

House Research Act Summary

CHAPTER: 126

SESSION: 2003 Regular Session

TOPIC: Omnibus liquor bill

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Overview

This act moves from 1:00 a.m. to 2:00 a.m. the hour after which on-sales of alcoholic beverages may not be made. It also exempts most on-sale licenses from the statutory limits on the number of on-sale intoxicating liquor licenses a city may issue, but also allows named cities to issue additional licenses. It allows brewpubs (restaurants that brew beer on the premises) to sell their products at off-sale in 64-ounce containers. It allows on-sale licenses at the Elko speedway, the St. Louis county heritage and arts center in Duluth, and the Minnesota centennial showboat in St. Paul, and allows sale of Minnesota-produced wine at the State Fair.

(Note: In this act the effective date of the change in hours for alcohol sale and consumption was set at August 1, 2003. A subsequent act in the 2003 special session changed that effective date to July 1, 2003, and required establishments wanting to sell or allow consumption of alcohol between 1:00 a.m. and 2:00 a.m. to obtain a permit from the state. See Laws 2003, first special session, chapter 19.)

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- 1** **Definition of “theater.”** Defines “theater” as a building with an auditorium in which live dramatic, musical, dance, or literary performances are regularly presented to ticket holders.
- 2** **Brewpubs.** Amends the law authorizing brewpubs (restaurants that brew beer on the premises) by (1) requiring that they produce only beer made with Minnesota-produced wort, and (2) allowing them to sell their products at off-sale.
- 3** **Brewpubs; off-sale.** Allows brewpubs to be issued off-sale licenses by municipalities. Limits off-sales by brewpubs to beer brewed on the premises and sold in 64-ounce containers known as “growlers.” Limits off-sales to the same hours that apply to liquor stores.

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Requires containers of beer sold at off-sale by brewpubs to be sealed at the time of sale and the containers labeled to identify the brewer. Limits off-sales by brewpubs to not more than one-half their total production in a year, up to a maximum of 500 barrels.

- 4 **Prohibited transactions.** Provides that the prohibition against brewers or beer wholesalers giving anything of value to a retailer is subject to exceptions in the law.
- 5 **Price posting.** Allows liquor wholesaler prices filed with the department of public safety to be posted on the Monday following receipt, rather than the day following receipt..
- 6 **Licenses for theaters.** Allows cities to issue on-sale intoxicating liquor, wine, or beer licenses to a theater within the city, authorizing sales to person attending events at the theater.
- 7 **Minneapolis licenses.** Authorizes Minneapolis to issue intoxicating liquor licenses to the Historic Pantages Theatre and the American Swedish Institute. Authorizes Minneapolis to issue wine/beer licenses to the Jungle Theater, the Guthrie Lab, and the Southern Theatre.
- 8 **Golf courses, 3.2 licenses.** Allows 3.2 beer on-sale licenses to be issued to golf courses.
- 9 **City license limits.** Provides that statutory limits on the number of on-sale intoxicating liquor licenses that a city may issue do not apply to licenses issued to hotels, restaurants, and bowling center.
- 10 **On-sale 3.2 beer hours of sale.** Extends from 1:00 a.m. to 2:00 a.m. the hour after which on-sales of 3.2 beer may not be made
- 11 **On-sale intoxicating liquor hours of sale.** Extends from 1:00 a.m. to 2:00 a.m. the hour after which on-sales of intoxicating liquor may not be made.
- 12 **On-sale intoxicating liquor hours of sale, Sundays.** Extends from 1:00 a.m. to 2:00 a.m. on Monday morning the hour after which on-sales of intoxicating liquor may not be made with a Sunday liquor license.
- 13 **Samples of intoxicating liquor.** Amends the law allowing samples of alcoholic beverages to be dispensed in off-sale establishments, to (1) allow samples at on-sale as well as off-sale establishments, (2) exclude beer (covered in section below), and (3) allow a manufacturer or wholesaler to provide the samples on the retail premises.
- 14 **Beer samplings.** Allows samplings of beer at on-sale as well as off-sale establishments. Allows the beer to be furnished by brewers. Provides that advance reports of sampling to the department of public safety include the maximum amount of beer to be provided, rather than the exact amount.
- 15 **Bottle sizes.** Allows bottles of 50 milliliters (approximately 1.7 ounces) of intoxicating liquor to be sold by golf courses and common carriers.
- 16 **Blaine licenses.** Authorizes Blaine to issue 15 on-sale intoxicating liquor licenses in addition to the number authorized by law.
- 17 **Duluth license; museum.** Authorizes Duluth to issue an on-sale intoxicating liquor license to the St. Louis County Heritage and Arts Center.
- 18 **Hastings licenses.** Authorizes Hastings to issue 3 on-sale intoxicating liquor licenses in addition to the number authorized by law.
- 19 **Maple Grove licenses.** Authorizes Maple Grove to issue 12 on-sale intoxicating liquor licenses in addition to the number authorized by law.
- 20 **St. Joseph licenses.** Allows St. Joseph to issue 3 on-sale intoxicating liquor licenses in addition to the number authorized by law.
- 21 **St. Michael licenses.** Authorizes St. Michael to issue 5 on-sale intoxicating liquor licenses in addition to the number authorized by law.
- 22 **Sartell licenses.** Authorizes Sartell to issue 5 on-sale intoxicating liquor licenses in addition

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to the number authorized by law.

- 23 Stillwater licenses.** Allows Stillwater to issue 2 on-sale intoxicating liquor licenses in addition to the number authorized by law.
- 24 Thief River Falls licenses.** Allows Thief River Falls to issue one on-sale intoxicating liquor license in addition to the number authorized by law.
- 25 Waconia licenses.** Authorizes Waconia to issue 3 on-sale intoxicating liquor licenses in addition to the number authorized by law.
- 26 Woodbury licenses.** Authorizes Woodbury to issue 12 on-sale intoxicating liquor licenses in addition to the number authorized by law.
- 27 St. Paul license; Minnesota Centennial Showboat.** Authorizes St. Paul to issue an on-sale intoxicating liquor license for the Minnesota Centennial Showboat.
- 28 Elko Speedway license.** Authorizes Elko to issue an on-sale intoxicating liquor license to the Elko Speedway notwithstanding statutory requirements that a licensed premises be compact and contiguous, as long as the premises are within the fenced grandstand area.
- 29 State fair wine licenses.** Allows St. Paul to issue on-sale wine licenses to concessionaires at the state fair for sale of Minnesota-produced wine in connection with the sale of food.
- 30 Effective date.** Makes all sections except those extending on-sale hours of sale effective immediately. Under existing law the hours of sale changes take effect August 1, 2003.