving, testified on improvements and suggestions he had for the Driver Responsibility Program.

2:04 (2:04) Jorie Klein, Trauma Nurse at Parkland Hospital, testified on improvements and suggestions she had to the Driver's Responsibility Program.

2:06 (2:06) Mel Borel, TURF member, testified against CDA's and public- private partnerships.

2:16 (2:16) The committee stood in recess subject to the call of the chair.

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Committee Members: Carona, Chair (R) (removed 7/14/10) / Watson, Vice Chair (D) / Davis (D) / Ellis (D) / Huffman (R) / Nichols (R) / Shapiro (R) / Shapleigh (D) / Wentworth (R) / Williams, Chair (R) (added 7/14/10)

NOTICE OF PUBLIC HEARING

COMMITTEE: Transportation & Homeland Security
TIME & DATE: 9:00 AM, Monday, November 08, 2010
PLACE: E1.016 (Hearing Room)
CHAIR: Senator Tommy Williams

The Senate Committee on Transportation and Homeland Security will receive testimony from DPS and other agencies.

The Committee will hear testimony on homeland security and border security issues.

Invited and public testimony will be heard.