

CHAPTER 1127—S. F. No. 271

[Coded in Part]

An act relating to intoxicating liquor; issuance of licenses for the sale of intoxicating liquor by municipalities; amending Minnesota Statutes 1967, Sections 340.11, Subdivision 6, and also Subdivisions 7 and 11 by adding a subdivision thereto; 340.14, Subdivision 5; 340.353 by adding a subdivision.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1967, Section 340.11, Subdivision 6, is amended to read:

Subd. 6. **Intoxicating liquor; municipalities; licenses; on-sale; first and second class cities.** One "on-sale" license may be issued in any city of the first class for every 1,500 inhabitants; provided, however, that not more than 200 "on-sale" licenses shall be issued in any city of the first class. ~~Not more than 15 "on-sale" licenses shall be issued in any city of the second class.~~ *One "on-sale" license may be issued in any city of the second class or village of over 20,000 inhabitants for every 2,500 inhabitants according to the most recent federal decennial census or any special census taken pursuant to law; provided, however, that up to 18 "on-sale" licenses may be issued in a city of the second class or village of over 20,000 inhabitants regardless of population.*

Sec. 2. Minnesota Statutes 1967, Section 340.11, Subdivision 7, is amended to read:

Subd. 7. **On-sale; third and fourth class cities; villages and boroughs.** Not more than ~~ten~~ 12 "on-sale" licenses shall be issued in any city of the third class. Not more than ~~five~~ seven "on-sale" licenses shall be issued in any city of the fourth class, or borough. Not more than ~~ten~~ 12 "on-sale" licenses shall be issued in any village of ~~over~~ 10,000 to 20,000 population. Not more than ~~five~~ six "on-sale" licenses shall be issued in any village of 5,000 to 10,000 population. Not more than ~~four~~ five "on-sale" licenses shall be issued in any village of 2,500 to 5,000 population. Not more than ~~three~~ four "on-sale" licenses shall be issued in any village of 500 to 2,500 population. Not more than ~~two~~ three "on-sale" licenses shall be issued in any village of less than 500 population.

Sec. 3. Minnesota Statutes 1967, Section 340.11, is amended by adding a subdivision to read:

*Subd. 7a. **Annexation or consolidation.** A license validly issued within the number prescribed by this section shall not be sub-*

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sequently rendered invalid or illegal by reason of any consolidation or annexation of territory to a city, village, or borough, and may thereafter continue to remain in effect and be renewed.

Sec. 4. Minnesota Statutes 1967, Section 340.11, Subdivision 11, as amended by Laws 1969, Chapter 9, Section 76, is amended to read:

Subd. 11. **On-sale licenses, including hotels, clubs, restaurants, and on-sale exclusive liquor stores.** "On-sale" licenses may be issued by municipalities for the sale of intoxicating liquors in hotels, clubs, restaurants and establishments for the sale of "on-sale" liquors exclusively within the number authorized by this section. Except in a city of the first class and in addition to the number of licenses authorized by this section, an "on-sale" license may be issued, *if approved by the liquor control commissioner*, to a bona fide club which has been in existence for ~~20~~ 15 years or more or to a congressionally chartered veterans' organization which has been in existence for 10 years. Such a club or veterans' organization shall be incorporated in order to be eligible to apply for a license, and the license issued shall be for the sale of intoxicating liquors to members *and bona fide guests* only. The license fee for such an "on-sale" license is \$100. Except in cities of the first, second, and third class, a license may be issued jointly to congressionally chartered veterans' organizations which otherwise qualify under this subdivision.

Sec. 5. Minnesota Statutes 1967, Section 340.11, is amended by adding a subdivision to read:

Subd. 11a. On-sale licenses to certain sports commissions. Notwithstanding any law or municipal charter provision to the contrary, on-sale licenses for the sale of intoxicating liquor may be issued to establishments located on lands owned jointly by more than one municipality and which are used primarily for sports and recreational purposes upon payment of the regular on-sale license fee therefor to the municipality wherein the licensed premises are located. Such licenses shall authorize the sale of intoxicating liquor to club members and guests only.

Sec. 6. Minnesota Statutes 1967, Section 340.14, Subdivision 5, is amended to read:

Subd. 5. **Sunday sales.** (a) Notwithstanding the provisions of subdivision 1, in any municipality establishments to which on-sale licenses have been issued or hereafter may be issued for the sale of intoxicating liquors which are hotels or restaurants *or clubs* as defined in section 340.07, and which have facilities for serving not less than 30 guests at one time, may serve intoxicating liquors be-

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tween the hours of 12 o'clock noon and 12 o'clock midnight on Sundays in conjunction with the serving of food; ~~but no liquor shall be served on Sundays other than to persons who are seated at tables.~~

(b) It is unlawful for any such establishment, directly or indirectly, to sell or serve such intoxicating liquors as provided in paragraph (a) above, without having first obtained a special license from the municipality therefor. Such special license may be issued by the governing body of the municipality for a period of one year and for such a fee as it shall determine, but not exceeding \$200. The special license may be revoked by the governing body, for cause. The provisions of section 340.112 shall apply to such license. Application for the special license shall be made to the governing body of the municipality in the same manner as application for other licenses to sell intoxicating liquor are made.

(c) This subdivision shall not apply to any municipality until authorized by the voters of the municipality voting on the question at a special election called for such purpose or at the general election in the municipality, the election to be conducted in accordance with the applicable provisions of the Minnesota election law.

Sec. 7. Minnesota Statutes 1967, Section 340.353 is amended by adding a subdivision to read:

Subd. 5. Issuance of licenses to private persons. Clause 1. Notwithstanding any provision of Minnesota Statutes, Chapter 340, which may indicate the contrary, any city, village, or borough owning and operating a municipal liquor store on the effective date of this act may, at the discretion of the governing body, issue "on-sale" liquor licenses to private persons for the operation of liquor stores in conjunction with any establishment defined in section 340.07 as a hotel or restaurant, and the requirements of those definitions relating to seating capacity and the number of guest rooms shall apply for purposes of this section. The city, village, or borough issuing any "on-sale" licenses pursuant to this subdivision shall thereafter in connection with the operation of the municipal liquor store engage in only the "off-sale" of intoxicating liquor.

Clause 2. The number of "on-sale" licenses issued pursuant to this section by any municipality shall not exceed three, if the population of the municipality is less than 5,000; four, if its population is between 5,000 and 10,000; or six, if its population is 10,000 or more. For purposes of this subdivision, population shall be established by the most recent available federal decennial census as of the date upon which a license is issued.

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Clause 3. No city, village, or borough shall issue licenses as provided in this section until authorized by the voters of the city, village, or borough voting on the question at a special election called for such purpose, the election to be conducted in accordance with the applicable provisions of the Minnesota election law.

Clause 4. A municipality which issues pursuant to this section the maximum number of "on-sale" licenses permitted by subdivision 2 shall cease engaging in the "off-sale" of intoxicating liquor not later than three years from the date of issuance of the last such "on-sale" license.

Approved June 9, 1969.

CHAPTER 1128—S. F. No. 739

[Coded in Part]

An act relating to taxation; providing for the reduction of tax on certain residential property; amending Minnesota Statutes 1967, Section 273.13, Subdivision 15, and by adding a subdivision thereto.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1967, Section 273.13, is amended by adding a subdivision to read:

Subd. 14a. Taxation; certain residential property; reduction. The property tax to be paid in respect of the value of all buildings and appurtenances thereto owned and used by the occupant as a permanent residence, which are located upon land subject to property taxes and the title to which is vested in a person or entity other than the occupant, for all purposes except the payment of principal and interest on bonded indebtedness, shall be reduced by 35 percent of the amount of the tax in respect of said value as otherwise determined by law, but not by more than \$250.

Sec. 2. Minnesota Statutes 1967, Section 273.13, Subdivision 15, is amended to read:

Subd. 15. Tax relief fund, replacement of revenue. (1) Payment from the property tax relief fund shall be made, as provided herein, for the purpose of replacing revenue lost as a result of the reduction of property taxes provided in subdivisions 6 and 7 and section 1.

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