

## **Lone Star Politics 4e Transition Guide**

### **Overall**

Updated coverage throughout includes:

- More inclusion of Texas's diversity, including
  - greater emphasis on the participation of all of Texas's citizens, from State Senator Leticia Van De Putte's bid for the lieutenant governor's seat to the impact of Texas Supreme Court chief justice Wallace Jefferson's tenure;
  - the push for Hispanics to obtain equal access to the education system, including League of United Latin American Citizens' advocacy for English Language Learners;
  - Raul A. Gonzalez's election to and tenure on the Texas Supreme Court;
  - the League of United Latin American Citizens' instrumental role in securing voting rights and cultivating civic engagement among Hispanic Texans;
  - greater discussion on the historical role of the poll tax in restricting the right of minorities;
  - how the expansion of voting rights to African Americans and Hispanics transformed the Texas electorate to be more inclusive of the rights of all the state's residents; and
  - recent concerns over the potential of voter ID legislation to discourage minorities from voting;
- Discussion of Rick Perry's legacy as governor and prospects for the future as Greg Abbott steps into office as his successor;
- Expanded discussion of federalism, including dual federalism, cooperative federalism, and devolution;
- The state's continued practice of capital punishment, which has seen executions in the state decrease over the last few years even as Texas remains a national leader;
- Local government politics concerning fracking, as the state encourages the practice and localities like Dallas and Denton seek to keep it out of their backyards, as well as the state's grappling with both fracking's economic benefits and environmental impacts;
- Contested Texas education reforms from 2013 that allow students to pursue diploma "endorsements" in specialized areas that determine which courses they take, raising concerns that students may end up unprepared for college and support that the measure will keep them more engaged in learning; and
- State efforts to absorb the increasing number of unauthorized immigrants crossing the border from Mexico, including an influx of unaccompanied children in 2014.
- **New chapter opening vignettes** address Texas politicians' history of opposition to federal policies like education, same-sex marriage, and abortion; Wendy Davis's filibuster in the Texas Senate against legislation that would restrict abortions; how some Texas prisons' lack of air conditioning reflects the state's cultural attitude toward crime and punishment; the 2014 campaign for lieutenant governor; and Governor Rick Perry's legacy.

- Chapter objectives and ***new Core Assessment questions*** align with the Texas Higher Education Coordinating Board's curriculum standards, reinforcing chapter content for effective study and review.
- ***New Texas and the Fed*** boxes examine contemporary issues such as immigration, abortion, education, and marijuana as they affect Texas and as Texas seeks to influence them; appearing in half of the chapters.
- ***New How Texas Government Works infographics*** capture a chapter's big topic or concept, allowing for easy understanding and comparison on subjects including the state's demographic diversity, how Texas compares on the death penalty, how a bill becomes a law in the state, and how Texas ranks in energy use and production.

## By Chapter

### Chapter 1 Introduction

- ***New*** infographic "How Texas Government Works: Who It Serves" takes a detailed look at the racial and ethnic makeup of Texas residents and presents a demographic comparison to other states with large Hispanic populations and the United States as a whole.
- The "Texas Today" subsection now examines the network of "nation states" in Texas, and how their distinct cultures, origins, languages, and histories contribute to the great diversity of the state and even help form new cultures entirely unique to Texas. It considers whether these nation states are the result of partisan redistricting in the political world or greater social mobility among Americans in general.
- ***New*** Figure 1.1, Population and Percentage Growth in Texas Since 1850 (formerly a table), charts Texas's growth from a state of a quarter million people to a state with more than a quarter billion, establishing the foundation for a possible 55 million Texans in 2050 and spurring questions about how the state would handle such an increase.
- The section "A Tradition of Change" is revised to discuss the "new normal" in Texas demographics, as the Hispanic population rises to historic highs while the Anglo population plateaus, and more women choose not to marry. It also discusses the theory that the increase in Hispanics could change Texas to a blue state.

### Chapter 2 Texas Constitution

- ***New*** chapter-opening vignette chronicles Texas politicians' historic opposition to many national policies, from same-sex marriage and abortion to health care, most recently led by Rick Perry, Ted Cruz, and Greg Abbott.
- ***New*** infographic "How Texas Government Works: The Federal Relationship" illustrates the structure of the national, state, county, and city governments that shape Texas and its interactions within and without the state.
- ***New*** coverage in "The Evolving Idea of Federalism" subsection explores competing theories of federalism (dual federalism and cooperative federalism); shows the difficulty of reconciling the supremacy clause, which gives the federal government more power; and the Tenth Amendment, which grants more rights to the states – the latter favored by Texas's political culture. The subsection also has been updated to reflect the changing

landscape of gay marriage legislation across the country, and Texas's refusal to issue same-sex marriage licenses, despite a federal ruling overturning its gay-marriage ban.

- **New** box feature "Texas and the Fed on Abortion" contrasts the U.S. Supreme Court's rulings on abortion with states' rights efforts, charting how Texas's conservative political culture and the Supreme Court's ruling in *Webster v. Reproductive Health Services* have allowed Texas to severely restrict women's access to abortion in the state.
- **New** Texas Legends box profiles James Collinsworth, first chief justice of the Texas Supreme Court.
- The section "The Executive Branch" has been revised to discuss how Governor E.J. Davis's use of martial law to protect the rights of newly freed slaves resulted in the writing of a state constitution that severely limited the powers of the executive branch.
- **New** key terms: dual federalism; cooperative federalism; devolution; implied powers.

### Chapter 3 Texas Legislature

- The chapter now discusses the battles over redistricting in the 2013 legislative sessions, which reflect the increasingly diverse state population and the population shift from rural East Texas and West Texas to more urbanized, metropolitan areas.
- **New** chapter-opening vignette tells the story of Wendy Davis's national attention-gaining filibuster in the Texas Senate against a bill that would place restrictions on abortions in the state.
- **New** infographic, "How Texas Works: Redistricting Process," outlines the state legislature's redistricting authority and the paths those plans take to approval before implementation.
- The section "The Texas Legislature in Context" has been revised to discuss major new developments in Texas lawmaking, including an overhaul of the mandatory high-stakes STARR tests in state public schools, recent efforts to limit the growth of Medicare and Medicaid in response to the federal Affordable Care Act, failed attempts to expand immigrant rights, and Governor Perry's special sessions to pass abortion restrictions, transportation funding, and redistricting legislation.
- The section "Qualifications for Office and Length of Terms" has been updated following the 2012 elections, which resulted in the lowest rate of incumbency in the recent history of the Texas House of Representatives, and to provide comparative info on turnover rates in other states.
- The section "Theories of Representation" now explains the principle-agent theory of representation and how it might work with newly elected politicians, like Wendy Davis and Charles Schwertner.
- Discussion of Texas's electoral system under the section "Single-Member District versus Multi-Member District" has been revised to explain how the use of the single-member district system, while bolstering representation of ethnic and racial minorities, might sacrifice more equal representation for women in Texas politics.
- The section "Redistricting Games" highlights the 2013 U.S. Supreme Court ruling that now allows states to pass redistricting plans without the approval of the U.S. Department of Justice, and how Governor Perry used the ruling to convince the federal government to drop pending challenges to Texas's redistricting plans.
- **New** key terms: principle-agent theory of representation.

## Chapter 4 Legislative Organization and Process

- *New* chapter-opening vignette explores the politics behind the election of the Texas Speaker of the House, as Joe Straus sought reelection via the traditional perfunctory process after a disruptive, partisan term by Tom Craddick revived the desire for greater bipartisanship in the legislature.
- *New* infographic, “How Texas Government Works: Lawmaking,” illustrates the various bumps and hurdles on the road to creating and passing a new law in Texas.
- The subsection “Lieutenant Governor” explains how the constitutional weakness of the lieutenant governor position means the success of the person in this position is inevitably tied to the nature of his or her relationship with the Texas Senate, giving the Senate great leverage.
- The section “Party Caucus Organization and Functions” describes how Speaker Joe Straus controversially worked across the aisle with the shrinking Democratic Caucus in 2013 to bolster their impact on issues that were important to the party, emphasizing the need for bipartisan coordination and strong caucus leadership in an effective political system.
- A refreshed “Committees” section features a new discussion of statutory committees, as well as streamlined discussion of the three types of special committees – conference committees, select committees, and interim committees – that focuses on the role they play in shaping state law and politics and their actions in the 2013 session.

## Chapter 5 Texas Governors

- The chapter discusses how Perry, initially bolstered by stringent conservatives, was increasingly challenged in his last year in office by an even more conservative political movement in the state, fronted by up-and-coming leaders like Ted Cruz.
- *New* chapter-opening vignette explores Rick Perry’s legacy as governor, from his pro-business policies and fiscal conservatism to his pro-life, anti-gay marriage, and pro-death penalty preferences and how politicians like Ted Cruz and Greg Abbott may carry on that legacy or lean further to the right.
- *New* infographic, “How Texas Government Works: The Powers of the Governor,” illustrates the major roles of the governor, including what he can do in the executive, legislative, judicial, and military realms, as well as his more ceremonial duties.
- The “Succession” subsection chronicles how Perry’s unsuccessful 2012 presidential bid cost Texans an additional \$32,000 in pay to then-Lieutenant Governor David Dewhurst, who, as mandated by the state constitution, served as acting governor in Perry’s absence.
- The section on the Executive Role discusses how Perry, with his unprecedented fourteen-year tenure and heavy use of executive orders, out-of-session appointments, and post-adjournment vetoes, may have forever changed what it means to be governor in Texas.

## Chapter 6 The Plural Executive and Bureaucracy in Texas

- *New* chapter-opening vignette on the Interstate Highway 69 project, which would run from the U.S.-Mexico border in Texas to the U.S.-Canada crossing in Detroit, Michigan, has high support from the federal and state government, but meets with concern by residents, including farmers and ranchers concerned that the government will exercise its right of eminent domain

- *New* infographic, How Texas Government Works: State Employment in Key Sectors, compares Texas to other large states in the number of state workers in higher education, corrections, highways, public welfare, state police, and other public sectors
- The “Lieutenant Governor” section is updated to discuss how Republican David Dewhurst, controversial for his support of “liberal” legislation and across-the-aisle leadership style, was thwarted in future campaigns by more conservative contenders, including Ted Cruz in the U.S. Senate and Dan Patrick for the Republican nomination to lieutenant governor in 2014. This section also discusses the ramifications of Tea Party member Dan Patrick’s win over Democrat Leticia Van Der Putte, who would have been the first Hispanic woman to serve as Texas’s lieutenant governor.
- The “Attorney General” section profiles newly elected Ken Paxton, whose Tea Party leanings – including opposition to Joe Straus – likely will mean the carrying forward of his predecessor’s staunch social conservatism, opposition to federal intervention, and distaste for compromise in politics.
- The “Secretary of State” section introduces Republican Nandita Berry, the first Indian American to serve in a major statewide office in Texas, and her appointed successor, Carlos Castos, a Mexican-born county judge.

## **Chapter 7 Texas Judicial System**

- *New* chapter-opening vignette on the legacy of Texas Supreme Court Chief Justice Wallace Jefferson and his advocacy to eliminate partisan judicial elections in Texas and the adoption of the merit system.
- *New* infographic, “How Texas Government Works: The Texas Court Structure,” breaks down the roles of the county-level courts, the justice courts, and the municipal courts that preside over legal issues in Texas and how they relate to one another.
- *New* Texas Legends box profiles Raul A. Gonzalez, Jr., whose service on the Texas Supreme Court brought a broader understanding of the needs and challenges of the state’s blossoming Hispanic population.
- The section “Judicial Appointment” has been updated to reflect accusations that Governor Perry’s appointments to the court – including his chief-of-staff Jerry Boyd in 2012, who had no prior judicial experience – have favored big-business interests over individual rights in Texas.
- The section “Judicial Removal” is revised with further discussion on the issue of judicial fairness, noting that the vast majority of cases brought before the Commission on Judicial Conduct in recent years have been dismissed without any public record, allowing for little public scrutiny of their decisions.

## **Chapter 8 Texas-Sized Justice**

- *New* chapter-opening vignette brings to life the health hazards posed by the lack of air conditioning in some Texas prisons, and the attitude of many Texans that prison is punishment and air conditioning is not required, despite the deaths of several inmates, a sign of the state’s political culture toward crime and punishment.
- *New* infographic, “How Texas Government Works: Justice and the Death Penalty,” compares Texas to the international community in terms of confirmed executions, and breaks down Texas executions by race and ethnicity over the past two decades.

- The section “Incarceration in Texas” features a new discussion of the debate over legalizing marijuana possession, citing the high incarceration costs and favorable public opinion that might lead Texas down the road of decriminalization.
- *New* feature box “Texas and the Fed on Marijuana” discusses the tension between the national trend toward marijuana decriminalization and Texas’s continued opposition to the trend, including a recent state law that allows local police to cite citizens for possession without arresting them.
- The section “Castle Doctrine,” a Texas law that allows the use of deadly force to defend your home, now includes a recent Texas A&M study that finds that states that passed castle doctrines saw an increase in the number of justifiable homicides, murder, and manslaughter rates while realizing no deterrent effect
- The section “Capital Punishment” has been revised to illuminate how Texas now stands at a crossroads -- how, despite using the death penalty vastly more than any other state in the country, the rate of executions has decreased significantly since 2010, partially due to the increasing unpopularity of capital punishment in the U.S. and worldwide.
- The “Capital Punishment” section also includes a new discussion of the case of Michael Richard, who was executed in Texas the same day the U.S. Supreme Court said it would consider whether the death penalty constituted cruel and unusual punishment for the first time since 1972, despite his lawyer’s pleas for more time to appeal the case.
- *New* data on the disproportionate execution of minorities in Texas, including African Americans, Hispanic people, and women.

## Chapter 9 Campaigns and Elections, Texas Style

- *New* chapter-opening vignette reflects the ongoing traditions and transformations of Texas through the 2014 campaign for lieutenant governor between the traditional Republican dominance represented by candidate Dan Patrick and the transformative side of Hispanic, female candidate and Democrat Leticia Van De Putte.
- *New* infographic, “How Texas Government Works: Voter Turnout,” illustrates comparisons of the eligibility, participation levels, and demographics of Texas voters to the rest of the United States.
- The subsection “Eliminating Barriers to Voting for African Americans” is updated with new coverage on the 2013 case *Shelby County, AL v. Holder*, in which the U.S. Supreme Court invalidated the pre-clearance process that mandated states get federal approval for new voting procedures that critics worry could discriminate against minorities and potentially spawn new discriminatory voting laws in more conservative states.
- The subsection “Hispanics and Voting Rights” is revised to discuss the arguments for and against voter identification laws, and how the federal ruling in *Shelby County, AL v. Holder* allowed Texas to enact a new voter ID law without federal interruption, after previous legislation was struck down as racially discriminatory.

## Chapter 10 Political Parties

- This chapter contains new analysis of party competition in Texas elections, showing how, despite their party’s dominance in the political culture, Republicans gave up on one in six U.S. House races in the state in 2014 due to a lack of major party candidates; recent Texas House races were even less competitive.

- *New* chapter-opening vignette highlights divisions within political parties, as evidenced particularly by the Texas Republican Party’s 2014 party convention and its platform with planks that appealed to some and discouraged others, as old and new elements of the party try to find a balance.
- *New* infographic, “How Texas Government Works: Party Organization,” provides an illustrated breakdown of the structure of the parties in Texas, and the role members play on the local, state, and national levels.

## Chapter 11 Organized Interests

- *New* infographic, “How Texas Government Works: Lobbying,” provides an illustrated reference on who lobbies, the different types of lobbying, and relevant real-life examples of lobbying, including The Texas Right to Life Committee’s work on abortion issues.
- *New* Texas Legends box profiles the League of United Latin American Citizens, a group instrumental in securing voting rights and cultivating civic engagement among Hispanic Texans that has blossomed into a national organization.
- The section “Organized Interests’ Spending on Elections” now analyzes PAC spending in the 2012 elections, including growing spending by Texans for Lawsuit Reform, the biggest-spending independent PAC in Texas, and the NRA. This section also includes a new discussion of “dark money,” one of the newest issues in campaign finance, and its potential to alter the political landscape in Texas, especially as Governor Perry vetoed legislation that would have required these groups to report their donors.
- In the section “From Activism and Litigation to Lobbying,” updated coverage includes a debate over the meaning of the term “lobbying,” contextualized by the recent case of Michael Quinn Sullivan, who was fined \$10,000 in 2014 for failing to register as a lobbyist. It also contains new discussion on the concept of “grassroot lobbying,” or using a few key citizens to sway legislators, adding new dimension to the coverage of grassroots lobbying.
- *New* key term: dark money.

## Chapter 12 Local Government in Texas

- *New* infographic, “How Texas Government Works: Local Government in Perspective,” maps out the states with the highest and lowest numbers of local governments in the country, showing the vast contrast between states like Texas, with over five thousand local governments, and Hawaii with just twenty-one.
- The section “Local Government: The Basics” uses the case of Michigan’s state takeover of local governments after the financial crisis to illustrate the ability of state governments in America to, at their discretion, overrule local governments.
- In that same section, the discussion of administrative federalism now includes an example of No Child Left Behind having been replaced with a more relevant, hypothetical situation in which the U.S. Department of Education might set mandatory minimum standards for student achievement in the states, and expect states to bear the cost of meeting those standards.
- *New* box feature “Texas and the Fed on Same-Sex Benefits” contrasts how Texas largely has bucked the national trend toward legalizing gay marriage; despite this, the box also spotlights Houston, which elected the state’s first openly gay mayor and became the first city in the state to extend employment benefits to same-sex couples.

- *New* Texas Legends box tell the story of Tommy Joe Vandergriff, former mayor of Arlington, whose accomplishments included bringing a GM plant and a major league baseball team to the city and turning Arlington State College into a four-year school.
- The section “Forms of City Government” now discusses a fourth form, a city council comprised of the head of the various city departments, which was favored in the early 1900s by Progressives who sought greater direct democratic control over city departments by voters.
- The section “Issues in the City Government” is revised with new coverage on fracking, chronicling how some city governments, like Dallas, have found creative ways to limit fracking, to the chagrin of the pro-fracking forces in Austin.

### **Chapter 13 Fiscal Policy**

- *New* chapter-opening vignette highlights Governor Rick Perry’s courting of Toyota to bring an automotive plant to Plano and the incentives he offered that made some conservatives uneasy about his economic policies.
- *New* box feature “Texas and the Fed on Fiscal Federalism” explores the tensions between Texas and the federal government over who will pay for certain policies, and how Texas stacks up in terms of how much its citizens pay in federal taxes and how much it receives from the U.S. government.
- A new “Texas vs. New Jersey” box compares economic indicators for New Jersey, which ranks first among states in total state taxes paid per capita, and Texas, which ranks thirty-second.
- The subsection “Gasoline and Severance Taxes” has been updated to consider the effect of rising fuel efficiency and the increased prominence of electric vehicles on the fiscal impact of the gas tax.
- The subsection “Franchise Tax” now discusses the juxtaposition between Texas’s reputation as a pro-business state and its franchise tax, which as of 2013 accounted for 10 percent of state tax revenue
- The subsection “Sin Taxes” is updated with new comparative data on such taxes in other states, including Louisiana, Oklahoma, and New York. It also introduces Texas’s newest sin tax, the “Fee on Sexually Oriented Businesses,” which has been challenged on free speech and other grounds since its enactment in 2008.
- The “Property Taxes” section describes the conundrum plaguing county governments in areas seeing a boom in oil and gas production – while they don’t receive the benefit of the state’s severance taxes on these commodities, they must bear the brunt of road damage caused by oil and gas production.
- In the “Property Taxes” section, new coverage includes discussion of disagreements over appraisal values between residential and commercial property owners in Texas.
- The sections “Subsidies” and “Tax Expenditures” have been moved from to beneath “Other Sources of Revenue” the new section “Fiscal Policy Tools.”
- *New* section “Fiscal Policy Tools” provides a more concise explanation of the use of tax expenditures and subsidies in the state.
- The section “State Budgeting” has been updated to explain why, while public debt in Texas is relatively low compared to other states, the debt of Texas cities has been increasing in recent years.

- *New* infographic, “How Texas Government Works: State Spending in Perspective,” compares total state expenditures per capita, drawing particular attention to which states spend the most and the least, and where they – and Texas – fall with the national average.
- A revised “Winners and Losers” section on fiscal policy considers how the state has used economic incentives to support certain businesses – like TV and film companies and Apple – over others, thereby influencing the economic “winners and losers” in the state.
- A revised “Conclusion” discusses the disconnect between Texans’ generally conservative political culture and their lack of support for tax cuts, and the obstacles this creates in making budget choices.

## Chapter 14 Education and Social Policy

- The subsection “Equality in Education” is updated with a new discussion of how groups like LULAC have fought to bolster the quality of education for students who are English Language Learners, a growing population in the state.
- *New* box feature “Texas and the Fed on Education Policy” examines the tensions between state and federal policies when it comes to schooling, as well as state and local governments, with the state of Texas facing school districts that, increasingly, resist its mandates.
- *New* Texas Legends box “Neither Equal Nor Separate: Hispanics in the Education System” explores the historic struggle of Hispanics in Texas to attain equal education rights, including court cases in which Hispanics fought against segregation into inferior schools.
- The section “Funding for K-12” now discusses the continuing court battle over funding for Texas public schools, reignited in 2013 when the state legislature passed changes to financing and standardized testing and expected local school boards to raise their property tax rate to enact the changes.
- The subsection “Texas’s Performance” contains new metrics on how Texas stacks up to other states in student performance indicators, including how Texas has responded to the concerns of parents and educators by reducing the number of standardized tests students must pass in order to graduate high school and by passing HB-5, a controversial curriculum readjustment that some believe might leave students ill prepared for the competitive college landscape by reducing the number of required courses they must take.
- *New* feature box, “Texas and the Fed on Education,” discusses recent federal efforts to set national education standards, including the No Child Left Behind Act and the Common Core, and the difficulties faced by states like Texas in implementing and enforcing them.
- The section “Costs of Higher Education” has been updated to show the range of tuition and fees costs in Texas state universities as of 2014, from \$4,746 at Sul Ross State University, Rio Grande College to \$11,806 at the University of Texas at Dallas.
- The “Health Care” section includes updates on how Texas has responded to the federal Affordable Care Act, including declining to participate in the extension of its Medicaid program for fear that it would lead to future financial obligations.
- *New* infographic, “How Texas Government Works: Citizens in Need,” presents an illustrated comparison of Texas and U.S. residents in need of public assistance, and

shows the proportion of assistant paid for by the state versus the federal government for programs such as Medicaid, Medicare, and SNAP.

## **Chapter 15 Transforming Texas: Energy, Environment, Transportation, and Immigration Policies**

- The section “Oil’s Influence on Texas” is revised with discussion on the Keystone Pipeline in Texas, including the Texas Supreme Court’s refusal to hear a case against TransCanada, thereby allowing the company to seize land from Texas farmers to complete the pipeline.
- “The Natural Gas Boom and Fracking” section contains new discussion of the controversy surrounding fracking, including a recent study from the University of Texas at Arlington that found that the level of methane in water in Parker County is dangerously high, water shortages created by the absence of state regulation on water use for fracking, an increase in minor earthquakes near fracking injection sites, and the city of Denton’s efforts to ban fracking within its limits.
- The section “Texas Air Quality” includes new data on Texas cities’ inability to meet federal ozone standards, including an American Lung Association study that gave 19 Texas counties an ‘F’ for ozone pollution, and recalls Texas battle against the EPA over pollution that drifts into neighboring states.
- The section “Water and Scarcity” is updated to discuss the increasingly dire state of the water supply in Texas, highlighted by Wichita Falls’ decision to become the first city in the country to source half its drinking water from recycled waste water and the state legislature’s decision to give \$2 billion in emergency funding to a water fund.
- The “Alternative Energy” section describes Texas’s recent efforts to develop wind power and its potential to develop its vast solar resources.
- *New* infographic on Texas energy use and production illustrates Texas’s position among the top five states in energy consumption and expenditures per capita and the top five in total energy production, and what other states share those top spots.
- The subsection “Roads” includes new coverage of public-private partnership that could result in the first road in the state to be owned and operated entirely by a private corporation, raising significant questions about the role of government in providing public goods.
- The section “Costs and Benefits of Undocumented Workers” now covers the recent controversy surrounding the influx of undocumented children from Central America into Texas and efforts by the Republican Party to grapple with other immigration issues throughout the state.
- *New* box feature “Texas and the Fed box on Immigration” examines how states and even some localities such as Galveston County and League City have been making immigration policy in the absence of a strong national policy or successful reform.