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Office of the City Clerk

April 16, 2002

Ronald D. Leonhardt
City Clerk

Carolyn Hill Robertson
Deputy City Clerk

Mr. Grant F. Langley
City Attorney
Room 800, City Hall

Dear Mr. Langley:

On October 12, 2001, the Common Council adopted File 010795, a resolution authorizing application for a State of Wisconsin Class A raffle license for the City of Milwaukee. The purpose, as stated in the Whereas clauses and other documents in the file (attached), was to allow the City to conduct a raffle for the benefit of the annual Combined Giving Campaign.

Your opinion of September 26, 2001 stated that the City may obtain a raffle license. The staff of the State Office of Charitable Gaming, however, has cited Section 563.94, Wisconsin Statutes, which reads, in part:

563.94 Profits. 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 profits shall be paid to any other organization or individual in connection with the operation of a raffle.

In their opinion, all profits from a municipally operated raffle must stay with the municipality and be used for public purposes, thus prohibiting the City from running a raffle for the benefit of the Combined Giving Campaign. This office would appreciate your review and opinion on this issue.

Sincerely,

Ronald D. Leonhardt
City Clerk

Cc: File 010795
Jennifer Meyer
Rdl/council/raffleopinion.doc