

**Board Statement regarding Petitions for Direct Legislation, as provided in  
Section 9.20, Wis. Stats.**

Two Petitions for direct legislation were submitted to the Village on November 3, 2021 and were returned by the Clerk for needed corrections. After the needed corrections were made, on December 6, 2021, the Village Clerk certified that the Petitions were in proper form to be forwarded to the Village Board for consideration. One of the proposed ordinances would require that, prior to the conveyance of any municipally - owned real property the Village Board shall submit to the electorate a binding referendum for approval of the conveyance. The second ordinance would require that, prior to the start of any physical construction of any municipally financed (in whole or in part) project requiring a Village capital expenditure of \$1 million or more, the Village Board shall submit to the electorate a binding referendum for approval of the project.

Alternatives for the Board to consider include two expressed in the Statute itself:

1. Pass the proposed ordinances within 30 days of the Clerk's certification, or
2. Submit the proposed ordinances to the voters at an appropriate future scheduled election.

In addition to the two choices contained in the statute, Wisconsin Courts have added several requirements for direct legislation – or, put another way – the Courts have identified certain situations in which direct legislation is not appropriate. Thus, any municipality which receives such a request has not only a right, but also a duty, to examine the request to see whether it is appropriate under established Wisconsin criteria. That is what has taken place here. The Board has been advised by its legal counsel that the requests are inappropriate under Wisconsin Court decisions. On that basis, the Board has, - by allowing the statutory time period to lapse – made its decision to decline to choose either statute alternative and, instead, to follow the Court decisions.