

# The Boston Globe

## \$800m transportation bill passed

By Martine Powers  
July 24, 2013



**The House and Senate voted today to override Governor Deval Patrick's veto on an \$800 million bill that raises gas and cigarette taxes.**

---

The Legislature voted Wednesday to override Governor Deval Patrick's veto of an \$800 million transportation finance bill, concluding months of political wrangling and ensuring that drivers see an increase in the price they pay at the pump starting next week.

Already, groups are crying foul about the process of deciding which transportation projects will take priority now that the new funds have been approved.

Seven days from now, the gas tax will increase by three 3 cents, from 21 cents per gallon to 24 cents. The bill also adds a \$1 per pack charge on cigarettes and institutes a broad tax on computer software services. It was passed by both House and Senate last month,

but became mired in controversy after Patrick voiced disapproval, arguing that it failed to address the uncertain future of tolls on the Massachusetts Turnpike.

Democratic legislators dismissed those concerns, saying that current law makes it unlikely that tolls would end anytime soon. With a 123-33 vote in the House and a 35-5 vote in the Senate, they acknowledged that the bill was not perfect, but maintained that it was a significant step toward putting the state's fiscally precarious transportation system on stable financial footing.

In a statement after the two votes, Patrick conveyed mixed feelings about the legislation that was once anticipated to be one of his crowning achievements and now becomes law without his signature.

"While it is no secret that today's transportation finance package shortchanges our transportation needs, it still represents a step forward," Patrick said Wednesday. "Now, it's time to put these resources to work."

The money the bill provides, which is estimated to ramp up to \$800 million per year by 2018, will prevent the need for immediate MBTA fare hikes. In addition to the transportation upgrades, the new tax will help pay for regional bus services, fund Department of Transportation personnel costs, and finance some modest transportation projects.

House minority leader Bradley H. Jones said he was particularly dismayed by the tax on computer software services, which he predicted will drive away the state's burgeoning tech sector.

And though Senator Stephen M. Brewer insisted last week that legislators will be in regular communication with the Department of Revenue to ensure that the computer tax's broad mandate does not overburden growing businesses, Jones said legislators should not give the state agency all the decision-making power.

"That's pretty loosey-goosey . . . it's unpredictable," Jones said. "It's a poor policy to say we're going to rely on the Department of Revenue."

House Speaker Robert A. DeLeo said he was satisfied that legislators struck a balance between limiting tax increases and increasing funding to transportation. He vowed to keep a watchful eye on the state's Department of Transportation to ensure that the extra cash is used efficiently. "I want to see what's going on with the people's money," DeLeo said.

Already, the process of prioritizing transportation projects is mired in controversy as community activists around the state realize that some, but not all, of Patrick's wish list of big-budget improvements will come to fruition.

"There's this big overarching question: What are we, as a state, going to spend our limited resources to build?" said Seth Kaplan, vice president for policy and climate

advocacy at the Conservation Law Foundation, an environmental advocacy group. “And when you decide to do one thing, you’re implicitly deciding to not do another thing. Unfortunately, it’s a zero-sum game.”

The Boston Region Metropolitan Planning Organization, a committee that approves large capital projects, is expected to vote Thursday to approve an overhaul of the Interstate 95 interchange in Canton, where congestion has plagued commuters for years.

But some are crying foul, saying that the state is pushing that project to the front of the line without putting it through the vetting process that is now required as part of the new law. The law establishes a MassDOT committee responsible for managing a long-term master plan of which investments should be pursued immediately and which will be put on the back-burner. Those include projects like the South Station expansion, the creation of a South Coast railroad, and the purchase of new Red and Orange line trains.

Activists are concerned that the interchange project will soak up a significant amount of money from the new law without a proper assessment.

“It feels a lot like they’re undermining this new system at the moment that it’s being launched,” Kaplan said.

Transportation Secretary Richard A. Davey said MassDOT cannot put all projects on hold while terms of the new law are set into motion. He suggested that advocates’ concerns about the lack of a vetting process for the interchange had more to do with their distaste for highway projects. After all, he said, he has heard no one complain that the Green Line extension recently broke ground.

But advocates maintained that their concerns were about ensuring that MassDOT uses its new influx of cash wisely.

“One project shouldn’t cut in line before the queue is even formed,” said Kristina Egan, executive director of Transportation for Massachusetts, a statewide advocacy organization. “My hope is that MassDOT takes seriously legislative guidance to develop a thoughtful plan, and doesn’t jump the gun by spending all this money the day after the bill becomes law.”