

enactment of section 3 is revived and includes all subsequent enactments to that subdivision.

**Sec. 5. TEMPORARY WAIVER OF RULE.**

The application of Minnesota Rules, part 1720.0620, is temporarily waived from January 1, 2001, to June 1, 2002, for products used exclusively for poultry.

**Sec. 6. EFFECTIVE DATE.**

Sections 1 to 5 are effective the day following final enactment.

Presented to the governor May 23, 2001

Signed by the governor May 25, 2001, 11:59 a.m.

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**CHAPTER 193—S.F.No. 1752**

*An act relating to liquor; authorizing issuance of on-sale wine and beer licenses to the Brave New Institute and Loring Playhouse in Minneapolis and to the Great American History Theater and the Palace Theatre in St. Paul; providing an exception to a licensing restriction; permitting use of premix and dispensing machines to dispense frozen and iced cocktails; authorizing additional on-sale intoxicating liquor licenses in Blaine, Elk River, Moorhead, and St. Louis Park; authorizing Minneapolis to issue an on-sale intoxicating liquor license; authorizing St. Paul to issue an on-sale wine and malt liquor license to the capitol cafeteria; creating a legislative study committee to study small brewer and wholesaler relations; requiring a report; amending Minnesota Statutes 2000, sections 340A.404, subdivisions 2, 2b; 340A.412, subdivision 4; 340A.508, by adding a subdivision.*

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2000, section 340A.404, subdivision 2, is amended to read:

**Subd. 2. SPECIAL PROVISION; CITY OF MINNEAPOLIS.** (a) The city of Minneapolis may issue an on-sale intoxicating liquor license to the Guthrie Theater, the Cricket Theatre, the Orpheum Theatre, and the State Theatre, notwithstanding the limitations of law, or local ordinance, or charter provision relating to zoning or school or church distances. The licenses authorize sales on all days of the week to holders of tickets for performances presented by the theaters and to members of the nonprofit corporations holding the licenses and to their guests.

(b) The city of Minneapolis may issue an intoxicating liquor license to 510 Groveland Associates, a Minnesota cooperative, for use by a restaurant on the premises owned by 510 Groveland Associates, notwithstanding limitations of law, or local ordinance, or charter provision.

(c) The city of Minneapolis may issue an on-sale intoxicating liquor license to Zuhrah Shrine Temple for use on the premises owned by Zuhrah Shrine Temple at 2540

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Park Avenue South in Minneapolis, notwithstanding limitations of law, or local ordinances, or charter provision relating to zoning or school or church distances.

(d) The city of Minneapolis may issue an on-sale intoxicating liquor license to the American Association of University Women, Minneapolis branch, for use on the premises owned by the American Association of University Women, Minneapolis branch, at 2115 Stevens Avenue South in Minneapolis, notwithstanding limitations of law, or local ordinances, or charter provisions relating to zoning or school or church distances.

(e) The city of Minneapolis may issue an on-sale wine license and an on-sale 3.2 percent malt liquor license to a restaurant located at 5000 Penn Avenue South, and an on-sale wine license and an on-sale malt liquor license to a restaurant located at 1931 Nicollet Avenue South, notwithstanding any law or local ordinance or charter provision.

(f) The city of Minneapolis may issue an on-sale wine license and an on-sale malt liquor license to the Brave New Workshop Theatre located at 3001 Hennepin Avenue South, the Theatre de la Jeune Lune, the Illusion Theatre located at 528 Hennepin Avenue South, and the Hollywood Theatre located at 2815 Johnson Street Northeast, the Loring Playhouse located at 1633 Hennepin Avenue South, and the Brave New Institute located at 2605 Hennepin Avenue South, notwithstanding any law or local ordinance or charter provision. The license authorizes sales on all days of the week.

(g) The city of Minneapolis may issue an on-sale intoxicating liquor license to University Gateway Corporation, a Minnesota nonprofit corporation, for use by a restaurant or catering operator at the building owned and operated by the University Gateway Corporation on the University of Minnesota campus, notwithstanding limitations of law, or local ordinance or charter provision. The license authorizes sales on all days of the week.

Sec. 2. Minnesota Statutes 2000, section 340A.404, subdivision 2b, is amended to read:

Subd. 2b. **SPECIAL PROVISION; CITY OF ST. PAUL.** The city of St. Paul may issue an on-sale intoxicating liquor license to the Fitzgerald Theatre, the Great American History Theater at 30 East 10th Street, and the Brave New Workshop at the Palace Theater at 17 West Seventh Place, notwithstanding the limitations of law, or local ordinance, or charter provision relating to zoning or school or church distances. The license authorizes sales on all days of the week to holders of tickets for performances presented by the theatre and to members of the nonprofit corporation holding the license and to their guests.

Sec. 3. Minnesota Statutes 2000, section 340A.412, subdivision 4, is amended to read:

Subd. 4. **LICENSES PROHIBITED IN CERTAIN AREAS.** (a) No license to sell intoxicating liquor may be issued within the following areas:

(1) where restricted against commercial use through zoning ordinances and other proceedings or legal processes regularly had for that purpose, except licenses may be

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issued to restaurants in areas which were restricted against commercial uses after the establishment of the restaurant;

(2) within the capitol or on the capitol grounds, except as provided under Laws 1983, chapter 259, section 9, or section 13, paragraph (b), of this act;

(3) on the state fairgrounds or at any place in a city of the first class within one-half mile of the fairgrounds, except as otherwise provided by charter;

(4) on the campus of the college of agriculture of the University of Minnesota or at any place in a city of the first class within one-half mile of the campus, provided that a city may issue one on-sale wine license in this area that is not included in the area described in clause (3), except as provided by charter;

(5) within 1,000 feet of a state hospital, training school, reformatory, prison, or other institution under the supervision or control, in whole or in part, of the commissioner of human services or the commissioner of corrections;

(6) in a town or municipality in which a majority of votes at the last election at which the question of license was voted upon were not in favor of license under section 340A.416, or within one-half mile of any such town or municipality, except that intoxicating liquor manufactured within this radius may be sold to be consumed outside it;

(7) at any place on the east side of the Mississippi River within one-tenth of a mile of the main building of the University of Minnesota unless (i) the licensed establishment is on property owned or operated by a nonprofit corporation organized prior to January 1, 1940, for and by former students of the University of Minnesota, or (ii) the licensed premises is Northrop Auditorium;

(8) within 1,500 feet of a state university, except that:

(i) the minimum distance in the case of Winona and Southwest State University is 1,200 feet;

(ii) within 1,500 feet of St. Cloud State University one on-sale wine and two off-sale intoxicating liquor licenses may be issued, measured by a direct line from the nearest corner of the administration building to the main entrance of the licensed establishment;

(iii) at Mankato State University the distance is measured from the front door of the student union of the Highland campus; and

(iv) a temporary license under section 340A.404, subdivision 10, may be issued to a location on the grounds of a state university for an event sponsored or approved by the state university; and

(v) this restriction does not apply to the area surrounding the premises leased by Metropolitan State University at 730 Hennepin Avenue South in Minneapolis; and

(9) within 1,500 feet of any public school that is not within a city.

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(b) The restrictions of this subdivision do not apply to a manufacturer or wholesaler of intoxicating liquor or to a drugstore or to a person who had a license originally issued lawfully prior to July 1, 1967.

Sec. 4. Minnesota Statutes 2000, section 340A.508, is amended by adding a subdivision to read:

Subd. 4. PREMIX AND DISPENSING MACHINES. Nothing in this section prohibits use by an on-sale intoxicating liquor licensee of a machine to premix and dispense frozen or iced cocktails, provided that the machine is emptied on a daily basis. A machine described in this subdivision need not be visible to the consuming public.

**Sec. 5. CITY OF BLAINE; LIQUOR LICENSES.**

The city of Blaine may issue six on-sale intoxicating liquor licenses in addition to the number authorized by law. All provisions of Minnesota Statutes, chapter 340A, not inconsistent with this section apply to the licenses authorized by this section.

**Sec. 6. CITY OF ELK RIVER; LIQUOR LICENSES.**

The city of Elk River may issue six on-sale liquor licenses in addition to the number authorized by law. All provisions of Minnesota Statutes, chapter 340A, not inconsistent with this section apply to the licenses authorized by this section.

**Sec. 7. CITY OF MOORHEAD; LIQUOR LICENSES.**

The city of Moorhead may issue six on-sale intoxicating liquor licenses in addition to the number authorized by law. All provisions of Minnesota Statutes, chapter 340A, not inconsistent with this section apply to the licenses authorized under this section.

**Sec. 8. CITY OF ST. LOUIS PARK; LIQUOR LICENSES.**

The city of St. Louis Park may issue 12 on-sale intoxicating liquor licenses in addition to the number authorized by law. All provisions of Minnesota Statutes, chapter 340A, not inconsistent with this section apply to the licenses authorized by this section.

**Sec. 9. CITY OF MINNEAPOLIS; LIQUOR LICENSE.**

Notwithstanding any law, ordinance, or charter provision to the contrary, the city of Minneapolis may issue an intoxicating liquor license to an establishment located at 4415 Nicollet Avenue South, which currently holds an intoxicating malt liquor and wine license.

**Sec. 10. CAPITOL CAFETERIA; WINE AND BEER LICENSE.**

Notwithstanding Minnesota Statutes, section 340A.412, subdivision 4, paragraph (a), clause (2), the city of St. Paul may issue an on-sale wine and malt liquor license for the premises known as the capitol cafeteria, for special events held at the capitol cafeteria.

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**Sec. 11. LEGISLATIVE STUDY COMMITTEE; SMALL BREWER/WHOLESALE RELATIONS.**

Subdivision 1. APPOINTMENT. The chairs of the senate committee on commerce and the house of representatives committee on commerce, jobs and economic development shall establish a study committee to study aspects of the relationship between beer wholesalers and small brewers. The committee shall consist of:

(1) two members of the senate appointed by the chair of the committee on commerce;

(2) two members of the house of representatives appointed by the chair of the committee on commerce, jobs and economic development;

(3) five nonlegislative members appointed jointly by the two chairs, representing small brewers, large brewers, labor, alcoholic beverage retailers, and beer wholesalers; and

(4) the director of the division of alcohol and gambling enforcement of the department of public safety or the director's designee. Nonlegislative members of the study committee shall serve without compensation.

Subd. 2. STUDY. The legislative study committee shall study and report on the following issues:

(1) contractual relationships between brewers and beer wholesalers, including terms under which such contracts may be terminated;

(2) the feasibility and desirability of allowing small brewers to sell their own products at wholesale; and

(3) compliance with laws and rules establishing the three-tier system.

Subd. 3. REPORT. The study committee shall report to the legislature on the results of its study by February 15, 2002.

**Sec. 12. EFFECTIVE DATE.**

Section 4 is effective the day following final enactment.

Presented to the governor May 23, 2001

Signed by the governor May 25, 2001, 12:05 p.m.

**CHAPTER 194—S.F.No. 1215**

*An act relating to human rights; changing provisions pertaining to business discrimination and inquiry into a charge; permitting discretionary disclosure during investigation; amending Minnesota Statutes 2000, sections 363.01, subdivision 41; 363.03, subdivision 8a; 363.06, subdivision 4; 363.061, subdivision 2.*

New language is indicated by underline, deletions by ~~strikeout~~.