



Legislation Details (With Text)

File #: 42466 **Version:** 1 **Name:** Removing the alcohol license gambling prohibition for tribal nations

Type: Ordinance **Status:** Passed

File created: 4/11/2016 **In control:** ALCOHOL LICENSE REVIEW COMMITTEE

On agenda: 6/7/2016 **Final action:** 6/7/2016

Enactment date: 6/18/2016 **Enactment #:** ORD-16-00057

Title: Amending Section 38.07(11) of the Madison General Ordinances removing the alcohol license gambling prohibition for federally-recognized tribal nations.

Sponsors: Denise DeMarb

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
6/7/2016	1	COMMON COUNCIL	Adopt	Pass
5/18/2016	1	ALCOHOL LICENSE REVIEW COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	
5/10/2016	1	PUBLIC SAFETY REVIEW COMMITTEE	Return to Lead with the Recommendation for Approval	Pass
4/20/2016	1	ALCOHOL LICENSE REVIEW COMMITTEE	Refer	
4/19/2016	1	COMMON COUNCIL	Refer	Pass
4/11/2016	1	Attorney's Office/Approval Group	Referred for Introduction	

Fiscal Note

No fiscal impact.

Title

Amending Section 38.07(11) of the Madison General Ordinances removing the alcohol license gambling prohibition for federally-recognized tribal nations.

Body

DRAFTER'S ANALYSIS: Madison General Ordinances, like the Wisconsin Statutes, currently prohibit commercial gambling in all businesses that hold alcohol licenses. However, the State of Wisconsin has entered into several compacts with sovereign tribal nations in which the State has agreed that these nations may sell alcohol and conduct commercial gambling operations on their federally-recognized trust lands. This amendment would permit the City of Madison to issue alcohol licenses to any such sovereign nation that holds land in the City and also conducts commercial gambling operations upon those lands. Any nation receiving such an alcohol license would be required to comply and consent to the jurisdiction of the State of Wisconsin alcohol regulations (Wis. Stats. ch. 125) and the City of Madison alcohol regulations (Chapter 38, MGO).

The Common Council of the City of Madison do hereby ordain as follows:

Subsection (11) entitled "Gambling Prohibited" of Section 38.07 entitled "General Restrictions" of the Madison General Ordinances is amended to read as follows:

"(11) Gambling Prohibited. It shall be unlawful to permit gambling or devices used for gambling upon any premises licensed under this chapter. This subsection shall not apply to any gaming activity operated by a recognized Indian tribe or any gaming activity on Indian lands as defined and authorized under the Indian

Gaming Regulatory Act, 25 U.S.C. § 201, et seq., as may be amended.”