

State of Misconsin 2009 - 2010 LEGISLATURE

LRBa2450/1 RAC:nwn&kjf:ph

## ASSEMBLY AMENDMENT 1, TO ASSEMBLY SUBSTITUTE AMENDMENT 4, TO 2009 ASSEMBLY RESOLUTION 14

April 20, 2010 – Offered by Representative Wood.

1	At the locations indicated, amend the substitute amendment as follows:
2	1. Page 1, line 3: after "21" insert "and the censure of Stephen Nass, a
3	representative from the 31st Assembly District, in accordance with article IV, section
4	8, of the Wisconsin Constitution".
5	<b>2.</b> Page 4, line 16: delete "21." and substitute "21; and".
6	<b>3.</b> Page 4, line 16: after that line insert:
7	"Be it further resolved, That:
8	Whereas, Representative Nass claimed his home address as W8948 Willis Ray
9	Road in Whitewater, Wisconsin, reporting mileage between 43 to 52 miles since 1990
10	to the state capitol; and

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1	Whereas, members of the Wisconsin state assembly complete their own
2	certificates of mileage pursuant to sections 20.765 (1) (a) and 13.123 (1) or (2) of the
3	statutes; and
4	Whereas, it is a Class I felony under section 946.12 (4) of the statutes to make
5	false entries on this form; and
6	Whereas, section 13.08 (2) of the statutes authorizes reimbursement for up to
7	one round trip per week of transportation expenses actually incurred; and
8	Whereas, Wisconsin law regulating mileage claims for state officials requires
9	that the most direct route be claimed; and
10	Whereas, Representative Nass claimed a distance ranging from 43 to 52 miles
11	since 1990 to the state capitol; and
12	Whereas, the American Automobile Association and MapQuest calculate the
13	true distance as 43 miles; and
14	Whereas, the American Automobile Association was not able to complete a
15	direct route between the two locations that totaled 52 miles; and
16	Whereas, federal tax law requires legislators to live at least 50 miles away from
17	the capitol to claim expenses for any day the legislature is in session; and
18	Whereas, Representative Nass claimed 174 days for this purpose of federal law
19	while serving in the legislature in 1999; and
20	Whereas, this provision of federal law, found in section 162 (h) of the Internal
21	Revenue Code, allows legislators to write off \$98 per day; and
22	Whereas, the state of Wisconsin reimbursed Representative Nass \$55 per day
23	for this purpose; and
24	Whereas, Representative Nass was left with an unreimbursed expense of \$42
25	for each day the legislature was in session; and

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1	Whereas, by claiming this expense, Representative Nass would have had a tax
2	deduction worth \$7,308, lowering his state and federal taxes by approximately
3	\$2,000; and
4	Whereas, Representative Nass has cheated taxpayers of a over \$2000; and
5	Whereas, a violation of this Wisconsin law requires reimbursement of the
6	amount, including 12 percent interest, resulting in over $20,000$ stolen from the
7	people of Wisconsin; and
8	Whereas, Representative Nass has himself brought disrepute to the Wisconsin
9	state assembly by failing to accept paternal responsibility for his out-of-wedlock
10	daughter for the first three years of her life; and
11	Whereas, Representative Nass brought further disgrace to the Wisconsin state
12	assembly by going to court to get his taxpayer-financed per diem excluded from
13	calculating his child support payments; now, therefore, be it
14	Resolved by the assembly, That Representative Stephen Nass is hereby
15	censured by the Wisconsin state assembly, in accordance with article IV, section 8,
16	of the Wisconsin Constitution.".
17	(END)