

CITY OF MILWAUKEE

Form CA-43

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October 2, 2002

Ronald D. Leonhardt
City Clerk
City Hall, Room 205

Re: Class A Raffle License
Common Council File No. 010795

Dear Mr. Leonhardt:

Under cover of a letter dated April 16, 2002 you forwarded to us a request for an opinion regarding an apparent conflict between the purposes of Common Council File No. 010795, a resolution authorizing an application for a State of Wisconsin Class A raffle license for the City of Milwaukee to conduct a raffle for the benefit of the annual Combined Giving Campaign, and § 563.94 of the Wisconsin Statutes. Section 563.94 specifies in relevant portion:

All profits from raffles shall be used by the organization conducting the raffles to further the organization's purpose for existence and no salaries, fees or profit shall be paid to any other organization or individual in connection with the operation of a raffle. . . . (Emphasis supplied.)

You have informed us that the staff of the State Office of Charitable Gaming, has advised that all profits from the municipality operating a raffle must stay with the municipality must be used to further the organization's existence. The City is thus prohibited from running a raffle for the benefit of the Combined Giving Campaign.

We would agree that the qualifying language in § 563.94 that states the purpose of an organization conducting a raffle will be to ". . . further the organization's purpose for

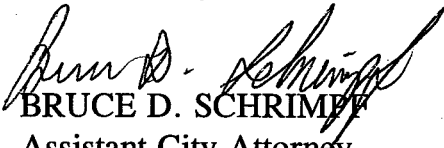
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existence . . ." clearly contemplates that the proceeds obtained from a raffle would be used only to benefit the City of Milwaukee, and not to benefit any other organization.

Very truly yours,



GRANT F. LANGLEY
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