



March 2, 2009

A Legislative Update from the Texas Public Policy Foundation

On this Texas Independence Day, the Texas Public Policy Foundation introduces its new legislative update, *The Voice of Liberty*. Its purpose is to provide an inside look at some of the daily struggles at the State Capitol to preserve and protect the ideals that have made Texas so great: individual liberty, personal responsibility, free markets, private property rights, and limited government.

The biggest battles this legislative session will focus on the economy. The federal government is continuing its pattern of borrowing from future generations so that it can spend today, adding \$787 billion in “stimulus” spending to an existing record budget deficit of almost \$1.2 trillion, or 8.3% of our GDP. Will the Texas Legislature follow suit, or will it continue to exercise the fiscal restraint that has made Texas our nation’s economic engine?

As of now, the answer is unclear. While some of our state officials call for holding steady, there is a growing chorus that Texas should abandon such discipline and significantly raise taxes – something even the U.S. Congress and the new federal administration haven’t done, yet.

While the economy and our state budget steal the headlines, other topics are just as important. We are working to address the growing dropout crisis in our public schools, end eminent domain abuse, demand better results from our corrections system, improve our transportation system, and preserve and promote a greater free market in the delivery of health care, electricity, and homeowners insurance.

You are encouraged to follow these efforts through these emails, and by visiting our website where you can visit our [blog](#), request a [speaker](#), and sign up to receive information about recently released publications and upcoming events via our e-newsletter, [TPPN](#).

Yours in liberty,

A handwritten signature in black ink, appearing to read 'Justin Keener', is written over a light blue horizontal line.

Justin Keener
Vice President of Policy and Communications

Tracking the stimulus

Comptroller Susan Combs has launched “Tracking the Texas Stimulus,” a new web page that will provide current information on Texas’ portion of the American Recovery and Reinvestment Act of 2009. To see the comptroller’s interpretation of the impact it will have on Texas, go to www.window.state.tx.us and click on “Texas Stimulus.” You can also sign up for email alerts to receive new information as it is developed.

Appropriating the stimulus

[Fiscal prudence](#) obligates Texas to not spend federal stimulus money for anything but one-time expenditures that create no future financial burden. All eyes will be on the [first hearing](#) of the House Appropriations Subcommittee on the Federal Stimulus, chaired by Rep. Myra Crownover, where Texans will begin to see what path legislators choose. This hearing will be held at 9:00 a.m. Tuesday in the Texas Capitol Extension, Room E1.030.

Raising your taxes

No state has ever taxed itself to prosperity, and our [research](#) shows that low-taxing states (as Texas currently is) attract jobs away from states that raise their taxes. [SB 217](#) by Sen. John Carona would increase gas taxes not just once, but potentially increase them every year by linking the tax rate to inflation. [SB 855](#) by Carona and [HB 9](#) by Rep. Vicki Truitt create a mechanism where anyone living in or moving into the D/FW Metroplex could be required to pay upwards of \$500 or more in taxes and fees for transportation – just in one year.

Helping schools help students

Last week, the Senate Education Committee heard two bills that give public school districts more local control and flexibility. [SB 300](#) by Sen. Dan Patrick removes unnecessary mandates and gives school officials more flexibility in meeting the mandated 22:1 class size ratios. [SB 398](#) by Sen. Kel Seliger gives school districts without a salary schedule more flexibility in implementing state teacher pay raises. See this [paper](#) for information to understand the pitfalls of using a teacher salary schedule.

Improving juvenile corrections

The House Corrections Committee will hold a hearing at 8:00 a.m. Thursday in Capitol Room E2.010 to hear testimony on the Sunset Commission’s report on the Texas Youth Commission. Several of the proposals recommended in our [submission](#) to the Commission were incorporated into the Commission’s decisions. Among them is a community justice pilot program that will allow counties to choose to keep youths that would otherwise be sent to TYC in the community. As referenced in our [research](#), a similar initiative in Ohio resulted in lower recidivism and significant cost savings. The Commission’s decisions are currently being drafted into the sunset bill.

Protecting private property

In its 2005 *Kelo v. New London* decision, the U.S. Supreme Court decided that governments can take private property for nearly any stated purpose. While many bills have been filed in the Texas Legislature to correct this injustice, only a few would [fully protect private property rights](#) by defining public use, ending broad “blight” designations, and/or ending government real estate speculation through takings. These are: [HB 37](#) by Rep. Frank Corte, [HB 402](#) by Rep. Beverly Woolley, [HB 417](#) by Rep. Bill Callegari, [HB 1389](#) by Rep. Yvonne Davis, [HB 1432](#) by Rep. Jim Jackson, [HB 1483](#) by Rep. Jim Pitts, and [SB 18](#) by Sen. Craig Estes.

Taxing Texas energy

The “climate revenues” section of the Obama Administration’s budget proposal poses a grave risk to Texas. The proposed [100% auction of carbon allowances](#) is effectively a \$300 billion tax on carbon, which would be America’s largest tax increase since World War II. Because Texas fuels the nation, such a measure would dramatically increase energy prices and manufacturing costs, hurting all Texans and driving jobs out of our state.

Why we’re here

If you don’t already do so each Texas Independence Day, I encourage you to read Lt. Col. Travis’ [letter from the Alamo](#) where he made an impassioned call for help while under siege. The ultimate sacrifice made by Travis and other brave defenders gave birth to a battle cry and resolute spirit that lives today.

*Commandancy of the Alamo
Bexar, Fby. 24th, 1836*

To the People of Texas & all Americans in the world Fellow Citizens & Compatriots

I am besieged by a thousand or more of the Mexicans under Santa Anna. I have sustained a continual bombardment & cannonade for 24 hours & have not lost a man. The enemy has demanded a surrender at discretion, otherwise the garrison are to be put to the sword if the fort is taken. I have answered the demand with a cannon shot, and our flag still waves proudly from the walls. I shall never surrender nor retreat.

Then, I call on you in the name of Liberty, of patriotism, & of everything dear to the American character, to come to our aid with all dispatch. The enemy is receiving reinforcements daily & will no doubt increase to three or four thousand in four or five days. If this call is neglected, I am determined to sustain myself as long as possible & die like a soldier who never forgets what is due to his own honor & that of his country.

*Victory or Death
William Barret Travis
Lt. Col. Comdt.*

P. S. The Lord is on our side. When the enemy appeared in sight we had not three bushels of corn. We have since found in deserted houses 80 or 90 bushels & got into the walls 20 or 30 head of Beeves.

Travis

The Texas Public Policy Foundation is a 501(c)3 non-profit, non-partisan research institute guided by the core principles of individual liberty, personal responsibility, private property rights, free markets and limited government. More information on the Foundation can be found at www.texaspolicy.com.

The *Voice of Liberty* is a new email publication by the Foundation. If you wish to stop receiving these emails, please follow this [link](#).