

Free Texas Reports

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Houstonians derail Metro



SCOTT BIESER 1983
FREE TEXAS REPORTS

By Scott Bieser
FTR Editor

Harris County Libertarians working in a coalition with a number of Houston civic groups, defeated a \$2.35 billion bond issue June 11 which would have financed an 18.5-mile heavy-rail transit system in Texas' largest city.

Voters in the Houston Metro Transit Authority district voted against the bond package by a 62-38 percent margin, culminating months of hard work by Houston Libertarian Barry Klein and other activists of various political stripes.

Pushing for the transit bondage were the Houston MTA (generally known as Metro), both of that city's major newspapers, Mayor Katherine Whitmire and Houston's large banks and investment firms.

Lined up against the rail boondoggle were a handful of Houston Libertarians, City Councilman John G. Goodner, *Houston City Magazine*, and several civic groups ranging from the Neartown Association to the Alief Chamber of Commerce, adopting "Derail Metro" as their slogan.

Metro was created when Houston voters approved it in a 1978 referendum after they were promised major improvements in the city's bus system in exchange for a 1-cent sales tax. In the five years since that time Metro has failed to deliver on nearly all its promises (except the promise to raise the sales tax), which many observers believe contributed to the failure of the bond referendum.

Klein said the agency, whose board members are appointed by the Houston City Council and Harris County Commissioner's Court, began planning a rail system back in 1980, but those plans "were put on the back burner" when the Reagan Administration announced it would not help fund urban rail systems.

Metro officials announced a new "Regional Mobility Plan" in 1982, proposing a locally-funded, comprehensively-planned transit system using a combination of trains and buses to move people through two heavily-traveled traffic corridors, from the southeastern section through downtown and north to the Crosstimbers neighborhood.

After a process of public hearings in the affected areas and conferences with civic leaders the plan firmed up as an 18.5 mile rail line with seventeen stations, serviced by an extensive system of "feeder buses" running from parking areas to the rail stations.

Metro spokesmen predicted the system would reduce traffic congestion by 31 percent and increase corridor capacity by 54 percent and eliminate the need for up to 65,000 parking spaces downtown.

Critics pointed out that, based on MTA figures, the system would account for no more than 2 percent of all area trips by the year 2000, and would place a debt burden of \$1,000 on every person living in the Metro taxation district. Other critics who otherwise favor a rail system objected to the placement of the rail stations, the particular routes served, and other details.

Continued on Page 4

The Legislature strikes back

Editor's note: The following is the first in a Free Texas Reports series assessing the damage from the regular and special sessions of the 68th Texas Legislature.

By Scott Bieser
FTR Editor

Both advocates of liberty and advocates of paternalistic government won a few and lost a few important battles in the recent general and special sessions of the state legislature, with the various factions settling for lesser spoils.

On the positive side, the lawmakers approved:

- + Restitution centers, where convicts would work off part of their sentences, with a portion of the money they earn going to "victim compensation."
- + Sunset the Texas Employment Commission in the general session, although unfortunately they recreated it in the June special session.

Also on the positive side, the lawmakers did not approve:

- + A comprehensive water plan which would have placed water development and conservation under complex and burdensome bureaucratic control rather than applying property rights so as to encourage market solutions to the problem of shortages.
- + A proposed \$1.2 billion "luxury tax" on cigarettes, liquor and video arcades to fund ...
- + A proposed 24 percent raise for public school teachers, to be based on seniority rather than merit.
- + An anti-brucellosis regulatory bill in the face of enormous federal pressure to do so, despite the fact that Texas cattle traders regulate themselves and the incidence of the disease in Texas cattle is lower than that of states with U.S.-approved regulations. Unfortunately, the publicity led other states to impose a quarantine on Texas cattle, forcing the June special session for a quickie compromise bill both cattlemen and regulators say they can live with.
- + A proposed requirement that all children ride in "child safety seats" while in cars, a well-intentioned idea that usurps the parent's role as their children's protectors and would have been a law-enforcement nightmare.
- + A bill requiring workers compensation insurance for farmworkers paid by their employers, which would have boosted food prices and placed yet another group of employers under workers comp compulsion.

On the negative side, the lawmakers approved:

- Renewal of the Public Utilities Commission. While the legislature-passed bill would have transferred some utility-regulating power to the PUC from the Railroad Commission, Gov. Mark White vetoed those transfers. In a highly-publicized sham the lawmakers eliminated the "fuel-adjustment clause," which allows utilities to pass on their fuel costs directly to consumers without prior PUC approval. From now on, the utilities will have to get PUC's permission before they gouge us.
- A minimum amount credit card companies can charge their customers on revolving accounts, under cover of lowering the maximum amount. The maximum and minimum rates were placed on a sliding scale tied to the T-bill rate.
- Renewal of the Railroad Commission, although its regulatory power over trucking was relaxed slightly.
- Established a nine member Ethics Commission to make themselves look like they're finally going to clean up their acts. In this bill they also made it a crime for candidates to put campaign contributions to personal use, thus protecting influence peddlers from double-crossing politicians like the former House Speaker who absconded with hundreds of thousands in PAC money.

Also on the negative side, lawmakers did not approve:

- Parimutuel horse racing. It passed in the Senate but died in the House 75-73. Of course, the set-up proposed by betting proponents was tragically flawed, but its defeat was a victory for the forces of busybodihood.
- Substantial liberalization of trucking regulation, including a provision which would have removed the burden of proof placed on new entrants that they are not horning in on someone else's territory. Although the forces for less regulation made a strong showing in the committee meetings, the House leadership, working on behalf of the protected industry, forced through a "compromise" bill that allowed only very limited relaxations of regulatory control.
- Liberalization of requirements for third party ballot access, although no one expected them to do it. But a recent Supreme Court ruling that states may not set petition deadlines earlier than August may force lawmakers to address the issue in a future session.

In the close calls department, the legislature passed a bill which would have made petition requirements in local elections as tough as they are for ballot access in general elections -- in terms of requiring voter registration numbers, addresses, and the like, although not affecting the number of signatures required to force government action. The bill was vetoed by Gov. White for reasons yet to be understood.

Gov. White also vetoed bills which would have required local governments to compensate businesses forced to remove outdoor advertising, and which would have exempted implements of husbandry from ad valorem taxation.

The intense push for tougher DWI legislation bore some fruit, and fortunately the worst aspect of the get-tough program did not pass. While tougher penalties for DWI conviction and the elimination of deferred adjudication were approved, a proposal to raise the drinking age from 19 to 21 failed when university and college students associations packed the House gallery with students opposed to the measure.

Some of the above-mentioned bills and the issues they relate to will be examined in more detail in future parts of this series. Part one will conclude with an overview of the 1984-85 budget:

(Dollar amounts listed in millions)

Item	1984-85	1982-83	% Increase
Total	\$30,789	\$26,595	15.8
Agriculture Dept.	41.2	35.8	13.3
TABC	39.7	31.9	19.7
Atty General Ofc.	37.5	27.3	27.1
Texas Dept.			
Community Affairs	463.7	176.3	70
Comptroller	203.7	176.4	13.4
Corrections Dept.	619.8	462.8	25.3
TEC	184.3	141.3	23.3
Gov.'s Office	65.1	70	(7)
Highway Dept.			
Total	3,935.2	3,430.2	12.8
Administration	183.7	189.7	(3.2)
Maintenance	871.6	810.4	7
Construction	2,734.7	2,293.1	16.1
Auxilliary	113.7	107.3	5.6
Pardons & Paroles	73.7	43.0	41.6
Parks & Wildlife	168.3	193.8	(13.2)
Adult Probation	114.6	51.9	54.7
Railroad Commission	60.1	49.2	18.1
Dept. Public Safety			
Total	295.7	258.7	12.5
Traffic Law Enf.	162.9	147.9	9.3
Crim. Law Enf.	31.4	27.8	11.2
(Narcotics)	16.3	14.0	13.9
Treasury Dept.	27.3	13.4	51.1
PUC	20.2	7.9	61.1
Water Resources Dept.	59.4	58.8	1.1
Dept. of Health	477.1	426.1	10.7
MHMR	1,171.5	1,036.3	11.5
Tex. Educ. Agency	9,117.5	8,164.6	10.5
UT Austin	434.5	252.6	41.9
Texas A&M	341.8	269.0	26.1
Univ. of Houston	225.2	176.2	21.7
Legislature	88.1	68.8	21.9



Support a REAL two-party system!

For too long the incumbent "More Government" Party has been making our lives miserable.

Whether it's infringing upon our civil liberties, raising taxes, regulating the economy on behalf of special interests, sending American troops all over the globe, creating monstrous deficits, or simply growing larger and larger, the government is out of control under the "More Government" Party. Whether they call themselves liberals or conservatives, Democrats or Republicans, the choice is clear. It's either them or us.

Fortunately the Libertarian Party provides a common sense alternative. We stand for less government, period. Sure their Party can out-tax, out-spend and even out-vote us for a while, but their ideas simply do not work. Individual liberty does work and doesn't cause the constant state of crisis caused by larger and more burdensome government.

But it takes money. That's why we ask you to join the Independence Pledge program. Contribute just \$5 per month (or more) and the Libertarian Party of Texas will have the financial strength to provide the principled alternative to "More Government" politics. Each month the Independence Pledge will send you a monthly reminder, a postage paid envelope, a special *Independence Newsletter* of LPT activities, and other items of interest. Annually, you'll receive LPT financial statements, budgets and special reports. We think it's a pretty good offer in exchange for a real political choice.

Support a real two-party system. Join the Independence Pledge.

..... Please clip pledge card and mail to the address below.

I want to make a monthly pledge of \$10 \$25* \$50** \$_____ for the next 12 mos. beginning with the mo. of _____ .
 I would like to make a lump sum contribution of \$ _____ . Enclosed is my first month's pledge payment or lump sum contribution.

Name _____
 Address _____ Apt. No. _____
 City _____ State _____ Zip _____ Phone(w) _____ (h) _____
 Date _____ Signature _____

*Contributors of \$25-\$49 per month will be named Finance Committee Consulting Members.
 **Contributors of \$50+ per month will be named to the Finance Committee Advisory Board.
 All Independence Pledge participants will receive monthly mailings. We request that monthly pledges be a minimum of \$5/mo.

*** Please make checks payable to the "Independence Pledge" P.O. Box 56426 Houston, Texas 77256-6426. ***

Hutzelman named "Libertarian of the Year"

David Hutzelman was named Texas Libertarian of the Year for 1983 by LPT Chair Alma Kucymbala at the "Let Freedom Ring" state party convention in Austin June 11. In presenting the award Kucymbala noted Hutzelman's long record of service to the party, beginning with his activism and leadership at the county level with the Harris County LP in the mid-seventies, continuing through his candidacy for Texas Railroad Commissioner in 1978 and 1980 as well as his bid for the governor's post in 1982, when he led a slate of 122 candidates. Hutzelman thanked Texas Libertarians for the honor and said he plans to remain active in the party for sometime to come. Hutzelman, a communications specialist working for Texaco, makes his home in Houston with his wife Becky and their children Laura Beth and Eric.



Metro cont. from page 1

By the Spring of 1982 Klein, a member of the First Ward Civic Council, persuaded his group to pass a resolution calling for de-regulation of mass transit. He then launched himself into an intensive research effort, corresponding with transit experts around the country, while Metro was conducting public hearings to promote the rail project.

Along with Libertarians Peter Elloway, Allan Vogel, Jeff Daiell and Bill Fraser, Klein began his own campaign against the Metro plan that Fall, appearing at city council meetings, Metro board meetings and every other public forum he could find to denounce heavy-rail urban transit.

And Klein had amassed considerable evidence for his case. Melvin Webber, a transit specialist at the University of California at Berkely and a designer of the Bay Area Rapid Transit rail system, evaluated BART as "a mistake," costing forty times the amount a bus system providing similar service would have cost.

Webber, along with Washington, D.C. transity consultant Henry Baine, Harvard University's Dr. Tony Gomez-Ibanez and World Bank economist and civil engineer Gabriel Roth, assailed Metro's projections and predicted cost overruns of at least 50 percent.

"There's no justification for any kind of rail system for urban transit," Klein said. "It doesn't improve air quality, it doesn't save energy and it doesn't get people off the road."

Assuming the average automobile on the road gets 14.5 miles per gallon of gas, it will take 701 years for the BART system to save as much energy as was expended in the system's construction, he said.

In early 1983 Klein began making contacts with local civic associations, trying to get their support against the bond issue; he started with the Neartown Association, a group composed mainly of Montrose area residents.

"The Neartown leadership liked rail, but they passed a resolution anyway calling for a public referendum on the plan before construction begins, and calling for money to be spent on mass transit seminars," Klein recalled.

The resolutions were presented to the City Council and County Commissioners Court, generating a little media attention but more importantly for Klein demonstrating to the establishment that opposition to the rail plan had become organized.

When no response was seen from the local governments Klein and the Neartown Association sought and obtained endorsements of its resolution from a dozen civic groups and minority associations, plus the Alief Chamber of Commerce.

Klein and company formed "Citizens for Responsible Transit," originally for the purpose of filing a lawsuit against Metro officials for violating the Texas Open Meetings Act, later using the name on flyers and other literature explaining the rail plan's faults and Metro's sordid history of exaggerated claims and broken promises.

Although Metro officials refused to hold a referendum on their rail project, they were required to hold a bond issue referendum to finance the project, all the while insisting that the bond referendum was not a vote on whether Houstonians actually wanted the rail system.

Although Metro stated its plans to issue \$2.35 billion in bonds for the project, the referendum wording did

not include any dollar amount, so voters were in effect being asked to give a blank check for the rail system.

Perhaps it was a combination of Klein's efforts in researching and publicizing the facts about rail transit and Metro's recalcitrant behavior which brought forth such unexpected allies as a Houston councilmember and the editor of the city's mainstream slick magazine.

Early on Houston City Magazine editor David R. Legge began questioning Metro's figures regarding the need for and performance of the rail system; by the Spring of 1983 he came out firmly against the bond issue.

"The philosopher Nietzsche said that some ideas are so absurd that only an educated mind would consider them. Upon close examination, it appears that the MTA's heavy-rail proposal is one of those ideas," he wrote in an editorial.

"Before you head out to vote on June 11, ask yourself whether the heavy-rail line the MTA is asking you to approve would, if constructed, take you to your polling place. Then get in your car, drive to your destination, do your civic duty, and vote 'No.'"

And that is precisely what the majority of people voting June 11 did, to the delight of Houston Libertarians who had worked so long and hard against the project, right up to the time the polls closed that evening. As their reward Klein, Vogel and Elloway were able to walk into the LP of Texas conference in Austin the next day waving newspaper headlines announcing victory against the forces of transit statism.

Unfortunately, the struggle is not over (it never is). Metro still exists, running its usual inefficient bus service and plotting its next big boondoggle.

But on the plus side, Klein said it should be a bit easier to battle the MTA in the future, thanks to the contacts he has made with civic group leaders.

"By using a moderate, 'reasonable' resolution to start with, we were able to establish a positive relationship with a number of groups who otherwise would not have been with us," he explains. "Later it should be easier to push for de-regulation of transit among these groups."



"Some things you must always be unable to bear. Some things you must never stop refusing to bear. Injustice and outrage and dishonor and shame. No matter how young you are or how old you have got. Not for kudos and not for cash, your picture in the paper nor money in the bank, neither. Just refuse to bear them."

William Faulkner

"It is a superstition and ungodly thing to believe that an act of a majority binds a minority. Many examples can be given in which acts of majorities will be found to have been wrong and those of minorities to have been right. All reforms owe their origin to the initiation of minorities in opposition to majorities."

Mohandas Gandhi



Transit statism on the march

Houston is not the only Texas city struggling against the forces of transit statism. Libertarians in Dallas and Austin are gearing up for battles against the establishment of MTAs in their towns.

Dallas Libertarian Ken Fisher said the Dallas County LP is working with a group called FLAG (For a Limited American Government), the John Birch society and a coalition of black civic groups to defeat a proposed Dallas Area Rapid Transit system. Voters will decide whether to create the authority in an August 13 referendum.

Local transit expert Terri Elkins has been meeting extensively with local neighborhood associations to drum up opposition to DART, combatting efforts of pro-DART forces to gain the associations' support, Fisher said.

The Dallas effort, much like the Houston "Derail Metro" effort, will concentrate on door-to-door canvassing and grass-roots organizations rather than media publicity.

"If you play the big boy's game and try to publicize through the mass media, you'll wind up spending a lot of money and it's really not very effective. We think that by going door-to-door you can get a lot more support," Fisher explained.

The DART proposal would set up a combination rail-and-bus system covering 21 cities in Dallas County, and would spend \$8.34 billion between 1984 and 2010 to provide 160 miles of rail lines, 1,555 buses, 98 stations, 523 rail vehicles and 23 miles of "High Occupancy Vehicle Lanes" along IH 635.

The cost would be roughly evenly divided between capital projects and operating expenditures, while revenues are projected from a one-cent sales tax (\$5.56 billion), farebox income (\$2.88 billion) and federal grants for the new buses (\$480 million).

Fisher said a professional political consultant working with Elkins recommends producing different types of literature targeted towards various interest groups, including taxpayers, homeowners, the elderly, the business community, teachers/public employees, and racial minorities.

A similar proposal, the Lone Star Transit Authority, was defeated by Dallas voters in 1981. Ironically, while LSTA supporters attributed their defeat to their failure to get more public involvement in the planning

process, the current pro-DART group, calling itself the Transportation Task Force, is operating a "very low-key campaign," Fisher said, holding quiet meetings with business and civic groups and refusing to debate DART opponents. TTF is composed mainly of bankers and developers who stand to reap substantial financial gains from the DART plan.

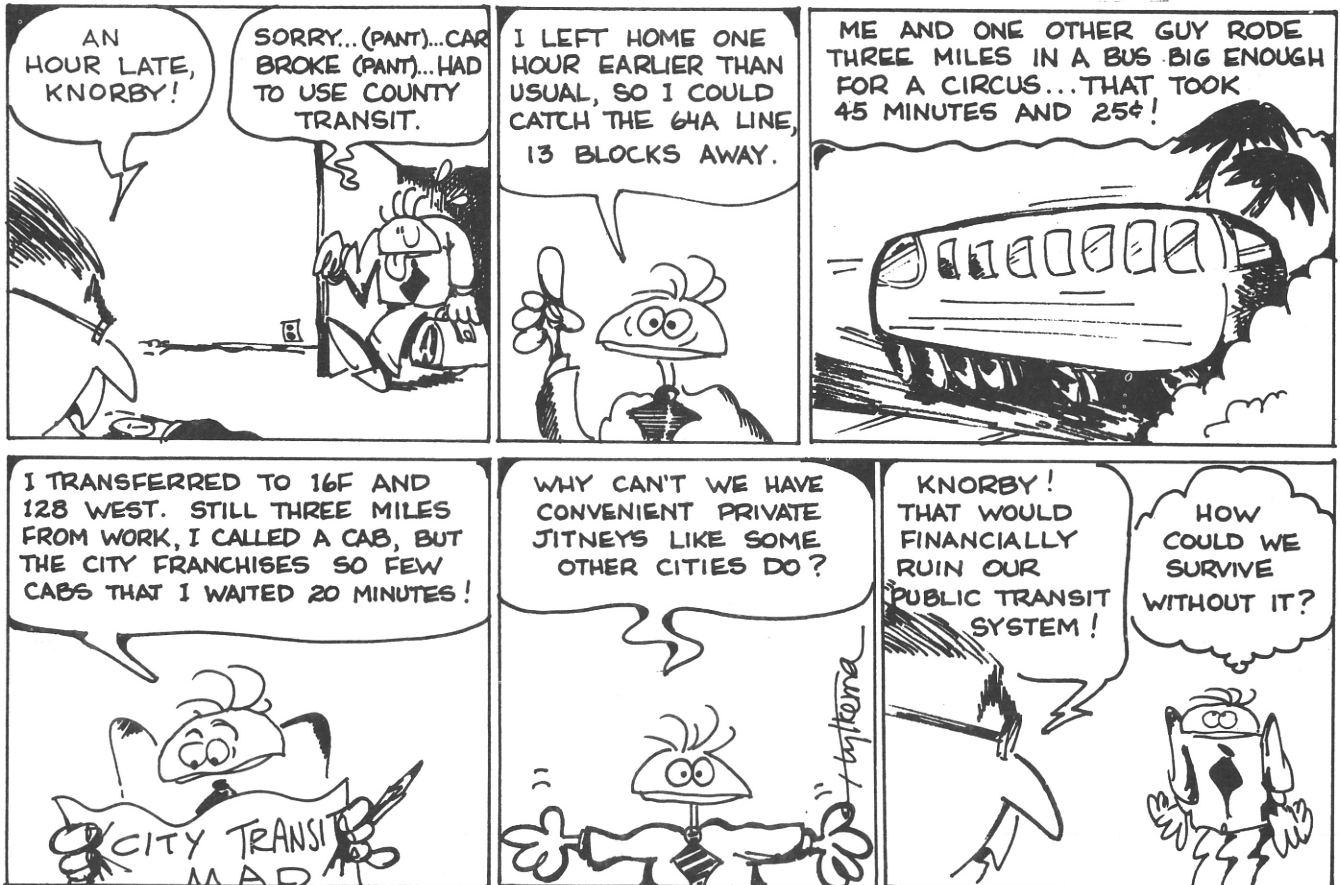
In Austin, a City Council-appointed "Transit Task Force" has reported in after a year of discussion, recommending creation of a Capitol Area Rapid Transit authority.

At a June 16 public hearing, four Libertarians appeared to testify against creating an MTA in Austin, while 20 others, representing the task force, the local bus drivers' union, handicapped persons and a few neighborhood associations spoke in favor of the new authority.

Spokesmen for the Transit Task Force did not specify how large an area the authority district would cover, nor any specific transit plan, although some particulars were passed privately to council members before the hearing began. Their main point seemed to be that the one-cent sales tax the CART could levy would raise \$24 million in the first year and provide "a stable revenue source" for the city transit system. In other words, no longer would transit authorities have to compete with other city agencies for available tax money.

Pro-CART spokespersons from other groups were primarily concerned with whether their interests would be represented on the authority's board.

As for the Libertarians: Gary Johnson pointed out the unfairness of taxing all Austinites to provide transit for only 10 percent of the population; Fred Ebner decried the bureaucratization of transit service and expressed skepticism about the task force's predictions of CART's future performance; Vincent May outlined city governments' prohibitions of market transit systems, such as jitney service, in order to protect government-operated systems; and Scott Bieser, using data supplied by Houston anti-MTA activist Barry Klein, outlined Houston MTA's record of broken promises and indifference to the public, and gave councilmembers copies of the chapter on transit from Robert Poole's book, Cutting Back City Hall, which offers market alternatives for mass transit service.



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Conference energizes activists

By Jubal Harshaw
FTR Correspondent

More than 100 Libertarians from across the United States gathered in Austin June 11-12 for the LP of Texas "Let Freedom Ring" 1983 Conference, debating the issues, comparing notes on local activities, and generally having a hell of a good time.

The highlight of the two-day event was the Saturday night cocktail party, which featured speeches by LP prime movers Murray Rothbard, David Nolan and Sheldon Richman, plus a special presentation by Gene Burns, the leading candidate for the LP presidential nomination.

Richman gave attendees a brief history lesson on the British Corn Laws, a series of tariffs and trade restrictions which were causing mass starvation in the island kingdom. There were two factions opposed to the Corn Laws, Richman said, the moderates who wanted to scale back the trade restrictions and the radicals who insisted on total repeal. Even though the "pragmatic" moderates sneered at the radicals, asserting that such a radical approach would never succeed, nine years later the Corn Laws were completely abolished, vindicating the radicals' position, Richman said.

Nolan, a co-founder of the LP, discussed his latest campaign, Project Liberty. He outlined the "Three C's of Evil Government: Confiscation, Conscriptation and Counterfeiting," stating that we will regain liberty in this country when the government is stripped of its powers



Presidential candidate Gene Burns mixes with the crowd as supporter Matt Monroe (right) looks on.

"This is the only train that is going in the direction of liberty. All the other trains are going in the direction of statism. I tell people, 'Some of you may not be able to ride this train all the way to its destination. Well, that's fine. This train makes frequent stops, and you can get off whenever you've gone as far as you can.'"

Burns promised his audience that beginning next year he will quit his job as a radio talk-show host in Florida and campaign full-time -- a commitment larger than undertaken by any previous LP candidate for any office.

Apparently Burns' appeal was tremendous, for after his speech supporters Bill Evers and Lew Rockwell stood up and made an appeal for campaign contributions, and collected \$2,000 in cash and checks and another \$1,000 in pledges.

Early risers Sunday morning enjoyed a breakfast speech by Reason magazine editor Robert Poole, who spoke on "Cutting Back City Hall," a subject on which he has written a quite popular book. Poole outlined how several U.S. cities were able to maintain services in the face of declining tax revenues by privatizing some services, such as fire protection, and permitting a free market in others, such as mass transit.

Aside from the food functions, conference attendees heard speeches, workshops and panels on a wide variety of topics, ranging from foreign policy and education to fundraising and communicating libertarian ideas.

Of the speeches and panels, a foreign policy speech by Jeffrey Rogers Hummel was the most popular, attracting several people who just paid to see his speech and left afterward. Hummel is a former contributing editor to FREE TEXAS and is currently working on a book in California on how an anarchist society would provide for defense against foreign governments.

Poole said he will have to wait until the final report on the PlatCom amendments is distributed before he can assess any damage. The report, being prepared by Tom Bernhardt of Houston and to be distributed by the National LP office in mid-July to convention delegates and alternates, is the only record anyone has of what actually went on during the PlatCom session.

Continued on page 7

"The history of human growth and development is at the same time the history of the terrible struggle of every new idea heralding the approach of a brighter dawn. In its tenacious hold on tradition, the Old has never hesitated to make use of the foulest and cruelest means to stay the advent of the New, in whatever form or period the latter may have asserted itself."

Emma Goldman



Robert Poole demonstrates the best way to get around in cities which do not have free market mass transit.

to steal through taxation and eminent domain, to enslave people through the draft, and manipulate the economy through control of the money supply.

Rothbard gave a brief history of the libertarian movement's early development, highlighting the development of Leonard E. Read's Foundation for Economic Education and its influence on the modern movement.

Burns lived up to his reputation as a great orator in his speech, lambasting the establishment parties and holding up the Libertarian Party as America's greatest hope for establishing a free and just society.

"There are really only two parties in this country," Burns said. "They are the Statist Party and the Libertarian Party."

"The Libertarian Party is like a train, an old steam engine, with a smokestack and cowcatcher, and plain, wooden seats in the cars. Now this train makes frequent stops, because it often runs out of coal. Sometimes the people on it get out and argue about how large the lumps of coal should be, but soon they get more coal and start moving again.

ExecCom picks delegates

The LP of Texas Executive Committee chose delegates to the National Convention, adopted a "strictly volunteer" ballot drive plan for 1984, and set up three committees to handle the mailing list, publications and budget matters at its June 12 meeting during the "Let Freedom Ring" conference in Austin.

Tom Glass, Region 3 Representative, presented several ballot drive plans, from using all paid petitioners to using a mixture of paid and volunteer petitioners to using all volunteer petitioners.

Gwynn Groggel, Region 1 Representative, expressed her opinion that if the party can't get on the ballot using volunteer petitioners, then it doesn't deserve to be on the ballot. Other members were persuaded to favor the all-volunteer plan because it would only cost \$10,000 compared with more than \$60,000 for a paid effort to collect a little more than 32,000 valid signatures.

The all-volunteer plan involves getting together precinct walking lists of people who are registered to vote, and a well-organized assemblage of volunteers each committed to collecting at least 100 signatures. Dallas LP activist Bill Howell told the ExecCom at a previous meeting this plan had been tested in a few Dallas precincts during the 1982 ballot drive, and

petitioners were able to collect five signatures per hour.

Glass was named 1984 Ballot Access Drive Coordinator, and should be contacting county chairs and other local leaders to put together his organization.

It turned out that fewer people had volunteered by June 12 to be delegates and alternates to the National Convention than the LPT has slots to fill. The ExecCom appointed all 23 persons who volunteered to be delegates, and seven alternates.

The delegates are John Ward, Allan Vogel, Roger Plail, Gene Mitchell, C.B. Mauldin, Jan Marks, Susan Love-Frias, Alma Kucymbala, Gary Johnson, Bill Howell, Mike Holmes, Michael Grossberg, Gwynn Groggel, Tom Glass, Ken Fisher, Peter Elloway, Jeff Daiell, Wayne Clark, Tom Bernhardt, Frank Bartel, Joe Barnett and Honey Lanham. Matt Monroe, Region 13 Representative to the National Committee, will also be a delegate.

Alternates appointed by the ExecCom are Cathy McDivitt, John McDivitt, Robert Mitchell, Dianne Holmes, Tommy Glenn, Roger Gary and Bill Elliot.

Since the June 12 meeting Kucymbala has obtained other delegates, although their names and the number of others joining the initial 23 was not known at press time.

Conference cont.

In addition to the conference events, the Platform Committee to the LP National Convention met in conjunction with the Texas conference, giving Texas activists a chance to listen in on some rather heated debates on how the national party platform should be improved, as well as a chance to tell national party leaders how Texas grass-roots activists feel about a variety of issues.

The most controversial aspect of the PlatCom debates was the "blitz" session, during which a number of supposedly incidental amendments were voted on without discussion or debate. At-Large Delegate Dean Ahmad of Maryland said many of these amendments were not incidental at all, so he and a few other delegates simply voted against everything which came up during the "blitz" session.

"Ten years of platform work destroyed in an hour," was how one delegate, who asked not to be identified, described the session.

"I had voted for it (to have the blitz session) but retrospect I think it was a mistake," said At-Large Delegate Robert Poole. "Things got presented too quickly; I don't think any disasters appeared but I'm not sure."

The conference received moderate coverage on the local news media, attracting two of the three local commercial stations, the major local newspaper and the University of Texas student newspaper, as well as a radio station serving the area north of Austin.

"This conference can safely be called a 'success,'" said Scott Bieser, who coordinated the conference. "The state party made a little money, we got a fair amount of media attention and grass-roots activists got a rare chance to meet and discuss matters with some of the movement leadership."



Jeff Hummell (left) and Michael Grossberg confer while Tom Bernhardt (right) records PlatCom amendments.

In memorium

Leonard E. Read

Leonard E. Read, founder of the Foundation for Economic Education, died peacefully in his sleep before dawn on May 14, 1983, at the age of 85.

FEE, founded in 1946, is the oldest surviving libertarian organization in the world, and is generally regarded as having opened the modern libertarian movement. Read and his foundation were an important influence for such libertarian notables as Murray Rothbard and Roger Lea MacBride.

Read believed that the way to achieve a free society was for each member of it to study and understand the principles of liberty, then to live by those ideals and teach them by personal example to others. His brand of libertarianism included both a belief in God as the Author of Liberty and the subjective school of economics developed by the late Ludwig von Mises.

Read was also the author of dozens of books about liberty, including The Free Market and Its Enemy, Anything That's Peaceful, and The Coming Aristocracy, which have been translated and read all over the world.

As FEE contributor Perry E. Gresham writes, Read "is included in what George Eliot called 'The Choir Invisible of those immortal dead who live again in lives made better by their presence.'"

Those wishing to contact FEE may write them at Irvington-on-Hudson, New York 10533.

"Why of course the people don't want war. Why should some poor slob on a farm want to risk his life in a war when the best he can get out of it is to come back to his farm in one piece? ... it is the leaders of the country who determine the policy and it is always a simple matter to drag the people along, whether it is a democracy, or a fascist dictatorship, or a parliament, or a communist dictatorship ... All you have to do is to tell them they are being attacked and denounce the pacifists for lack of patriotism and exposing the country to danger. It works the same in any country."

Hermann Goering

"They talk about conscription being a democratic institution. Yes; so is a cemetery."

Meyer London

"Breathes there a man with soul so subdued that he has never practiced civil disobedience and done his part for anarchy by violating closing hours or traffic regulations or fireworks ordinances or the non-transferability of a bus transfer?"

Milton Mayer

Notes from the Chair

The key to winning liberty in our lifetime through successful campaigns lies in preparing ourselves to meet opportunities as they are presented to us. 1984's presidential campaign will be one such opportunity. Being successful in ballot access for 1984 and increasing the understanding of libertarian principles requires that we begin laying the groundwork now.

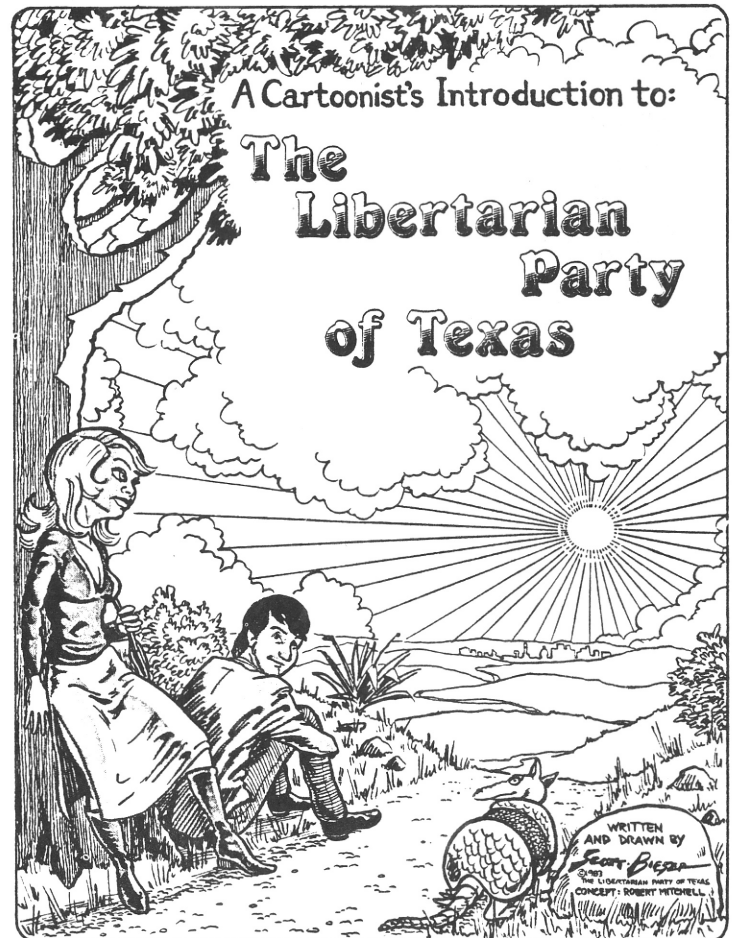
The focus of my activity in the next few weeks will be on intra-party communication and establishing and improving vehicles for enabling us to plan and act. Some of our smaller counties have begun a project of contacting all names in their county on the mailing list. This is an important project which needs to be done to define our base of support.

Coming soon

Sample copies of a new cartoon introductory brochure were distributed at the "Let Freedom Ring" conference in Austin. Each of the County Chairs and contacts have been sent a copy and we are currently raising funds for a printing of at least 1,500 for distribution at the national convention.

Our objective is to not only finance a Texas distribution but to offer customized versions to other state or national organizations. This booklet has been well received by Libertarians both in and outside of Texas. If you want to see this project completed and the booklet where it will do the most good -- in the hands of a receptive audience, send an extra check to the Independence Pledge earmarked for "Cartoon Booklet."

Printing costs for the booklet are projected at 30 cents apiece. Each additional copy we can print will mean one more individual we will be able to reach.



Ballot Access '84 planning starts now

By Tom Glass
Ballot Drive Coordinator

The LPT Executive Committee expressed its desire to pursue an all-volunteer Texas ballot access drive in 1984 at the June 12 meeting in Austin. The ExecCom agreed with Toni Black, a leader in the successful 1982 Pennsylvania volunteer ballot drive, that a major volunteer effort will only be successful if volunteers know that no one else will be paid to do the work.

The case for an all-volunteer ballot drive is strong. Every 100 signatures collected by volunteers saves the party \$143, an amount which could buy three radio ads in an urban market. In 1982 the LPT spent \$37,000 for an essentially all-paid ballot drive while David Hutzelman only spent \$11,000 on his campaign for governor. Spending money on communicating libertarian ideas will advance our goals much better than paying college students to ask people for signatures on a petition. A volunteer drive can also develop the organization that can help campaigns later in 1984.

To kick off the ballot drive, Alma Kucymbala, LPT Chair, has volunteered to collect 1,000 signatures. Bill Kelsey, who ran for U.S. Congress, Dist. 10 in 1982, has volunteered to coordinate the Bastrop County volunteer effort, and Michael Ray, a newcomer to the party in Williamson County, has promised "at least" twenty hours of work on the drive.

To get a comfortable margin of signatures in 1984, we need to turn in at least 40,000 signatures from registered voters who have not voted in the 1984 major party primaries. Four hundred people collecting an average 100 signatures apiece will complete the drive. Detailed plans to organize this kind of effort will be published in the August issue of **FREE TEXAS**.

In the meantime, if you are interested in serving as Finance Chair to raise the \$10,000 it will take to run a volunteer effort, in helping with other aspects of coordinating the drive, or if you would like to contribute money to the drive, call or write me 11515 Burdine #530, Houston, TX 77035 -- ph. 713-728-1322.

PresCon '83 boasts big-name line-up

The 1983 LP Presidential Nominating Convention, to be held in New York City August 29 through September 5, promises to be the biggest Libertarian event ever, according to Loretta Weiss, chairperson of the PRESCON '83 organizing committee.

The complete 8-day convention package includes five tax seminars in the first few days, making the convention tax-deductible for those who attend the seminars.

Among the featured speakers are Roy Childs, Michael Grossberg, Milton Mueller, David Nolan, Dick Randolph, David Bergland, Alicia Clark, Ed Crane, Earl C. Ravenal, Murray Rothbard, Ed Clark, John Northrup, Rebecca Shipman and Kate O'Brien, who will speak and hold workshops on topics ranging from foreign policy and economic analysis to "Libertarian Strategy" and "Fielding the Tough Questions."

For people registering before July 31, convention fees are \$295 for the complete package (includes four breakfasts, a banquet and several entertainment events), \$250 for the "Thursday Through Monday Package" (includes

three tax seminars, four breakfasts plus all events which occur from Thursday morning on), and \$150 for the "8-Day Foodless Package" (includes everything except food functions and tax seminars).

The convention will take place at the Sheraton Centre Hotel. Convention rates at the Sheraton are \$69/night for singles, \$82/night for doubles, plus an additional charge of \$20/night for each additional person in the room, above two. Reservations should be made by calling the Sheraton Centre at 800-223-6550 or 212-581-1000.

In addition, exhibit space will be available during the four busiest days, Sept. 1-4, on a first-come first-served basis. Space will be rented on a per-table basis, each 6-foot by 30-inch table coming with a tablecloth and two chairs. Prices per table are \$75 for one day, \$135 for two days, \$170 for three days and \$200 for four days.

To register, rent space or simply get more information, write to PRESCON '83, PO Box 429, Canal Street Station, New York, NY 10013. Checks should be made out to PRESCON '83.

LAISSEZ FAIRE

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- **TOMORROW, CAPITALISM** by Henri Lepage. Already a bestseller in Sweden and France, this book details the recent "revolution" in economics toward a free market orientation. Lepage, a French journalist, surveys such trailblazers as Milton Friedman, Gary Beck, Ronald Coase, and members of the Public Choice school who have reshaped the science of economics into a coherent, comprehensive approach to the study of human problems. (hd, 265p) \$14.95
- **FOR A NEW LIBERTY** by Murray N. Rothbard. Already a classic, the best modern defense of individual liberty. A biting attack on the legitimacy of the state, with numerous criticisms of government intervention. Offers market solutions to many social and economic problems and presents a "revisionist" interpretation of foreign policy and the origins of the cold war. (pb, 325p) \$6.95
- **ATLAS SHRUGGED** by Ayn Rand. The "philosophical" novel that served as a major catalyst for the post-World War II revival of libertarian thought. Defines a new ethics of rational self-interest and provides a philosophical foundation and moral defense of rational individualism and laissez faire capitalism. (1084p) \$4.95
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Phantom "Speak Out"

We were not kidding about the Speak Out feature which began in the last issue. Our intent is to publish a letter-to-the-editor of a daily newspaper which best presents a libertarian idea.

Unfortunately, no one has sent in a published letter. We hope this is because no one thought to notify FTR about such letters rather than because none were published.

Since the editor does not have time to scan the scores of Texas daily newspapers for Speak Out letters, and local activists don't care to publicize their own

achievements, Free Texas Reports is looking for a Speak Out editor to keep a watch on the larger papers at least and report in when a good letter comes up. There's no money in it, but some chance the ExecCom will appoint this person FTR Editor when the present Chief Wordsmith resigns or is assassinated.

Seriously, please send good libertarian letters or your application for Speak Out Editor to Free Texas Reports, PO Box 6023, Austin, TX 78762.

Editor's notes

Taxpayer groups on the rise

Even though we don't hear about it much in the establishment news media, there is a small but active tax-revolt movement in the Lone Star Republic. This movement is a combination of individuals and small groups who use a variety of means in their campaign to thwart the tax man.

One such group is the Patriots Network, a loose amalgamation of local organizations which is currently seeking to disintegrate the IRS by gaining and applying legal knowledge. At their meetings, the Patriots explore the Constitution, statutes and case law seeking loopholes through which they can escape the Infernal Revenue Service's greedy clutches. They also agree with such Libertarians as David Nolan that the government's control over the money supply via fiat currency is a threat to the free economy and should be ended.

One Dallasite associated with this group, Ray Stallard, made his stand not long ago in the Texas Comptroller's administrative court. Stallard, a former Braniff Airlines pilot, decided to go into the business of selling long-term storage food items (the kind survivalists like to keep on hand). He soon found himself harrassed by the IRS over trivial matters related to his claimed deductions, and resolved to fight back.

But rather than challenge the IRS directly, Stallard chose a more oblique matter through which to vent his wrath.

Stallard had applied for a sales tax permit for his food business, and was soon presented with a bill from the Comptroller for a few hundred dollars. Rather than send in Federal Reserve Notes, he sent them "Public Office Money Certificates" (Available from Spencer Judd Publications in Seewanee, Tenn., the POMCs look like checks and are a promise to pay a given amount of dollars as soon as the payee indicates which medium the dollars are supposed to be counted in.) and waited for the state's response.

"The State of Texas has assessed me a tax in dollars, but it has not said what these dollars measure so I don't know what to pay the Comptroller," Stallard told the administrative judge from the Comptroller's Office in a May 26 hearing.

These administrative hearings are usually closed to the public, but Stallard wanted to have as many spectators as possible. So he had 27 of his friends and a crew from a Dallas TV station on hand for the proceedings. "You sure have a lot of friends, Mr. Stallard," the judge remarked. The friends were mostly from the Dallas Patriot group, many of them wearing a button proclaiming: "The Lord Giveth but the Government Taketh Away."

Representing Stallard at the hearing was Walter Lee McGee Jr., a self-described counselor at law and Doctor of Universal Life. McGee is stocky, 50-ish, has medium-length brown hair and a greying beard, and wears a black cowboy hat with a miniature American flag stuck in upside down.

McGee said the U.S. Constitution states in Article 6 that the government can make debts payable in gold or silver coin only, but these types of currency are not available in Texas due to actions by the federal government, therefore the Comptroller's bill to Stallard is invalid unless the office indicates what currency the tax is payable in.

The judge responded that McGee's arguments have been "foreclosed" by the U.S. Supreme Court in its Marbury v. Madison decision decades ago, which upheld the right of the government to make debts payable in Federal Reserve currency.

McGee countered that the decision cited was made at a time when there was still a silver at-par value to the currency, but today there is no commodity-based standard.

"Then you are challenging the right of the Federal Government and the states to make Federal Reserve Notes lawful tender," the judge concluded.

There followed about an hour of debate over the distinction between "legal tender" and "lawful tender" and the Supreme Courts powers to interpret the Constitution which convinced me that courts and lawyers are an abomination and blight on human logic and reason. But finally, McGee and Stallard got what they wanted -- the judge ordered Stallard to pay his bill in Federal Reserve Notes, an order which government officials are loath to make directly.

After the hearing, McGee told me that he intends to appeal and pursue the matter all the way to the top, which in this case would be the Governor of Texas or the President of the United States, since this case is

being handled as an administrative rather than judicial matter.

Stallard said the point of it all is to create "a public outcry" against government monetary chicanery.

But Stallard's victory in the May 26 hearing was not clear. The state claims it had problems with its recording equipment, so there is no official record of what the administrative judge said. The Comptroller's Office sent McGee a decision stating Stallard "may" pay his tax in Federal Reserve Notes, not that he must do so. Therefore McGee has objected to the decision and requested another hearing "to force the state to determine at law what the state can require as payment of debts -- to force a return to positive law and the Constitution as the law of the land."

Reflecting upon these matters I wish Stallard and McGee luck but doubt they'll get what they want through these legalistic maneuvers. As Ambrose Bierce, the 19th Century satirist, said, "Legal cases are decided on precedent; and since there is a precedent for everything, judges can do virtually anything they please."

Of course, when you can get a jury on your side, we have a whole new ballgame, as proved in a recent, widely-publicized trial up north where a jury ruled that payment of income taxes is voluntary, therefore the defendant was not guilty of any crime when he declined to pay the IRS or file a tax return.

Lawyers have their uses, but it seems to me that the real key to regaining our lost freedoms lies in the people rather than out-smarting judges. We need to refine and hone our arguments to convince large numbers of people that our ideas are the correct ones -- then and only then will the electoral and jury systems work to restore and guarantee the liberties defined by John Locke and Thomas Jefferson.

The electoral approach has been used with some success by another tax protest group, the Political Action League of Victoria. Led by Joe Conti and Eric Samuelson, PAL campaigned for and got passed an amendment to Victoria's city charter limiting to five percent the amount the city may raise taxes in a given year.

Currently, PAL is seeking a referendum which would bring the local school district under control of the city government, thus also placing the VISD under control of the city charter and its tax limitation provision. But PAL is working under a tight deadline -- the state legislature recently passed a law which will end citizen's powers to place school districts under control of their city governments as of September 1 this year.

PAL is affiliated with the Texas Association of Concerned Taxpayers, a network of local taxpayer groups which use the local petition/initiative process to place limits upon their home-rule city governments. These groups have been successful in placing limitations and roll-backs in Corpus Christi, League City and Galveston.

In 1979 the Texas Legislature granted voters the right to force roll-back elections on all taxing entities. As of April 1983 there have been roll-back elections in 29 taxing units, most of them school districts, with voters approving roll-backs in 16 of them.

Are these local tax protest groups fertile ground for Libertarian involvement? Well, yes, to some extent. By and large the members of these groups are middle-aged homeowners and farmers who normally eschew politics but were pushed too far by local taxing entities. Generally they do not challenge taxation in principle, only what they call "unfair" or "runaway" taxation. While they find themselves pitted against local school districts, they in principle support public education.

Libertarians who work with these groups should do so on an ad-hoc basis, with the goals of achieving a victory on some transitional issue and simply establishing good relations with these groups. Any conversions to libertarianism must be limited and on an individual rather than group basis. But once we establish ourselves as efficacious warriors against unfair taxation, we can expect better financial and voter support come election time.

Indeed, the keynote of government is injustice. With the arrogance and self-sufficiency of the King who could do no wrong, governments ordain, judge, condemn, and punish the most insignificant of offenses, while maintaining themselves by the greatest of all offenses, the annihilation of individual liberty."

Emma Goldman

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HCLP elects officers

Harris County Libertarians, who like to change the guard every six months, elected four new officers at their June meeting and passed a resolution commending Houston area voters for turning down the Metro heavy-rail bond issue and calling for abolition of Metro.

The new officers are: Tom Glass -- Chair, Charles Wharton -- Vice-Chair, Tom Radloff -- Treasurer, and Peter Elloway -- Secretary.

HCLP also voted to invite the LP National Committee to move their headquarters to Houston. Matt Monroe, Region 13 Representative to NatCom, says Houston is one of four cities being considered by some national party leaders who want to move out of Washington, D.C. as a new home for the party.

It's a Girl!

Tom and Katherine Glass, Region 3 Representatives, announce the birth of their daughter, Courtney Ayn Glass, on June 29.

The proud father leaves it to our readers to figure out what famous author his new child is named after. Whim-worshipping muscle-mystics are advised to keep a very respectable distance.

Letters

Dear editor,

I am concerned about the success of the Libertarian Party for the Presidential race.

With Jesse Jackson running on an independent ticket the Democratic Party will split.

We have an opportunity to pull some substantial support from unhappy Democrats and minorities only if we approach the election with the right candidates. Many others and myself feel that either the LP presidential candidate or the vice presidential candidate be a minority.

Paul Tittsworth
Pasadena

Classified

Is freedom worth defending? If you believe it is, subscribe to AMERICAN DEFENSE, newsletter of the Libertarian Party Defense Caucus, \$10.00/yr. PO Box 1064, Bolton, CA 92324.

"Government consists merely of professional politicians, a parasitical and anti-social class of men. They never sacrifice themselves for their country. They make all wars, but very few of them ever die in one."

H.L. Mencken

"He had grown up in a country run by politicians who sent the pilots to man the bombers to kill the babies to make the world safe for children to grow up in."

Ursula K. Le Guin

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You can only protect your liberties in this world by protecting the other man's freedom. You can only be free if I am free.

Clarence Darrow

I'd rather vote for something I want and not get it than vote for something I don't want, and get it.

Eugene Victor Debs

