



State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-5436/1
CMH:skw

2023 ASSEMBLY RESOLUTION 24

January 26, 2024 - Introduced by Representatives WICHGERS, BODDEN, ALLEN and BRANDTJEN. Referred to Committee on Government Accountability and Oversight.

AUTHORS SUBJECT TO CHANGE

1 **Relating to:** the impeachment of Meagan Wolfe, the administrator of the Wisconsin
2 Elections Commission.

3 Whereas, Meagan Wolfe, in her capacity as the administrator of the Wisconsin
4 Elections Commission, unlawfully authorized the use of ballot drop boxes by
5 disseminating two memos to Wisconsin's municipal clerks before the spring 2020
6 election, asserting that "ballot drop boxes can be used" in Wisconsin elections; and

7 Whereas, this practice was subsequently deemed illegal under Wisconsin
8 statutes by the Wisconsin Supreme Court, highlighting that Administrator Wolfe's
9 advice and encouragement regarding drop boxes were illegal during the period she
10 provided them; and

11 Whereas, Administrator Wolfe's sole defense is her stated belief that, in the
12 absence of express statutory constraints, she has the freedom to formulate and
13 implement any election-related process or procedure; this belief underscores a
14 fundamental and intolerable misunderstanding in that it demonstrates
15 Administrator Wolfe's unfounded belief that she is not only the administrator of

1 Wisconsin's elections laws but that in the absence of express and specific law to the
2 contrary, she is free to be the creator of such laws when in fact she exceeds her
3 authority when she undertakes to give her personal preferences the force of law; and

4 Whereas, Administrator Wolfe's directive to clerks to use ballot drop boxes
5 represents an unwarranted assumption of authority to shape Wisconsin elections
6 law, contradicting her role as an administrator and posing a potential threat to
7 democracy; and

8 Whereas, prior to fall 2020, Administrator Wolfe further reiterated her
9 unlawful claim of the legality of ballot drop boxes in Wisconsin by coauthoring a
10 memo with one of her employees urging clerks to seek "creative solutions" for the use
11 of ballot drop boxes; and

12 Whereas, Administrator Wolfe's illegal advice led to the widespread use of
13 ballot drop boxes in Wisconsin's November 2020 election across 66 of the state's 72
14 counties, totaling approximately 570 drop boxes, with an unknown number being
15 unsupervised; and

16 Whereas, despite repeated assertions by Administrator Wolfe regarding the
17 historical use of ballot drop boxes in Wisconsin, her inability to provide evidence
18 during legal challenges highlights their irrelevance, as noted by the Wisconsin
19 Supreme Court, emphasizing that longstanding noncompliance with the law does
20 not legitimize its illegality; and

21 Whereas, the nonpartisan Legislative Audit Bureau, responsible for
22 monitoring state agencies' compliance with the law, reported that Administrator
23 Wolfe had exceeded her authority in authorizing the use of ballot drop boxes; and

1 Whereas, the Wisconsin Supreme Court found that Administrator Wolfe had
2 “created an entire ballot drop box scheme entirely absent from Wisconsin’s election
3 code”; now, therefore, be it

4 ***Resolved by the assembly, That*** due to Administrator Meagan Wolfe’s
5 repeated unlawful advice to the state’s municipal clerks, which constituted
6 maladministration in office, she shall be and hereby is impeached; and be it further

7 ***Resolved, That*** Wisconsinites deserve a chief elections officer committed to
8 following and applying the law, eschewing unilateral decision-making that could
9 compromise the integrity of the democratic process.

10

(END)