



## Tribal Workgroup Recommendations – November 2009

The Liquor Control Board (LCB) and representatives for 14 federally recognized Tribes have met from April – November 2009 to discuss tribal issues related to liquor licensing and store allocation. Their efforts resulted in the following recommendations.

1. LCB should create a Government-to-Government Consultation Policy

This document will serve as the framework describing how the LCB and Tribes will communicate with each other to collaborate on liquor-related issues in accordance with the Centennial Accord and the New Millennium Agreement.

**OUTCOME: LCB Government-to-Government Consultation Board Policy**

2. LCB should develop an alternative liquor licensing model to address the unique needs of the Tribes

The current master business licensing process is cumbersome for tribes and does not address federal law exemptions from most state licensing and registration requirements. *NOTE:* An issue discussed that should be addressed as a long term solution is to revise the Master Business License process and on-line form.

**OUTCOME: Licensing Memorandum of Agreement Template**

3. The LCB should create a liquor store notification process

The current liquor store siting process did not include a step to notify Tribes of potential new stores and thus allow them time to respond with any interest, or concerns, for a tribal store. Part of the challenge has been the difficulty for the LCB to know where all the tribal land is located.

**OUTCOMES: A formal store siting policy has been drafted outlining how store locations are selected based on market areas. A process has been incorporated into the policy which includes sending a notification letter to Tribes in affected areas.**

4. LCB should work with Tribes and the Governor's Office of Indian Affairs to identify tribal trust land and reservation land, current and any changes, to help with store siting issues.

The LCB has access to state maps which indicate Tribal reservation boundaries but the maps do not include other trust lands. The individual Tribes and Bureau of Indian Affairs have the knowledge of trust land owned and can help verify locations to assist the LCB with store siting and other similar communication.

**OUTCOME: The LCB will work with the Governor's Office of Indian Affairs to find current maps noting Indian trust land to help with notification of pending stores.**

**OUTCOME: The LCB will maintain a record of Tribal Areas of Interest (identified by zip code) where tribes have potential interest in future liquor store operations.**

5. LCB should create a Tribal Advisory Council comprised of representatives from all interested tribes to have scheduled meetings to promote good communication between the LCB and Tribes

The LCB should work with all interested Tribes to create a charter for the Council and determine participants, schedule of meetings, and general topics to be discussed.

**OUTCOME: A Tribal Advisory Council created that meets quarterly.**

6. LCB should add a Tribal member to the current Business Advisory Council (BAC)

The LCB has a Business Advisory Council that meets quarterly to discuss issues and concerns affecting the agency's business and regulatory activities. The Council is comprised of representatives from organizations that the LCB regulates.

**OUTCOME: The Tribe will select a representative to serve on the BAC.**

7. Defer the potential for tax revenue sharing between the Tribes and the state to a discussion with the Governor's office

Currently, each Tribe that operates a liquor store is allocated an annual tax exemption. This exemption only applies to Tribes with liquor stores.

**OUTCOME: A meeting should be scheduled with the Governor and her staff to discuss this issue.**

8. The intent of the work group was not to resolve individual Tribal issues and/or concerns. Based on the policies and guidelines developed in the workgroup it is recommended the LCB and interested Tribe(s) meet one-on-one to resolve any specific outstanding issues. Also it is further recommended that discussions, relationship building, and education continue at the quarterly tribal meetings.

**OUTCOME: Increased communication and ongoing dialogue.**