

Transportation Session Comes Up Short -Again

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The General Assembly recently concluded the special transportation session, and each chamber passed bills representative of their view of what a solution should be.

The Senate narrowly approved a proposal (<http://leg1.state.va.us/cgi-bin/legp504.exe?083+vot+SV0028SB6009+SB6009>) authored by Senator Dick Saslaw that would have used statewide sales, titling and gas tax increases as well as regional taxes and fees to fund a plan that contained statewide and regional components. That bill was amended on the House floor to remove its gas tax provisions, but then it failed.

The Governor's bill, which was based on increases in registration fees, the titling tax and the grantor's tax as well as regional sales taxes to fund a plan with statewide and regional components, was originally defeated in the House Rules Committee. The committee reversed its decision, however, and sent the measure to the floor. While the House did not vote the bill up or down, the House failed to pass a floor amendment to Senator Saslaw's bill that was identical to the Governor's bill. In the end, the Governor's bill failed as well.

The House approved legislation (<http://leg1.state.va.us/cgi-bin/legp504.exe?083+vot+HV1862+HB6055>) that would have provided regional resources derived from earmarking future tax receipts from the cargo container revenue at the Port of Virginia, Dulles International Airport and Reagan National Airport. That bill was killed by the Senate Finance Committee. In addition, the House approved bills to expedite public-private partnerships in specific areas of Virginia and to conduct a top-to-bottom, soup-to-nuts audit of VDOT. Like the funding bill, these proposals were killed by the Senate.

Both the House and Senate approved versions of a transportation lockbox. But, they did not reconcile those versions, so no lockbox proposal moved forward.

Consequently, transportation will probably not be addressed again until the 2009 General Assembly session. How it will be addressed is anyone's best guess. It is important, though, to recognize the political dynamic surrounding this issue, a dynamic that comes into play more and more as we move closer to Election Day 2009.

Basically, both the Republicans and the Democrats think they are on the winning political side of this

issue, and as strange as it may seem, they are both right. Here's why. While each party is motivated by the need to shape the redistricting process in 2010, each party has slightly different priorities going into the 2009 state election. The transportation issue can be played either way with the winner coming down to which party uses the issue most effectively to achieve their goals.

Going into the 2009 state elections, the House Republicans have no guaranteed line-in-the-sand, etched-in-stone seat at the redistricting table like the Senate Democrats do by virtue of their controlling the Senate. The likelihood of maintaining control of the House is slightly higher (probable) than electing a Republican Governor (toss up). Thus, the prime directive for the Republicans is 51 seats in the House of Delegates, and the no-tax position seems to be the one that unites their party and gets them to 51 seats given the way in which the current districts are drawn. As an added bonus, it also rallies their base on behalf of presumed gubernatorial candidate Bob McDonnell.

Alternatively, while Democrats may believe that the lack of new transportation funding will help them to peel off suburban or exurban Delegates such as Dave Albo and Tom Rust and protect newer incumbents such as Joe Bouchard, Bobby Mathieson and Margi Venderhye, their first priority should be the Governor's mansion. Since they already control the Senate, and since the likelihood of winning the Governor's mansion is higher (toss up) than winning the House (not probable), it is in the Democrats' best political interest to focus first on the Governor's race. The Democrats already have a legislative firewall that the Republicans do not. The transportation issue's appeal may play into a strategy of running up the totals in the cities, suburbs and exurbs, much like Tim Kaine did in 2005.

The long and short is that each party's current posture on transportation is the one that they need to follow in order to achieve success at the polls in 2009.

For the Republicans, the no-tax stand excites their base across the Commonwealth, and because of redistricting that base is more concentrated in a slight majority of House districts, thus addressing their goal of continued control of the House of Delegates. Secondly, it pumps up statewide vote totals for Bob McDonnell, even if they are a few extra votes at the margin in Democratic districts.

For Democrats, the lack of a solution helps them try to run up the score in growing but gridlocked suburban and exurban areas. While that might affect a few House races, the real aim is to create a winning majority for their gubernatorial candidate.

There is a real possibility that the result could be that each party achieves their prime objective because each party is going after a different set of voters. Like a game between two evenly matched football teams, it will come down to fundamentals and who executes them better.

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