2021 ASSEMBLY RESOLUTION 3

January 4, 2021 – Introduced by Representative ALLEN.

Relating to: addressing election law violations.

Whereas, in the United States, the power to govern is given by the people through the process of democratic elections. It is by this process that our government obtains legitimacy; and

Whereas, we have three branches of government, and the legislative branch, consisting of duly elected representatives of the people, is the branch charged with the power to write the laws. It is through this process that our government maintains legitimacy; and

Whereas, when the executive branch or administrative agencies charged with enforcing the laws instead choose to step outside of the law, or go beyond the law, or stretch the law to something other than what is written, the legitimacy of the government begins to erode; and

Whereas, the 2020 election and the recount of the results of the presidential election have brought to light a number of areas in which the letter of the law is not
being followed. Those circumstances of departure from the letter of the law include, but are not limited to, the following:

1. Clerks provided absentee ballots to electors without applications, as required by Wis. Stat. § 6.86.

2. Clerks and deputy clerks authorized by the municipal clerk failed to write on the official ballot, in the space for official endorsement, the clerk’s initials and official title, as required by Wis. Stat. § 6.87 (1).

3. Clerks issued absentee ballots to electors who were required to enclose a copy of proof of identification or an authorized substitute document, but who failed to do so under Wis. Stat. § 6.87 (1).

4. Clerks failed to enter initials on ballot envelopes indicating whether the elector is exempt from providing proof of identification, as required by Wis. Stat. § 6.87 (2).

5. Clerks in Milwaukee and Dane Counties declared electors in their counties to be “indefinitely confined” under Wis. Stat. § 6.86 (2), causing chaos and confusion, and failed to keep current the mailing list established under that subsection; more than 215,000 electors thus avoided identification requirements and safeguards that the legislature has established.

6. Clerks and the boards of canvassers permitted absentee ballots returned without the required witness address under Wis. Stat. § 6.87 (2) to be counted in contravention of Wis. Stat. § 6.87 (6d).

7. Clerks who received absentee ballots with improperly completed certificates or no certificates filled in missing information in contravention of Wis. Stat. § 6.87 (9).
8. The Wisconsin Elections Commission, in contravention of Wis. Stat. § 6.875, barred special voting deputies from entering qualified nursing homes and assisted living facilities, instead mailing ballots to residents directly, thereby avoiding safeguards the legislature put in place to protect our most vulnerable citizens and loved ones.

9. The clerk of the City of Madison ignored Wis. Stat. § 6.855 and created an event named “Democracy in the Park” and, of her own accord, designated alternate sites where absentee ballots could be collected; these ballots were counted in contravention of Wis. Stat. § 6.87 (6); and

Whereas, without legitimacy, the government of the people, by the people, and for the people shall not stand. Instead, our government will devolve into a system of coercion and bribery that seeks to use the guise of elections to hold a degree of credibility; and

Whereas, the people of Wisconsin are demanding that the legislature address questions of legitimacy; now, therefore, be it

**Resolved by the assembly, That:** the Wisconsin State Assembly recognizes that the most important function for a government is to conduct fair and honest elections that follow the duly enacted law; and, be it further

**Resolved, That** when there are significant portions of the population that question the integrity of the elections due to the failure of election officials to follow the letter of the law, it is incumbent upon the legislature to address the issues that are in question; and, be it further

**Resolved, That** the members of the Wisconsin State Assembly place the redress to these and other election law violations and failed administrative
procedures as its highest priority and shall take up legislation crafted to ensure civil
officers follow the laws as written.

(END)