

Commerce Subcommittee on Liquor

Chair: Sen. Sandra L. Pappas

Date: Monday, March 14, 2005

12:00 noon Room 15 Capitol

AGENDA:

- **S.F. 1280-Skoe:** Minors alcoholic beverages purchase, possession or consumption strengthened restriction
- **S.F. 1444-Anderson:** Alcoholic beverage sales to minors mandatory civil penalties and compliance checks
- **S.F. 1535-Dibble:** Authorizing the city of Minneapolis to issue an on-sale license
- **S.F. 1072-Hann:** Eden Prairie on-sale intoxicating liquor license
- **S.F. 1680-Pogemiller:** Authorizing the city of Minneapolis to issue an on-sale license

The following bills will be heard for discussion only; no votes will be taken:

- **S.F. 1322-Dibble:** Beer market dual distribution prohibition repeal
- **S.F. 1585-McGinn:** Modifying law relating to wholesaler-retailer relationships
- **S.F. 1130-Kierlin:** Wine sales exclusive agreements prohibition
- **S.F. 1131-Ourada:** Municipal liquor stores establishment prohibition
- **S.F. 1435-Kleis:** Municipal liquor store cities off-sale licenses issuance

MINUTES:

Members present:

Kiscaden	Pappas	Scheid (ex officio)
Larson	Pogemiller	
Michel	Sams	

1:05 p.m. Senator Pappas called the meeting to order (late start was due to a long floor session)

- **S.F. 1280-Skoe:** Minors alcoholic beverages purchase, possession or consumption strengthened restriction

Senator Michel moved that S.F. 1280 be amended as follows:

After line 12 insert "[EFFECTIVE DATE.] This section is effective the day following enactment."

Motion prevailed

Testimony in support of S.F. 1280:

- Ann Buchanen, mother of Jason, passed away after a power hour one year ago
- Bob Poplin

Comments:

- Jim Farrell, Executive Director, Minnesota Licensed Beverage Association (he is aware of no opposition among his membership)

Senator Larson moved that S.F. 1280 as amended be recommended to pass and re-referred to the full Commerce Committee
Motion prevailed

- **S.F. 1444-Anderson:** Alcoholic beverage sales to minors mandatory civil penalties and compliance checks
 - Dr. Traci Toomey, Department of Epidemiology, University of Minnesota
 - Ashley Shain, Senior, Mahtomedi High School
 - Sgt. James Ramstad, St. Paul Police Department (speaking as an individual, not for the department)

Comments:

- Jennifer O'Rourke, League of Minnesota Cities
- Paul Kapszack, MN Municipal Liquor Association

Senator Scheid moved that S.F. 1444 be amended as follows:

Page 2, line 9, delete everything after the period

Page 2, delete line 10

Motion prevailed

Senator Pappas laid the bill aside

- **S.F. 1072-Hann:** Eden Prairie on-sale intoxicating liquor license
 - Scott Johnson, City of Eden Prairie
 - Sue Cheever, City of Eden Prairie

1:45 p.m. Senator Scheid assumed the chair

Senator Larson moved that S.F. 1072 be recommended for inclusion in the omnibus bill
Motion prevailed

- **S.F. 1535-Dibble:** Authorizing the city of Minneapolis to issue an on-sale license

Senator Dibble introduced the A-1 author's amendment

Senator Michel moved the A-1 amendment

Motion prevailed

Testimony in support of S.F. 1535:

- John Herman, Fagre and Benson, Attorney for the Walker Art Center and Wolfgang Puck restaurant

Senator Larson moved that S.F. 1535 as amended be recommended to pass and re-referred to the full Commerce Committee
Motion prevailed

- **S.F. 1680-Pogemiller:** Authorizing the city of Minneapolis to issue an on-sale license
 - David Russell, Director of Theater Services

Senator Pogemiller moved that S.F. 1680 be recommended for inclusion in the omnibus bill

Motion prevailed

The following bills were heard for discussion only; no votes were taken:

- **S.F. 1322-Dibble:** Beer market dual distribution prohibition repeal

Comments:

- Frank Ball, Alcohol and Gambling Enforcement Division, Department of Public Safety

- Marlene Kjelsberg, Alcohol and Gambling Enforcement Division, Department of Public Safety

Opposition:

- Mike Madigan, MN Beer Wholesalers Association
- Clifford Ong, Esq., former Chair of the Indiana Alcoholic Beverage Commission

Senator Pappas introduced a memo which would be sent from the subcommittee to the Legislative Audit Commission recommending study of MN liquor statutes.

Senator Larson moved that the subcommittee approve the memo and that it be transmitted to the Legislative Audit Commission

Motion prevailed

- **S.F. 1444-Anderson** was brought back before the subcommittee

Senator Pogemiller moved the following amendment from counsel:

Page 1, line 9, after "license" insert "or operating a municipal liquor store" and after "impose" insert "at a minimum"

Page 1, Line 12, after "\$500" insert "or training of establishment managers and servers approved by the authority or both"

Page 1, Line 17, after "license" insert "or 3 day shutdown of a municipal liquor store"

Page 1, Line 20, after "license" insert "or shut down the municipal liquor store"

Page 1, Line 23, after "authority" insert "or operator of the municipal liquor store"

Page 2, Line 5, after "holder" insert "or a municipal liquor store"

Page 2, Line 8, after "holder" insert "or a municipal liquor store"

Motion prevailed

Further comments on S.F. 1444:

- Tim Roth, Wholesaler in Madison, MN regarding education for liquor store compliance
- Jim Farrell, Minnesota Licensed Beverage Association

Senator Pogemiller moved that S.F. 1444 as amended be recommended for inclusion in the omnibus bill

Motion prevailed

Senator Larson moved that bill recommended for inclusion in the omnibus bill be forwarded to the full Commerce Committee

Motion prevailed

Due to lack of time remaining, there was a brief discussion of the following bills by their authors:

- **S.F. 1130-Kierlin:** Wine sales exclusive agreements prohibition
- **S.F. 1435-Kleis:** Municipal liquor store cities off-sale licenses issuance

Comments:

- Paul Kapszack (3 handouts)

The following bills were withdrawn from the agenda due to author's conflicts:

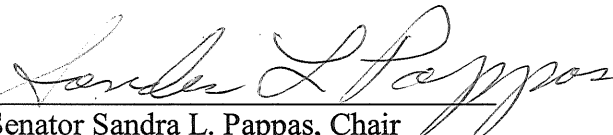
- **S.F. 1585-McGinn:** Modifying law relating to wholesaler-retailer relationships
- **S.F. 1131-Ourada:** Municipal liquor stores establishment prohibition

2:54 p.m. Senator Scheid adjourned the subcommittee

Minutes respectfully submitted


Emily Shively, Subcommittee Secretary

Minutes approved


Senator Sandra L. Pappas, Chair

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- **S.F. 1444-Anderson:** Alcoholic beverage sales to minors mandatory civil penalties and compliance checks *rec. as amended laid over then amended; for incl. in omnibus bill*
- **S.F. 1535-Dibble:** Authorizing the city of Minneapolis to issue an on-sale license *passed (on its own)*
- **S.F. 1072-Hann:** Eden Prairie on-sale intoxicating liquor license *rec for inclusion in omnibus bill*
- **S.F. 1680-Pogemiller:** Authorizing the city of Minneapolis to issue an on-sale license *rec. for inclusion in omnibus bill*

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