

Received: from e3000b.state.ms.us  
by governor.state.ms.us; Tue, 16 Jul 2002 01:23:19 -0500  
Received: from mx1.its.state.ms.us (mx1.its.state.ms.us [192.42.4.253])  
by e3000b.state.ms.us (8.10.0/8.10.0) with SMTP id g6G6F0Q23859  
for <governor@governor.state.ms.us>; Tue, 16 Jul 2002 01:15:00 -0500 (CDT)  
Received: from msiwsp01.ms.gov (msiwsp01.ms.gov [192.251.58.30])  
by mx1.its.state.ms.us (8.10.0/8.10.0) with ESMTP id g6G69eq08317  
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Received: (from nobody@localhost)  
by msiwsp01.ms.gov (AIX4.3/8.9.3/8.9.3) id BAA26636;  
Tue, 16 Jul 2002 01:14:59 -0500  
Date: Tue, 16 Jul 2002 01:14:59 -0500  
Message-Id: <200207160614.BAA26636@msiwsp01.ms.gov>  
To: governor@governor.state.ms.us  
From: gubernatorial\_info@yahoo.com (Brett A. Rodman)  
Subject: Comments to the Governor

Below is the result of your feedback form. It was submitted by  
Brett A. Rodman (gubernatorial\_info@yahoo.com) on Tuesday, July 16, 2002 at 01:14:55

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Issue: A State Tax Amendment  
Street\_Address: 102 Reid Road  
City: West Columbia  
State: TX  
Zip\_Code: 77486  
Phone: 979-345-3225  
Organization: Diogenes Unlimited Political Consulting  
Position\_in\_Organization: Director

Message: July 15, 2002

Memorandum

To: The Annual Meeting of the National Governor's Association

From: Brett A. Rodman

Diogenes Unlimited Political Consulting

102 Reid Road

West Columbia, TX 77486

979-345-3225

RE: A Proposed State Tax Refund Amendment

CC: Governor's Offices of the Fifty States

Attach: (1) ltr dtd 07 May 01 to Governor's Offices

Honorable Governors,

The attachment, is an edited and restated version of a proposal I have sent all of your offices once or twice over the last two years. Several of you have been kind enough to respond. Though some of it is not timely, it is still pertinent.

The \$45 billion dollar collective deficit of the States is a concern for all State C

Chief Executives and States Legislatures. Unfortunately, as a result of the "war on terror" the additional appropriations signed into law by the Bush Administration dissolved the \$230 billion dollar surplus, which had been predicted by Mitch Daniels the White House Budget director as late as November of 2001. Last week, the Bush Administration announced that in fact, this year the budget deficit will be \$165 billion dollars, with no surplus projected until 2005. This was a \$400 billion dollar shift in the budget, that will have effects on State Budgets as well.

Undoubtedly, if this proposed Amendment was ratified as part of the Constitution of the United States of America by 38 State Legislatures, the Federal Government could begin spending all tax revenues it receives every year, leaving no surplus to be returned. However, this Amendment represents the first step in "grabbing the bull by the horns", and establishing fiscal responsibility on behalf of the government. Once it is ratified, then other litigatory and legislative techniques can be undertaken to ensure that more of the tax money of our citizens, stays at home, and is spent on projects, improvements, and in ways that benefit the taxpayer directly.

For as all of you know, the next time it is necessary to raise taxes at the State or Local level, it is not the Bush Administration, or The United States Congress who will draw the ire of the citizens of your States, but you, State Legislators, and local politicians. This is despite the reality of who is ultimately responsible for making these new taxes necessary.

The desired outcome of this proposal is to have 38 State Legislatures ratify the proposed 28th Amendment enumerated in the Attachment into law. In doing so, this action will begin the process of empowering State and Local Level politicians to reclaim a requisite level of fiscal authority and decision making power that has been slipping away from them over the last 22 years. This process and loss of fiscal authority for the states and local politicians is the direct result of the increasing centralization of tax revenues under the exclusive control of the Federal Government. Helping citizens understand where their money is being spent, and offering then a little more access to the decision making process about how it is spent represent the ultimate objectives of this proposal.

I look forward to hearing your response.

Taxes don't bother people so much, as not being able to figure out where all of the money is being spent. If more tax money was spent closer to home, people would probably be a little less angry about their taxes.

Sincerely,

Brett A. Rodman

Attachment (1)

March 7, 2001

From: Brett A. Rodman  
Diogenes Unlimited  
Political Consulting  
c/o The Star of Hope  
Gospel Mission  
1811 Ruiz Avenue  
Houston, TX 77403  
713-226-7082  
713-222-7827  
713-748-0700

To: The Honorable John Rowland  
Governor's Office  
State Capitol Building  
210 Capitol Avenue  
Hartford, CT 06106

Subj: A PROPOSED STATE TAX REFUND AMENDMENT

Governor,

I contacted the National Governor's Association and several State Executive Offices in September concerning the possibility of a State Tax Refund Act.

The impetus for this proposal was that the in-fact guardians of the citizens the respective states are first and foremost the State Legislatures. This States Rights position was the Constitutional Intent of the Founders of the United States pursuant to Article IV Section 1 of the Constitution of the United States recapitulated by the 9th, 10th, and 11th Amendments of the Bill of Rights. The Offices of the Governor's of Maryland, Iowa, and Alabama were considerate enough to respond with interest. The continuing Budget Debate warrants offering the following thoughts concerning effecting this Constitutional Amendment proposal into law.

-----A State Tax Refund Amendment will catalyze a more streamlined, effective and ergonomic efficiency upon our 'representative democracy'.

-----A State Tax Refund Amendment will maintain lower 'local tax levels'.

-----A State Tax Refund Amendment will facilitate adequate funding for education, infrastructure and community improvement projects at the community, local, and State level where citizens have the greatest access to have their opinions taken into account.

-----A State Tax Refund Amendment will catalyze greater fiscal, and budget accountability by the Federal Government, concerning the use of tax revenues and sending derived therefrom through the more patterned and efficient democratic representation it will effect.

-----A State Tax Refund Amendment will catalyze economic growth beyond the one to two quarter range that 'across the board tax cuts' will stimulate the Economy generating 'new tax revenues' and 'tax bases' in impoverished urban and rural communities the cross sector wholesale market will garner new liquidity. This will cause a trickle-down effect to be enacted upon the material level production sectors and retail markets. This the manner in which supply-side economic theory is intended to work on the macro not microeconomic level.

The 'current taxation structures' do not allow the community, local, and state government heirarchical representational democratic structures to operate in the Constitutionally intended manner. The majority of "government revenues" are generated from 'income taxes'. The majority of these revenues are sent to the Federal Government in the District of Columbia. Once the 'federal government' has addressed their 'immediate needs', then any remaining funds available can be used to meet necessary community, local, or state needs. Unfortunately too often, the 'immediate estimates' of the needs of the Federal Government leave too few funds available for 'necessary maintenance' to municipalities, cities, and states. This requires that local governments raise additional revenue through 'tax hikes' and 'bond referendums'.

This represents the single most irksome factor for 'Working Americans' concerning income taxes.

'Working Americans' are left to wonder why, considering the amount of 'tax money' taken from their weekly paychecks that additionally taxes are necessary at the local level to buy school books, pay police officers, fix 'potholes' in the road, or pay for other vital necessities in the community. The end result of the limitational factors exacted upon representational democracy, through 'tax centralization', requires many essential functions of local government are left unaddressed.

The Current Executive Administration mantra of 'give the money back to the people who earned it' is popular. It is hard to argue with. However, it is reminiscent of the type of 'sales pitch' a used car

salesman might use during a late night movie commercial break. "Come on in see our cars and get your free cash!" It is questionable what the effect of 'across the board

tax cuts' will be on the economy. It might stimulate the economy for one or two quarters and help Wall Street Portfolios. At the same time the money given back directly to the citizens by the Federal Government's "centralized taxation system" will need to be recouped to pay for necessities at the local level. The Federal Government and the Executive Administration are not blamed for the tax hikes that will be needed at the local level, when ironically they are responsible.

The current proposal for 'across the board tax cuts' is a meretricious inducement. The 'Working Class American Taxpayer's' best interest will be best served by a 'State Tax Refund Amendment' returning half of the Budget Surplus to State Governments. This will allow citizens, through their local city councils and state legislators, to more adequately have their voices heard and their needs met. The current "centralized taxation system" of the Federal Government disenfranchises Citizens from the Democratic Process. The 'Voice of the Local and State Government' is thereby muted and all power becomes centralized in the 'Beltway' with limited access for the 'Citizens of the United States'.

FEDERALIST #34 concerning taxation by Alexander Hamilton states;

"Nothing, therefore, can be more fallacious than to infer the extent of any power proper to be lodged in the national government from an estimate of its immediate. There ought to be a capacity to provide for future contingencies as they may happen;"

The State Tax Refund Amendment will provide for these contingencies by returning Power to the States and instilling a more "direct representational democracy". The Citizens of the United States will as a result garner a 'greater voice' in the decisions that affect their lives. This will naturally occur as the 'revenue generated from their labor' will then be controlled by the more accessible 'government officials' in State Legislatures, City Halls, and Town Councils.

The 'centralized taxation structure' now in place, causes local and state representatives in the States to have little or no power to help the citizens they represent beyond proposing 'new tax increases' to meet vital local and community needs. A State Tax Refund Amendment, 'on the Application of the Legislatures or two-thirds of the several States', pursuant to Article V of the Constitution of the United States redistributing half of any annual Budget Surplus to the States will allow the States and Local Communities to address their needs.

Article V of the Constitution of the United States

The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution for proposing Amendments, to this Constitution, or, on the application of the Legislatures of two-thirds of the Several States, shall call a convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the Several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State without its Consent, shall be deprived of its equal Suffrage in the Senate.

The Diogenes Unlimited Political Consulting recommends that upon passage of this Constitutional Amendment the Federal Government could mandate 15% of any returned revenue to be utilized for Small Business Administration Programs under the General Welfare Clause of the United States Constitution. These Small Business Administration Programs administered by the States would be distributed within low income urban and rural communities based upon economic need. This "Main

"Main Street SBA Program" will revitalize communities by developing businesses in low-income areas through catalyzing new, dynamic 'tax bases', and 'revenues' in the American Communities suffering the most from the 'democratically limiting effects' that 'centralized taxation' has had upon our nation.

The power to make centralized decisions concerning the "common revenue of the nation" whether it be to raise more or to give money back is nonetheless "Centralized Power". The State Tax Refund Act will return a portion of the power of government to the People. This will occur by giving the Citizens of the United States a greater say in how the revenue of the government is spent through limiting centralized federal power, and reinstating the efficacy of local and state governments that have greater accessibility to the Citizens to the United States. This was the Original Intention of the United States Constitution. It is in with Spirit this proposal is offered.

The current Executive Administration states its belief in a States Rights premise. However, it misses the point with its 'used car sales pitch'. Through the utilization of its 'centralized taxation power', to give money directly back to the Citizens of the United States through 'across the board tax cuts', the citizenship will eventually be forced to endure tax increases. The necessity to raise local, community, and state taxes will offset the 'centralized taxation system' Tax Rebate'. The issue of the 'centralization of tax revenues' will never be addressed and its limiting effects upon representational democracy will not be altered. The State Tax Refund Amendment will bring about a viable return on 'tax revenue investment' through the 'Main Street SBA Program'. This will generate 'new tax bases' in impoverished urban and rural communities. It will allow for local communities and states to fund schools, pay teachers, police officers, and firefighters, repair roads and build parks, and provide for other community needs without having to resort to additional local tax levies.

FEDERALIST #35 concerning taxation by Alexander Hamilton states;

"To extend its power further in exclusion of the authority of the Union, would be to take the resources of the community out of those hands which stood in need of them for the Public Welfare in order to put them into other hands which could have no just or proper occasion for them."

The Citizens of the States of the United States have elected the town councils, city councils, and state legislatures to represent them. They have a 9th Amendment guarantee to expect the 'unenumerated' of the most effective democracy representation available concerning their 'tax revenues'. After all, this revenue is the money of the Citizens of the United States of America. The Local, City, and State Representatives a Article VI Constitutional Obligation to effectively represent their constituents to the best of their ability. This Article VI Obligation is only effect when the 10th Amendment Bill of Rights Guarantee afforded the States is upheld to maintain their efficacy. The "centralized taxation system' currently in place denies local, community, and state elected officials this opportunity. This necessitates consideration of the State Tax Refund Act by the State Legislatures and 107th Congress of the United States of America.

The Diogenes Unlimited Political Consulting Company has formulated an extensive legal argument, which could be offered on the floor of the United States Supreme Court of the United States. It is our contention that this judicial body maintains original jurisdiction concerning interstate taxation matters. However, it is recommended the most efficacious means of the passage of the proposed State Tax Refund Amendment to be made law is 'on the Application of the Legislatures of two-thirds of the Several States pursuant to the Article V of the Constitution of the United States of America.

The Proposed 28th Amendment to the Constitution of the United States

The State Tax Refund Amendment

For any given Fiscal Operating Cycle of the Federal Government of the United States of America, upon midnight September 30 of such year, half of any revenue accrued as a Budget Surplus shall be returned to the States Legislatures of the fifty States of the United States of America divided proportionately amongst those states based upon population determinations of the most recent national census figures.

The Diogenes Unlimited Political Consulting Company is available for consultation concerning this matter, and would ask for favorable consideration to serve as a lobbying agent on your behalf.

I look forward to your response.

Warmest Regards,

I am,

Brett A. Rodman

Submit: Submit

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