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THE MAGAZINE FOR MINNESOTA'S LICENSED BEVERAGE RETAILERS



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See pp. 6-7
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PROOF

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2025 Legislative Session, First Week Update

MLBA Members get these emailed Legislative Updates all throughout the session, plus other timely articles and information specifically for you, the licensed retailer. If you're not a member you are missing out! Go to page 16 or mlba.com to join today!

The first short week of the session started with a bang! Both sides of the aisle are actively debating various issues, and bills are already being introduced. We are fully engaged in the process.

One such bill is House File 5, which relates to government finance. It modifies the imposition and allocation of certain taxes, requires specific tax analysis, and repeals retail delivery fees. The bill has been read for the first time and referred to the Committee on Transportation Finance and Policy.

Another bill we are both tracking and are fully engaged in deals with Earned Safe and Sick Time and Paid Family and Medical Leave. As it stands right now, these initiatives are as close to a one size fits all as you can get. Several industry leaders testified yesterday in opposition of current law and offered much discussion on the confusion, roll out and implementation of these programs.

A study showed the percentage of businesses in Minnesota that want to leave is at an all time high since 2019. Reasons for wanting to leave come down to taxes, better business climates in surrounding states and the political direction of our State leaders. Minnesota lags behind in business development as our GDP growth ranks 40th in the nation, 31st in job growth and 35th in domestic migration. We lost over 5,000 Minnesotans that left our fair state just last year.

In 2023 lawmakers increased taxes by \$10B while neighboring states lowered theirs.

Paid family leave will increase payroll taxes on average by close to 1% which is a \$2B increase in taxes for Minnesota workers. We are looking for mandates to be voluntary and for those that offer employee benefits to be recognized and allowed to do what we do for our employees which is take care of them in every capacity. I have never met an employer that does not put their employees first.

What are we seeing?

We are already seeing cities that have mandated ESST and PFML having their employees use their ESST and PFML during hunting and fishing season and spring break vacations which is not what it was intended to be used for. All of this leads to lack of productivity and longer periods of absence and puts massive burdens on employers as shifts still have to be covered. Customer service is paramount.

Not many small businesses have a Human Resources Department to manage all of these mandates. I liken this roll-out to the MNCare debacle that friends of mine are still struggling with some years later. At times waiting for a live person to guide you through these steps is like being on hold on the DMV Hotline! This rollout puts a tremendous strain on not only small businesses but trade associations like yours that have to be "up to speed" and "up to date" on all things related to these initiatives.

- Who do you talk to?
- Who is responsible for the small business guidance?
- Who is responsible for the communication?

We seem to again be in a position where a mandate was rolled out and we have to figure it out as it is happening in real time. I am not saying large corporations are better equipped to handle this but I do know that small hospitality businesses have enough to deal with and be flexible on to have this type of mandate be implemented with complex formulas and burdensome guidelines that seem to be confusing and unnecessary. This is a legislative priority for all of our members in the on and off premise sectors. We are here for you and will represent you proudly and professionally.

Bills of Interest

Senators Rest, Seeberger, Dibble, Hauschild, and Nelson introduced --

S.F. No. 34: A bill for an act relating to taxation; sales and use; establishing an exemption for food service establishment equipment; amending Minnesota Statutes 2024, section 297A.68, by adding a subdivision.

Referred to the Committee on Taxes.

Senators Rest and Hauschild introduced --

S.F. No. 41: A bill for an act relating to transportation; modifying retail delivery fee; amending Minnesota Statutes 2024, section 168E.01, subdivision 12; repealing Minnesota Statutes 2024, section 168E.01, subdivision 4.

Referred to the Committee on Transportation.

Senator Jasinski introduced --

S.F. No. 77: A bill for an act relating to liquor; permitting limited home distillation; amending Minnesota Statutes 2024, section 340A.301, subdivision 11; repealing Minnesota Statutes 2024, section 340A.705.

Referred to the Committee on Commerce and Consumer Protection.



— Tony Chesak
MLBA Executive Director
tony@mlba.com

Senators Klein, Housley, and Kupec introduced -- S.F. No. 198: A bill for an act relating to liquor; defining limited malt liquor and food retailer; authorizing the issuance of off-sale limited malt liquor licenses; making conforming changes; amending Minnesota Statutes 2024, sections 28A.16; 340A.101, subdivision 15a, by adding a subdivision; 340A.301, subdivision 8; 340A.402, subdivision 1; 340A.408, subdivisions 3a, 5, by adding a subdivision; 340A.409, subdivision 4; 340A.410, subdivision 8; 340A.414, subdivision 2; 340A.503, subdivision 1; 340A.504, by adding a subdivision; 340A.508, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 340A.

**** This is the 3.2 Replacement Bill! **** In essence, it would allow for all those who currently have 3.2 beer for off sale purchasing, be allowed to sell full strength beer in its place. This is a core issue for all off premise MLBA members and it is top priority as you all know. Last session this bill received some general discussion but no motion was taken. We are here to make sure small businesses are represented

and advocated for. Stay tuned for more updates as this bill makes its way around.

Referred to the Committee on Commerce and Consumer Protection.

Senator Frenz introduced -- S.F. No. 265: A bill for an act relating to liquor; authorizing a special license in the city of Mankato.

Referred to the Committee on Commerce and Consumer Protection.

We are a long way from any real resolution and we will update MLBA members via email these and many other bills as things progress.

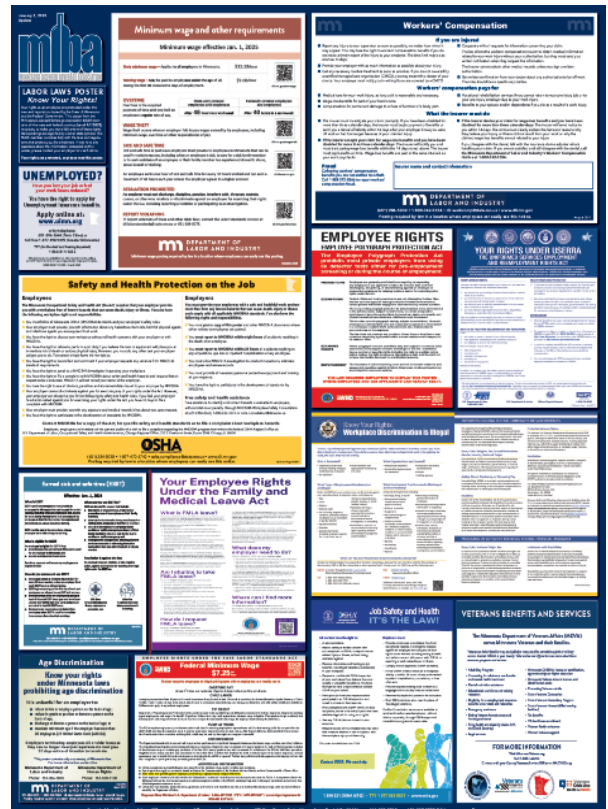
Please contact me with questions and concerns.

MLBA Members Get a Free All-in-One Required Labor Laws Poster!

For over 20 years in a row, we have created a brand new updated "Labor Laws" poster for 2025! This 25"x34" full color all-in-one poster has all the State and Federal postings required by law to be made visible to your employees. Only MLBA Members received a brand new poster in the mail in late January!

New on this poster is an updated Minimum Wage posting from the State of Minnesota. During the 2024 legislative session, Minnesota's minimum wage law was revised to eliminate the reduced minimum wages applicable for small employers (defined as annual gross revenues less than \$500,000), youth under the age of 18 and J-1 visa workers. Effective Jan. 1, 2025, the state's minimum-wage rate for all employers, including large employers, small employers, youth and J-1 visa wages for hotels, motels and lodging establishments, increased to **\$11.13 an hour**. The law still allows for a 90-day training wage for workers under age 20. The current hourly training wage has increased to \$9.08.

MLBA, Protecting and Promoting Licensed Beverage Retailers in the State of Minnesota Since 1953!



Actual poster is 25" x 34"

DoorDash Raising the Bar for Alcohol Ordering Safeguards

New product and protocol improvements help further ensure safe and responsible delivery of alcohol



- Applying best-in-class technology bolstered by machine learning has strengthened ID verification as part of our four-step at-the-door compliance check
- New Dasher App features like in-app compliance modules and Dash Preferences have made compliance resources easier for Dashers to access and increased uptake
- We've tailored our product return order flow, including offering more direct guidance for Dashers on how to proceed if a fake ID has been detected, to help ensure they better understand compliance processes.

When it comes to delivering alcohol, nothing is more important to DoorDash than safety. It's why we've led the industry forward with a four-step compliance check at the door before a delivery may be completed, geofencing certain high-risk locations to pre-emptively block deliveries, and putting safeguards in place for Dashers that allow them always to return alcohol penalty-free and with additional pay if a delivery cannot be completed.

Partnership and collaboration are crucial to helping ensure safe and responsible delivery of alcohol. We were proud to join with organizations like the Foundation for Advancing Alcohol Responsibility (Responsibility.org) and sign on to the International Alliance for Responsible Drinking (IARD) Global Standards Coalition to achieve our shared goals around promoting safety. We also regularly work with policymakers and regulators to ensure that our services meet the highest safety standards in the states where we operate.

Though we're proud of our progress, we're constantly looking for new ways to further strengthen our robust protocols and processes, and to continue to promote trust and confidence in the DoorDash platform when it comes to the responsible delivery of alcohol.

"We're sending an unmistakable message when it comes to responsible alcohol delivery on DoorDash: safety comes first," said Jacob Moriello, DoorDash's General Manager of Alcohol and Convenience. "We strive to make getting alcohol delivered even safer than a typical in-store transaction. We hope that these improvements will continue to allow us to lead the industry forward when it comes to responsible alcohol delivery and offer a best-in-class experience for everyone who uses our platform."

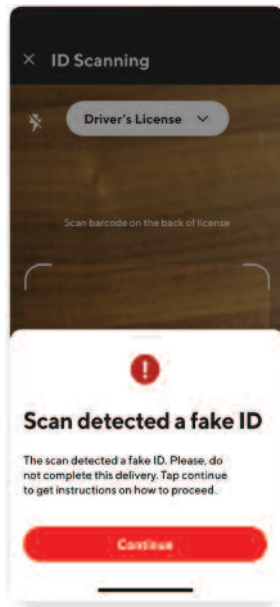


"With more people than ever ordering alcohol for at-home delivery, this comprehensive approach from DoorDash prioritizes safety by using technology to keep drunk drivers off the road and alcohol out of the hands of minors," said Leslie Kimball, Responsibility.org's Executive Director. "It is through policies and commitments from companies in this space in addition to community education and individual dedication to responsible consumption that we can help ensure an increase in alcohol responsibility across the board."

Strengthening Checks At The Door

Central to our safety efforts on alcohol delivery is our ID verification process. Just like with any alcohol purchase, some underage people — while exceedingly rare — may try to use fake IDs to get alcohol delivered. Together with our third-party partner, we've implemented a more robust and sophisticated scanning technology nationwide to better detect fake IDs and further prevent unlawful deliveries. The scanning technology has improved to automatically analyze barcodes for many characteristics, from order of fields to barcode size and encoding, and deploys machine learning to instantly identify characteristics that do not match the expected format for a given state to help identify fakes. Customers who use IDs identified as fake are also blocked from placing future alcohol orders.

Even before checkout, consumers must attest to their understanding that a digital ID verification scan is required before a Dasher can complete the delivery. At the door, our enhanced process combines a physical and digital ID four-step check using this sophisticated scanning technology to analyze the customer's ID and validate that the barcode is legitimate, as well as a physical check to ensure it does not display typical signs of fake IDs like texture or weight. Dashers are also required to check that the ID presented at the door matches the presenting consumer, and, as a final safeguard, Dashers must confirm that the consumer does not display any signs of intoxication. Only after all of these steps is a Dasher prompted to complete delivery.



Making Dasher Compliance Easier Than Ever

We understand the responsibility we have when it comes to facilitating alcohol deliveries, and have built processes, technologies, and resources to help Dashers understand their role too. We provide Dashers with a compliance module that contains best practices for managing alcohol deliveries, such as how to check for a valid ID and the typical signs of a fraudulent ID. The module also covers how to identify signs of intoxication to prevent deliveries to an intoxicated consumer and re-emphasize the risks and legal repercussions of doing so. Where required, Dashers must also pass a test at the end of the module before they will be offered opportunities to deliver alcohol.

We're now making this process even easier for Dashers to access these resources. Compliance modules are now right in the Dasher App, and available for 100% of iOS and Android users

of the Dasher App in states where alcohol delivery is allowed. Dashers can also now toggle their alcohol delivery preferences directly in the Dasher App to see what kinds of deliveries they are qualified for and easily access these resources if they want to be able to receive the kinds of orders that they want.

By making these resources easier to access, we have seen significant uptake from Dashers. From August through September 2024, there was a 229% increase in Dashers who received their certification to deliver alcohol in states where allowed compared to the same three-month period in the prior year.

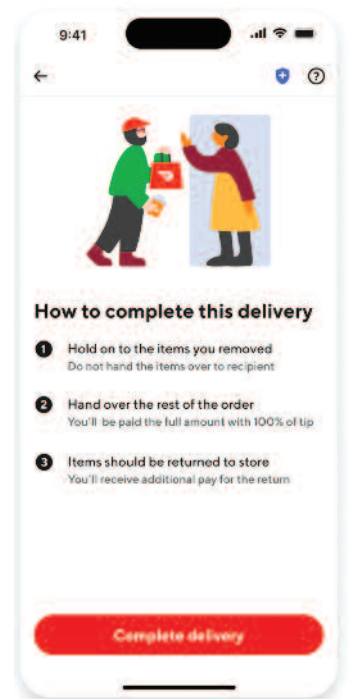
Enhancing The Dasher Return Order Flow

If a Dasher ever finds themselves in a situation where a customer is visibly intoxicated or a fraudulent ID has been detected — however rare — we have put in place even more robust safeguards to assist them. These include providing direct prompts to alert them that a fraudulent ID has been scanned, offering immediate support for the Dasher, and making them aware of how to proceed in the situation to comply with law.

Importantly, if an alcohol delivery cannot be completed, Dashers are paid for the whole trip, including the original pay plus more for the return, and a Dasher's ratings are not impacted if they cannot complete the delivery. Simply put: Dashers never have and never will have to choose between completing a delivery or complying with the law.

We want to be a resource for Dashers to help them feel comfortable while delivering alcohol, so if they have any questions before, during, or after a dash involving alcohol, we encourage them to get in touch with us through the Dasher App.

Ultimately, the responsible service of alcohol is much more than just compliance with the law — it is about helping to promote safety for everyone who uses our platform. We know there will always be more work to be done to help make sure that these deliveries are done as safely as possible.



For more info:

Click the QR code
or contact Araceli Lopez,
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209-612-9382



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Minneapolis Labor Relations Board

On Tuesday, November 12, 2024, I testified before the City Council of Minneapolis to help stop the proposed Labor Relations Board and its devastating effects on small businesses in the city. The hearing can be seen on the City of Minneapolis' YouTube page: "November 12, 2024 Budget Committee".

Below is my testimony ...

Good morning, my name is Tim Mahoney. I'm the owner of the Loon Cafe in downtown Minneapolis. We've been part of the landscape of the business community for over 42 years. I'm also the chair of the Minnesota Licensed Beverage Association and I also used to chair the Warehouse District Business Association for over ten years.



— Tim Mahoney
MLBA President
The Loon Cafe, Mpls



The questions I have for the City Council and those who are driving this Labor Relations Board agenda is: "Why?" "What did we do?"; "What have we done?"; "What haven't we done?"; "How are we gonna pay for this?"; "Who's going to be on the board?"

All these questions have been raised and have NOT been answered.

Now we look forward to moving in a different direction. We're going to fight this the best way we know how. We're tired, we've been beaten down. We

still haven't recovered from the pandemic and now we're going to add another agenda, another layer of business transactions that are going to be scrutinized by the City Council. Who's gonna pay for this? How's it going to be paid?

Again, what can we do to better the City of Minneapolis. This is not going to be the answer. Have you walked around and seen the empty storefronts? Have you been to Uptown? Have you been to Downtown? We have a lot of problems in the city and this is not going to solve them.

You need to work WITH the business community to develop businesses in the city to make them succeed. There's not one person on my staff that would be here right now that says I don't take care of them.

Have you ever had a person come up to you and say, "I need to be a citizen"? Have you ever had a someone come up to you and say, "My family is poor, we need help"? Have you opened your own businesses? Have you put your money on the line and have no return except to work hard? And all of a sudden you have a city that's coming down on you. Like she (the previous speaker) was talking about taxes, everything. It's daily.

Remember, us small businesses survive by our employees. Our employees are our lifeline to success.

Thank you.



Grocery Stores, Convenience and Big-Box Stores Already Have Full Strength Alcohol!!

It is time to print our updated list of Grocery, Convenience and Big-Box stores in Minnesota that have wine, strong beer and spirits in a **legal but separate store**.

When MLBA first compiled this list in the Jan-Feb 2007 issue of PROOF Magazine, there were around 70 liquor stores owned by grocery stores and warehouse store chains. As of December 2024, there are **227** that have separate full strength beer, wine and spirits stores. They have the same hours of operation; the same age restrictions; the same liquor license fees as private and municipal liquor stores do. If connected to the main store, they also must have a separate entrance and separate checkout from the grocery store - or what is known as the 3-door (*common vestibule with separate entrances to the liquor store and main store.*)

The growing list of 227 big-box, grocery and convenience owned liquor stores listed below represent over 200%

increase in just the last 17 years. It is undeniable proof that we can all be in business together with no new laws and a strong “three-tier” system of manufacturers, distributors and retailers.

These liquor stores have proved that **no new laws are needed that would greatly increase the number of outlets for alcohol in Minnesota.** MLBA fully supports these liquor operations. Several of these liquor stores are MLBA members taking advantage of what MLBA has to offer like alcohol server training, insurance discounts, labor law poster compliance, music licensing discounts and many more!



— Dean Rose
Vice President Off-Sale
Broadway Liquor Outlet, Mpls

Big Box, Grocery and Convenience Store Owned Full Liquor Stores in MN (as of December, 2024)

Andy's Liquors Rochester (5): (*Coborn's owned*)
Broadway, Central, Marketplace, Northeast,
Northwest

Brother's Market Inc. (3): (*Sister's Beer, Wine & Spirits*), Barrett, Elbow Lake, Sauk Center

Casey's Retail Co. (3): Brainerd (2) (*Casey's Gen. Store, Goodstop*), Pillager (*Woby's*)

Cash Wise Liquor (11): Alexandria, Baxter, Brainerd, Duluth, Moorhead, New Ulm, Owatonna, St. Michael, Waite Park, Waseca, Willmar

Coborn's Liquor (13): Albertville, Belle Plaine, Clearwater, Foley, Hastings, Little Falls, Melrose, New Prague, Otsego, Ramsey, St. Cloud, St. Joseph, Sartell

Costco Wholesale (12): Baxter, Burnsville, Chaska, Coon Rapids, Duluth, Eagan, Maple Grove, Maplewood, Rochester, St. Cloud, St. Louis Park, Woodbury

Cub Liquors and Wine & Spirits (29): Arden Hills, Bloomington East, Bloomington West, Brooklyn Park, Burnsville, Champlin, Coon Rapids, Crystal, Eagan, Hastings, Inver Grove Hts, Mankato, Maple Grove, Maplewood, Oakdale, Plymouth, Rochester, Rosemount, Roseville, St. Louis Park, St. Michael, St. Paul, Shakopee, Stillwater, West St. Paul, White Bear Lake, WBL Township, Willmar, Woodbury

CVS Pharmacy (2): Dilworth, Moorhead

EconoFoods (1): Breckenridge

Edwards Oil Co. (3): (*Little Brown Jug*) Biwabik, Nashauk, Int'l Falls

Fareway Spirits & More (4): Byron, Faribault, Owatonna, Stewartville

Lake City Fresh Market (1): Lake City

Holiday Stationstores (2): Medina (*Hwy 55 Liq.*), Hastings (*Point Liquor*) -

Hy-Vee Wine & Spirits (19): Albert Lea, Austin, Brooklyn Pk, Cottage Grove, Eagan, Faribault, Mankato, Maplewood, Maple Grove, New Hope, New Prague, New Ulm, Oakdale, Owatonna, Plymouth, Rochester, Shakopee, Spring Lake Park, Winona

Jubilee Liquors (1): Becker

Kowalski's (6): Excelsior, Minneapolis, Oak Park Hts, St Paul, Shoreview, Woodbury

Kwik Trip (5): Byron, Owatonna, Rice Lake, Rush City, Scanlon

Lake Country Foods (1): Emily

Lunds & Byerly's Wine & Spirits (11) Burnsville, Chanhassen, Eagan, Golden Valley, Maple Grove, Minneapolis, Minnetonka, Plymouth, St. Louis Park, White Bear Lake, Woodbury

Market Wine & Spirits (1): St. Peter

Midtown Market Wine & Spirits (1): Winona

Mobile (1): Mayer (Fill Me Up)

On the Rocks (2): Hugo (*Festival Foods*), Lake Crystal (*Kevin's Foods*)

Orton's Oil Co. (1): Audubon

Rahn's Oil & Propane (3): Henning, Meire Grove, St. Stephen

Sam's Club (10): Bloomington, Eagan, Hermantown, Mankato, Maple Grove, Rochester, St. Cloud, Shakopee, White Bear Lake, Woodbury

Super One Liquors (9): Baxter, Cloquet, Crosby, Duluth, Pike Lake (Duluth), Grand Rapids, Hibbing, Int'l Falls, Virginia

Super Spirits (Speedway) (5): Foley, Pequot Lakes, St Cloud, St Joseph, Waite Park

SuperMarket Foods (2): Karlstad, Warren

Target (23): Blaine, Burnsville, Champlin, Chanhassen, Chaska, Coon Rapids, Duluth, Lino Lakes, Maple Grove, Medina, Minneapolis, N. St. Paul, Otsego, Plymouth, Rochester, Roseville, St. Louis Park, St. Paul, Shoreview, Vadnais Hts, Waconia, W. St. Paul, Woodbury

Teal's Markets (3): Albany, Cold Spring, Spicer

Trader Joe's (10): Bloomington, Eagan, Maple Grove, Minneapolis, Minnetonka, Rochester, St. Louis Park, St. Paul, Shoreview, Woodbury

Viking Arco (1): E. Bethel (*Go For It Liquor*)

Wal-Mart (17): Austin, Baxter, Cloquet, Cottage Grove, Dilworth, Faribault, Gr Rapids, Hastings, Little Falls, Mountain Iron, New Ulm, Oak Pk Hts, Rochester, St. Cloud, Sauk Centre, Waseca, Willmar

Walgreens (1): Mankato

Whole Foods Market (3): Maple Grove, Minneapolis, Woodbury

Zups Food Market (1): Ely

Minneapolis Mayor Frey Vetoes Labor Standards Board, Calls on Council to Pass Balanced Proposal

After years of engaging labor and small business leaders, the mayor has put forward a proposal that would bring essential parties to the table.



— Keith Kalli
Vice President On-Sale
Kalli's Place, Wright, MN

MINNEAPOLIS – 11/21/24, Mayor Jacob Frey vetoed the City Council's proposed Labor Standards Board, offering a more equitable proposal that would benefit both workers and employers. The mayor has long advocated for a Labor Standards board that is fair and balanced, but the Council's proposal is neither of those things. To help bring both parties to the table, the mayor has put forward a proposal that reflects the diverse perspectives and needs of both sides.

For a Labor Standards Board to succeed, businesses must participate. The Council's proposal is so lopsided that hundreds of businesses, many of them BIPOC-owned, and nearly all major business organizations, have voiced their opposition and said they won't participate in the board at all. Without their participation, there is no way for the Labor Standards Board to be effective.

"If we want this Labor Standards Board to work, business participation isn't just important, it's essential. Under the Council's proposal, business participation is negligible— and everyone knows that's not going to work," said Mayor Jacob Frey. "Council must pass a board that is balanced and inspires collaboration from both labor and business."

Mayor Frey continued, "One Council Member recently said that businesses should be 'thankful' they are getting a seat at the table. Neither businesses nor labor should have to be 'thankful' to get a seat at the table.... in our city, they always have one. These businesses are part of what makes our city vibrant and unique. Workers and businesses alike deserve a government that hears their concerns, shares their ambition to make our city's culture brighter, and is willing to do the work to find policy that unites us."

To move forward with a solution that works for both businesses and workers, Mayor Frey has put forward a new proposal. The proposal includes:

1. Equal representation: A 50/50 split between employees and employers on the board, ensuring both sides are equally heard and represented
2. Balanced appointments: An equal number of appointments made by the City Council and by the mayor, aligning the board's structure with the City's governance model and ensuring fair input from both branches of city leadership
3. Supermajority consensus: A requirement that a supermajority of board members must agree on recommendations before they are presented to the City Council, ensuring board support and alignment.

If the mayor's veto is sustained, he will encourage Council Members to hold a public comment hearing so businesses and workers can provide feedback on his proposal.

* * * * *

We thank Mayor Frey for his decision to veto the Minneapolis Labor Standards Board resolution and for standing with the business community during this critical time for the city. The Labor Standards Board is an unbalanced and rushed policy that creates unnecessary hurdles for businesses, especially small, BIPOC-owned, and immigrant-owned businesses. At a time when Minneapolis is beginning to rebuild and revitalize, the city cannot afford to adopt policies that create uncertainty, deter investment and growth, and harm the businesses essential to its recovery.

A Labor Standards Board is not the right solution for Minneapolis. The stakes are simply too high for the future of the city. We urge the City Council to sustain the Mayor's veto and make the right decision for Minneapolis businesses and the communities they serve.

We would encourage you to contact Mayor Frey on his support of small business!

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Ross Amundson, 952-854-2222
amundson9148@comcast.net

Consulting



Gaming Business Solutions

Tracy Wigen, 763-656-3667
tracy@gamingbusinesssolutions.com

Credit Card Processing

Rate Zero LLC



Drew Rute,
612-240-1795 •
drew@ratezero.net

Delivery Service



DoorDash

Preet Saini, 602-859-7283
preet.saini@doordash.com

Drink Mixes



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www.flahertyscandy.com



MinneSoda

Joe Johnson, 612.824.0745
joej@shamrockgroup.net

Event Staffing / Promo



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Michele Rogers, 763-670-9220
mrogers@midwestpromotionalmodels.com

"Spirited Models for Spirited Brands"

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Joe, Alex or Lindsey Klinkhammer,
651.775.1241
Joe@klinkhammerfinancial.com

Gaming Manufacturers/Distributors



3Diamond Corp.

Spanky Kuhlman, 651-486-0055
spanky@3diamond.com



Diamond Game (Page 2)

Sara Navidazar, 818-727-1690
snavidazar@diamondgame.com



MN Gambling Supply

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jeff@mngambling.com



Pilot Games

Jon Weaver, 248-885-3025;
jon@pilotgames.com



Triple Crown Gaming (p. 15)

Jillian Poganski, 320-251-5373;
Jillian@triplecrown gaming.net

Ice Manufacturers



Ace Ice, Matt King,

612.824.0745,
matt@aceice.com



Arctic Glacier Ice

Mitch Staley, 651.455.0410
MStaley@ArcticGlacier.com

Insurance Agents



KLB Insurance (Pg. 19)
Kim Brown, 651.730.9803
kim@klbins.com



Cartier Agency
Matthew Cartier, 218.727.5992
matt@caduluth.com



Corporate 4 Insurance
Dan Gutlovics, 952.893.9218
dgutlovics@corporatfour.com



Dwight Swanstrom Co.
Greg Brisky, 218.727.8324
www.dwightswanstrom.com



Ebner Insurance
Jenny Pederson, 218.631.3274
jenny.pederson@ebnerinsurance.com



IL Casualty Co. (pg. 23)
Avalon Thomas-Roebal,
309.793.1700 www.ilcasco.com



Key City Insurance
Deb Johannsen, 507.625.7667
deb@keycityins.com



Landreau Insurance Group
Carlos Landreau, 612.276.7035
carlos@ligmn.com



North Risk Partners
Jeremy Miller, 651.319.0482
www.northriskpartners.com



Paulet Slater, Inc.
Jeff Stanley, 651.644.0311
jcstanley@pauletslater.com



Pine Insurance Agency
Lacy Johnson, 320.629.2515
lacy@pineagency.us



Reliable Agency
Scott Wojtysiak, 218-879-4663
scott@reliablemn.com



Society Insurance
Tim Birk, 920.952.0824,
marketing@societyinsurance.com



Twin City Group
David Bell, 952-924-6900
dbell@twincitygroup.com

Investigative Service



R & D Agency
Brianna Dunn, 952.882.8000
www.rdagency.com

Music Licensing



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John Bonaccorso, 888-772-4252
jbonaccorso@ascap.com



BMI
Jessica Frost, 615-401-2865
jfrost@bmi.com



SESAC
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jkemezis@sesac.com

Point of Sale



Cloud Retailer
Gary Noble, 320-223-2293
garyn@cloudretailer.com



Dailey Data & Associates
Mary Dailey, 763.253.0481
mary@daileydata.com



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Refrigeration



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Quality Refrigeration
Ken Fricke, 612-861-7350
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Comedy Gallery Talent
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Spirits Companies



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Stephanie Georgesen, 651-491-2648
sgeorgesesen@bacardi.com

Beam Beam Suntory

Ben Young, 612-845-3469
Ben.Young@beamsuntory.com



Crooked Water Spirits
Heather Manley, 612-730-0095,
heather@ondemandgroup.com



Diageo
Chris Gotziaman,
612-353-7918, Chris.Gotziaman@diageo.com



RedLocks Irish Whiskey
Kieran Folliard, 612-790-3994
kieran@RedLocks.com

Spirits/Wine Distributors



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Derek Holmes, 651-482-1133
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davidg@bellboycorp.com



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Wine Companies



Dancing Dragonfly
Jon Mast,
715-483-WINE (9463)
gm@dancingdragonflywinery.com



Paustis Wine Co.
Steve Olson,
763-550-9545
solson@paustiswine.com

Swipe Right on Surcharging: Laws & Best Practices for Credit Card Surcharges

In today's fast-paced business environment, credit card surcharging offers a valuable way to offset payment processing costs. Adhering to federal, state, and card brand regulations is crucial to avoid significant penalties and to maintain the trust of your customers.

What Is a Credit Card Surcharge?

A credit card surcharge is an additional fee charged to customers who choose to pay with a credit card versus a debit or pre-paid card. While it's a helpful way for businesses to recover processing costs, it comes with legal and contractual requirements that demand careful attention.

Abiding by State Laws

Credit card surcharges are legal in many states, including Minnesota, but some (e.g., Massachusetts, Connecticut, and Puerto Rico) prohibit them outright or impose specific rules.

Recent guidance from the Minnesota Attorney General's office outlines that a compliant credit card surcharge is not considered a mandatory fee under the new "Junk Fees Ban," effective January 1st, 2025.

However, compliance with card brand requirements is still necessary — you can't just blindly add a card fee. This distinction emphasizes the importance of ensuring that your business is compliant with all prices and fees.

Complying with Card Brand Rules

Visa, MasterCard, Discover, and American Express each have their own extensive set of rules governing how their cards must be handled by businesses. These complex legal documents can leave room for confusion, making it essential to work with a payment provider who can effectively navigate compliance for your business.

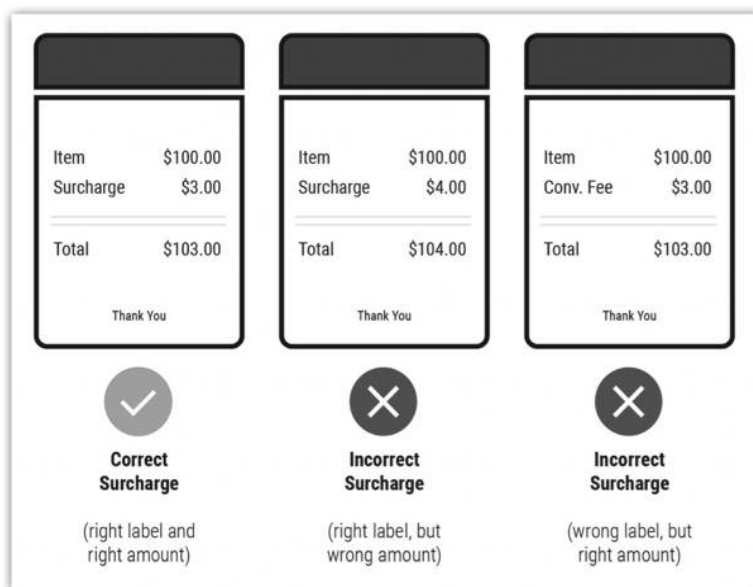
Card brands have increased their compliance enforcement efforts, utilizing secret shoppers and imposing fines for noncompliance.

Transparency Is Key

A successful pricing strategy requires transparency. Customers want to know what to expect. Both recent legislation and card brand requirements highlight the importance of proper consumer disclosure.

Essential Transparency Practices:

- **Signage:** Display notices at entrances and point-of-sale areas to properly inform customers. Card brands provide example signage on their websites, and your payment provider should have compliant signage readily available.
- **Receipts:** Clearly label the credit card surcharge on all versions of a receipt, from bill presentation to customer copies, both in-store and online. The surcharge must be compliantly disclosed at each stage of the transaction.



- **Online Transactions:** Disclose the surcharge on the first page that shows card payment options and during check-out.
- **Proper Technology:** Your POS technology should automatically identify card types using BIN lookup functionality, ensuring surcharges are applied only to credit cards, and your system should submit the surcharge amount to the payment network.
- **Menu/Shelves:** The price listed for an item can be the cash or non-surcharge price, allowing you to avoid the costly reprinting of in-store prices.
- **More:** Requirements vary based on how and where you take payments—such as in-person, online, or via phone. Make sure your payment provider offers a compliant solution for all your payment methods and channels.

Key Requirements for Compliance

- **Surcharge Cap:** Credit card surcharges cannot exceed 3% or the cost of acceptance, whichever is lower. Originally set by Visa, this rule applies universally across card brands.
- **Payment Types:** Debit and pre-paid cards are exempt from surcharges.
Why is debit exempt? We get asked this a lot - it's largely because debit cards are viewed as an extension of a consumer's bank account versus a line of credit. Unfortunately, processing both debit card and credit card payments still incurs real costs for both you and your vendor.
- **Registration:** Register your business with the card brands, typically through your payment provider, at least 30 days in advance of applying your first surcharge.
- **Labeling:** Apply the proper wording, a surcharge should be labeled as just that—Surcharge. It cannot be labeled as a convenience fee or service charge.
- **Sales Tax:** Surcharges are typically considered taxable revenue. Ensure you have your tax calculations configured properly to collect and pay all sales tax.

Cash Discount vs. Surcharging

If surcharging isn't the right fit for your business, consider a compliant cash discount program—a similar opportunity to reduce processing costs through strategic technology and pricing.

Be cautious of providers offering programs that may seem compliant but fail to address key legal and operational details.

Ensure Your Program:

1. Follows all relevant tax, legal, and card brand requirements.
2. Is embedded and automated into your technology solution.
3. Provides clear and proper customer messaging.
4. Is vetted by a knowledgeable provider that prioritizes compliance and stays on top of the ever-changing legal, technology, and payment landscape.

When it comes to compliance, words matter. What may sound like trivial differences could be what protects you from fines.

Remember to always consult your legal and tax professional before making business changes. This article does not constitute legal advice.



About the Author

INGAGE is a local provider of POS and Payment technology since 1981. We are a team-owned and operated business, and we love serving Minnesota and the surrounding states. Our team is at the intersection of hospitality, technology, and payments.

Navigating credit card surcharging and cash discount programs doesn't have to be overwhelming. As your local technology guides, we help businesses like yours stay compliant while optimizing payment solutions to save money and enhance customer satisfaction.

Have questions about compliance or need assistance implementing a surcharging program? Let us be your partner in compliance and technology.

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An advertisement for Triple Crown Gaming, Inc. is displayed on a tablet screen. The ad features three crown icons at the top, followed by the company name "TRIPLE CROWN GAMING, INC." in bold. Below this, it states "Minnesota's #1 Distributor of Electronic Pull-Tabs" and "Over 30 Years Charitable Gaming Experience!". The main headline asks "INTERESTED IN E-TABS & E-BINGO FOR YOUR CHARITY?". A bulleted list highlights: "All You Need is WIFI!", "FREE Game Demos & Seminars", and "All Installs & Equipment are FREE OF CHARGE to the Bar and Charity". It also mentions "We rep all licensed manufacturers, electronic and paper pull-tabs!". At the bottom, it lists "5 Locations Statewide" with a map of Minnesota showing dots for St. Cloud, Fergus Falls, Cloquet, Minneapolis, and Mankato. Contact information includes "Contact: 320.251.5373, 1.800.862.2700, betty@triplecrown gaming.net".


TRIPLE CROWN GAMING, INC.
Minnesota's #1 Distributor
of Electronic Pull-Tabs
Over 30 Years Charitable Gaming Experience!
**INTERESTED IN E-TABS & E-BINGO
FOR YOUR CHARITY?**

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- FREE Game Demos & Seminars
- All Installs & Equipment are **FREE OF CHARGE** to the Bar and Charity

We rep all licensed manufacturers,
electronic and paper pull-tabs!

5 Locations Statewide

- St. Cloud
- Fergus Falls
- Cloquet
- Minneapolis
- Mankato

Contact:
320.251.5373
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Aside from being part of a great trade association that is the voice of reason at the State Capitol every year, MLBA provides (or have Allied Members that provide) dozens of member benefits designed to help you protect and grow your business. **Now MLBA Members can get exclusive discounts for Allied Members on MLBA.com Buyer's Guide.** (See *MLBA.com* for more info on the *Buyer's Guide*.) So if you're not already a member, sign up today! Just fill out the membership form below or go to MLBA.com!

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-Alissa S. Horan, Owner Sawmill Saloon & Restaurant



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EruptCinn

EruptCinn Unveiled: A Local Veteran-Owned Rum That Redefines Smooth

November 2024 --The spirits world is about to get smoother with the launch of EruptCinn, a premium, craft cinnamon-infused rum that promises to delight taste buds with its balanced and refined flavor. Locally produced and veteran-owned, EruptCinn is crafted with sustainability in mind, using only glass bottles and cans—completely free of plastic packaging.

EruptCinn combines the richness of premium rum with the warm essence of cinnamon, delivering an unforgettable, smooth experience. Perfect for Lava Shots and versatile as a mixer for your favorite cocktails, EruptCinn elevates any occasion with its exceptional quality and taste.

Available now in stores, restaurants, and bars across Minnesota and Wisconsin, as well as online with delivery to most states, EruptCinn comes in sleek 750ml glass bottles and take-anywhere 100ml double-shot cans. Find your nearest store with our Store Locator.



“The launch of EruptCinn is all about bringing people together for a fun and elevated drinking experience,” said Mike Nathan, Co-founder and CEO of EruptCinn. “As a veteran-owned, local business, we take pride in crafting a premium rum that not only tastes delicious but also reflects our commitment to sustainability and quality.”

Greg Aamodt, Chief Commercial Officer, added, “EruptCinn offers a unique and exciting opportunity for our distributors and retail partners to introduce a truly distinctive and sustainable product to their customers. We’re confident that EruptCinn will stand out on the shelf and on the menu, and we’re excited to work closely with our partners to make it a success in the market.”

To celebrate the launch, EruptCinn is offering special Party Packs, available now on the official website, eruptcinn.com. With its smooth flavor, premium craftsmanship, and eye-catching design, EruptCinn is set to become a must-have for those who crave something bold yet smooth.

About EruptCinn

EruptCinn is a premium, craft cinnamon-infused rum with a smooth twist. Locally produced by a veteran-owned company committed to sustainability, EruptCinn uses only glass bottles and cans, eliminating plastic packaging entirely. Smooth as a shot and delicious to mix, EruptCinn is available in 750ml glass bottles and 100ml double-shot cans to suit any occasion. Discover the EruptCinn of flavor at eruptcinn.com.

For inquiries, please contact:

Greg Aamodt
Gaamodt@eruptcinn.com
952-484-8860

MLBA’s Premium Allied Members

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npahl@sgws.com

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john.glenn@tenthandblake.com



New Allied: 'Gaming Business Solutions'

Strengthening Collaborative Relationships between Bars and Charities: Tracy Wigen's Approach to Gaming Done Right

In Minnesota, charitable gaming and local businesses are linked in a way that benefits everyone involved. Bars and restaurants that host pull-tabs, bingo nights, and other gaming activities provide crucial support to nonprofits while enjoying a steady stream of customers who come in for entertainment. This partnership is not just a win for charities, but for bars and restaurants as well, helping extend customer engagement time. Tracy Wigen, a dynamic entrepreneur and industry advocate, plays a key role in strengthening these relationships and ensuring that gaming is done right, leading to a successful, sustainable industry that can serve nonprofits for years to come.

Wigen understands the importance of collaboration between charities and businesses, and she's spent her career helping both sides work together. As the owner of Gaming Business Solutions, a charitable gaming accounting and advisory firm, and as the President of the Electronic Gaming Group, an advocacy trade association, a Gambling Manager for CharitAbleMN and nonprofit board member. Wigen has a unique perspective on what it takes to keep charitable gaming running effectively and efficiently from all sides. When these relationships are well-managed, everyone wins: nonprofits raise more money for their causes, bars gain loyal patrons, and local communities reap the benefits.

At the heart of Wigen's mission is ensuring that charitable gaming operations are run right. For bars and restaurants, hosting gaming events can be a great way to boost business. Pull-tabs, bingo, and other games attract customers who might not otherwise visit, and these games can bring in extra revenue during slower times. Meanwhile, nonprofits rely on gaming to fund their missions, from youth sports leagues to veterans' organizations. But to make this arrangement work, gaming operations need to run smoothly—and that's where Wigen comes in.

Tracy Wigen helps ensure that both nonprofits and businesses understand the rules and follow best practices. Her company, Gaming Business Solutions, specializes in providing guidance on compliance, financial management, and day-to-day gaming operations. Wigen assists charities in navigating the complexities of gaming laws, and she collaborates with bars to ensure they're equipped to host these events successfully. When done right, charitable gaming can provide a steady stream of income for nonprofits while boosting business for bars and restaurants.

One of the most important aspects of Wigen's work is her focus on financial transparency and accountability. Over the years, she has helped various charitable organizations identify nearly \$750,000 in unreported or mismanaged funds. By uncovering financial dis-

crepancies and ensuring that funds are being used properly, Wigen helps protect the integrity of charitable gaming. This not only strengthens the nonprofits she works with but also builds trust within the community, ensuring that the funds raised are truly benefiting the intended causes.



— Jennifer Schoenzeit
MLBA Past President
Zipps Liquor, Minneapolis



Gaming Business Solutions
gamingbusinesssolutions.com

Wigen's work doesn't stop with individual gaming operations—she's also an advocate for the broader industry. As President of the Electronic Gaming Group, she's passionate about bringing all stakeholders together to promote innovation within the industry, particularly with electronic pull-tabs and other modern gaming technologies. These innovations have brought charitable gaming into the digital age, making it easier and more accessible for players while increasing revenue for nonprofits and businesses alike.

Looking ahead, Wigen remains dedicated to fostering positive relationships and ensuring that charitable gaming continues to benefit Minnesota's nonprofits, small businesses, and local communities. Her vision for the future is one where charitable organizations and local businesses work together seamlessly, creating a thriving charitable gaming ecosystem. By promoting best practices, ensuring compliance, and encouraging innovation, Wigen is helping to build an industry that not only raises funds for good causes but also strengthens local economies and communities.

Tracy Wigen's dedication to charitable gaming is making a real difference in Minnesota. Through her work as a business owner, advocate, and nonprofit leader, she's helping to create a better future for the industry—one built on trust, transparency, and collaboration.

When gaming is done right, everyone benefits — nonprofits raise more money, bars grow their businesses, and communities come together to support causes that matter. In the world of charitable gaming, Tracy Wigen is a cheerleader, promoting positive change and ensuring that this vital industry continues to thrive.

Gaming Business Solutions, LLC
Phone: 763-656-3667
Email: tracy@gamingbusinesssolutions.com
Web: gamingbusinesssolutions.com



— Mike Doherty
(a.k.a. Boardhead)
Editor/Designer PROOF

Alcohol Quotes of the Month

It's never too early to drink!

That's a lie made up by coffee companies!

.....

Every week I say to myself, "Fred you have to quit drinking."

Luckily, I'm not Fred.

Quote of the Month

"What whiskey will not cure, there is no cure for."

~ Irish Proverb

... Baltimore County, Maryland Opposes Full Strength Alcohol in Grocery

The Baltimore County Council unanimously passed a resolution in January that encourages the Maryland General Assembly to reject any legislation that would allow alcohol sales in grocery stores. In December, the governor said that lifting the ban on the sale of beer and grocery stores would make Maryland more competitive with surrounding states. The Maryland Retailers Alliance urges Maryland legislators to look at what other states have done, particularly Colorado, where a similar measure passed in 2022 and it led to a drop of 1/3 to 1/2 in foot traffic in small and family owned businesses and a lot of these small retailers closed. The Baltimore County Council fiscal note related to this resolution reads, in part, "Dozens of small operators in Colorado have gone out of business, with as many as 400 more expected to close by the end of 2026, according to an analysis by the Denver Gazette."

... Statement on the Swipe Fees Hearing in US Senate from American Beverage Licensees (ABL)

American Beverage Licensees (ABL) Executive Director John Bodnovich issued the following statement after a November U.S. Senate Judiciary Committee hearing entitled: Breaking the Visa-Mastercard Duopoly: Bringing Competition and Lower Fees to the Credit Card System:

"Today's Senate hearing on credit card swipe fees brought to light what beer, wine and spirits retailers around the country already know: the credit card marketplace is broken.

Small businesses and consumers are being charged 'rip off prices', as one Senator put it, by credit card companies that acknowledged today their profit margins – made in part off the \$172 billion in swipe fees everyday Americans and local Main Street businesses paid last year – are approximately 50 percent.

"The bipartisan skepticism of Visa and MasterCard's claims about competition is further evidence that this is not a liberal or conservative issue. Rather, it is a problem for American businesses and their customers who live with excessively high and ever-increasing swipe fees driven by the credit card duopoly.

"For nearly 20 years, ABL has fought for competition and fairness in the payment card market because for so many bars, taverns and package liquor stores, swipe fees are the second highest cost after labor and are non-negotiable. By following the success achieved with debit card fee reform, which put savings back in consumers' pockets, Congress should address runaway credit card swipe fees that fly in the face of competition.

"It is clear that the payment card marketplace 'does not need to be this way' and Congress should reject the anti-competitive behavior of the credit card industry by passing the Credit Card Competition Act to bring relief and competition that will ultimately benefit American consumers."

... Chicago Considering Raising Alcohol Tax to Pay for Budget Deficit

With a nearly \$1 billion budget deficit, Chicago Mayor Brandon Johnson proposes taxing liquor sales even more. The mayor's budget calls for an increase of 34% for wholesale beer sales

and roughly 35% for other spirits. Many in the hospitality industry are not happy. An increased liquor tax could drive small business in the city to go out of business. The Distilled Spirits Council, a national lobby group, said Chicago already has some of the highest taxes on distilled spirits at \$13.73 a gallon. "Consumers are going to end up footing the bill," said Ainsley Giglierano, vice president of public affairs for the Distilled Spirits Council. The State of Illinois tax on distilled spirits is \$8.55—which Chicago taxpayers pay on top of the local tax. The distilled spirits tax in Wisconsin is \$3.25, and in Indiana \$2.68. The City Council will continue to conduct budget hearings over the next few weeks, and the budget must be finalized by the end of the year.

... Top 10 Best Selling RTDs (Ready to Drink) Brands in the U.S. (data from 2023)

10. Jack Daniel's & Cola - 5.3 million 9-liter cases - Owner: *Brown-Forman*
9. Bacardi Breezers - 6.2 million cases - *Bacardi*
8. Jim Beam RTD - 6.6 million cases - *Beam Suntory*
7. El Jimador New Mix - 10 million cases - *Brown-Forman*
6. Horoyoi - 11.2 million cases - *Suntory Global Spirits*
5. Jack Daniel's RTDs - 11.2 million cases - *Brown-Forman*
4. Suntory Lemon Sour - 20.4 million cases - *Suntory Global Spirits*
3. High Noon - 21.4 million cases - Gallo
2. -196 - 27.8 million cases - *Suntory Global Spirits*
1. White Claw - 56.6 million cases - *Mark Anthony Brands*

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Triple Crown Gaming	15

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Beers That Can Be Legally Sold in 3.2 Licenses

With Minnesota being the only state with a specific 3.2 license, some say there will be no 3.2 beer. These 3.2 (or less) Alcohol by Weight (equivalent to 4.0 Alcohol by Volume) beers are NOT going away! In fact low carb, low alcohol beer is a growing segment!



Here are just a sampling of 3.2 beers available to those with a 3.2 license in the state of Minnesota: Amstel Light, Ballast Point Even Keel IPA, Blue Moon LightSky, Budweiser Select 55, Corona Premier, Deschutes Da Shootz Pilsner, Deschutes Wowza, Dogfish Head Slightly Mighty IPA, Fair State Dry January IPA, Golden Road Mango Cart Wheat, Goose Island So-Lo IPA, Hamm's Light, Heineken Light, Labatt Blue Light, Lagunitas Daytime IPA, Lambic, Lindemans Framboise, Lindemans Kriek Lambic, Lindemans Peche, Lindemans Pomegranate Lambic, Michelob Ultra Infusions, Miller 64, Murphy's Irish Stout, New Belgium Mural Agua Fresca Cerveza, Odell Good Behavior IPA, Redbridge Gluten Free, Schofferhofer Hefeweizen Grapefruit, Southern Tier Swipe Light Lager, Stiegl Radler, Stone Neverending Haze IPA, Sufferfest Repeat Kolsch, Ultra Pure Gold, White Claw 70, Heineken Silver and many more!



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