

Freedom Matters

A Weekly Newsletter

Dane County, Wisconsin

Vol. 2, No. 19

Friday, May 10, 2002

We are a free people in a republic, under a constitution which limits the powers of government to those necessary to secure the unalienable rights of each person to their life, liberty and property. Yet, when a legislature is in session, no one's life, liberty or property is safe. It's the curse of a democracy. That's why we have a republic instead. *Freedom Matters* dedicates itself to the fight to restore our republic. Most of the press and courts fail to do so. They've forgotten that freedom matters.

More Federal Control of Local Land Use The Bankrupting of America

by Bob Bowman

This year's federal assault on local land control rights goes far beyond the "Community Character Act" described in our last issue (May 3, 2002, which is issue #18, not 17 as erroneously labeled). At various legislative stages in the current congress are two other federal land grabs. One is a Conservation Tax Credits Act (HR 2290 and S. 701). The other is the noble-sounding "Heritage Areas Act" (HR. 2388 and S. XXX).

Conservation Tax Credits Act

As reported by Carol W. LaGrasse (Property Rights Foundation of America), the House Ways and Means Committee's Select Revenue Measures Committee, chaired by Rep. Nancy Johnson (R, Connecticut) held a hearing on April 29 on a Bush administration proposal to grant a 50% reduction in the capital gains tax to a landowner who sells **LAND** or **CONSERVATION EASEMENTS** to the government or to a **NON-PROFIT LAND TRUST**.

Yes, you read that right. The Bush government proposes to make a **GIFT** of our hard-earned tax dollars plus **CONTROL** of large areas of America. Who is he gifting it to? To **PRIVATE** land trusts.

Can private land trusts be trusted? Some trusts reportedly have made commercial use of land they purchased "for conservation" or have sold it to government for a profit.

No overall public good can result from government gifts to private interests. As Bastiat argued, that amounts to legalized theft. When congress works that kind of thievery, you can expect them to add other unsavory behavior to it. In this case, they did. The House Subcommittee refused to allow opponents of the bill to testify. In gambling games designed to cheat you, that's called "stacking the deck." That's what Carol LaGrasse called the behavior of that Subcommittee in moving the Conservation Tax Credits Act toward passage into law.

The Bush administration touts this bill as a "market-based approach to conservation." The idea that government subsidies constitute a "market-approach" is obscene. It is an insult to the intelligence of all concerned.

A market-based approach would be one in which those people who wanted conservation done would contract with landowners and pay them a periodic fee to do those conservation practices. The buyer would thus obtain a desired service, and the seller would profit by supplying it. Don't hold your breath.

Heritage Areas Act

In late May, the House of Representatives Resources Committee approved HR 2388, the Heritage Areas Act. This doosey is sponsored by Republican Joel Hefley of Colorado. It superimposes federal control over local zoning in exchange for grant money from Washington, D.C.

The American Land Rights Association (ALRA) reported that Hefley refused to let opponents to his bill testify, and stopped ALRA from even distributing a press release at the hearing. Carol LaGrasse of the Property Rights Foundation of America was also refused permission to testify.

Carol LaGrasse's testimony, if permitted, would have said: "Heritage Areas require a contract between the state government regional entity and the U. S. Secretary of Interior to manage the land-use of the region for preservation. This means federal control of zoning, either directly, by terms of the 'management compact,' or indirectly, by the use of funds dispensed ... under a seductive pork barrel system."

Here's a further kicker. Hefley, Hansen (Utah) and 3 other Republicans voted with Democrats to defeat an amendment requiring notification of property owners when their land fell within a proposed Heritage Area. Hefley and the liberals do not want people to know their property rights are being taken, until it is too late.

Hefley will try to get the full House to vote on this bill by the end of June. If you want to see it stopped, and all landowners should, take the action listed below.

ACTION

Write or call your Representative in Congress and tell them you oppose the Conservation Tax Credits Act (HR 2290) and the Heritage Areas Act (HR 2388). The leftists are lobbying for it, and unless you speak up against it, and speak loud, you will lose. We will all lose. Good-bye local control. Hello federal bureaucrats.

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Published by Freedom Matters, Inc.,

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