

**FILED**  
**09-12-2024**  
**Clerk of Circuit Court**  
**Kenosha County**  
**2024CV001030**  
**Honorable Heather Iverson**  
**Branch 3**

**STATE OF WISCONSIN**

**CIRCUIT COURT**

**KENOSHA COUNTY**

JAY STONE,



PLAINTIFF,

Declaratory Judgement  
Case Code: 30701  
Case No. 24-CV-

v.

ROBIN VOS, in his official capacity  
as Wisconsin Assembly Speaker  
Room 217 West  
State Capitol  
PO Box 8953  
Madison, WI 53708

GRETA NEUBAUER, in her official capacity  
as Assembly Minority Leader  
Room 201 West  
State Capitol  
PO Box 8953  
Madison, WI 53708

DEVIN LEMAHIEU, in his official capacity  
as Wisconsin Senate Majority Leader  
Room 211 South  
State Capitol  
PO Box 7882  
Madison, WI 53707

DIANNE HESSELBEIN, in her official capacity  
as Senate Minority Leader  
Room 206 South  
State Capitol  
PO Box 7882  
Madison, WI 53707

WISCONSIN LEGISLATURE,  
State Capitol

2 E Main Street,  
Madison, WI 53702

DEFENDANTS.

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**SUMMONS**

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THE STATE OF WISCONSIN to each party named above as a Defendant:

You are hereby notified that the Plaintiff named above has filed a lawsuit or other legal action against you. The Complaint, which is attached, states the nature and basis of the legal action.

Within forty-five (45) days of receiving this Summons, you must respond with a written answer, as that term is used in Wis. Stat. Ch. 802, to the Complaint. The Court may reject or disregard an answer that does not follow the requirements of the Statutes. The answer must be sent or delivered to the Court, whose address is Kenosha County Circuit Court, 912 56th St, Kenosha, Wisconsin 53140 and to the pro se Plaintiff, Jay Stone, 10501 82nd St. Pleasant Prairie, Wisconsin 53158.

You may have an attorney help or represent you. If you do not provide a proper answer within forty-five (45) days, the Court may grant judgment against you for the award of money or other legal action requested in the Complaint, and you may lose your right to object to anything that is or may be incorrect in the Complaint. A judgment may be enforced as provided by law. A judgment awarding money may become a lien against any real estate you own now or in the future, and may also be enforced by garnishment or seizure of property.

Dated: 12th of September, 2024

Electronically Signed By:

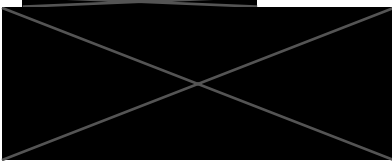
Jay Stone

Jay Stone

Pro se Litigant

**Address:**

Jay Stone



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**DECLARATORY JUDGEMENT COMPLAINT**

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The Pro se Plaintiff Jay Stone complains and alleges against the above named Defendants, Assembly Speaker Robin Vos, Assembly Minority Leader Greta Neubauer, Senate Majority Leader Devin Lemahieu, Senate Minority Leader Dianne Hesselbein, and the Wisconsin Legislature as follows:

**NATURE OF THIS COMPLAINT**

1. The Wisconsin Ethics Commission (WEC) is an independent agency in the executive branch of government pursuant to Wis. Stat. § 15.01(9).
2. Wis. Stats. § 15.62(1)(a)1, § (a)2, § (a)3 and § (a)4 provide for the senate majority leader, senate minority leader, assembly speaker, and assembly minority leader to appoint one commissioner each to the WEC.
3. Under Wis. Stats. § 15.62(1)(a)5, the Democrat and Republican legislative leadership prepare a separate list of three names of potential WEC commissioner candidates; the governor of Wisconsin selects one name from the Democrat list of three WEC commissioner candidates and one name from the Republican list of three WEC commissioner nominees.
4. The U.S. Supreme Court in *Buckley v. Valeo* and *Springer v. Philippine Islands* declared that it was violation of the separation of powers and the U.S. Constitution for legislators to appoint their agents to carry out their policies and programs in the executive branch of government.

5. The Wisconsin Supreme Court in *Gabler v. Crime Victims Rights Bd and Service Employees International Union v. Vos* upheld the Wisconsin Constitution's separation of powers between Wisconsin's executive, legislative, and judicial branches.
6. Wis. Stat. § 15.001(1) provides for a “traditional concept of American government that the 3 branches are to function separately, without intermingling of authority, except as specifically provided by law.”
7. The Wisconsin Constitution's separation of powers prohibits the legislature from taking over the executive branch's power by appointing WEC commissioners to administer and enforce the legislature's election laws.
8. The table below provides the name of the WEC commissioner appointed to the executive branch (Column 1), the name and job title of a legislator or governor who appointed the WEC commissioner (Column 2), and the statutes in violation of the Wisconsin Constitution's separation of powers (Column 3).

<b>Name of WEC Commissioner Appointed to Executive Branch</b>	<b>Job Title of Legislator who Appointed the WEC Commissioner to the Executive Branch</b>	<b>Appointment Statutes That Violate Separation of Powers and the Wisconsin Constitution</b>
Carousel Bayrd	Senate Minority Leader Dianne Hesselbein	Wis. Stat. §15.62(1)(a)2
Maryann Sumi	Assembly Minority Leader Greta Neubauer	Wis. Stat. §15.62(1)(a)4
Gerald Ptacek	Governor Tony Evers	Wis. Stat. §15.62(1)(a)5
Pat Strachota	Assembly Speaker Robin Vos	Wis. Stat. §15.62(1)(a)3
Andrew Weininger	Senate Majority Leader Devin LeMahieu	Wis. Stat. §15.62(1)(a)1
Paul Higginbotham	Governor Tony Evers	Wis. Stat. §15.62(1)(a)5

## PARTIES

9. The Plaintiff, Jay Stone, is a Kenosha County, Wisconsin resident, taxpayer, and registered voter. Plaintiff is the President of HOT Government. HOT is an acronym for Honest, Open, and Transparent.
10. Plaintiff is harmed and aggrieved by the Defendants' conduct as described further herein. The Plaintiff has standing as a voter and as a taxpayer because the Wisconsin Legislature is spending taxpayer money on unlawful activities which causes pecuniary harm to the Plaintiff. The Wisconsin Legislature's appointments to the WEC interferes and impairs with the Plaintiff's legal rights and privileges.
11. Defendant Robin Vos is the assembly speaker who appointed WEC Commissioner Pat Strachota under Wis. Stat. §15.62(1)(a)3 and provided a list of three names for the governor to appoint one WEC commissioner pursuant to Wis. Stat. §15.62(1)(a)5. Assembly Speaker Vos' official address is Room 217 West, State Capitol, Madison, WI 53708.
12. Defendant Greta Neubauer is the assembly minority speaker who appointed WEC Commissioner Maryann Sumi under Wis. Stat. §15.62(1)(a)4 and provides a list of three names for the governor to appoint one WEC commissioner pursuant to Wis. Stat. §15.62(1)(a)5. Assembly Minority Speaker Neubauer's official address is Room 201 West, State Capitol, Madison, WI 53708.
13. Defendant Devin LeMahieu is the senate majority leader who appointed WEC commissioner Andrew Weininger under Wis. Stat. §15.62(1)(a)1 and provided a list of three names for the governor to appoint one WEC commissioner pursuant to Wis. Stat. §15.62(1)(a)5. Senate

Majority Leader LeMahieu's official address is Room 211 South, State Capitol, Madison, WI 53707.

14. Dianne Hesselbein is the senate minority leader who appointed WEC Commissioner Carousel Bayrd under Wis. Stat. §15.62(1)(a)2 and provides a list of three names for the governor to appoint one WEC commissioner pursuant to Wis. Stat. §15.62(1)(a)5. Senate Minority Leader Hesselbein's official address is Room 206 South, State Capitol, Madison, WI 53707.
15. Defendant Wisconsin Legislature passed legislation for legislative appointments of WEC commissioners under Wis. Stats. § 15.62(1)(a)1, § (a)2, § (a), § (a)4 and § (a)5. The Wisconsin Legislature's offices and principal place of business are located 2 E Main Street, Madison, WI 53702.

#### **JURISDICTION AND VENUE**

16. This court has jurisdiction pursuant to Wis. Stat. § 806.04.
17. A Kenosha County Court venue is proper pursuant to Wis. Stat. § 801.50(2).

#### **FACTUAL ALLEGATIONS**

18. The Wisconsin Secretary of State was Wisconsin's chief officer who was responsible for election returns, maintenance of voter records, regulation of lobbyists, and enforcer of state election laws from 1929 until 1973.
19. In 1973, Wisconsin Act 334 transferred the secretary of state's administration and ethics enforcement duties to the Elections Board.
20. The Elections Board was dissolved in 2008 and replaced with the Government Accountability Board (G.A.B.)



21. The G.A.B. administered and enforced Wisconsin's laws for campaign finance, elections, ethics, and lobbying.
22. Assembly Speaker Robin Vos was a frequent detractor of G.A.B and its leader Kevin Kennedy.
23. Republican Assembly Speaker Robin Vos has repeatedly criticized the head of Wisconsin's agency this week, saying that he "has to go" and that the board he oversees has to change.
24. The 2015 Wisconsin Act 118 created the WEC to start on June 29, 2016.
25. The 2015 Wisconsin Act 118 passed the Republican controlled state senate and Republican dominated state assembly.
26. Republican Governor Scott Walker signed the 2015 Wisconsin Act 118 into law December 2015.
27. No Democrats voted in favor of replacing G.A.B. with the WEC.
28. 2015 Wisconsin Act 118, Section 172 provided for the assembly speaker, assembly minority leader, senate majority leader, and senate minority leader to each appoint one WEC commissioner under Wis. Stats. § 15.62(1)(a)1, § (a)2, § (a)3, and § (a)4.
29. The 2015 Wisconsin Act 118, Section 172 provided for the Democrat and Republican legislative leadership to prepare a list of 3 WEC commissioner candidates, and the governor chooses one nominee from each list under Wis. Stats. § 15.62(1)(a)5.
30. No Democrat voted for the WEC appointment laws under Wis. Stats. § 15.62(1)(a)1, § (a)2, § (a), § (a)4 and § (a)5.

31. The 2015 Wisconsin Act 118 also provided for the joint committee on legislative organization to appoint an interim WEC administrator if the six WEC commissioners could not agree on administrator nominee pursuant to 15.62(1)(b)1.
32. It was Republicans who initiated three election administration changes from the Secretary of State to the Election Board to the Government Accountability Board to the WEC.
33. Since 1973 Republicans successfully changed elections administration three times to gain more political power and control.

**COUNT 1: THE ASSEMBLY SPEAKER'S APPOINTMENT OF A COMMISSIONER TO THE WEC UNDER WIS. STAT. § 15.62(1)(a)3 VIOLATES THE WISCONSIN CONSTITUTION**

34. Plaintiff realleges and restates by reference the preceding allegations of his complaint.
35. The Wisconsin assembly speaker appoints one WEC commissioner pursuant to Wis. Stat. § 15.62(1)(a)3.
36. Prior to the *Buckley v. Valeo* U.S. Supreme Court decision, the senate President pro tempore appointed two Federal Election Commission (FEC) commissioners, the Speaker of the House Of Representatives appointed two FEC commissioners, and the U.S. President appointed two FEC commissioners.
37. The Supreme Court ruled that the method for the appointments of FEC commissioners violated the separation of powers and was therefore, unconstitutional.
38. The Court quoting *Springer v. Philippine Islands*, 277 U. S., at 202, said, "More closely in point to the facts of the present case is this Court's decision in *Springer v. Philippine Islands*, 277 U. S. 189 (1928), where the Court held that the legislature of the Philippine Islands

could not provide for legislative appointment to executive agencies.” *Buckley v. Valeo*, 424 U.S. 1, 96 S. Ct. 612, 46 L. Ed. 2d 659 (1976). ¶ 124.

39. Since the U.S. Supreme Court *Buckley v. Valeo* ruling, the president appoints FEC commissioners with the advice and consent of the senate.
40. “Legislative power, as distinguished from executive power, is the authority to make laws, but not to enforce them or appoint the agents charged with the duty of such enforcement. The latter are executive functions.” *Id.* ¶ 139.
41. “These separation of powers principles, established at the founding of our nation and enshrined in the structure of the United States Constitution, inform our understanding of the separation of powers under the Wisconsin Constitution. Like its federal counterpart, ‘our state constitution. . . created three branches of government, each with distinct functions and powers,’ and ‘the separation of powers doctrine is implicit in this tripartite division.’” *Gabler v. Crime Victims Rights Bd.*, 897 N.W.2d 384, 376 Wis. 2d 147, 2017 W.I. 67 (2017). ¶ 11.
42. “The Wisconsin Constitution is the authorizing charter for government power in Wisconsin. And that document describes three—and only three—types of government power: legislative, executive, and judicial. See Wis. Const. art. IV, § 1; *id.* art. V, § 1; *id.* art. VII, § 2. Legislative power is the power to make the law, to decide what the law should be. Executive power is power to execute or enforce the law as enacted. And judicial power is the power to interpret and apply the law to disputes between parties.” *Service Employees International Union v. Vos*, 946 N.W.2d 35, 2020 W.I. 67, 393 Wis. 2d 38 (2020).
43. Wis. Stat. § 15.001(1) provides, “Three branches of government. The ‘republican form of government’ guaranteed by the U.S. constitution contemplates the separation of powers

within state government among the legislative, the executive and the judicial branches of the government. The legislative branch has the broad objective of determining policies and programs and review of program performance for programs previously authorized, the executive branch carries out the programs and policies and the judicial branch has the responsibility for adjudicating any conflicts which might arise from the interpretation or application of the laws. It is a traditional concept of American government that the 3 branches are to function separately, without intermingling of authority, except as specifically provided by law.”

44. The assembly speaker’s appointment of a WEC Commissioner Pat Strachota violated the Legislative Policy under Wis. Stat. § 15.001(1).
45. According to Wis. Stat. § 15.01(9), an “‘Independent agency’ means *an administrative agency within the executive branch created under subch. III.*” [emphasis added]
46. In accordance with Wis. Stat. § 15.01(9) and subch. III, **the WEC is an independent agency within Wisconsin's executive branch of government.**
47. The governor appointing members to the Government Accountability Board and legislators appointing members to the Wisconsin Ethics Commission is the major difference between the G.A.B. and WEC.
48. The governor previously appointed all six G.A.B. commissioners.
49. Currently legislators appointed four WEC commissioners and provided names for the governor to appoint two WEC commissioners.

50. The election administration change from G.A.B. to WEC shifted the power and control of election administration from the executive branch to the legislative branch in violation of the Wisconsin Constitution.
51. Assembly Speaker Robin Vos orchestrated the election and ethics administration shift from G.A.B. to WEC.
52. Prior to the dissolution of G.A.B., Assembly Speaker Vos vowed to dismantle G.A.B. and get rid of G.A.B. Director and General Counsel Kevin Kennedy.
53. In November 2014 Speaker Vos told the Wisconsin State Journal, "I promise you that two years from now when we are sitting here, the GAB will not be in the current format."
54. With the birth of the WEC on June 29, 2016, Vos made good on his promise to purge G.A.B. and Kevin Kennedy from Wisconsin's executive branch of government.
55. According to the *Buckley v. Valeo* and *Springer v. Philippine Islands* U.S. Supreme Court decisions, the Wisconsin state legislature shall not be endowed with the power to appoint its agents as commissioners to Wisconsin's executive branch of government to administer and enforce the laws under the authority of executive agencies.
56. As with *Buckley v. Valeo* and *Springer v. Philippine Islands*, legislators are prohibited from appointing commissioners to administer Wisconsin executive agencies such as the WEC.
57. Because Assembly Speaker Vos appointed WEC Commissioner Pat Strachota, Assembly Speaker Vos is both determining the WEC's policies and programs through his legislative power, and he is administering the policies and programs as a result of his and the legislature's incursion on the executive power.

58. By Assembly Speaker Vos appointing WEC Commissioner Pat Strachota for the administration and enforcement of the legislature's policies and programs, Assembly Speaker Vos is usurping the executive branch's power of administering and enforcing the legislature's policies and programs.
59. Notwithstanding the clear and mandatory separation of power provisions in the Wisconsin Constitution, the Defendants and Wis. Stat. § 15.62(1)(a)3 provided for Assembly Speaker Vos to appoint WEC Commissioner Pat Strachota to administer in the executive branch of government.
60. The Defendants do not have the power to disregard the separation of powers in the Wisconsin Constitution that mandates the executive branch to independently administer and enforce the legislature's policies and programs.

**COUNT 2: THE ASSEMBLY MINORITY LEADER'S APPOINTMENT OF A COMMISSIONER TO THE WEC UNDER WIS. STAT. § 15.62(1)(a)4 VIOLATES THE WISCONSIN CONSTITUTION**

61. Plaintiff realleges and restates by reference the preceding allegations of his complaint.
62. The Wisconsin assembly minority leader appointed one WEC Commissioner Maryann Sumi pursuant to Wis. Stat. § 15.62(1)(a)4.
63. Because Assembly Minority Leader Greta Neubauer appointed WEC Commissioner Maryann Sumi, Assembly Minority Leader Greta Neubauer is both determining the WEC's policies and programs through her legislative power, and she is administering the policies and programs as a result of her and the legislature's incursion on the executive branch's power.

64. By Assembly Minority Leader Greta Neubauer appointing WEC Commissioner Maryann Sumi for the administration and enforcement of the legislature's policies and programs, Assembly Minority Leader Neubauer is usurping the executive branch's power of administering and enforcing the legislature's policies and programs.
65. Notwithstanding the clear and mandatory separation of power provisions of the Wisconsin Constitution, the Defendants and Wis. Stat. § 15.62(1)(a)4 provided for Assembly Minority Leader Greta Neubauer to appoint WEC Commissioner Maryann Sumi to administer in the executive branch of government.
66. The Defendants do not have the power to disregard the separation of powers in the Wisconsin Constitution that mandates the executive branch to independently administer and enforce the legislature's policies and programs.

**COUNT 3: THE SENATE MAJORITY LEADER'S APPOINTMENT OF A COMMISSIONER TO THE WEC UNDER WIS. STAT. § 15.62(1)(a)1 VIOLATES THE WISCONSIN CONSTITUTION**

67. Plaintiff realleges and restates by reference the preceding allegations of his complaint.
68. The Wisconsin senate majority leader appointed WEC Commissioner Andrew Weininger pursuant to Wis. Stat. § 15.62(1)(a)1.
69. Because Senate Majority Leader Devin LeMahieu appointed WEC Commissioner Andrew Weininger, Senate Majority Leader Devin LeMahieu is both determining the WEC's policies and programs through his legislative power, and he is administering the policies and programs as a result of his and the legislature's incursion on the executive power.
70. By Senate Majority Leader Devin LeMahieu appointing WEC Commissioner Andrew Weininger for the administration and enforcement of the legislature's policies and programs,

Senate Majority Leader LeMahieu is usurping the executive branch's power of administering and enforcing the legislature's policies and programs.

71. Notwithstanding the clear and mandatory separation of power provisions in the Wisconsin Constitution, the Defendants and Wis. Stat. § 15.62(1)(a)1 provided for Senate Majority Leader LeMahieu to appoint WEC Commissioner Andrew Weininger to administer in the executive branch of government.
72. The Defendants do not have the power to disregard the separation of powers in the Wisconsin Constitution that mandates the executive branch to independently administer and enforce the legislature's policies and programs.

**COUNT 4: THE SENATE MINORITY LEADER'S APPOINTMENT OF A COMMISSIONER TO THE WEC UNDER WIS. STAT. § 15.62(1)(a)2 VIOLATES THE WISCONSIN CONSTITUTION**

73. Plaintiff realleges and restates by reference the preceding allegations of his complaint.
74. The Wisconsin senate minority leader appointed WEC Commissioner Carousel Bayrd pursuant to Wis. Stat. § 15.62(1)(a)2.
75. Because Senate Minority Leader Dianne Hesselbein appointed WEC Commissioner Carousel Bayrd, Senate Minority Leader Dianne Hesselbein is both determining the WEC's policies and programs through her legislative power, and she is administering the policies and programs as a result of her and the legislature's incursion on the executive power.
76. Notwithstanding the clear and mandatory separation of power provisions in the Wisconsin Constitution, the Defendants and Wis. Stat. § 15.62(1)(a)2 provided for Senate Minority Leader Dianne Hesselbein to appoint WEC Commissioner Carousel Bayrd to administer in the executive branch of government.



77. The Defendants including Representative Hesselbein do not have the power to disregard the separation of powers in the Wisconsin Constitution that mandates the executive branch to independently administer and enforce the legislature's policies and programs.

**COUNT 5: LEGISLATIVE LEADERS PROVIDING NAMES FOR THE GOVERNOR'S APPOINTMENTS OF WEC COMMISSIONERS UNDER WIS. STAT. § 15.62(1)(a)5 VIOLATES THE WISCONSIN CONSTITUTION**

78. Plaintiff realleges and restates by reference the preceding allegations of his complaint.

79. Wis. Stat. § 15.62(1)(a)5 provides, "Two members who formerly served as county or municipal clerks and who are nominated by the governor, and with the advice and consent of a majority of the members of the senate confirmed. The legislative leadership of the 2 major political parties that received the largest number of votes for president shall prepare a list of 3 individuals such that each major political party has prepared one list. The governor shall choose one nominee from each list."

80. Wis. Stat. § 15.62(1)(a)5 required Republican Assembly Speaker Robin Vos and Republican Senate Majority Leader Devin LeMahieu to submit three names each for Governor Tony Evers to choose one commissioner.

81. Both Vos and LeMahieu submitted Marge R. Bostelmann, Marge R. Bostelmann, and Marge R. Bostelmann's name three times for Governor Tony Evers to pick one Wisconsin Elections Commission commissioner.

82. In 2024 the Republican leadership of Vos and LeMahieu left Governor Evers with no other choice than to appoint Marge R. Bostelmann as a Wisconsin Elections Commission commissioner.

83. Vos and LeMahieu submitting Marge R. Bostleman's name three times each proves Assembly Speaker Vos and Senate Majority Leader LeMahieu were solely responsible for the governor's appointment of Marge R. Bostelmann.
84. Since Wis. Stat. § 15.62(1)(a)5 mandates the governor to choose from legislators' lists of WEC commissioner nominees, *Wis. Stat. § 15.62(1)(a)5 goes beyond legislators providing the governor with advice of whom to pick as WEC commissioners.*
85. Because Wis. Stat. § 15.62(1)(a)5 mandates that the governor choose from the Democrat and Republican legislators' lists of three names, legislators are both determining the WEC's policies and programs through their legislative power, and legislators are also administering the policies and programs as a result of their incursion on the executive branch's power.
86. Notwithstanding the clear and mandatory separation of power provisions in the Wisconsin Constitution, the Defendants and Wis. Stat. § 15.62(1)(a)5 mandate the governor to choose two WEC commissioners from the legislators' lists of nominees.
87. The Defendants and Wis. Stat. § 15.62(1)(a)5 do not have the power to disregard the separation of powers in the Wisconsin Constitution that mandates the executive branch to independently administer and enforce the policies and programs.

**COUNT 6: THE JOINT COMMITTEE ON LEGISLATION ORGANIZATION  
CHOOSING AN INTERIM WEC ADMINISTRATOR UNDER  
WIS. STAT. § 15.62(1)(B)(1) VIOLATES THE WISCONSIN CONSTITUTION**

88. Plaintiff realleges and restates by reference the preceding allegations of his complaint.
89. Wis. Stat. § 15.62(1)(b)(1) provides, "If a vacancy occurs in the administrator position, the commission shall appoint a new administrator, and submit the appointment for senate confirmation, no later than 45 days after the date of the vacancy. If the commission has not

appointed a new administrator at the end of the 45-day period, the joint committee on legislative organization shall appoint an interim administrator to serve until a new administrator has been confirmed by the senate but for a term of no longer than one year.”

90. The Joint Committee on Legislative Organization currently consists of five state senators and five state representatives.
91. The Joint Committee on Legislative Organization choosing a WEC administrator allows the legislative branch to install the chief election officer in the administrative branch of government.
92. Because Wis. Stat. § 15.62(1)(b)(1) mandates that the Joint Committee on Legislative Organization select an interim administrator if the six WEC commissioners don't choose an administrator, legislators are both determining the WEC's policies and programs through their legislative power, and legislators are administering the policies and programs through their administrator selection and incursion on the executive branch's power.
93. Notwithstanding the clear and mandatory separation of power provisions in the Wisconsin Constitution, the Defendants and Wis. Stat. § 15.62(1)(a)5 mandate that the Joint Committee on Legislative Organization choose an interim administrator if the six WEC commissioners do not select an administrator.
94. The Defendants do not have the power to disregard the separation of powers in the Wisconsin Constitution that mandates the executive branch to independently administer and enforce the legislature's policies and programs.

#### **DECLARATORY JUDGEMENT CLAIM**

95. Plaintiff realleges and restates by reference the preceding allegations of his complaint.

96. There exists a justiciable controversy between the Plaintiff and the Defendants regarding whether Wis. Stats. § 15.62(1)(a)1, § (a)2, § (a), § (a)4, § (a)5, and Wis. Stat. § 15.62(1)(b) (1) violate the Wisconsin Constitution's separation of powers.
97. Both the Plaintiff and the Defendants legal interpretations as described above are subject to debate and suitable action for declaratory judgement.
98. The Plaintiff and Defendants' real and significant separation of powers and Constitutional law disputes require a Court to intervene and settle their disagreements.
99. As a voter Plaintiff has a legal interest in prohibiting the legislative branch from intruding on the executive branch's power to administer and enforce Wisconsin ethics laws.
100. As a taxpayer Plaintiff has a legal interest in preventing the legislature from spending taxpayers funds on ethics administration and enforcement that are unconstitutional.
101. Legislators' appointments of WEC commissioner to Wisconsin's executive branch of government is a constitutional issue that is ripe for judicial determination.

### **REQUEST FOR RELIEF**

Wherefore the Plaintiff respectfully moves that this HONORABLE COURT to enter a Declaratory Judgement for the following:

A. A declaratory judgement that the six laws below violate the separation of powers in the Wisconsin Constitution:

1. Wis. Stat. § 15.62(1)(a)1, senate majority leader's WEC commissioner appointment
2. Wis. Stat. § 15.62(1)(a)2, senate minority leader's WEC commissioner appointment
3. Wis. Stat. § 15.62(1)(a)3, assembly speaker's WEC commissioner appointment
4. Wis. Stat. § 15.62(1)(a)4, assembly minority leader's WEC commissioner appointment
5. Wis. Stat. § 15.62(1)(a)5, legislative leaders' lists of WEC commissioner nominees

6. Wis. Stat. § 15.62(1)(b)(1), Joint Committee on Legislative Organization’s interim administrator appointment;

B. A temporary and permanent *injunction* that mandates the Wisconsin legislative leaders to cease and desist their appointments of WEC commissioners;

C. In the alternative, a *writ of mandamus* that prohibits Wisconsin legislative leaders from appointing WEC commissioners;

D. A temporary and permanent *injunction* that mandates the governor to replace the six current WEC commissioners by appointing six new Wisconsin Ethics Commission commissioners with the advice and consent of the state senate;

C. In the alternative, a *writ of mandamus* that mandates the governor to replace the six current WEC commissioners by appointing six new Wisconsin Ethics Commission commissioners with the advice and consent of the state senate;

Respectfully Submitted 12th of September, 2024.

Electronically Signed By:

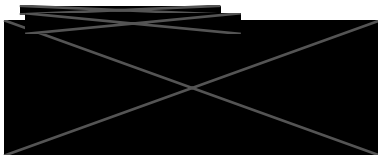
Jay Stone

Jay Stone

Pro se Litigant

**Address:**

Jay Stone



Dated this 10th day of September, 2024.

Electronically Signed By:

Jay Stone

Pro Se Litigant