



EXECUTIVE DEPARTMENT



EXECUTIVE ORDER NO. 48

WHEREAS, on March 4, 1977, Governor Patrick J. Lucey requested that Attorney General Bronson La Follette bring formal charges against two members of the State Personnel Board, to wit: Laurene DeWitt and Nellie Wilson, so that proceedings for removal could be initiated pursuant to Sec. 17.16(3), Wis. Stats.; and

WHEREAS, on March 18, 1977, Governor Patrick J. Lucey, pursuant to Sec. 17.16(3), Wis. Stats., named Attorney Stewart G. Honeck as Commissioner to conduct hearings on the charges to be preferred by the Attorney General and to make the investigation and report the testimony and proceedings together with his findings to the Governor; and

WHEREAS, on March 30, 1977, verified charges and on March 31, 1977, amended verified charges were preferred to Governor Lucey by the Attorney General alleging that Laurene DeWitt and Nellie Wilson, as members of the Personnel Board, violated various provisions of the Wisconsin Civil Service laws in establishing a register and certification of candidates for the position of Director of the State Bureau of Personnel; and

WHEREAS, on April 8, 1977, and April 13, 1977, Nellie Wilson and Laurene DeWitt, respectively, were served with notice of charges pursuant to Sec. 17.16(3), Wis. Stats., and on or about April 18, 1977, hearings were initiated pursuant to Sec. 17.16(3), Wis. Stats.; and

WHEREAS, on July 6, 1977, the powers and duties of the office of the governor devolved upon Martin J. Schreiber; and

WHEREAS, on September 20, 1977, Commissioner Honeck submitted to Acting Governor Schreiber his Report, Findings of Fact and Conclusions of Law; and

WHEREAS, it is the conclusion of the Commissioner that the Personnel Board of the State of Wisconsin, as constituted during the period May 25, 1975, through October 4, 1976, and during the respective tenures of Nellie Wilson and Laurene DeWitt, failed in the performance of its statutory duties by reason of inefficiency to an unacceptable degree; and

WHEREAS, it is the conclusion of the Commissioner that in consequence of the Board's inefficiency, its functioning was substantially and adversely affected, and the public interest was thereby seriously damaged and impaired; and

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WHEREAS, it is the conclusion of the Commissioner that the Personnel Board, including its individual members, was inefficient in the performance and discharge of its duties in the sense and context of the term "inefficiency" as stated as a ground for removal for cause from public office as provided in Sec. 17.16, Wis. Stats.; and

WHEREAS, the Commissioner's Report, Findings of Fact and Conclusions of Law in no way imply intentional wrongdoing on the part of members of the State Personnel Board during the selection of the Director of the State Bureau of Personnel; and

WHEREAS, the proceedings for removal are remedial in nature and not for the purpose of punishment.

NOW, THEREFORE, I, MARTIN J. SCHREIBER, Acting Governor of the State of Wisconsin, on the basis of the Commissioner's Report, Findings of Fact, and Conclusions of Law and by virtue of the authority vested in me by the Constitution and laws of the State of Wisconsin and by Sec. 17.07(3), Wis. Stats., do hereby remove Laurene DeWitt and Nellie Wilson from membership on the State of Wisconsin Personnel Board.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison this twenty-first day of September in the year of Our Lord one thousand nine hundred and seventy-seven.



Martin J. Schreiber
MARTIN J. SCHREIBER
Acting Governor

By the Acting Governor:

Douglas La Follette
DOUGLAS LA FOLLETTE
Secretary of State