



State of Wisconsin  
2021 - 2022 LEGISLATURE

LRB-1154/1  
JK:wlj

## 2021 ASSEMBLY RESOLUTION 3

January 4, 2021 - Introduced by Representative ALLEN.

1     **Relating to:** addressing election law violations.

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

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

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

13             Whereas, the 2020 election and the recount of the results of the presidential  
14 election have brought to light a number of areas in which the letter of the law is not

1 being followed. Those circumstances of departure from the letter of the law include,  
2 but are not limited to, the following:

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

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

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

11 4. Clerks failed to enter initials on ballot envelopes indicating whether the  
12 elector is exempt from providing proof of identification, as required by Wis. Stat. §  
13 6.87 (2).

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

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

22 7. Clerks who received absentee ballots with improperly completed certificates  
23 or no certificates filled in missing information in contravention of Wis. Stat. § 6.87  
24 (9).

1           8. The Wisconsin Elections Commission, in contravention of Wis. Stat. § 6.875,  
2       barred special voting deputies from entering qualified nursing homes and assisted  
3       living facilities, instead mailing ballots to residents directly, thereby avoiding  
4       safeguards the legislature put in place to protect our most vulnerable citizens and  
5       loved ones.

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

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

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

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

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

23          ***Resolved, That*** the members of the Wisconsin State Assembly place the  
24       redress to these and other election law violations and failed administrative

1 procedures as its highest priority and shall take up legislation crafted to ensure civil  
2 officers follow the laws as written.

3 (END)