



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

Appendix A

LRB BILL HISTORY RESEARCH APPENDIX

 The drafting file for 2009 LRBs0318/1 (For: Rep. Wood)


has been copied/added to the drafting file for

2009 LRBs0321 (For: Rep. Wood)



RESEARCH APPENDIX -
PLEASE KEEP WITH THE DRAFTING FILE

Date Transfer Requested: 03/02/2010 (Per: SRM)

 The attached 2009 draft was incorporated into the new 2009 draft listed above. For research purposes, this cover sheet and the attached drafting file were copied, and added, as a appendix, to the new 2009 drafting file. If introduced this section will be scanned and added, as a separate appendix, to the electronic drafting file folder.

2009 DRAFTING REQUEST

Assembly Substitute Amendment (ASA-AR14)

Received: 03/01/2010

Received By: **smiller**

Wanted: **Today**

Identical to LRB:

For: **Jeffrey Wood (608) 266-1194**

By/Representing: **jessica spotts grabel**

This file may be shown to any legislator: **NO**

Drafter: **smiller**

May Contact:

Addl. Drafters:

Subject: **Legislature - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.WoodJ@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

expulsion

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	smiller 03/01/2010	nmatzke 03/01/2010		_____			
/1			phenry 03/01/2010	_____	cduerst 03/01/2010	cduerst 03/01/2010	

FE Sent For:

<END>

2009 DRAFTING REQUEST

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1?	smiller		<i>2</i> <i>ph</i>	<i>3</i> <i>ph/nwn</i>			
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2
ph

3
ph/nwn

FE Sent For:

<END>

Miller, Steve

From: Spotts-Grabel, Jessica
Sent: Monday, March 01, 2010 3:01 PM
To: Miller, Steve
Subject: RE: bills

Attachments: Sub Amendment Draft with changes.pdf; Additional Draft Changes.pdf

Thank you for getting that information for us. Attached and below are additional changes/additions. Please let me know if you have any questions.

Page 10, Rep. James Lewis (lines 12-15) - Remove.

Page 10, John Shabaz remove the paragraph saying he was later appointed judge - Lines 19-20.

Page 11, Alfonsi - keep the first paragraph - remove lines 13-24.

Pages 12-13, Catlin - remove Lines 22-25, 1-10.

ADD:

(Page 14, just before "Resolved by the assembly...") Whereas, Representative Wood is the only legislator in the history of Wisconsin to be elected as an Independent; 4

(Page 14, Line 19) Change "other" to "partisan" ✓

(Page 2, Line 19) ADD: Whereas, a recent poll conducted by the Chippewa Herald reported that a majority of respondents with 1,079 votes or 57 percent, said that the Wisconsin State Assembly should not expel, reprimand or censure Representative Wood; E

(Page 14, Line 15) ADD: Whereas, over twenty members of the Wisconsin State Senate have been charged with crimes and violations of the ethics and campaign finance laws; Whereas, at no time in the history of the Wisconsin State Senate has action of any kind been taken against legislators for crimes and violations of the ethics and campaign finance laws; 3



Sub Amendment Draft with chang... Additional Draft Changes.pdf (...)

Jessica Spotts-Grabel
Office of State Representative Jeff Wood
67th Assembly District
State Capitol, Room 21 North
P.O. Box 8953
(608) 266-1194

From: Miller, Steve
Sent: Monday, March 01, 2010 2:18 PM
To: Spotts-Grabel, Jessica
Subject: bills

Whereas, Representative Scott Jensen was charged in Dane County Circuit Court on October 18, 2002, with four felony offenses for misconduct in public office; and

Whereas, Representative Jensen's crimes involved allegations that he directed state employees to perform election campaign contribution fundraising and other campaign-related work while on state time and using state resources; and

Whereas, Representative Jensen served in the assembly over a period of five and one-half years, through a trial on those charges commencing in February of 2006, until finally resigning his seat on March 21, 2006, ten days after the jury returned a verdict finding him guilty of three felonies and one misdemeanor; and

Whereas, no legislator sought a resolution to expel, censure or reprimand Representative Jensen from the time he was charged until he resigned upon conviction.

Whereas, Representative Steven Foti was charged in Dane County Circuit Court on October 18, 2002, with one felony offense for misconduct in public office; and

Whereas, Representative Foti's crime involved allegations that he committed ethics violation for keeping a campaign fundraiser on his legislative payroll; and

Whereas, Representative Foti was re-elected to his assembly seat within weeks of being charged and served his full two year term in the assembly, whereupon he determined to not seek re-election; and

Whereas, no legislator sought a resolution to expel, censure or reprimand Representative Foti from the time he was charged until his term ended two years later.

Whereas, the Wisconsin state assembly had taken no action on this matter under article IV, section 8, of the Wisconsin Constitution; and

Whereas, Representative Bonnie Ladwig was charged in Dane County Circuit Court on October 18, 2002, with one misdemeanor for ethics violations; and

Whereas, Representative Ladwig was re-elected to her assembly seat within weeks of being charged and served her full two year term in the assembly, whereupon she determined to not seek re-election; and

Whereas, no legislator sought a resolution to expel, censure or reprimand Representative Ladwig from the time she was charged until her term ended two years later.

Whereas, the Wisconsin state assembly had taken no action on this matter under article IV, section 8, of the Wisconsin Constitution; and

Whereas, Representative Mark Gundrum drafted legislation prohibiting lawmakers from promising official action in exchange for campaign contributions, also known as "pay-to-play," following the uncovering of significant unethical activity in the state capitol, also known as the "caucus scandal"; and

Whereas, the bill was signed into law on August 11, 2003; and

Whereas Representatives Jensen, Foti and Ladwig were all sitting representatives at the time the bill was passed into law, and remained legislators for a full 16 months thereafter; and

Whereas Representative Gundrum nor any other legislator made a motion to expel, censure, or reprimand any legislator involved in the "caucus scandal"; and

Whereas, the Wisconsin state assembly had taken no action on this matter under article IV, section 8, of the Wisconsin Constitution; and

Miller, Steve

From: Spotts-Grabel, Jessica
Sent: Monday, March 01, 2010 3:05 PM
To: Miller, Steve
Subject: Resolution
Attachments: 1309_001.pdf

Steve,
Please review sections 5 & 6 on page 2 of the attached document and give me a call when you have a moment to discuss. Thanks!

Jessica Spotts-Grabel
Office of State Representative Jeff Wood
67th Assembly District
State Capitol, Room 21 North
P.O. Box 8953
(608) 266-1194



WISCONSIN LEGISLATIVE COUNCIL

Terry C. Anderson, Director
Laura D. Rose, Deputy Director

TO: REPRESENTATIVE MARY HUBLER, CHAIR, SPECIAL COMMITTEE ON ETHICS
AND STANDARDS OF CONDUCT

FROM: Don Dyke, Chief of Legal Services, and Jessica Karls-Ruplinger, Staff Attorney

RE: Outline of Possible Committee Process

DATE: November 3, 2009

This memorandum is in response to your request for a general outline of a possible process for the Special Committee's consideration of 2009 Assembly Resolution 14, relating to the expulsion of Representative Jeffrey Wood.

Pursuant to Assembly Rule 21, Speaker Sheridan appointed the Special Committee on Ethics and Standards of Conduct on October 27, 2009. Pursuant to Assembly Rule 43 (3), 2009 Assembly Resolution 14 was referred to the Special Committee on October 27th.

ARTICLE IV, SECTION 8, WISCONSIN CONSTITUTION

The Wisconsin Constitution provides authority for each house of the Legislature to punish or expel a member of its house. Expulsion of a member requires concurrence of two-thirds of all the members elected. The text of the Constitutional provision is as follows:

Rules; contempts; expulsion. Section 8. Each house may determine the rules of its own proceedings, punish for contempt and disorderly behavior, and with the concurrence of two-thirds of all the members elected, expel a member; but no member shall be expelled a second time for the same cause.

Other than the two-thirds vote requirement for expulsion, the constitutional provision provides no specific procedural requirements for the Assembly's consideration of a proposal to expel a member.

ASSEMBLY RULE 21 AND ASSEMBLY RULE 43 (3)

Assembly Rules 21 and 43 (3) outline the process for the Assembly's consideration of a resolution to reprimand, censure, or expel an officer or member of the Assembly:

Assembly Rule 21. Ethics and standards of conduct, special committee on.

(1) Any resolution to reprimand, censure, or expel an officer or member of the assembly shall be referred to a special committee on ethics and standards of conduct, convened for the purpose of holding one or more public hearings on the resolution and submitting the committee's recommendation to the assembly. The special committee shall consist of 3 members of the majority party and 3 members of the minority party, appointed as are the members of standing committees.

(2) The hearing shall be scheduled as soon as possible, allowing reasonable time to ascertain the facts of the controversy, to furnish a copy of the detailed written charges to the officer or member cited, and to permit that person to prepare a proper defense.

(3) At the hearing, the officer or member cited may have the advice of counsel, may offer testimony to mitigate or refute the charges, and may cross-examine any witness testifying in support of the charges.

(4) With the consent of the officer or member cited, the committee may vote to close parts of the hearing to the public.

(5) Promptly after the conclusion of the hearing, the committee shall return the resolution to the assembly together with a written report containing the committee's recommendation for action on the resolution.

(6) Following assembly action on the committee's report, by adoption or rejection of the resolution, referral of the resolution to a standing committee, or return of the resolution to its primary author, the special committee on ethics and standards of conduct is discharged.

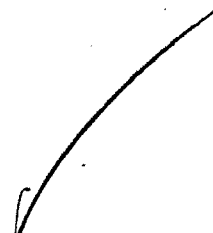
Assembly Rule 43 (3) Any resolution to reprimand, censure, or expel an officer or member of the assembly shall identify the charges against the officer or member cited and shall be referred to the committee on ethics and standards of conduct for review under rule 21.

Assembly Rule 21 (and Assembly Rule 43 (3)) is of relatively recent origin. See 1989 Assembly Resolution 27. The rule has not been used since its creation and there is thus no precedent to guide the Special Committee.

GENERAL OUTLINE OF POSSIBLE COMMITTEE PROCESS

Outlined below is a general process, suggested by Assembly Rule 21, for the Special Committee to consider as it determines how to proceed with Assembly Resolution 14. The process is organized by the following chronology: pre-public hearing; public hearing; and post-public hearing.

See
p 14
L 20



Pre-Public Hearing

Assembly Rule 21 (2) provides for a "reasonable time to ascertain the facts of the controversy, to furnish a copy of the detailed written charges to the ... member cited, and to permit that person to prepare a proper defense."

Ascertaining the Facts of the Controversy

Assembly Rule 21 (2) contemplates ascertainment of the facts as the first step in the committee process. Decisions for the Special Committee in this regard include: (a) for which incidents cited in Assembly Resolution 14 should facts be ascertained (for example, Assembly Resolution 14 cites incidents involving Representative Wood that occurred prior to the December 12, 2008 incident); (b) should facts be ascertained for any incidents not included in Assembly Resolution 14 (for example, the reported October 21, 2009 incident involving Representative Wood is not cited in the resolution); and (c) what documentation of the incidents cited in Assembly Resolution 14 should be obtained.

Preparing and Furnishing a Copy of Detailed Written Charges

Another procedural step under Assembly Rule 21 (2), following the Special Committee's ascertainment of the facts, is furnishing a copy of the detailed written charges to Representative Wood. While Assembly Rule 43 (3) requires any resolution to reprimand, censure, or expel a member of the Assembly to identify the charges against the member, a decision for the Special Committee, in addition to determining what charges will be cited, is to determine the level of detail that will be furnished to Representative Wood regarding the charges. Once that is determined, the requirement of "detailed written charges" could be accomplished, for example, by amending Assembly Resolution 14 to include the charges directly in the resolution or by citing by reference in the resolution various documentation gathered by the committee as exhibits. The final step in this aspect of the process is to furnish Representative Wood a copy of the charges.

Permitting Preparation of a Proper Defense

Once the facts are ascertained and detailed written charges are furnished to Representative Wood, Assembly Rule 21 (2) provides for a reasonable time to permit Representative Wood to prepare a proper defense. When the written charges are furnished to Representative Wood, the Special Committee may wish to query Representative Wood on time to prepare a proper defense. (Although, arguably, that is not binding on the Special Committee.)

Public Hearing

Assembly Rule 21 (1) provides that the Special Committee on Ethics and Standards of Conduct is "convened for the purpose of holding one or more public hearings on the resolution."

Scheduling

Assembly Rule 21 (2) provides that the public hearing on Assembly Resolution 14 be scheduled "as soon as possible," allowing reasonable time, as mentioned previously, "to ascertain the facts of the ..."

controversy, to furnish a copy of the detailed written charges to the ... member cited, and to permit that person to prepare a proper defense."

Hearing Procedure

Assembly Rule 21 (3) provides that Representative Wood, at the public hearing, "may have the advice of counsel, may offer testimony to mitigate or refute the charges, and may cross-examine any witness testifying in support of the charges."

Closing the Hearing

Assembly Rule 21 (4) authorizes the Special Committee, with the consent of Representative Wood, to close parts of the hearing to the public.

Post-Hearing

Assembly Rule 21 (1) provides that a purpose of convening the Special Committee is for "submitting the committee's recommendation to the [A]ssembly."

Committee Recommendation

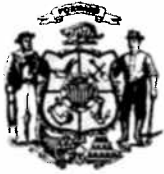
Assembly Rule 21 (5) provides that promptly after the conclusion of the hearing, the Special Committee is to return the resolution, together with a written report containing the committee's recommendation, to the Assembly for action on the resolution. Presumably, this contemplates an executive session of the committee at some point following the final public hearing.

Discharge of Committee

Once the Special Committee has performed the above steps, and following Assembly action on the committee's report "by adoption or rejection of the resolution, referral of the resolution to a standing committee, or return of the resolution to its primary author," the Special Committee is discharged. See Assembly Rule 21 (6).

If you have any questions or need additional information, please contact us directly at the Legislative Council staff offices.

DD:JKR:ty



~~PRELIMINARY DRAFT NOT READY FOR INTRODUCTION~~

TO 2009 ASSEMBLY RESOLUTION 14

ASSEMBLY SUBSTITUTE AMENDMENT

1 **Relating to:** the expulsion of Jeffrey Wood, a representative from the 67th Assembly
2 District, in accordance with article IV, section 8, of the Wisconsin Constitution
3 and Assembly Rule 21.

4 Whereas, article IV, section 8, of the Wisconsin Constitution provides that each
5 house may punish for contempt and disorderly behavior, and with the concurrence
6 of two-thirds of all the members elected, expel a member; and

7 Whereas, Assembly Rule 43 (3) provides that any resolution to reprimand,
8 censure, or expel a member of the assembly shall identify the charges against the
9 member cited and shall be referred to the committee on ethics and standards of
10 conduct for review; and

11 Whereas, the Wisconsin state assembly has adopted Assembly Rule 21,
12 providing for the appointment of a special committee on ethics and standards of
13 conduct to consider any resolution to reprimand, censure, or expel a member of the

1 assembly for the purpose of holding one or more public hearings on the resolution and
2 to make a recommendation for action on the resolution; and

3 Whereas, under Assembly Rule 21 (2),[✓] a duty of the special committee is to
4 ascertain the facts of the controversy,[✓] which are summarized below; and

5 Whereas, Jeffrey Wood currently serves as the representative to the assembly
6 from the 67th Assembly District for the term of the 2009-2010 legislative session;
7 and[✓]

8 Whereas, Representative Wood has not been convicted of any crime; and

9 Whereas, Representative Wood has not violated any assembly rule; and[✓]

10 Whereas, Representative Wood's alleged conduct did not occur while the
11 assembly was in session; and[✓]

12 Whereas, Representative Wood's alleged conduct was not related to his
13 legislative duties; and[✓]

14 Whereas, the people of the 67th Assembly District in Wisconsin have the option
15 under article XIII, section 12,[✓] of the Wisconsin Constitution to recall a state
16 representative; and[✓]

17 Whereas, the people of the 67th Assembly District have chosen not to exercise
18 their rights under article XIII, section 12[✓] of the Wisconsin Constitution; and

INSERT #1

19 Whereas, Representative Nass does not reside in the 67th Assembly District;
20 and

21 Whereas, no other legislator other than Representative Nass has elected to
22 sponsor this resolution; and

INSERT #2

23 ~~Whereas, Representative Scott Jensen was convicted in March 2006 of three~~
24 ~~felonies for misconduct in public office and one misdemeanor for intentional misuse~~
25 ~~of public position for private benefit; and~~

1 Whereas, the Wisconsin state assembly had taken no action on this matter
2 under article IV, section 8, of the Wisconsin Constitution; and

3 Whereas, Representative Jensen was sentenced in May 2006 to 15 months in
4 prison, an additional 45 months of extended supervision, and was banished from the
5 state capitol building for five years; and

6 Whereas, the Wisconsin state assembly had taken no action on this matter
7 under article IV, section 8, of the Wisconsin Constitution; and

8 Whereas, Representative Jensen's violations involved directing state
9 employees to perform election campaign contribution fundraising and other
10 campaign-related work while on state time and using state resources; and

11 Whereas, the Wisconsin state assembly had taken no action on this matter
12 under article IV, section 8, of the Wisconsin Constitution; and

13 Whereas, Representative Mark Gundrum drafted legislation prohibiting
14 lawmakers from promising official action in exchange for campaign contributions,
15 also known as "pay-to-play," following the uncovering of significant unethical
16 activity in the state capitol, also known as the "caucus scandal"; and

17 Whereas, the Wisconsin state assembly had taken no action on this matter
18 under article IV, section 8, of the Wisconsin Constitution; and

19 Whereas, the bill was signed into law on August 11, 2003; and

20 Whereas, the Wisconsin state assembly had taken no action on this matter
21 under article IV, section 8, of the Wisconsin Constitution; and

22 Whereas, Representative Gundrum nor any other legislator made a motion to
23 expel, censure, or reprimand any legislator involved in the "caucus scandal"; and

24 Whereas, the Wisconsin state assembly had taken no action on this matter
25 under article IV, section 8, of the Wisconsin Constitution; and

1 Whereas, Representative Jensen was originally charged in 2002, the former
2 speaker of the assembly did not resign his assembly seat until March 21, 2006; and

3 Whereas, the Wisconsin state assembly had taken no action on this matter
4 under article IV, section 8, of the Wisconsin Constitution; and

5 Whereas, Representative Steven Foti was convicted in January 2006 of a
6 misdemeanor ethics violation for keeping a campaign fundraiser on his legislative
7 payroll; and

8 Whereas, the Wisconsin state assembly had taken no action on this matter
9 under article IV, section 8, of the Wisconsin Constitution; and

10 Whereas, Representative Foti was sentenced in March 2006 to 60 days in jail,
11 with work release privileges, two years of probation, and ordered to perform 240
12 hours of community service; and

13 Whereas, the Wisconsin state assembly had taken no action on this matter
14 under article IV, section 8, of the Wisconsin Constitution; and

15 Whereas, Representative Foti was also fined \$1,000 and ordered to pay court
16 costs and to repay \$27,981 in state-paid legal fees; and

17 Whereas the Wisconsin state assembly had taken no action on this matter
18 under article IV, section 8, of the Wisconsin Constitution; and

19 Whereas, the prosecutor also asked that the judge order him to repay \$306,675
20 for the entire salary and benefits paid to aide Sherry Schultz over four years while
21 she performed illegal campaign work; and

22 Whereas, the Wisconsin state assembly had taken no action on this matter
23 under article IV, section 8, of the Wisconsin Constitution; and

1 Whereas as part of a plea agreement in which the charge was reduced from a
2 felony count of misconduct in public office, Representative Foti agreed to testify in
3 the trials of Schultz and former Assembly Speaker Scott Jensen; and

4 Whereas, the Wisconsin state assembly had taken no action on this matter
5 under article IV, section 8, of the Wisconsin Constitution; and

6 Whereas, Representative Foti was charged in 2002, the former assembly
7 majority leader won reelection in November 2002 and did not run for reelection in
8 November 2004; and

9 Whereas, the Wisconsin state assembly had taken no action on this matter
10 under article IV, section 8, of the Wisconsin Constitution; and

11 Whereas, Representative Bonnie Ladwig was convicted in December 2005 of a
12 misdemeanor ethics violation for using legislative staff to obtain private benefit for
13 an organization to which she belonged, the Republican Assembly Campaign
14 Committee, which was the political and fundraising arm of assembly republicans;
15 and

16 Whereas, the Wisconsin state assembly had taken no action on this matter
17 under article IV, section 8, of the Wisconsin Constitution; and

18 Whereas, as part of a plea agreement, she agreed to testify in the trials of former
19 Assembly Speaker Scott Jensen and former Assembly Majority Leader Steven Foti
20 and was sentenced in May 2006 to 30 days in jail with work release privileges and
21 possible home confinement with electronic monitoring; and

22 Whereas, the Wisconsin state assembly had taken no action on this matter
23 under article IV, section 8, of the Wisconsin Constitution; and

24 Whereas, Representative Foti was also fined \$1,000 and ordered to pay
25 restitution of \$3,500; and

1 ~~Whereas, the Wisconsin state assembly had taken no action on this matter~~
2 ~~under article IV, section 8, of the Wisconsin Constitution; and~~

3 Whereas, Representative Frank Boyle was convicted in 2004 of OWI; and

4 Whereas, the Wisconsin state assembly had taken no action on this matter
5 under article IV, section 8, of the Wisconsin Constitution; and

6 Whereas, Representative Shirley Krug was convicted in 2005 of OWI for an
7 incident which occurred in 2004; and

8 Whereas, the Wisconsin state assembly had taken no action on this matter
9 under article IV, section 8, of the Wisconsin Constitution; and

10 Whereas, Representative David Travis was convicted in 2001 of OWI for an
11 incident which occurred in 2000; and

12 Whereas, the Wisconsin state assembly had taken no action on this matter
13 under article IV, section 8, of the Wisconsin Constitution; and

14 Whereas, Representative Lorraine Seratti was convicted in 2000 of OWI; and

15 Whereas, the Wisconsin state assembly had taken no action on this matter
16 under article IV, section 8, of the Wisconsin Constitution; and

17 Whereas, Representative David Plombon was jailed in June 1995 for allegedly
18 violating conditions of probation stemming from a previous conviction for marijuana
19 possession; and

20 ~~Whereas, the Wisconsin state assembly had taken no action on this matter~~
21 ~~under article IV, section 8, of the Wisconsin Constitution; and~~

22 Whereas, Representative Plombon requested his probation be revoked and he
23 was resentenced in July 1995 for misdemeanor possession of marijuana; and

24 ~~Whereas, the Wisconsin state assembly had taken no action on this matter~~
25 ~~under article IV, section 8, of the Wisconsin Constitution; and~~

1 Whereas, Representative Plombon was sentenced to 16 days in jail which was
2 satisfied by 12 days time served and 4 days credit for good behavior; and

3 ~~Whereas, the Wisconsin state assembly had taken no action on this matter~~
4 ~~under article IV, section 8, of the Wisconsin Constitution; and~~

5 Whereas, Representative Plombon was arrested after failing a drug test
6 ordered by his probation officer in December 1994; and

7 ~~Whereas, the Wisconsin state assembly had taken no action on this matter~~
8 ~~under article IV, section 8, of the Wisconsin Constitution; and~~

9 Whereas, Representative Plombon pled no contest to misdemeanor possession
10 of marijuana and was sentenced to 18 months probation and \$1,812 in fines and court
11 costs; and

12 ~~Whereas, the Wisconsin state assembly had taken no action on this matter~~
13 ~~under article IV, section 8, of the Wisconsin Constitution; and~~

14 Whereas, Representative Plombon was convicted in 1994 of OWI; and

15 ~~Whereas, the Wisconsin state assembly had taken no action on this matter~~
16 ~~under article IV, section 8, of the Wisconsin Constitution; and~~

17 Whereas, Representative Plombon pled no contest to misdemeanor disorderly
18 conduct in May 1994 stemming from ^{an} incident involving his car and estranged wife;
19 and

20 ~~Whereas, the Wisconsin state assembly had taken no action on this matter~~
21 ~~under article IV, section 8, of the Wisconsin Constitution; and~~

22 Whereas, Representative Plombon was sentenced to one year probation and
23 ordered to undergo assessment for chemical dependency; and

24 Whereas, the Wisconsin state assembly had taken no action on this matter
25 under article IV, section 8, of the Wisconsin Constitution; and

1 Whereas, Representative David Lepak was convicted in 1988 of OWI; and

2 Whereas, the Wisconsin state assembly had taken no action on this matter
3 under article IV, section 8, of the Wisconsin Constitution; and

4 Whereas, Representative Scott Fergus forfeited \$500 in 1987 for violating
5 ethics law by accepting food and lodging in connection with ^avisit to Chicago in
6 January 1987; and

7 Whereas, the Wisconsin state assembly had taken no action on this matter
8 under article IV, section 8, of the Wisconsin Constitution; and

9 Whereas, Representative Walter Kunicki forfeited \$500 in 1987 for violating
10 ethics law by accepting lodging and food in connection with ^avisit to Chicago in
11 January 1987; and

12 Whereas, the Wisconsin state assembly had taken no action on this matter
13 under article IV, section 8, of the Wisconsin Constitution; and

14 Whereas, Representative Thomas Hauke paid \$1,418 in fines and court costs
15 in 1986 for violating ethics law by accepting ^aDoor County fishing trip and was
16 convicted in 1976 of OWI; and

17 Whereas, the Wisconsin state assembly had taken no action on this matter
18 under article IV, section 8, of the Wisconsin Constitution; and

19 Whereas, Representative John Robinson forfeited \$1,000 in 1985 for violating
20 ethics law by accepting an airline ticket to Chicago; and

21 Whereas, the Wisconsin state assembly had taken no action on this matter
22 under article IV, section 8, of the Wisconsin Constitution; and

23 Whereas, Representative David Opitz was fined \$356 in 1983 for a hit-and-run
24 accident; and

1 Whereas, the Wisconsin state assembly had taken no action on this matter
2 under article IV, section 8, of the Wisconsin Constitution; and

3 Whereas, Representative Robert Behnke was charged in 1982 with two counts
4 of second-degree sexual assault; and

5 Whereas, the Wisconsin state assembly had taken no action on this matter
6 under article IV, section 8, of the Wisconsin Constitution; and

7 Whereas, Representative Behnke was convicted in 1982 of disorderly conduct
8 stemming from an argument over a state capitol parking spot; and

9 Whereas, the Wisconsin state assembly had taken no action on this matter
10 under article IV, section 8, of the Wisconsin Constitution; and

11 Whereas, Representative Walter Ward was convicted in 1981 of a felony and a
12 misdemeanor for the sexual assault of his legislative aide which occurred in June
13 1980; and

14 Whereas, the Wisconsin state assembly had taken no action on this matter
15 under article IV, section 8, of the Wisconsin Constitution; and

16 Whereas, Representative Ward was sentenced to four years in prison; and

17 Whereas, the Wisconsin state assembly had taken no action on this matter
18 under article IV, section 8, of the Wisconsin Constitution; and

19 Whereas, Representative Ward was convicted in 1980 of OWI; and

20 Whereas, the Wisconsin state assembly had taken no action on this matter
21 under article IV, section 8, of the Wisconsin Constitution; and

22 Whereas, Representative Ward was convicted in 1980 of two misdemeanors for
23 election law violations relating to misuse of campaign funds; and

24 Whereas, the Wisconsin state assembly had taken no action on this matter
25 under article IV, section 8, of the Wisconsin Constitution; and

1 Whereas, Representative Richard Pabst was charged in 1980 with
2 misdemeanor fourth-degree sexual assault; and

3 Whereas, the Wisconsin state assembly had taken no action on this matter
4 under article IV, section 8, of the Wisconsin Constitution; and

5 Whereas, Representative R. Michael Ferrall was convicted in 1979 of OWI; and

6 Whereas, the Wisconsin state assembly had taken no action on this matter
7 under article IV, section 8, of the Wisconsin Constitution; and

8 Whereas, Representative Ferrall was charged in 1978 with misdemeanor
9 misuse of ^astate telephone credit card. The case was dismissed; and

10 Whereas, the Wisconsin state assembly had taken no action on this matter
11 under article IV, section 8, of the Wisconsin Constitution; and

12 ~~Whereas, Representative James Lewis was convicted of felony in 1979 and
13 removed from office for false swearing to a federal grand jury, and~~

14 ~~Whereas, the Wisconsin state assembly had taken no action on this matter
15 under article IV, section 8, of the Wisconsin Constitution; and~~

16 Whereas, Representative John Shabaz was convicted in 1979 of OWI; and

17 Whereas, the Wisconsin state assembly had taken no action on this matter
18 under article IV, section 8, of the Wisconsin Constitution; and

19 ~~Whereas, John Shabaz served as a federal judge for the Western District of
20 Wisconsin and is now retired; and~~

21 Whereas, Representative Joseph Looby was charged in 1978 with
22 misdemeanor misuse of ^astate telephone credit card; and

23 Whereas, the Wisconsin state assembly had taken no action on this matter
24 under article IV, section 8, of the Wisconsin Constitution; and

1 Whereas, Representative Marcel Dandeneau was convicted in 1977 of ^a
2 misdemeanor violation of campaign finance laws; and

3 Whereas, the Wisconsin state assembly had taken no action on this matter
4 under article IV, section 8, of the Wisconsin Constitution; and

5 Whereas, Representative Dandeneau was charged in 1976 with felony
6 misconduct in public office; and

7 Whereas, the Wisconsin state assembly had taken no action on this matter
8 under article IV, section 8, of the Wisconsin Constitution; and

9 Whereas, Representative Paul Alfonsi was convicted of a felony in July 1967 for
10 bribery in Dane County Circuit Court; and

11 Whereas, the Wisconsin state assembly had taken no action on this matter
12 under article IV, section 8, of the Wisconsin Constitution; and

13 Whereas, Representative Alfonsi was removed from office upon sentencing on
14 July 27, 1966; and

15 Whereas, the Wisconsin state assembly had taken no action on this matter
16 under article IV, section 8, of the Wisconsin Constitution; and

17 Whereas, Representative Alfonsi was reelected in November 1966 while the
18 case was on appeal; and

19 Whereas, the Wisconsin state assembly had taken no action on this matter
20 under article IV, section 8, of the Wisconsin Constitution; and

21 Whereas, Representative Alfonsi served during most of the 1967 legislative
22 session and won reelection in November 1968; and

23 Whereas, the Wisconsin state assembly had taken no action on this matter
24 under article IV, section 8, of the Wisconsin Constitution; and

25 Whereas, Representative Willis Hutnik was charged with felony bribery; and

1 Whereas, the Wisconsin state assembly had taken no action on this matter
2 under article IV, section 8, of the Wisconsin Constitution; and

3 Whereas, Representative Earl Elfers was charged in 1966 with assault and
4 battery; and

5 Whereas, the Wisconsin state assembly had taken no action on this matter
6 under article IV, section 8, of the Wisconsin Constitution; and

7 Whereas, Representative Glen Pommerening was convicted in 1965 of OWI;
8 and

9 Whereas, the Wisconsin state assembly had taken no action on this matter
10 under article IV, section 8, of the Wisconsin Constitution; and

11 Whereas, Representative Fred Schleuter was convicted in 1965 of OWI; and

12 Whereas, the Wisconsin state assembly had taken no action on this matter
13 under article IV, section 8, of the Wisconsin Constitution; and

14 Whereas, Representative Schleuter had been charged in 1963, but his case was
15 delayed due to legislative immunity; and

16 Whereas, the Wisconsin state assembly had taken no action on this matter
17 under article IV, section 8, of the Wisconsin Constitution; and

18 Whereas, the people of Representative Schleuter's district responded by not
19 reelecting him in 1964; and

20 Whereas, the Wisconsin state assembly had taken no action on this matter
21 under article IV, section 8, of the Wisconsin Constitution; and

22 Whereas, Representative Mark Catlin, Jr. was found by the Board of State Bar
23 Commissioners in 1957 with violating attorney standards of professional conduct by
24 using personal influence and improperly accepting fees to secure the pardon or
25 parole of inmates of the state prison in 1955; and

1 Whereas, the Wisconsin state assembly had taken no action on this matter
2 under article IV, section 8, of the Wisconsin Constitution; and

3 Whereas, Representative Catlin was fined \$1,500 and disbarred by the
4 Wisconsin Supreme Court for six months; and

5 Whereas, the Wisconsin state assembly had taken no action on this matter
6 under article IV, section 8, of the Wisconsin Constitution; and

7 Whereas, the people of Representative Catlin's district made the decision to not
8 reelect him in the September 1956 primary; and

9 Whereas, the Wisconsin state assembly had taken no action on this matter
10 under article IV, section 8, of the Wisconsin Constitution; and

11 Whereas, Representative Cecil Brown, Jr. was charged with larceny in 1956
12 after being accused of taking a \$75 insurance policy payment; and

13 Whereas, the Wisconsin state assembly had taken no action on this matter
14 under article IV, section 8, of the Wisconsin Constitution; and

15 Whereas, Representative Ray Kuhlman was convicted in 1956 of OWI; and

16 Whereas, the Wisconsin state assembly had taken no action on this matter
17 under article IV, section 8, of the Wisconsin Constitution; and

18 Whereas, Representative Robert Lynch was convicted in 1954 of careless
19 operation of a motor vehicle resulting in a four-car crash; and

20 Whereas, the Wisconsin state assembly had taken no action on this matter
21 under article IV, section 8, of the Wisconsin Constitution; and

22 Whereas, Representative Harold Gade was convicted in 1952 of six felony
23 counts of embezzling a total of over \$36,000 entrusted to him as treasurer of a credit
24 union; and

1 Whereas, the Wisconsin state assembly had taken no action on this matter
2 under article IV, section 8, of the Wisconsin Constitution; and

3 Whereas, Representative Gade was sentenced to concurrent one-year to
4 five-year prison terms on each count; and

5 Whereas, the Wisconsin state assembly had taken no action on this matter
6 under article IV, section 8, of the Wisconsin Constitution; and

7 Whereas, Representative Richard Steffens was charged in 1949 with
8 intentionally making false statements about his election campaign opponent; and

9 Whereas, the Wisconsin state assembly had taken no action on this matter
10 under article IV, section 8, of the Wisconsin Constitution; and

11 Whereas, Representative Frank Schaeffer, Jr. was charged in 1946 with
12 violating the corrupt practices act; and

13 Whereas, the Wisconsin state assembly had taken no action on this matter
14 under article IV, section 8, of the Wisconsin Constitution; and

INSERT # 3

15 Whereas, despite all of the state assembly legislators charged with crimes and
16 violations of ethics and campaign finance laws, this is the first time in the history of
17 the Wisconsin state assembly that this rule has been exercised; ^{and} now, therefore, be it

18 **Resolved by the assembly, That** Representative Jeffrey Wood not be held to
19 a different standard than ^{partisan} other legislators within this institution and based on the
20 facts of this controversy the special committee on ethics and standards of conduct ^{is}
21 hereby disbanded.

and now, therefore, be it

(END)

INSERT # 4

the assembly takes no further action and

2009-2010 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

50318
LRB-4431/Plins
SRM:nwn:ph

1 **INSERT #1**

2 ~~¶~~ Whereas, a recent poll ~~con~~^oducted by the Chippewa Herald reported that a
3 majority of respondents with 1,079 votes or 57 percent, said that the Wisconsin State
4 Assembly should not expel, reprimand, or censure Representative Wood; and[✓]

5

6 **INSERT #2**

7 ~~¶~~ Whereas, Representative Scott Jensen was charged in Dane County Circuit
8 Court on October 18, 2002, with four felony offenses for misconduct in public office;
9 and[✓]

10 Whereas, Representative Jensen's crimes involved allegations that he directed
11 state employees to perform election campaign contribution fundraising and other
12 campaign-related work while on state time and using state resources; and[✓]

13 Whereas, Representative Jensen served in the assembly over a period of five
14 and one-half years, through a trial on those charges commencing in February ~~of~~^o
15 2006, until finally resigning his seat on March 21, 2006, ten days after the jury
16 returned a verdict finding him guilty of three felonies and one misdemeanor; and[✓]

17 Whereas, no legislator sought a resolution to expel, censure^o or reprimand
18 Representative Jensen from the time he was charged until he resigned upon
19 conviction; and[✓]

20 Whereas, Representative Steven Foti was charged in Dane County Circuit
21 Court on October 18, 2002, with one felony offense for misconduct in public office; and[✓]

22 Whereas, Representative Foti's crime involved allegations that he committed
23 ethics violation for keeping a campaign fundraiser on his legislative payroll; and[✓]

1 Whereas, Representative Foti was reelected to his assembly seat within weeks
2 of being charged and served his full two-year term in the assembly, whereupon he
3 determined to not seek reelection; and

4 Whereas, no legislator sought a resolution to expel, censure or reprimand
5 Representative Foti from the time he was charged until his term ended two years
6 later; and

7 Whereas, the Wisconsin state assembly had taken no action on this matter
8 under article IV, section 8, of the Wisconsin Constitution; and

9 Whereas, Representative Bonnie Ladwig was charged in Dane County Circuit
10 Court on October 18, 2002, with one misdemeanor for ethics violations; and

11 Whereas, Representative Ladwig was reelected to her assembly seat within
12 weeks of being charged and served her full two-year term in the assembly, whereupon
13 she determined to not seek reelection; and

14 Whereas, no legislator sought a resolution to expel, censure or reprimand
15 Representative Ladwig from the time she was charged until her term ended two
16 years later; and

17 Whereas, the Wisconsin state assembly had taken no action on this matter
18 under article IV, section 8, of the Wisconsin Constitution; and

19 Whereas, Representative Mark Gundrum drafted legislation prohibiting
20 lawmakers from promising official action in exchange for campaign contributions,
21 also known as "pay-to-play," following the uncovering of significant unethical
22 activity in the state capitol, also known as the "caucus scandal"; and

23 Whereas, the bill was signed into law on August 11, 2003; and

1 Whereas [↑] Representatives Jensen, Foti [↑] and Ladwig were all sitting
 2 representatives at the time the bill was passed into law, and remained legislators for
 3 a full 16 months thereafter; and [✓] Legislators

4 Whereas ^{↑ neither} Representative Gundrum nor any other legislator made a motion to
 5 expel, censure, or reprimand any legislator involved in the "caucus scandal"; and [✓]

6 Whereas, the Wisconsin state assembly had taken no action on this matter
 7 under article IV, section 8, of the Wisconsin Constitution; and [✓]

8

9 **INSERT #3**

10 ~~#~~ Whereas, over twenty^{e 26} members of the Wisconsin ~~State~~ ~~Senate~~ have been
 11 charged with crimes and violations of the ethics and campaign finance laws; and [✓]

12 Whereas, at no time in the history of the Wisconsin ~~State~~ ~~Senate~~ has action of
 13 any kind been taken against legislators for crimes and violations of the ethics and
 14 campaign finance laws; and [✓]

15

16 **INSERT #4**

17 ~~#~~ Whereas, Representative Wood is the only legislator in the history of Wisconsin
 18 to be elected as an independent; and[✓] ~~no #~~



State of Wisconsin
2009 - 2010 LEGISLATURE

LRBs0318/1
SRM:nwn:ph

ASSEMBLY SUBSTITUTE AMENDMENT ,
TO 2009 ASSEMBLY RESOLUTION 14

1 **Relating to:** the expulsion of Jeffrey Wood, a representative from the 67th Assembly
2 District, in accordance with article IV, section 8, of the Wisconsin Constitution
3 and Assembly Rule 21.

4 Whereas, article IV, section 8, of the Wisconsin Constitution provides that each
5 house may punish for contempt and disorderly behavior, and with the concurrence
6 of two-thirds of all the members elected, expel a member; and

7 Whereas, Assembly Rule 43 (3) provides that any resolution to reprimand,
8 censure, or expel a member of the assembly shall identify the charges against the
9 member cited and shall be referred to the committee on ethics and standards of
10 conduct for review; and

11 Whereas, the Wisconsin state assembly has adopted Assembly Rule 21,
12 providing for the appointment of a special committee on ethics and standards of
13 conduct to consider any resolution to reprimand, censure, or expel a member of the

1 assembly for the purpose of holding one or more public hearings on the resolution and
2 to make a recommendation for action on the resolution; and

3 Whereas, under Assembly Rule 21 (2), a duty of the special committee is to
4 ascertain the facts of the controversy, which are summarized below; and

5 Whereas, Jeffrey Wood currently serves as the representative to the assembly
6 from the 67th Assembly District for the term of the 2009-2010 legislative session;
7 and

8 Whereas, Representative Wood has not been convicted of any crime; and

9 Whereas, Representative Wood has not violated any assembly rule; and

10 Whereas, Representative Wood's alleged conduct did not occur while the
11 assembly was in session; and

12 Whereas, Representative Wood's alleged conduct was not related to his
13 legislative duties; and

14 Whereas, the people of the 67th Assembly District in Wisconsin have the option
15 under article XIII, section 12, of the Wisconsin Constitution to recall a state
16 representative; and

17 Whereas, the people of the 67th Assembly District have chosen not to exercise
18 their rights under article XIII, section 12, of the Wisconsin Constitution; and

19 Whereas, a recent poll conducted by the Chippewa Herald reported that a
20 majority of respondents with 1,079 votes or 57 percent, said that the Wisconsin state
21 assembly should not expel, reprimand, or censure Representative Wood; and

22 Whereas, Representative Nass does not reside in the 67th Assembly District;
23 and

24 Whereas, no other legislator other than Representative Nass has elected to
25 sponsor this resolution; and

1 Whereas, Representative Scott Jensen was charged in Dane County Circuit
2 Court on October 18, 2002, with four felony offenses for misconduct in public office;
3 and

4 Whereas, Representative Jensen's crimes involved allegations that he directed
5 state employees to perform election campaign contribution fundraising and other
6 campaign-related work while on state time and using state resources; and

7 Whereas, Representative Jensen served in the assembly over a period of five
8 and one-half years, through a trial on those charges commencing in February 2006,
9 until finally resigning his seat on March 21, 2006, ten days after the jury returned
10 a verdict finding him guilty of three felonies and one misdemeanor; and

11 Whereas, no legislator sought a resolution to expel, censure, or reprimand
12 Representative Jensen from the time he was charged until he resigned upon
13 conviction; and

14 Whereas, Representative Steven Foti was charged in Dane County Circuit
15 Court on October 18, 2002, with one felony offense for misconduct in public office; and

16 Whereas, Representative Foti's crime involved allegations that he committed
17 ethics violation for keeping a campaign fundraiser on his legislative payroll; and

18 Whereas, Representative Foti was reelected to his assembly seat within weeks
19 of being charged and served his full two-year term in the assembly, whereupon he
20 determined to not seek reelection; and

21 Whereas, no legislator sought a resolution to expel, censure, or reprimand
22 Representative Foti from the time he was charged until his term ended two years
23 later; and

24 Whereas, the Wisconsin state assembly had taken no action on this matter
25 under article IV, section 8, of the Wisconsin Constitution; and

1 Whereas, Representative Bonnie Ladwig was charged in Dane County Circuit
2 Court on October 18, 2002, with one misdemeanor for ethics violations; and

3 Whereas, Representative Ladwig was reelected to her assembly seat within
4 weeks of being charged and served her full two-year term in the assembly,
5 whereupon she determined to not seek reelection; and

6 Whereas, no legislator sought a resolution to expel, censure, or reprimand
7 Representative Ladwig from the time she was charged until her term ended two
8 years later; and

9 Whereas, the Wisconsin state assembly had taken no action on this matter
10 under article IV, section 8, of the Wisconsin Constitution; and

11 Whereas, Representative Mark Gundrum drafted legislation prohibiting
12 lawmakers from promising official action in exchange for campaign contributions,
13 also known as "pay-to-play," following the uncovering of significant unethical
14 activity in the state capitol, also known as the "caucus scandal"; and

15 Whereas, the bill was signed into law on August 11, 2003; and

16 Whereas, Representatives Jensen, Foti, and Ladwig were all sitting
17 representatives at the time the bill was passed into law, and remained legislators for
18 a full 16 months thereafter; and

19 Whereas, neither Representative Gundrum nor any other legislator made a
20 motion to expel, censure, or reprimand any legislator involved in the "caucus
21 scandal"; and

22 Whereas, the Wisconsin state assembly had taken no action on this matter
23 under article IV, section 8, of the Wisconsin Constitution; and

24 Whereas, Representative Frank Boyle was convicted in 2004 of OWI; and

1 Whereas, the Wisconsin state assembly had taken no action on this matter
2 under article IV, section 8, of the Wisconsin Constitution; and

3 Whereas, Representative Shirley Krug was convicted in 2005 of OWI for an
4 incident which occurred in 2004; and

5 Whereas, the Wisconsin state assembly had taken no action on this matter
6 under article IV, section 8, of the Wisconsin Constitution; and

7 Whereas, Representative David Travis was convicted in 2001 of OWI for an
8 incident which occurred in 2000; and

9 Whereas, the Wisconsin state assembly had taken no action on this matter
10 under article IV, section 8, of the Wisconsin Constitution; and

11 Whereas, Representative Lorraine Seratti was convicted in 2000 of OWI; and

12 Whereas, the Wisconsin state assembly had taken no action on this matter
13 under article IV, section 8, of the Wisconsin Constitution; and

14 Whereas, Representative David Plombon was jailed in June 1995 for allegedly
15 violating conditions of probation stemming from a previous conviction for marijuana
16 possession; and

17 Whereas, Representative Plombon requested his probation be revoked and he
18 was resentenced in July 1995 for misdemeanor possession of marijuana; and

19 Whereas, Representative Plombon was sentenced to 16 days in jail which was
20 satisfied by 12 days time served and 4 days credit for good behavior; and

21 Whereas, Representative Plombon was arrested after failing a drug test
22 ordered by his probation officer in December 1994; and

23 Whereas, Representative Plombon pled no contest to misdemeanor possession
24 of marijuana and was sentenced to 18 months probation and \$1,812 in fines and court
25 costs; and

1 Whereas, Representative Plombon was convicted in 1994 of OWI; and

2 Whereas, Representative Plombon pled no contest to misdemeanor disorderly
3 conduct in May 1994 stemming from an incident involving his car and estranged
4 wife; and

5 Whereas, Representative Plombon was sentenced to one year probation and
6 ordered to undergo assessment for chemical dependency; and

7 Whereas, the Wisconsin state assembly had taken no action on this matter
8 under article IV, section 8, of the Wisconsin Constitution; and

9 Whereas, Representative David Lepak was convicted in 1988 of OWI; and

10 Whereas, the Wisconsin state assembly had taken no action on this matter
11 under article IV, section 8, of the Wisconsin Constitution; and

12 Whereas, Representative Scott Fergus forfeited \$500 in 1987 for violating
13 ethics law by accepting food and lodging in connection with a visit to Chicago in
14 January 1987; and

15 Whereas, the Wisconsin state assembly had taken no action on this matter
16 under article IV, section 8, of the Wisconsin Constitution; and

17 Whereas, Representative Walter Kunicki forfeited \$500 in 1987 for violating
18 ethics law by accepting lodging and food in connection with a visit to Chicago in
19 January 1987; and

20 Whereas, the Wisconsin state assembly had taken no action on this matter
21 under article IV, section 8, of the Wisconsin Constitution; and

22 Whereas, Representative Thomas Hauke paid \$1,418 in fines and court costs
23 in 1986 for violating ethics law by accepting a Door County fishing trip and was
24 convicted in 1976 of OWI; and

1 Whereas, the Wisconsin state assembly had taken no action on this matter
2 under article IV, section 8, of the Wisconsin Constitution; and

3 Whereas, Representative John Robinson forfeited \$1,000 in 1985 for violating
4 ethics law by accepting an airline ticket to Chicago; and

5 Whereas, the Wisconsin state assembly had taken no action on this matter
6 under article IV, section 8, of the Wisconsin Constitution; and

7 Whereas, Representative David Opitz was fined \$356 in 1983 for a hit-and-run
8 accident; and

9 Whereas, the Wisconsin state assembly had taken no action on this matter
10 under article IV, section 8, of the Wisconsin Constitution; and

11 Whereas, Representative Robert Behnke was charged in 1982 with two counts
12 of second-degree sexual assault; and

13 Whereas, the Wisconsin state assembly had taken no action on this matter
14 under article IV, section 8, of the Wisconsin Constitution; and

15 Whereas, Representative Behnke was convicted in 1982 of disorderly conduct
16 stemming from an argument over a state capitol parking spot; and

17 Whereas, the Wisconsin state assembly had taken no action on this matter
18 under article IV, section 8, of the Wisconsin Constitution; and

19 Whereas, Representative Walter Ward was convicted in 1981 of a felony and a
20 misdemeanor for the sexual assault of his legislative aide which occurred in June
21 1980; and

22 Whereas, the Wisconsin state assembly had taken no action on this matter
23 under article IV, section 8, of the Wisconsin Constitution; and

24 Whereas, Representative Ward was sentenced to four years in prison; and

1 Whereas, the Wisconsin state assembly had taken no action on this matter
2 under article IV, section 8, of the Wisconsin Constitution; and

3 Whereas, Representative Ward was convicted in 1980 of OWI; and

4 Whereas, the Wisconsin state assembly had taken no action on this matter
5 under article IV, section 8, of the Wisconsin Constitution; and

6 Whereas, Representative Ward was convicted in 1980 of two misdemeanors for
7 election law violations relating to misuse of campaign funds; and

8 Whereas, the Wisconsin state assembly had taken no action on this matter
9 under article IV, section 8, of the Wisconsin Constitution; and

10 Whereas, Representative Richard Pabst was charged in 1980 with
11 misdemeanor fourth-degree sexual assault; and

12 Whereas, the Wisconsin state assembly had taken no action on this matter
13 under article IV, section 8, of the Wisconsin Constitution; and

14 Whereas, Representative R. Michael Ferrall was convicted in 1979 of OWI; and

15 Whereas, the Wisconsin state assembly had taken no action on this matter
16 under article IV, section 8, of the Wisconsin Constitution; and

17 Whereas, Representative Ferrall was charged in 1978 with misdemeanor
18 misuse of a state telephone credit card. The case was dismissed; and

19 Whereas, the Wisconsin state assembly had taken no action on this matter
20 under article IV, section 8, of the Wisconsin Constitution; and

21 Whereas, Representative John Shabaz was convicted in 1979 of OWI; and

22 Whereas, the Wisconsin state assembly had taken no action on this matter
23 under article IV, section 8, of the Wisconsin Constitution; and

24 Whereas, Representative Joseph Looby was charged in 1978 with
25 misdemeanor misuse of a state telephone credit card; and

1 Whereas, the Wisconsin state assembly had taken no action on this matter
2 under article IV, section 8, of the Wisconsin Constitution; and

3 Whereas, Representative Marcel Dandeneau was convicted in 1977 of
4 misdemeanor violation of campaign finance laws; and

5 Whereas, the Wisconsin state assembly had taken no action on this matter
6 under article IV, section 8, of the Wisconsin Constitution; and

7 Whereas, Representative Dandeneau was charged in 1976 with felony
8 misconduct in public office; and

9 Whereas, the Wisconsin state assembly had taken no action on this matter
10 under article IV, section 8, of the Wisconsin Constitution; and

11 Whereas, Representative Paul Alfonsi was convicted of a felony in July 1967 for
12 bribery in Dane County Circuit Court; and

13 Whereas, the Wisconsin state assembly had taken no action on this matter
14 under article IV, section 8, of the Wisconsin Constitution; and

15 Whereas, Representative Willis Hutnik was charged with felony bribery; and

16 Whereas, the Wisconsin state assembly had taken no action on this matter
17 under article IV, section 8, of the Wisconsin Constitution; and

18 Whereas, Representative Earl Elfers was charged in 1966 with assault and
19 battery; and

20 Whereas, the Wisconsin state assembly had taken no action on this matter
21 under article IV, section 8, of the Wisconsin Constitution; and

22 Whereas, Representative Glen Pommerening was convicted in 1965 of OWI;
23 and

24 Whereas, the Wisconsin state assembly had taken no action on this matter
25 under article IV, section 8, of the Wisconsin Constitution; and

1 Whereas, Representative Fred Schleuter was convicted in 1965 of OWI; and

2 Whereas, the Wisconsin state assembly had taken no action on this matter
3 under article IV, section 8, of the Wisconsin Constitution; and

4 Whereas, Representative Schleuter had been charged in 1963, but his case was
5 delayed due to legislative immunity; and

6 Whereas, the Wisconsin state assembly had taken no action on this matter
7 under article IV, section 8, of the Wisconsin Constitution; and

8 Whereas, the people of Representative Schleuter's district responded by not
9 reelecting him in 1964; and

10 Whereas, the Wisconsin state assembly had taken no action on this matter
11 under article IV, section 8, of the Wisconsin Constitution; and

12 Whereas, Representative Cecil Brown, Jr. was charged with larceny in 1956
13 after being accused of taking a \$75 insurance policy payment; and

14 Whereas, the Wisconsin state assembly had taken no action on this matter
15 under article IV, section 8, of the Wisconsin Constitution; and

16 Whereas, Representative Ray Kuhlman was convicted in 1956 of OWI; and

17 Whereas, the Wisconsin state assembly had taken no action on this matter
18 under article IV, section 8, of the Wisconsin Constitution; and

19 Whereas, Representative Robert Lynch was convicted in 1954 of careless
20 operation of a motor vehicle resulting in a four-car crash; and

21 Whereas, the Wisconsin state assembly had taken no action on this matter
22 under article IV, section 8, of the Wisconsin Constitution; and

23 Whereas, Representative Harold Gade was convicted in 1952 of six felony
24 counts of embezzling a total of over \$36,000 entrusted to him as treasurer of a credit
25 union; and

1 Whereas, the Wisconsin state assembly had taken no action on this matter
2 under article IV, section 8, of the Wisconsin Constitution; and

3 Whereas, Representative Gade was sentenced to concurrent one-year to
4 five-year prison terms on each count; and

5 Whereas, the Wisconsin state assembly had taken no action on this matter
6 under article IV, section 8, of the Wisconsin Constitution; and

7 Whereas, Representative Richard Steffens was charged in 1949 with
8 intentionally making false statements about his election campaign opponent; and

9 Whereas, the Wisconsin state assembly had taken no action on this matter
10 under article IV, section 8, of the Wisconsin Constitution; and

11 Whereas, Representative Frank Schaeffer, Jr. was charged in 1946 with
12 violating the corrupt practices act; and

13 Whereas, the Wisconsin state assembly had taken no action on this matter
14 under article IV, section 8, of the Wisconsin Constitution; and

15 Whereas, over 20 members of the Wisconsin state senate have been charged
16 with crimes and violations of the ethics and campaign finance laws; and

17 Whereas, at no time in the history of the Wisconsin state senate has action of
18 any kind been taken against legislators for crimes and violations of the ethics and
19 campaign finance laws; and

20 Whereas, despite all of the state assembly legislators charged with crimes and
21 violations of ethics and campaign finance laws, this is the first time in the history of
22 the Wisconsin state assembly that this rule has been exercised; and

23 Whereas, Representative Wood is the only legislator in the history of Wisconsin
24 to be elected as an independent; now, therefore, be it

