



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.

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

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

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

Whereas, Administrator Wolfe's sole defense is her stated belief that, in the absence of express statutory constraints, she has the freedom to formulate and implement any election-related process or procedure; this belief underscores a fundamental and intolerable misunderstanding in that it demonstrates

Administrator Wolfe's unfounded belief that she is not only the administrator of Wisconsin's elections laws but that in the absence of express and specific law to the contrary, she is free to be the creator of such laws when in fact she exceeds her authority when she undertakes to give her personal preferences the force of law; and

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

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

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

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

Whereas, the nonpartisan Legislative Audit Bureau, responsible for

monitoring state agencies' compliance with the law, reported that Administrator Wolfe had exceeded her authority in authorizing the use of ballot drop boxes; and

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

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

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

(END)