

## **ARIZONA LOTTERY TRIBAL GOVERNMENT POLICY**

This policy and procedure do not create a contract between the Arizona Lottery (“Lottery”) and any person or entity. Nothing in this policy or procedure limits or restricts the statutory authority granted to the Lottery.

### **PURPOSE**

This policy establishes the basic principles governing the Lottery’s relations with Tribal governments in the State of Arizona. It complies with Arizona Revised Statutes A.R.S. §41-2051, which requires that all executive branch agencies develop and implement tribal consultation policies to guide their work and interactions with Tribes existing within the boundaries of the State. This policy reflects the Lottery’s recognition of Tribal sovereignty and the goal of a cooperative relationship between the Lottery and the Tribes.

### **INTRODUCTION**

The Lottery is charged with maximizing net revenue consonant with the dignity of the State. The State of Arizona has entered into Compacts with Tribal governments within the State of Arizona. It is the intent of the Lottery to comply with the terms of the compacts and to work cooperatively with Tribal governments. On occasions, various entities that operate on Tribal lands or Tribal governments have sought to become lottery retailers; it is consistent with the statutory duty of the Lottery to cooperate with all persons and entities seeking to become a licensed retailer.

### **POLICY**

Lottery recognizes the sovereignty of Tribal governments and their jurisdiction over lands within Indian Country as defined by federal law. 18 U.S.C. § 1151.

The Lottery's interaction with Tribes will be in the interest of the State and will not be used as a basis for assertion of State authority over Tribes, recognizing, however, that the Lottery must regulate its licensed retailers. If any entity within Indian Country desires to become a licensed retailer, no action will be taken, without Tribal consultation in accordance with this policy.

Lottery is committed to developing cooperative relationships with Tribes and will respect the cultural and economic concerns of Tribes.

### **RESPONSIBILITY**

Responsibility for the enforcement of this policy lies with the Executive Director and the Lottery’s Tribal Liaison.

### **PROCEDURES**

### Tribal Liaison

The Executive Director of Lottery has designated the General Counsel of the Lottery as the Tribal Liaison for Lottery for matter of policy and as the principal point of contact for tribal affairs, and to help build rapport and communications with the Tribes. In the event the General Counsel is unavailable, the Executive Director will designate another appropriate staff personnel as Tribal Liaison to provide compliance with this policy and A.R.S. §41-2051.

### Retailer Licenses on Tribal Lands

Applications received for businesses on Tribal lands will not be approved without approval from the Tribe, or any entity empowered by the Tribe with authority to act in matters involving the Lottery. A Resolution/Agreement will be created between the Lottery and the Tribe, or any entity empowered by the Tribe with authority to act in matters involving the Lottery. Once the Resolution/Agreement is signed by the Tribe, or any entity empowered by the Tribe with authority to act in matters involving the Lottery, Lottery will license qualified retailers.

Where Lottery has an existing Resolution/Agreement with a Tribe, when a new business applies for a Lottery License, Lottery will notify the Tribe and require the applicant to notify the Tribe. Each time a licensed retailer on tribal lands renews a license the Tribe will be notified.

### Tribal Consultation

The Lottery may enter into Intergovernmental Agreements or Memoranda of Understanding for products and/or services when considered mutually appropriate by the Lottery and an interested Tribal Government.

The Lottery will work with Tribes, when possible, for the mutual benefit of promoting responsible gaming in accordance with the Lottery's "Please Play Responsibly" and Problem Gambling Programs.

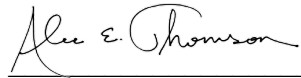
The Lottery may recommend Tribal representation, when appropriate, for consideration for appointment by the Governor's Office of Boards & Commissions to the Lottery Commission.

Arizona Lottery will provide early notification to Tribes about decisions that may affect them. Arizona Lottery requests reciprocity by Tribes. Arizona Lottery staff will obtain approval from the Executive Director before initiating contact with Tribes.

### Reporting

By October 1<sup>st</sup> of each year, the Lottery's Tribal Liaison will submit a summary report, through the Executive Director, to the Governor's Policy Advisor for Tribal Affairs. This report shall include a description of all action undertaken as a result of this Tribal Consultation Policy. The report shall include descriptions of the current areas in which the Lottery is actively partnering with Tribes in agreements, project reviews, training programs, educational programs, participation in Boards and Commissions, and community programs.

APPROVED BY:

A handwritten signature in cursive script that reads "Alec Thomson".

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Alec Thomson  
Executive Director, Arizona Lottery

Date 10/11/2024