



March 24, 2011

Senator Jon Erpenbach
Room 106 South
State Capitol
P.O. Box 7882
Madison, WI 53707-7882

Dear Sen. Erpenbach:

This letter is to request the following records, under the state's Open Records Law (19.31-39, Wisconsin Statutes):

Copies of all correspondence you have received or sent, (including, but not limited to, letters, emails, voice mails, records of phone calls, and logs of in-person meetings) regarding the subject of changes to Wisconsin's collective bargaining laws for public employees. This request covers such correspondence received or sent between January 1, 2011 and March 23, 2011.

Included in this request are communications specifically pertaining to 2011 SSSB11, 2011 SSAB11, and 2011 Wis. Act 10 as well as the issue generally.

Please be aware that the Open Records law defines "record" to include information that is maintained on paper as well as electronically, such as data files and unprinted emails. Wis. Stat. § 19.32(2).

Please also be aware that the Open Records law "shall be construed in every instance with the presumption of complete public access consistent with the conduct of governmental business. The denial of access generally is contrary to the public interest and only in exceptional cases can access be denied." If you deny my request, the law requires you to do so in writing and state what part of the law you believe entitles you to deny my request. Wis. Stat. § 19.35(4)(a).

The Open Records law states that you may charge for "the actual, necessary and direct cost" of locating records, if this exceeds \$50, and for photocopies. The Wisconsin Department of Justice advises that copying fees under the Open Records law should be "around 15 cents per page and that anything in excess of 25 cents may be suspect." Please advise me before processing this request if the total cost will exceed \$50. Where the documents are available electronically, they can be sent to the following address:
bfraley@maciverinstitute.com.

As you know, the law requires you to respond to this request "as soon as practicable and without delay."

If you are not the records custodian for this information, please forward this request to the appropriate person. Also, please let me know if I can clarify or refine this request.

Sincerely,

Brian Fraley
The John K. MacIver Institute for Public Policy