

Sec. 23. **EFFECTIVE DATE.** Sections 1, 2, 5, 14, 15 and 18 to 20 are effective the day following final enactment. Sections 6 and 9 to 12 are effective for gasoline and special fuel sold after December 31, 1979. Sections 7 and 8 are retroactively effective June 1, 1973.

Approved June 1, 1979.

CHAPTER 304—S.F.No.188

An act relating to noise pollution; exempting skeet, trap and shooting sports clubs from noise standards of any state agency; amending Minnesota Statutes 1978, Section 116.07, by adding a subdivision.

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

Section 1. Minnesota Statutes 1978, Section 116.07, is amended by adding a subdivision to read:

Subd. 2a. EXEMPTIONS FROM STANDARDS. No standards adopted by any state agency for limiting levels of noise in terms of sound pressure which may occur in the outdoor atmosphere shall apply to skeet, trap or shooting sports clubs. Nothing herein shall prohibit a local unit of government from regulating the location and operation of skeet, trap or shooting sports clubs.

Approved June 1, 1979.

CHAPTER 305—S.F.No.521

An act relating to liquor; providing for licenses in various cities; limiting licenses allowed to be issued to persons and places; amending Minnesota Statutes 1978, Sections 340.11, Subdivision 11b; 340.13, Subdivisions 3 and 7; and 340.14, Subdivision 3.

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

Section 1. Notwithstanding any statute, ordinance, or charter to the contrary, the governing body of the city of St. Cloud may by ordinance authorize any holder of an on-sale intoxicating liquor license issued by the city to dispense intoxicating liquor at any convention, banquet, conference, meeting or social affair at the premises known and used as the Municipal Sports Complex. The licensee must be engaged to dispense intoxicating liquor at such an event held by a person or organization permitted to use space at the arena, and may dispense intoxicating liquor only to persons attending the event. The dispensing of intoxicating liquor shall be subject to all laws and ordinances governing the dispensing of intoxicating liquor as are not inconsistent herewith. Nothing in this act shall authorize the dispensing of intoxicating liquor to any person attending or participating in

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any amateur hockey game, or elementary or secondary school or college athletic event being held on the Sports Complex premises. This section is effective upon its approval by the governing body of the city of St. Cloud and compliance with Minnesota Statutes, Section 645.021.

Sec. 2. In addition to the number permitted by Minnesota Statutes, Section 340.11, Subdivision 5a, and notwithstanding any other law to the contrary, the city of Bloomington may issue two on-sale licenses for the sale of intoxicating liquor. This section is effective upon approval by the governing body of the city of Bloomington and compliance with Minnesota Statutes, Section 645.021.

Sec. 3. Minnesota Statutes 1978, Section 340.11, Subdivision 11b, is amended to read:

Subd. 11b. **ON-SALE LICENSES TO CERTAIN NONPROFIT CORPORATIONS.** "On-sale" licenses for the sale of intoxicating liquor may, in the discretion of the municipality, be issued in any city of the first class to any nonprofit corporation which was organized prior to January 1, ~~1962~~ 1972 to promote, stimulate, and support community education, appreciation and development of the theater and cultural arts through dramatic performances and other means and which has operated a repertory theater in the city since at least January 1, ~~1964~~ 1972. Such licenses may be issued notwithstanding any limitations imposed by law, charter or ordinance relating to liquor patrol limits, zoning, or school or church distance limitations and such licenses shall be in excess of any limitations imposed by subdivision 6, or otherwise. All other laws, charter provisions, or ordinances relating to the licensing and regulation of on-sale liquor establishments, including the granting, renewal, suspension or revocation of licenses shall apply. Any license issued pursuant to this subdivision shall authorize the sale of intoxicating liquor only to holders of tickets to dramatic performances presented by such nonprofit corporation and members of such nonprofit corporation and their guests.

Sec. 4. Minnesota Statutes 1978, Section 340.13, Subdivision 3, is amended to read:

Subd. 3. **LIMITATIONS ON A LICENSE ISSUED TO A PERSON OR PLACE; PENALTY.** No more than one off-sale intoxicating liquor license shall be directly or indirectly issued to any one person or for any one place in each municipality. It is a gross misdemeanor for any person, partnership, or corporation to knowingly have or possess a direct or indirect interest in more than one off-sale license in each municipality and upon conviction therefor the governing body of such municipality may immediately revoke all licenses in which such person, partnership or corporation has an interest. The term "interest" includes any pecuniary interest in the ownership, operation, management, or profits of a retail liquor establishment, but does not include: bona fide loans; bona fide rental agreements; bona fide open accounts or other obligations held with or without security arising out of the ordinary and regular course of business of selling or leasing merchandise, fixtures or supplies to such establishment; an interest in a corporation owning or operating a hotel but having at least 150 or more rental units holding a liquor license in conjunction therewith; or 10 percent or less interest in any other corporation holding a license. A person who receives moneys from time to time directly or indirectly from a licensee, in the absence of a bona fide consideration therefor and excluding bona

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fide gifts or donations, shall be deemed to have a pecuniary interest in such retail license. In determining "bona fides" the reasonable value of the goods or things received as consideration for any payment by the licensee and all other facts reasonably tending to prove or disprove the existence of any purposeful scheme or arrangement to evade the prohibitions of this subdivision shall be considered.

Sec. 5. Minnesota Statutes 1978, Section 340.13, Subdivision 7, is amended to read:

Subd. 7. **LICENSES IN CONNECTION WITH PREMISES OF ANOTHER.** No license shall be issued to any person in connection with the premises of another to whom no license could be issued under the provisions of the intoxicating liquor act; provided, that this provision shall not prevent the granting of a license to a proper lessee by reason of the fact that he shall lease premises of a minor, non-citizen, or a person who has been convicted of a crime other than a violation of the intoxicating liquor act. ~~No more than one license shall be issued to any person in any municipality except as otherwise specifically provided for in the intoxicating liquor act.~~

Sec. 6. Minnesota Statutes 1978, Section 340.14, Subdivision 3, is amended to read:

Subd. 3. **SALES; WHERE FORBIDDEN.** No intoxicating liquors shall be sold in any of the following places:

- (1) Within the capitol or upon the grounds thereof;
- (2) Upon the state fairgrounds or at any place in a city of the first class within one-half mile of such fairgrounds except as hereinafter otherwise provided by charter;
- (3) Upon the campus of the ~~school~~ institute of agriculture of the University of Minnesota or at any place in a city of the first class within one-half mile of such campus except as hereinafter otherwise provided by charter. The city may issue one on-sale wine license to a vendor in the territory described in this clause that is not also included in the territory described in clause (2). The license is in addition to any others permitted in the city by other law or charter;
- (4) Within 1,000 feet of any state hospital, training school, reformatory, prison, or other institution under the supervision and control, in whole or in part, of the commissioner of public welfare or the commissioner of corrections. Whoever sells or otherwise disposes of intoxicating liquor at retail at a place prohibited by this clause is guilty of a gross misdemeanor;
- (5) In any town or municipality in which a majority of votes at the last election at which the question of license was voted upon shall not have been in favor of license, or within one-half mile of any such municipality, except that any intoxicating liquor, manufactured within any such district, may be sold to be consumed outside of such district;

(6) At any place on the east side of the Mississippi river within one-tenth mile of the main building of the University of Minnesota unless the licensed establishment is on

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property owned or operated by a nonprofit corporation organized prior to January 1, 1940 for and by former students of the University of Minnesota; a license may be issued under this clause notwithstanding any local law to the contrary;

(7) Within 1,500 feet of any state university, except as hereinafter provided, or, when the place of sale is not within a municipality, within 1,500 feet of any public school *outside of a municipality; within 1,200 feet at Winona state university, and at Southwest state university* and in determining the distance, the measurement shall be along the most direct line from the nearest corner of the administration building of the university to the main entrance of the licensed premises; as to Mankato state university in the city of Mankato when the place of sale is within 1,500 feet as measured from the front door of the student union of the Highland campus;

(8) At more than five places on any one side of a block within and fronting upon the patrol limits of cities of the first class;

(9) The restrictions imposed by this subdivision shall not apply to any manufacturer or wholesaler of intoxicating liquors or to a drug store or to any person lawfully licensed to sell intoxicating liquor immediately prior to the enactment of this subdivision.

Sec. 7. Section 6 is effective the day following final enactment.

Approved June 1, 1979.

CHAPTER 306—H.F.No.261

An act relating to municipal development; limiting the objects and methods of financing residential, industrial, and economic development; regulating the planning and implementation of single family housing programs and multifamily housing developments and housing rehabilitation programs; authorizing and regulating the effectuation and financing of existing single family housing projects and undertaken by the cities of Coon Rapids in Anoka County and Vadnais Heights in Ramsey County; amending Minnesota Statutes 1978, Sections 474.01, Subdivision 7a, and by adding a subdivision; 474.02, by adding a subdivision; 474.03; and 474.12.

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

Section 1. [462C.01] AUTHORIZATION. Subdivision 1. A city may develop and administer programs of making or purchasing mortgage loans to finance the acquisition of single family housing by low and moderate income persons and families anywhere within its boundaries upon the following conditions:

(a) The city develops a housing plan as required by section 3;

(b) A public hearing is held thereon after one publication of notice in a newspaper

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