

2009 DRAFTING REQUEST

Assembly Amendment (AA-ASA4-AR14)

Received: **04/20/2010**

Received By: **rchampag**

Wanted: **Today**

Companion to LRB:

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

By/Representing: **Jessica**

May Contact:

Drafter: **rchampag**

Subject: **Legislature - miscellaneous res.**

Addl. Drafters:

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:

Censure of Rep. Wood

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>
/1	rchampag 04/20/2010	kfollett 04/20/2010	phenry 04/20/2010	_____	sbasford 04/20/2010	sbasford 04/20/2010	

FE Sent For:

<END>

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/1	rchampag	1/1/09 4/20	4/20 ph	4/20 ph			

FE Sent For: <END>

Champagne, Rick

From: Spotts-Grabel, Jessica
Sent: Tuesday, April 20, 2010 10:40 AM
To: Champagne, Rick
Subject: Changes to LRBa2329/1

Attachments: 20100420103637159.pdf



2010042010363715

9.pdf (765 KB)...

Rick:

Please contact me with ANY questions as I realize my notes may be difficult to follow. You'll want to review my notes on page 4 and start with A). I numbered each "whereas" and they should be in letter order.

Thank you again for all you do. I promise to get the hang of this and make your life at work just a tad easier. :)

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



State of Wisconsin
2009 - 2010 LEGISLATURE

LRBa2329/1
RAC:nwn:md

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

Address

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 **2.** Page 4, line 16: delete "21." and substitute "21; and".

6 **3.** Page 4, line 16: after that line insert:

7 *"Be it further resolved, That:*

8 *requires to live*
Whereas, federal tax law ~~permits~~ legislators ~~who live~~ at least 50 miles away
9 from the capitol to claim expenses for any day the legislature is in session; and

10 Whereas, this provision of federal law, found in section 162 (h) of the Internal

11 Revenue Code, allows legislators to write off \$98 per day; and

~~1~~

~~2~~

10
11

~~more?~~
more?

2 Whereas, this federal law provision includes any period of four days or more
between legislative sessions; and

3 ~~Whereas, Representative Nass claimed 174 days for this purpose of federal law~~
4 while serving in the legislature in 1999; and

5 ~~Whereas, the state of Wisconsin would have reimbursed Representative Nass~~
6 \$55 per day for this purpose; and

7 ~~Whereas, both federal and Wisconsin tax law allowed Representative Nass to~~
8 claim \$97 per day for that year's expenses; and

9 Whereas, Representative Nass was left with an unreimbursed expense of \$42
10 for each day the legislature was in session; and

11 ~~Whereas, claiming this expense would have given Representative Nass a tax~~
12 deduction worth \$7,308 ~~and~~ lowering *by*

13 ~~Whereas, depending upon Representative Nass's yearly expenses and tax~~
14 ~~bracket, this would have lowered his state and federal taxes by approximately~~
15 \$2,000; and

16 ~~Whereas, members of the Wisconsin state assembly complete their own~~
17 ~~certificates of mileage pursuant to sections 20.765 (1) (a) and 13.123 (1) or (2) of the~~
18 ~~statutes; and~~

19 ~~Whereas, section 13.08 (2) of the statutes authorizes reimbursement for up to~~
20 ~~one round trip per week of transportation expenses actually incurred; and~~

21 ~~Whereas, it is a Class I felony under section 946.12 (4) of the statutes to make~~
22 ~~false entries on this form; and~~

23 ~~Whereas, Representative Nass claimed his home address as W8948 Willis Ray~~
24 ~~Road in Whitewater, Wisconsin; and~~

*reporting mileage between
43 to 52 since 1990
to state Capitol.*

would have had

3 ✓ Whereas, Representative Nass claimed a distance ranging from 43 to 52 miles since 1990 to the state capitol; and

4 ✓ Whereas, Wisconsin law regulating mileage claims for state officials requires that the most direct route be claimed; and

5 ✓ Whereas, the American Automobile Association and MapQuest calculate the true distance as 43 miles; and

7 ✓ Whereas, the American Automobile Association was not able to complete a direct route between the two locations that totaled 52 miles; and

9 ✓ Whereas, Representative Nass ^{has?} appears to have cheated taxpayers of a couple thousand dollars; and *requires reimbursement amount over \$2,000.-*

11 ✓ Whereas, ^{violation} a violator of this Wisconsin law ~~would have to~~ pay back 12 percent interest ~~on the amount owed~~; and *including*

13 ✓ Whereas, Representative Nass's underpayment goes back nearly ten years; and *resulting in over \$20,000*

14 ✓ Whereas, Representative Nass has essentially stolen over \$20,000 in back taxes and interest from the people of Wisconsin; and *stolen from the people of WI.*

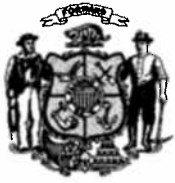
16 ✓ Whereas, Representative Nass has himself brought disrepute to the Wisconsin state assembly by failing to accept paternal responsibility for his out-of-wedlock daughter until ^{for the 1st 3 yrs of her life} he was legally named the child's father in 1991 when the child was nearly 3 years of age; and

20 ✓ Whereas, Representative Nass brought further disgrace to the Wisconsin state assembly by going to court to get his taxpayer-financed per diem excluded from calculating his child support payments; now, therefore, be it

1 22 **Resolved by the assembly, That Representative Stephen Nass is hereby**
2 censured by the Wisconsin state assembly, in accordance with article IV, section 8,
3 of the Wisconsin Constitution.”

4 (END)

- A) Address #12
- B) #9
- C) #11
- D) #10
- E) #14
- F) #13
- G) #15
- H) #16
- I) #1
- J) #3
- K) #2
- L) #4
- M) #6
- N) #7
- O) #17 ← 18?
- P) #20
- Q) #21
- R)
- S)



Now

**ASSEMBLY AMENDMENT ,
TO ASSEMBLY SUBSTITUTE AMENDMENT 4,
TO 2009 ASSEMBLY RESOLUTION 14**

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3 representative from the 31st Assembly District, in accordance with article IV, section
4 8, of the Wisconsin Constitution".

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6 **3.** 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

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

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBa 24501/dN

~~LRBa 2329/1 dr~~

RAC:nwn:md

April 19, 2010

Representative Wood:

Per your direct request, this amendment, with a few stylistic revisions, incorporates your exact words in amending Assembly Substitute Amendment 4 to Assembly Resolution 14.

Please note that Assembly Rule 21 may require that this amendment be drafted as an assembly resolution and referred to a committee on ethics and standards of conduct.

Rick A. Champagne
Senior Legislative Attorney
Phone: (608) 266-9930
E-mail: rick.champagne@legis.wisconsin.gov

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBa2450/1dn
RAC:nwn:ph

April 20, 2010

Representative Wood:

Per your direct request, this amendment, with a few stylistic revisions, incorporates your exact words in amending Assembly Substitute Amendment 4 to Assembly Resolution 14.

Please note that Assembly Rule 21 may require that this amendment be drafted as an assembly resolution and referred to a committee on ethics and standards of conduct.

Rick A. Champagne
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