

House Research Act Summary

CHAPTER: 131

SESSION: 2005 Regular Session

TOPIC: Omnibus liquor bill

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Overview

This law establishes a statewide closing hour of 10 p.m. for off-sales of intoxicating liquor, and a statewide opening hour for on-sales of alcoholic beverages of 10 a.m. Sunday.

The act also provides that a person does not turn 21 for purposes of buying or consuming alcohol until 8 a.m. on the person's 21st birthday. It also contains provisions for local licenses in Anoka, Breckenridge, Caledonia, Detroit Lakes, Duluth, Eden Prairie, Elko, Mankato, and Mille Lacs County.

Section

- 1 Brewpubs.** Deletes the requirement that brewpubs (brewery-restaurants) use only Minnesota-produced wort (unfermented beer).
- 2 Off-sales by brewpubs.** Provides that brewpubs may sell at off-sale up to 500 barrels per year of their total production of beer. The requirement that brewpub off-sales not be more than 50 percent of the brewpub's total production of beer is deleted.
- 3 Guthrie Theater license.** Allows Minneapolis to issue an on-sale intoxicating liquor license for the concessionaire or operator for a restaurant and catering operation at the Guthrie Theater.
- 4 Exclusive liquor stores.** Allows exclusive liquor stores (package stores) to sell beverages in powder form for mixing with intoxicating liquor.
- 5 Shipments of wine into Minnesota.** Amends the law that allows shipments of wine from other states into Minnesota directly to consumers. Under previous law the shipment had to be from a "reciprocity state" (state that extended same privilege to wine produced in

Minnesota). Under this change the shipment can be from any state. Effective immediately.
6 **Wine tastings.** Provides that the limitation of four hours for a wine tasting does not apply to a wine tasting at a fine wine and gourmet food convention with at least 100 exhibitors running up to three days.

7 **Attainment of age 18.** Provides that a person does not reach age 18 for purposes of purchasing, possessing, consuming, selling, furnishing, or serving alcoholic beverages until 8 a.m. on the person's 21st birthday. Effective immediately.

8 **Opening hour for 3.2 beer sales.** Advances from noon to 10 a.m. the hour on Sunday at which sale of 3.2 beer can be made. Effective August 1, 2005.

9 **Sunday on-sale hour.** Advances from noon to 10 a.m. the hour on Sunday at which on-sale of intoxicating liquor may be made. Repeals the law that allows cities and counties to adopt the 10 a.m. opening hour on Sunday by local ordinance. Effective August 1, 2005.

10 **Off-sale closing hour.** Provides that the closing hour for off-sales of intoxicating liquor is 10 p.m. Monday through Saturday. Under present law the closing hour is 10 p.m. except in first-class cities and cities within 15 miles of a first-class city in the same county, where the closing hour is 10 p.m. on Friday and Saturday and 8 p.m. other days. Effective August 1, 2005.

11 **Anoka license.** Amends the 2000 law that allowed Anoka to issue an on-sale wine license for the Main Street Stage, by providing that the license may authorize sale of wine and beer.

12 **Elko license.** Amends the 2003 law that authorized Elko to issue an on-sale intoxicating liquor license to the Elko Speedway, by

- providing that the license authorizes sales on all days of the week
- specifying that sales may be made at any event at the speedway, at a restaurant/bar/banquet facility.

13 **Breckenridge license.** Allows Breckenridge to issue a season on-sale intoxicating liquor license to the Bois de Sioux Golf Club for the portion of the golf course located in Breckenridge.

14 **Caledonia license.** Allows Caledonia to issue an on-sale intoxicating liquor license to Caledonia Area community charities for the Four Seasons center in Caledonia, for sales to persons attending events at the center. Effective immediately.

15 **Detroit Lakes license.** Allows Detroit Lakes to issue an on-sale intoxicating liquor license, or on-sale wine and beer license, to the Castaway Inn and Resort, for sales only to registered guests, their invitees, or persons attending events at the location.

16 **Duluth license.** Allows Duluth to issue an on-sale license for the Enger Park golf course or any part thereof. Allows the license to be issued to the city or a contractor operating the golf course. Effective immediately.

17 **Eden Prairie license.** Allows Eden Prairie to issue an on-sale intoxicating liquor license to the entity that holds the catering contract at the cafeteria at the City Center. Provides that the license authorizes sales on all days of the week to persons attending special events at the cafeteria. Prohibits sale or dispensation of intoxicating liquor to persons attending amateur athletic events at the facility unless authorized by city council resolution.

Allows issuance of the license for a space that is not compact and contiguous (as is otherwise required by law), if all licensed space is within the city center building and is included in the description of the licensed premises in the approved license application.

Effective immediately.

- 18** **Mankato license.** Authorizes Mankato to issue an on-sale intoxicating liquor license to the Midwest Wireless Civic Center, for sales on all days of the week to persons attending events at the center. Effective immediately.
- 19** **Mille Lacs County license.** Authorizes Mille Lacs County to issue an off-sale license to an exclusive liquor store in Eastside township, notwithstanding the law that prohibits county-issued off-sale licenses within a mile of a city with a municipal liquor store. Effective immediately.