

2009 DRAFTING REQUEST

Assembly Substitute Amendment (ASA-AR14)

Received: 12/17/2009

Received By: **rchampag**

Wanted: **Today**

Companion to LRB:

For: **Legislative Council - IND**

By/Representing: **Jessica Karls-Ruplinger**

May Contact:

Drafter: **rchampag**

Subject: **Legislature - miscellaneous res.**

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

Requester's email: **Jessica.Karls@legis.wisconsin.gov**

Carbon copy (CC:) to: **Scott.Grosz@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Censure of Rep. Wood

Instructions:

Censure of Rep. Wood

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>
/?	rchampag 12/17/2009	kfollett 12/17/2009		_____			
/P1	chanaman 12/18/2009	csicilia 12/18/2009	jfrantze 12/17/2009	_____	sbasford 12/17/2009 sbasford 12/17/2009		
/1			mduchek 12/18/2009	_____	mbarman 12/18/2009	mbarman 12/18/2009	

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/2	rchampag 03/21/2010	kfollett 03/22/2010	phenry 03/22/2010	_____	sbasford 03/22/2010	sbasford 03/22/2010	

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		12/18/2009 <i>12/18/2009</i>	3/22 <i>3/22</i>	_____	sbasford 12/17/2009		
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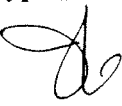
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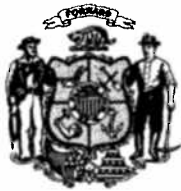
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FE Sent For:

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State of Wisconsin
2009 - 2010 LEGISLATURE

LRBs0214/P1
RAC:kjf:rs

Now

LRB50216/P1
RAC:
kf

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
ASSEMBLY SUBSTITUTE AMENDMENT ,
TO 2009 ASSEMBLY RESOLUTION 14

1

Relating to: the ~~reprimand, censure, or expulsion~~ of Jeffrey Wood, a representative from the 67th Assembly District, in accordance with article IV, section 8, of the Wisconsin Constitution and Assembly Rule 21.

2

3

4

Resolved by the assembly, That:

5

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

6

7

8

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

9

10

11

12

Whereas, the Wisconsin state assembly has adopted Assembly Rule 21, providing for the appointment of a special committee on ethics and standards of

13

1 conduct to consider any resolution to reprimand, censure, or expel a member of the
2 assembly for the purpose of holding one or more public hearings on the resolution and
3 to make a recommendation for action on the resolution; and

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

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

9 Whereas, on December 12, 2008, Representative Wood was arrested for
10 operating while intoxicated in Columbia County, which could result in his third,
11 fourth, or fifth offense under Wisconsin law; and

12 Whereas, law enforcement and eye witness accounts regarding Representative
13 Wood's driving on December 12, 2008, indicate that his driving was erratic and
14 dangerous; and

15 Whereas, Representative Wood was charged with operating a motor vehicle
16 while under the influence of an intoxicant (third offense), operating a motor vehicle
17 with a prohibited alcohol concentration (PAC) (third offense), possession of
18 tetrahydrocannabinols (THC), and possession of drug paraphernalia as a result of
19 his arrest on December 12, 2008; and

20 Whereas, as a condition of release relating to the case resulting from his
21 December 12, 2008, arrest, Representative Wood was ordered by the court to
22 maintain absolute sobriety at all times; and

23 Whereas, on December 1, 2009, a motion to suppress evidence of THC and drug
24 paraphernalia from Representative Wood's December 12, 2008, arrest was denied by
25 the circuit court; and

1 Whereas, on September 23, 2009, Representative Wood was arrested for
2 operating while under the influence in Marathon County, which could result in his
3 third, fourth, or fifth offense under Wisconsin law; and

4 Whereas, law enforcement and eye witness accounts regarding Representative
5 Wood's driving on September 23, 2009, indicate that his driving was erratic and
6 dangerous; and

7 Whereas, Representative Wood was charged with operating while under the
8 influence of a controlled substance (third offense) and inattentive driving as a result
9 of his arrest on September 23, 2009; and

10 Whereas, on October 21, 2009, Representative Wood was arrested for operating
11 a motor vehicle while impaired in Monroe County, which could result in his third,
12 fourth, or fifth offense under Wisconsin law; and

13 Whereas, law enforcement and eye witness accounts regarding Representative
14 Wood's driving on October 21, 2009, indicate that his driving was erratic and
15 dangerous; and

16 Whereas, Representative Wood was charged with operating while under the
17 influence of an intoxicant or other drug (third offense) and misdemeanor bail
18 jumping as a result of his arrest on October 21, 2009; and

19 Whereas, based on the facts of this controversy, the special committee on ethics
20 and standards of conduct makes the following charges against Representative Wood:

21 First, the conduct cited above by Representative Wood since his election to the
22 assembly for the 2009-2010 legislative term jeopardized his life and the lives of
23 innocent citizens, does not reflect the norms of behavior expected of a member of the
24 assembly and, therefore, has brought disrepute on the Wisconsin state assembly by
25 damaging the institution's integrity with the public; and

1 Second, while it is recognized that addiction is a serious health problem, any
2 attempts by Representative Wood to deal with his addiction were not successful in
3 preventing the dangerous incidents cited in this resolution; and

4 Whereas, the special committee, following a public hearing on this resolution,
5 is directed by Assembly Rule 21 (5) to make a recommendation for action on the
6 resolution; now, therefore, be it

7 **Resolved by the assembly, That** it is recommended that Representative
8 Jeffrey Wood is reprimanded, censured, or expelled in accordance with article IV,
9 section 8, of the Wisconsin Constitution and Assembly Rule 21.

10 (END)

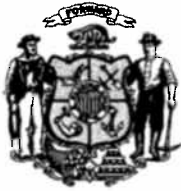
Insert
4-10

2009-2010 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBs0216/PlinsRC
RAC:.....

Insert 4-10:

Resolved by the assembly, That Representative Jeffrey Wood is hereby
censured by the Wisconsin state assembly, in accordance with article IV, section 8,
of the Wisconsin Constitution and Assembly Rule 21.



State of Wisconsin
2009 - 2010 LEGISLATURE

LRBs0216/P1

RAC:kjf:jf



stays

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

ASSEMBLY SUBSTITUTE AMENDMENT,
TO 2009 ASSEMBLY RESOLUTION 14

Now

1 **Relating to:** the censure 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 ***Resolved by the assembly, That:***

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

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

1 Whereas, the Wisconsin state assembly has adopted Assembly Rule 21,
2 providing for the appointment of a special committee on ethics and standards of
3 conduct to consider any resolution to reprimand, censure, or expel a member of the
4 assembly for the purpose of holding one or more public hearings on the resolution and
5 to make a recommendation for action on the resolution; and

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

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

11 Whereas, on December 12, 2008, Representative Wood was arrested for
12 operating while intoxicated in Columbia County, which could result in his third,
13 fourth, or fifth offense under Wisconsin law; and

14 Whereas, law enforcement and eye witness accounts regarding Representative
15 Wood's driving on December 12, 2008, indicate that his driving was erratic and
16 dangerous; and

17 Whereas, Representative Wood was charged with operating a motor vehicle
18 while under the influence of an intoxicant (third offense), operating a motor vehicle
19 with a prohibited alcohol concentration (PAC) (third offense), possession of
20 tetrahydrocannabinols (THC), and possession of drug paraphernalia as a result of
21 his arrest on December 12, 2008; and

22 Whereas, as a condition of release relating to the case resulting from his
23 December 12, 2008, arrest, Representative Wood was ordered by the court to
24 maintain absolute sobriety at all times; and

1 Whereas, on December 1, 2009, a motion to suppress evidence of THC and drug
2 paraphernalia from Representative Wood's December 12, 2008, arrest was denied by
3 the circuit court; and

4 Whereas, on September 23, 2009, Representative Wood was arrested for
5 operating while under the influence in Marathon County, which could result in his
6 third, fourth, or fifth offense under Wisconsin law; and

7 Whereas, law enforcement and eye witness accounts regarding Representative
8 Wood's driving on September 23, 2009, indicate that his driving was erratic and
9 dangerous; and

10 Whereas, Representative Wood was charged with operating while under the
11 influence of a controlled substance (third offense) and inattentive driving as a result
12 of his arrest on September 23, 2009; and

13 Whereas, on October 21, 2009, Representative Wood was arrested for operating
14 a motor vehicle while impaired in Monroe County, which could result in his third,
15 fourth, or fifth offense under Wisconsin law; and

16 Whereas, law enforcement and eye witness accounts regarding Representative
17 Wood's driving on October 21, 2009, indicate that his driving was erratic and
18 dangerous; and

19 Whereas, Representative Wood was charged with operating while under the
20 influence of an intoxicant or other drug (third offense) and misdemeanor bail
21 jumping as a result of his arrest on October 21, 2009; and

22 Whereas, based on the facts of this controversy, the special committee on ethics
23 and standards of conduct makes the following charges against Representative Wood:

24 First, the conduct cited above by Representative Wood since his election to the
25 assembly for the 2009-2010 legislative term jeopardized his life and the lives of

1 innocent citizens, does not reflect the norms of behavior expected of a member of the
2 assembly and, therefore, has brought disrepute on the Wisconsin state assembly by
3 damaging the institution's integrity with the public; and

4 Second, while it is recognized that addiction is a serious health problem, any
5 attempts by Representative Wood to deal with his addiction were not successful in
6 preventing the dangerous incidents cited in this resolution; and

7 Whereas, the special committee, following a public hearing on this resolution,
8 is directed by Assembly Rule 21 (5) to make a recommendation for action on the
9 resolution; now, therefore, be it

10 ***Resolved by the assembly, That*** Representative Jeffrey Wood is hereby
11 censured by the Wisconsin state assembly, in accordance with article IV, section 8,
12 of the Wisconsin Constitution and Assembly Rule 21.

13

(END)

Champagne, Rick

From: Grosz, Scott
Sent: Friday, March 19, 2010 3:40 PM
To: Champagne, Rick
Cc: Karls-Ruplinger, Jessica
Subject: Assembly Ethics Committee - AR 14 Substitute Resolutions

Rick,

In preparation for the Assembly Special Ethics Committee on 2009 AR 14, you had drafted 3 substitute amendments LRBs0215/1, s0216/1, and s0217/1. Rep. Hubler asked Jessica and I to make sure those substitute amendments contain accurate and up to date information regarding the circumstances related to the resolution, and we have come to the conclusion that the following edits should be added to /2 versions of the substitute amendments:

- On page 2, after line 25, insert: "Whereas, a plea hearing in the case resulting from Representative Wood's December 12, 2008 arrest has been scheduled for April 19, 2010; and"
- On page 3, after line 9, insert: "Whereas, as a condition of release relating to the case resulting from his September 23, 2009 arrest, Representative Wood was ordered by the court to take no controlled substances without a prescription and, if prescribed, to take controlled substances only in doses as prescribed; and"

The Ethics Committee will be exec'ing on Tuesday, 3/23, so we're hoping you would have the time to prepare these changes sometime on Monday.

Please let Jessica or I know if you have any questions.

Thanks,

Scott

Scott Grosz
Staff Attorney
Wisconsin Legislative Council
ph. (608) 266-1307



State of Wisconsin
2009 - 2010 LEGISLATURE

LRBs0216/y 2
RAC:kjf:md

Mon AM

RMR

ASSEMBLY SUBSTITUTE AMENDMENT ,
TO 2009 ASSEMBLY RESOLUTION 14

1 **Relating to:** the censure 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 ***Resolved by the assembly, That:***

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

8 Whereas, Assembly Rule 43 (3) provides that any resolution to reprimand,
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11 conduct for review; and

12 Whereas, the Wisconsin state assembly has adopted Assembly Rule 21,
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20 Whereas, as a condition of release relating to the case resulting from his
21 December 12, 2008, arrest, Representative Wood was ordered by the court to
22 maintain absolute sobriety at all times; and

23 Whereas, on December 1, 2009, a motion to suppress evidence of THC and drug
24 paraphernalia from Representative Wood's December 12, 2008, arrest was denied by
25 the circuit court; and

25



Insert 2-25

1 Whereas, on September 23, 2009, Representative Wood was arrested for
2 operating while under the influence in Marathon County, which could result in his
3 third, fourth, or fifth offense under Wisconsin law; and

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5 Wood's driving on September 23, 2009, indicate that his driving was erratic and
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Monroe 3-9

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7 *Resolved by the assembly, That* Representative Jeffrey Wood is hereby
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10 (END)

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FROM THE
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LRBs0216/2ins
RAC:kjf:md

Insert 2-25:

Whereas, a plea hearing in the case resulting from Representative Wood's December 12, 2008, arrest has been scheduled for April 19, 2010; and

Insert 3-9:

Whereas, as a condition of release relating to the case resulting from his September 23, 2009, arrest, Representative Wood was ordered by the court to take no controlled substances without a prescription and, if prescribed, to take controlled substances only in doses as prescribed; and