

Dennis Kaun

From: Dennis Kaun <DKAUN@wi.rr.com>
Sent: Wednesday, January 6, 2016 9:16 PM
To: DOA Public Records Board Comments
Cc: 'Paul Ferguson -'; Naab, Bryan S - LAB; Schmidt, Melissa A - LEGIS; Broady-Rudd, Sandra; Buesing, Carl; Sorce, Peter
Subject: Letter to Public Records

TO: Public Records Board Comments @ Wisconsin.gov

Copy to Paul Ferguson – fergonpm@doj.state.wi.us, Bryan Naab – bryan.naab@legis.wisconsin.gov, Melissa Schmidt – Melissa.schmidt@legis.wisconsin.gov, Sandra.e.broady-Rudd – Sandra.e.broady-rudd@wellsfargo.com, Carl Buesing – bues513@sbcglobal.net, Peter Sorce – ps9444@aol.com

It is my understanding a decision was made by the Joint Finance Committee to limit access to Public Records.

The state was created for the prime purpose of securing and protecting the rights of the people. These rights are elegantly put forth and declared in the Declaration of Independence.

When an individual is elected by the people to represent them for a public office but before the individual can actually take the office the individual must take a sworn oath to the (contact) Constitution.

The decision to limit in anyway any text message emails, or electronic communication by any elected person or employee violates the Constitution and its intended purpose. This entity, the state, exists because of the People and belongs to the People. To limit the People access to the business of the state in any way or form is definitely wrong.

Recently I sent a letter to Governor Walker concerning the direction of this state. Below is some of the text of my letter which seems applicable and timely. As you may realize by reading the below I am concerned at this instant what the state is doing to secure and protect my rights. Now the Public Records Board intends or has decided to further limit the Peoples access to Public Records.

I'm certainly appreciative of the technical achievements which have been made to benefit society but the natural instinct of man is to be greedy. This greedy instinct of man was understood by our founders. The founders understood this tendency in man. Especially this tendency exists if a man was elected to represent his constituents. The elected representative could and would resort to his greedy nature. This is the reason our government was created with a number of checks and balances on the elected officials and its structure.

I have personal feelings about the direction my state government is going since its creation. I have many about my state government but at this instant I do not wish to address even some of them. I have a loving feeling for this state and my country but the change in morals and ethics in our government bother me.

The state is given the power to create artificial entities and these entities exist as a result of a government privilege. The state has the power to control the activities of these entities or put in different terms “artificial persons”. When a request is made of the state for a privilege there is a reason. There are many reasons for the privilege and the privilege extended has to be lawful. Violating the inherent rights of the people is not lawful.

Violating the natural rights of the people of this state is a concern to me. The Constitution, in Article VII, gives the state power to tax privileges and as well control the privilege it has granted. For example in statute 77.52, when a retailer requests the permission of the state to sell at retail the retailer signs a contract with the state. In the contract the state grants permission to the retailer. This is a privilege and the state taxes this privilege. The statute states the retailer “shall” pay a tax to the Department of Revenue on the privilege. The tax is a per cent age on certain items. My point here is the sales tax is on the retailer for the privilege of selling at retail in the state. This is not a buyer’s tax – it is a tax imposed the retailer for the granted privilege of selling at retail in the state.

The attitude of these retailers is to have is that their customers pay their tax. As a result the people of this state are given the impression they are to pay the retailer’s sales tax on those items they may chose to purchase thus this in reality the retailer turns their sales tax into a buyer’s tax. There is no authority given to the state in the Constitution for a consumer or buyer’s tax.

When a retailer charges its customers their sales tax the retailer becomes a tax collector for the state. The collected money is the state’s money. This money must be paid to the state. Nowhere in the statute is it stated the customer must or shall pay the retailers tax.

In a recent article, I read about a study conducted on all state sales taxes. This study showed that retailers collect their sales tax from their customer; this tax money is forwarded to the state. Then retailer is rewarded by the state by compensating the retailer a per cent age of the sales tax money they collected. This reward money has added to the businesses profit. This again shows the businesses are not only having the customer pay their sales tax but are profiting from the customer as well.

I’m in my 80th year. I have seen over the year’s culture changes as well as an attitude change in which the people’s inherent rights are no longer the prime objects of my state government. But those state granted privileged artificial entities are receiving many benefits at the expense of the people and the taking away of their natural rights.

Our elected representatives take a Constitutional oath before taking office. They are to represent the people who elected them. However I don't see this taking place – instead these elected individuals do not own up to their obligations in their actions but instead follow their political party affiliations' dictates.

This was written in hast, however I believe the spirit of the above must come through to this board that limiting access to information on the business of the state violates its responsibility to the people. I believe when more people become aware of the government attempting to make secret, hide or in any way prevent the people access to the business of the state there will problems at election time for those individuals who were involved. There must be an Open Government and greedy elected individuals, receiving Taxpayer money must be guided by what is morally best for the rights of the People as well as the state.

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