
CHAPTER 65—S.F.No.2237

[Not Coded]

An act directing the sale of a certain parcel of tax forfeited land in St. Louis county.

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

Section 1. **CONVEYANCE OF STATE LANDS; ST. LOUIS COUNTY.** Upon approval by the St. Louis county board the state shall sell and convey in a form approved by the attorney general, to Carol R. Maxwell and Anna Mae Schauenberg, a parcel of tax forfeited land described as:

The South 1/2 of Lot 3 and all of Lot 4, Block 11, town of Biwabik, according to the plat thereof on file and of record in the office of the register of deeds in and for St. Louis county.

Consideration for the sale shall be the appraised value of the property plus the cost of appraisal and less the value of any improvements previously made by the purchasers. The balance of the proceeds shall be credited to the St. Louis county tax forfeited land fund.

Sec. 2. This act is effective the day following final passage.

Approved March 19, 1976.

CHAPTER 66—S.F.No.1135

An act relating to intoxicating and non-intoxicating liquor; age for licensing, sale, purchase, consumption, possession and furnishing; amending Minnesota Statutes 1974, Sections 340.02, Subdivision 8; 340.035, Subdivision 1; 340.119, Subdivision 2; 340.13, Subdivision 12; 340.355; 340.403, Subdivision 3; 340.73, Subdivision 1; 340.731; 340.78; 340.79; 340.80; and 340.81.

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

Section 1. Minnesota Statutes 1974, Section 340.02, Subdivision 8, is amended to read:

Subd. 8. **INTOXICATING LIQUOR; AGE FOR LICENSING SALE, PURCHASE, CONSUMPTION AND POSSESSION.** Licenses hereunder shall be issued only to persons who are citizens of the United States and who are of good moral character and repute, who have attained the age of ~~18~~19 years and who are proprietors of the establishments

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for which the licenses are issued.

Sec. 2. Minnesota Statutes 1974, Section 340.035, Subdivision 1, is amended to read:

340.035 **PERSONS UNDER 19.** Subdivision 1. It shall be unlawful for any:

(1) Licensee or his employee to sell or serve non-intoxicating malt liquor to any ~~minor person under the age of 19 years~~ or to permit any ~~minor person under the age of 19 years~~ to consume non-intoxicating malt liquor on the licensed premises ~~or to permit any minor to loiter or to remain in the room where non-intoxicating malt liquor is being sold or served unless accompanied by his parent or legal guardian ;~~

(2) Person other than the parent or legal guardian to procure non-intoxicating malt liquor for any ~~minor person under the age of 19 years~~

(3) Person to induce a ~~minor person under the age of 19 years~~ to purchase or procure non-intoxicating malt liquor;

(4) ~~Minor Person under the age of 19 years~~ to misrepresent his age for the purpose of obtaining non-intoxicating malt liquor;

(5) ~~Minor Person under the age of 19 years~~ to consume any non-intoxicating malt liquor unless in the company of his parent or guardian;

(6) ~~Minor Person under the age of 19 years~~ to have in his possession any non-intoxicating malt liquor, with intent to consume same at a place other than the household of his parent or guardian. Possession of such non-intoxicating malt liquor at a place other than the household of his parent or guardian shall be prima facie evidence of intent to consume the same at a place other than the household of his parent or guardian.

Sec. 3. Minnesota Statutes 1974, Section 340.119, Subdivision 2, is amended to read:

Subd. 2. A bottle club may allow members to bring and keep a personal supply of intoxicating liquors in lockers assigned to such members. A bottle club or any unincorporated society which shall have more than 50 members and which shall have, for more than a year, owned, hired, or leased space in a building of such extent and character as may be suitable and adequate for reasonable and comfortable accommodations for its members, may allow members to bring and keep a personal supply of intoxicating liquors in lockers assigned to such members. Every bottle, container, or other receptacle containing intoxicating liquor stored by members shall have attached to it a label signed by the member of the club. All liquor on the premises of the

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club shall be labeled as herein required, and any not being actually used or consumed by the owner thereof shall be kept in a locker designated to the use of such member. It shall be unlawful for any club member under ~~18-19~~ years of age to be assigned a locker for the storage of intoxicating liquor, or to consume or display or be permitted to consume or display intoxicating liquor on any premises owned or controlled by such private club.

Sec. 4. Minnesota Statutes 1974, Section 340.13, Subdivision 12, is amended to read:

Subd. 12. **LICENSES; PERSONS ELIGIBLE.** No license shall be issued to other than a citizen of the United States ~~over 18-19~~ years of age or over who shall be of good moral character and repute, nor to any person who within five years prior to the application of such license has been convicted of any wilful violation of any law of the United States or the state of Minnesota or of any local ordinance with regard to the manufacture, sale, distribution, or possession for sale or distribution of intoxicating liquor, nor to any person whose license under the intoxicating liquor act shall be revoked for any wilful violation of any such laws or ordinances.

Sec. 5. Minnesota Statutes 1974, Section 340.355, is amended to read:

340.355 MUNICIPAL LIQUOR STORE; SUSPENSION OF OPERATION, PROCEDURE. When a municipal officer or employee of a city is convicted of (1) selling intoxicating liquor or non-intoxicating malt liquor to a ~~minor or other-an~~ ineligible person, (2) selling intoxicating liquor or non-intoxicating malt liquor at a time when such sale is prohibited by law, (3) selling intoxicating liquor or non-intoxicating malt liquor for re-sale, (4) selling intoxicating liquor or non-intoxicating malt liquor on which the required state tax has not been paid, (5) selling intoxicating liquor for consumption off the premises for less than the price required by law, or (6) violating statutory restrictions on gambling and gambling devices and apparatus, and when the offense resulting in such conviction has occurred in an exclusive liquor store operated by the municipality, the court in which the conviction occurs shall mail to the state liquor control commissioner within ten days of the conviction a record of the conviction. The commissioner shall *thereupon send notice of the conviction to the county attorney of the county in which the municipal liquor store is located.* The county attorney promptly after receipt of the notice shall commence an action in the district court in the name of the state against the municipality to suspend the operation of the store as provided by this act. The complaint shall recite the facts of the conviction and shall include a prayer for judgment suspending operation of the store for a period not exceeding 30 days. A copy of the summons and complaint shall be mailed to the liquor control commissioner. The municipality shall have ten days within which to answer, setting forth such facts as are relevant to proof of the conviction and to the determination of the penalty to be

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imposed.

Sec. 6. Minnesota Statutes 1974, Section 340.403, Subdivision 3, is amended to read:

Subd. 3. **LICENSE GRANTED.** Upon the filing of an application, the approval of the bond, and the payment of the license fee, the commissioner shall grant the license unless it shall appear that the applicant: (1) is not a citizen of the United States; or (2) is not ~~over 18-19~~ years of age or over ; or (3) has been convicted of a felony under the laws of this state; or (4) has had his license revoked within a period of one year prior to the filing of his application; or (5) has not been a resident of Minnesota or has not been qualified as a corporation to do business in Minnesota for more than 90 days prior to application. In the event the applicant is a corporation its managing officers must possess the qualifications herein stated in respect to (1), (2), (3), and (4).

No wholesale malt beverage license shall be granted to any person unless he shall have within the state of Minnesota warehouse space either owned or leased by him and shall have adequate delivery facilities to perform the function of wholesaling malt beverages. Provided that the requirements of this subdivision as to residence and warehouse space shall not apply to any wholesaler in an adjoining state which permits Minnesota resident licensees to deliver malt beverages to retailers without warehousing in that state or to any wholesaler in an adjoining state delivering malt beverages manufactured in Minnesota.

Sec. 7. Minnesota Statutes 1974, Section 340.73, Subdivision 1, is amended to read:

340.73 PERSONS TO WHOM SALES ARE ILLEGAL. Subdivision 1. It shall be unlawful for any person, except a licensed pharmacist to sell, give, barter, furnish, deliver, or dispose of, in any manner, either directly or indirectly, any spirituous, vinous, malt, or fermented liquors in any quantity, for any purpose, whatever, to any ~~minor~~ person under the age of 19 years , or to any intoxicated person, or to any public prostitute.

Sec. 8. Minnesota Statutes 1974, Section 340.731, is amended to read:

340.731 PERSONS UNDER 19, FORBIDDEN ACTS OR STATEMENTS. It shall be unlawful for (1) a ~~minor-person~~ under the age of 19 years to enter any premises licensed for the retail sale of alcoholic beverages or any municipal liquor store for the purpose of purchasing, or having served or delivered to him or her, any alcoholic beverage containing more than one-half of one percent of alcohol by volume or

(2) a ~~minor-person~~ under the age of 19 years to consume any in-

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toxicating liquor or to purchase, attempt to purchase or have another purchase for him or her any intoxicating liquor; or

(3) any person to misrepresent or misstate his or her age, or the age of any other person for the purpose of inducing any licensee or any employee of any licensee, or any employee of any municipal liquor store, to sell, serve or deliver any alcoholic beverage to a ~~minor person~~ under the age of 19 years; or

(4) a ~~minor person~~ under the age of 19 years to have in his possession any intoxicating liquor, with intent to consume same at a place other than the household of his parent or guardian. Possession of such intoxicating liquor at a place other than the household of his parent or guardian shall be prima facie evidence of intent to consume the same at a place other than the household of his parent or guardian.

Sec. 9. Minnesota Statutes 1974, Section 340.78, is amended to read:

340.78 SALES TO CERTAIN PERSONS, AFTER NOTICE. Every person selling liquor to a ~~minor person~~ under the age of 19 years, habitual drunkard, or person under guardianship, after written notice by a parent, husband, wife, child, guardian, master, or employer of such ~~minority age~~, ~~habitual drunkenness, or guardianship, or in the case of an habitual drunkard after written notice by the mayor, chief of police, or any member of the council of the municipality in which such habitual drunkard resides, or member of the county board of the county in which such habitual drunkard resides, and within one year after such notice in case of an habitual drunkard, and in other cases during the continuance of the minority-time the person is under the age of 19 years, or guardianship, shall be guilty of a misdemeanor.~~

Sec. 10. Minnesota Statutes 1974, Section 340.79, is amended to read:

340.79 GIVING TO OR PROCURING FOR CERTAIN PERSONS. Any person who shall give to, procure or purchase, intoxicating liquors for any ~~minor~~ person under the age of 19 years or other person to whom the sale of intoxicating liquors is by law forbidden, is guilty of a gross misdemeanor and, upon conviction, shall be punished in accordance with the laws of the state.

Sec. 11. Minnesota Statutes 1974, Section 340.80, is amended to read:

340.80 INDUCING CERTAIN PERSONS TO ENTER SALOON. Any person who shall assist, procure or induce any ~~minor person~~ under the age of 19 years or other person to whom the sale of liquor is by law forbidden, to enter or visit any saloon, bar, buffet or public drinking place for the purpose of obtaining intoxicating liquors, is guilty of a gross misdemeanor; and, upon conviction, punished therefor according

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to the laws of the state.

Sec. 12. Minnesota Statutes 1974, Section 340.81, is amended to read:

340.81 EXCLUSION OF CERTAIN PERSONS FROM PLACES WHERE LIQUOR IS SOLD, AFTER NOTICE; PENALTY. No ~~minor-person under the age of 19 years~~, intemperate drinker, habitual drunkard, inmate of a poor or alms house, or person under guardianship, shall be allowed in any room where intoxicating liquor is sold in less quantities than five gallons as a beverage, after written notice upon the licensee or his agent, by parent, husband, wife, child, guardian, master or employer of such ~~minority-age~~, intemperate drinking, habitual drunkenness or guardianship, or in the case of an intemperate drinker, inmate of a poor or alms house, or habitual drunkard, after written notice by the mayor, chief of police, judge of the municipal court, or any member of the council of the municipality in which such intemperate drinker, or habitual drunkard, resides, or member of the county board of the county in which such inmate of a poor or alms house, intemperate drinker or habitual drunkard resides, and within one year after such notice, in case of an inmate of a poor or alms house, intemperate drinker or habitual drunkard, and in other cases during the ~~continuance of the minority-time the person is under the age of 19 years~~ or guardianship. Any violation of this section shall be guilty of a misdemeanor.

Sec. 13. The effective date of this act shall be September 1, 1976, and for purposes of the provisions of this act, any person who is 18 years of age on August 31, 1976 shall be deemed to be the age of 19 until such person attains the age of 20.

Approved March 19, 1976.

CHAPTER 67—H.F.No.1099

[Not Coded]

An act relating to Hennepin county; hospital and medical care for poor persons funding; amending Laws 1963, Chapter 738, Section 3, Subdivision 3; repealing Laws 1963, Chapter 738, Section 7.

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

Section 1. Laws 1963, Chapter 738, Section 3, Subdivision 3, is amended to read:

Subd. 3. **HENNEPIN COUNTY; HOSPITAL AND MEDICAL CARE FOR POOR; FUNDING.** Before levying taxes to raise the funds appropriated in any year under subdivision 2, the county board shall

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