



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-1154/1
JK:...

2021 ASSEMBLY RESOLUTION 3

January 4, 2021 - Introduced by Representative ALLEN.

AUTHORS SUBJECT TO CHANGE

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)