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## Internet Sales Tax

The US Constitution requires that revenue (tax) bills must originate in the House of Representatives. And, state and local taxes are not really a matter for the federal government to decide.

But we live in interesting times, and in April 2013 the US Senate proposed a new "Mar-

ketplace Fairness Act" (S.743) that would enable states to require online sellers to 1) begin collecting sales tax on each and every transaction, according to the current state and local sales tax rates at each buyer's shipping address; and then to 2) be responsible for remitting those collections to each and every associated tax collecting agency across the country.

There are an estimated 9,600 state and local sales tax jurisdictions in the United States. So, online sellers of every size, from giants like Amazon to the millions of small businesses and mom-n-pop websites that sell everything under the sun, would need sophisticated new resources to help keep track of all of those different rates – not to mention idiosyncrasies such as the fact that California does not tax granola bars (as food) but Kentucky does (as candy).

Online sellers would also need to compile all of the related reporting forms for each and every different taxing entity, and remit the correct amounts to states, counties and cities across the country. Of course, they would then need to be prepared to deal with possible audits under threat of fines, interest, penalties and liens for disputed amounts.

As a *Washington Times* commentary asks, "Do we really want state tax collectors from New York demand-

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## Windows 8 on the Surface Pro

### First impressions

In several newsletter issues in 2012 we reviewed the then-pending release of Windows 8, plus touch-screens, tablets and the also-pending Microsoft Surface.

All of these are now released and widely available, and OCS recently acquired a Surface Pro (with 128GB SSD) running Windows 8 Pro for testing and familiarity.

In a nutshell, this has been an eye-opener and a very pleasant surprise. I'll admit I've been skeptical about Win8, and in our July 2012 issue I wrote "Do you really need a tablet?"

Microsoft calls the Surface "a laptop in tablet form,"

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ing payments and audits from a business in Nebraska?”

There would of course be no compensation for all of these extra burdens, or for the time required or the new liabilities incurred – those would simply become new business overhead expenses. Every online seller would be

conscripted to act as a nationwide tax collector, but they would receive none of the benefits that sales taxes typically fund. Would the granola seller in California expect a fire department somewhere in Kentucky to respond to an emergency?

The *Heritage Foundation* has described this as nothing less than taxation without representation, which is a direct violation of classic American principles.

Supporters of the bill claim they are only trying to help level the playing field for brick-n-mortar retailers who are struggling to adapt to competition from online sales. However, in reality there are advantages and disadvantages to both kinds of sales, and the free market is perfectly capable of working out these issues on its own if government would simply get out of the way.

It is hardly news that state, county and city governments are strapped for cash, and this is nothing more than a blatant grab for new sources of revenue to plug their budget holes. As opined in the *Boston Globe*, the MFA would “unleash tax-hungry states on merchants they aren’t answerable to, and tilt the playing field against

small Internet retailers.”

Major retailers like Wal-Mart, Amazon and Target support the bill, as well as the AFL-CIO.

Says the *Heritage Foundation*, “The bottom line of S.743 is more money out of the pockets of people who buy goods over the Internet, by catalog or by telephone – which is to say most people. That money goes straight into the coffers of state governments. Less money in the pockets of people, more money for big government.”

The bad news is that there seems to be considerable support in the Senate for this new “fairness” bill.

The good news is that, no matter how a state tax bill was spun in order to originate in the US Senate, if it passes there it will next have to face the House of Representatives. (HR.684 is a bill with the same title that was proposed in February in the House. However, it is still in subcommittee review and has not yet been brought up for debate or a vote. Surprisingly, quite a number of its sponsors are Republicans.)

OCS has no dog in this hunt, as we do not sell products online and in any case our customers are entirely local. However we must complain when something so clearly outrageous is attempted, and we worry about how long it may be until it occurs to some legislator in Sacramento that your Internet access service should also be taxed.

For more information, search in your browser for “Internet sales tax,” “Marketplace Fairness Act,” Senate Bill 743 or HR Bill 684. You may also send comments to [feedback@ocsnet.net](mailto:feedback@ocsnet.net).

## Win8 on Surface Pro

which I agree is a fitting description. It is a full-fledged computer with an Intel Core i5 CPU running at 1.7 GHz. This is the same as most Ultrabooks and it’s identical to the MacBook Air. Startup is nearly instantaneous (seriously), and without the need for a fan it is absolutely silent.

The standard form factor is a very slim tablet, with a fold-out “kickstand” for propping it upright if you wish. The optional keyboards (two different models) snap into place magnetically and essentially turn the tablet into a small laptop ... they also fold against the screen as a protective cover.

However, the onboard virtual keyboard is phenomenal. Its response is lightning quick and accurate, and in my own experience with the iPad (albeit limited) the Surface is far superior ... I actually find that I’m using the snap-on keyboard much less than I anticipated.

The overall fit and finish is first-class –



nothing appears cheap or poorly designed. The glass display is bright and crystal-clear, and the touch-screen is highly responsive.

Perhaps the greatest difference in the Surface Pro versus iPads and other tablets is that it is running the full-version Windows 8 Pro 64-bit OS. This is not a special edition for tablets, but the same OS you would get with any laptop or desktop. While it can certainly run apps and games, you can also install any productivity software you already have or may wish to purchase – for example, the full Office or Adobe suites – just plug any external DVD drive into the standard USB 3.0 port to install. (Note that you can’t do this

with the junior “Surface RT” model.)

In other words, there is no compromise in the Surface Pro. It is a full-fledged computer in a versatile and streamlined package. For those who need only apps, games, browsing, email and social media – what’s typically referred to as casual or “consumer” usage – an iPad or any Android tablet will also do fine.

However, for all of the above plus the ability to run any “creative” software along with enterprise-class security, the Surface Pro easily soars above the competition.

Regarding Windows 8, I must say I’m getting used to it much more quickly and easily than I anticipated. It’s readily intuitive, and I find I’m able to navigate and generally find and do what I want without any problems. And, although we’re BlackBerry users at OCS, it’s easy to see how a Windows Phone with the same identical interface would be great for standardization.

In summary, I know this reads like a paid commercial for Microsoft, but I really like the Surface Pro and I think they got it pretty much right. -TLO