

SENATE  
STATE OF MINNESOTA  
EIGHTY-SEVENTH LEGISLATURE

S.F. No. 1745

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DATE	D-PG	OFFICIAL STATUS
02/09/2012	3769	Introduction and first reading Referred to Local Government and Elections

A bill for an act

relating to stadiums; providing for the transfer of the Metrodome to the Minnesota Vikings; abolishing the Metropolitan Sports Facilities Commission; prohibiting local government competition for sports franchises; amending Minnesota Statutes 2010, sections 3.971, subdivision 6; 13.55, subdivision 1; 352.01, subdivision 2a; 473.121, subdivision 5a; 473.164; 473.565, subdivision 1; Minnesota Statutes 2011 Supplement, section 340A.404, subdivision 1; proposing coding for new law as Minnesota Statutes, chapter 473J; repealing Minnesota Statutes 2010, sections 137.50, subdivision 5; 473.551; 473.552; 473.553, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13; 473.556, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17; 473.561; 473.564, subdivisions 2, 3; 473.572; 473.581; 473.592, subdivision 1; 473.595; 473.5955; 473.596; 473.598; 473.599; 473.5995; 473.76.

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

Section 1. Minnesota Statutes 2010, section 3.971, subdivision 6, is amended to read:

Subd. 6. **Financial audits.** The legislative auditor shall audit the financial statements of the state of Minnesota required by section 16A.50 and, as resources permit, shall audit Minnesota State Colleges and Universities, the University of Minnesota, state agencies, departments, boards, commissions, courts, and other state organizations subject to audit by the legislative auditor, including the State Agricultural Society, Agricultural Utilization Research Institute, Enterprise Minnesota, Inc., Minnesota Historical Society, Labor Interpretive Center, Minnesota Partnership for Action Against Tobacco, ~~Metropolitan Sports Facilities Commission~~, Metropolitan Airports Commission, and Metropolitan Mosquito Control District. Financial audits must be conducted according to generally accepted government auditing standards. The legislative auditor shall see that all provisions of law respecting the appropriate and economic use of public funds are complied with and may, as part of a financial audit or separately, investigate allegations of noncompliance.

Sec. 2. Minnesota Statutes 2010, section 13.55, subdivision 1, is amended to read:

Subdivision 1. **Not public classification.** The following data received, created, or maintained by or for publicly owned and operated convention facilities, or civic center authorities, ~~or the Metropolitan Sports Facilities Commission~~ are classified as nonpublic data pursuant to section 13.02, subdivision 9; or private data on individuals pursuant to section 13.02, subdivision 12:

(a) a letter or other documentation from any person who makes inquiry to or who is contacted by the facility regarding the availability of the facility for staging events;

(b) identity of firms and corporations which contact the facility;

(c) type of event which they wish to stage in the facility;

(d) suggested terms of rentals; and

(e) responses of authority staff to these inquiries.

Sec. 3. Minnesota Statutes 2011 Supplement, section 340A.404, subdivision 1, is amended to read:

Subdivision 1. **Cities.** (a) A city may issue an on-sale intoxicating liquor license to the following establishments located within its jurisdiction:

(1) hotels;

(2) restaurants;

(3) bowling centers;

(4) clubs or congressionally chartered veterans organizations with the approval of the commissioner, provided that the organization has been in existence for at least three years and liquor sales will only be to members and bona fide guests, except that a club may permit the general public to participate in a wine tasting conducted at the club under section 340A.419; and

~~(5) sports facilities located on land owned by the Metropolitan Sports Commission;~~  
~~and~~

~~(6)~~ (5) exclusive liquor stores.

(b) A city may issue an on-sale intoxicating liquor license, an on-sale wine license, or an on-sale malt liquor license to a theater within the city, notwithstanding any law, local ordinance, or charter provision. A license issued under this paragraph authorizes sales on all days of the week to persons attending events at the theater.

(c) A city may issue an on-sale intoxicating liquor license, an on-sale wine license, or an on-sale malt liquor license to a convention center within the city, notwithstanding any law, local ordinance, or charter provision. A license issued under this paragraph authorizes sales on all days of the week to persons attending events at the convention

center. This paragraph does not apply to convention centers located in the seven-county metropolitan area.

(d) A city may issue an on-sale wine license and an on-sale malt liquor license to a person who is the owner of a summer collegiate league baseball team, or to a person holding a concessions or management contract with the owner, for beverage sales at a ballpark or stadium located within the city for the purposes of summer collegiate league baseball games at the ballpark or stadium, notwithstanding any law, local ordinance, or charter provision. A license issued under this paragraph authorizes sales on all days of the week to persons attending baseball games at the ballpark or stadium.

Sec. 4. Minnesota Statutes 2010, section 352.01, subdivision 2a, is amended to read:

Subd. 2a. **Included employees.** (a) "State employee" includes:

- (1) employees of the Minnesota Historical Society;
- (2) employees of the State Horticultural Society;
- (3) employees of the Minnesota Crop Improvement Association;
- (4) employees of the adjutant general whose salaries are paid from federal funds and who are not covered by any federal civilian employees retirement system;
- (5) employees of the Minnesota State Colleges and Universities who are employed under the university or college activities program;
- (6) currently contributing employees covered by the system who are temporarily employed by the legislature during a legislative session or any currently contributing employee employed for any special service as defined in subdivision 2b, clause (8);
- (7) employees of the legislature who are appointed without a limit on the duration of their employment and persons employed or designated by the legislature or by a legislative committee or commission or other competent authority to conduct a special inquiry, investigation, examination, or installation;
- (8) trainees who are employed on a full-time established training program performing the duties of the classified position for which they will be eligible to receive immediate appointment at the completion of the training period;
- (9) employees of the Minnesota Safety Council;
- (10) any employees who are on authorized leave of absence from the Transit Operating Division of the former Metropolitan Transit Commission and who are employed by the labor organization which is the exclusive bargaining agent representing employees of the Transit Operating Division;
- (11) employees of the Metropolitan Council, Metropolitan Parks and Open Space Commission, ~~Metropolitan Sports Facilities Commission~~, or Metropolitan Mosquito

Control Commission unless excluded under subdivision 2b or are covered by another public pension fund or plan under section 473.415, subdivision 3;

(12) judges of the Tax Court;

(13) personnel who were employed on June 30, 1992, by the University of Minnesota in the management, operation, or maintenance of its heating plant facilities, whose employment transfers to an employer assuming operation of the heating plant facilities, so long as the person is employed at the University of Minnesota heating plant by that employer or by its successor organization;

(14) personnel who are employed as seasonal employees in the classified or unclassified service;

(15) persons who are employed by the Department of Commerce as a peace officer in the Insurance Fraud Prevention Division under section 45.0135 who have attained the mandatory retirement age specified in section 43A.34, subdivision 4;

(16) employees of the University of Minnesota unless excluded under subdivision 2b, clause (3);

(17) employees of the Middle Management Association whose employment began after July 1, 2007, and to whom section 352.029 does not apply; and

(18) employees of the Minnesota Government Engineers Council to whom section 352.029 does not apply.

(b) Employees specified in paragraph (a), clause (13), are included employees under paragraph (a) if employer and employee contributions are made in a timely manner in the amounts required by section 352.04. Employee contributions must be deducted from salary. Employer contributions are the sole obligation of the employer assuming operation of the University of Minnesota heating plant facilities or any successor organizations to that employer.

Sec. 5. Minnesota Statutes 2010, section 473.121, subdivision 5a, is amended to read:

Subd. 5a. **Metropolitan agency.** "Metropolitan agency" means the Metropolitan Parks and Open Space Commission, and the Metropolitan Airports Commission, ~~and the Metropolitan Sports Facilities Commission.~~

Sec. 6. Minnesota Statutes 2010, section 473.164, is amended to read:

**473.164 SPORTS, AIRPORT COMMISSIONS TO PAY COUNCIL COSTS.**

Subdivision 1. **Annually reimburse.** ~~The Metropolitan Sports Facilities Commission and the~~ Metropolitan Airports Commission shall annually reimburse the council for costs incurred by the council in the discharge of its responsibilities relating to

the commission. The costs may be charged against any revenue sources of the commission as determined by the commission.

Subd. 2. **Estimates, budget, transfer.** On or before May 1 of each year, the council shall transmit to ~~each~~ the commission an estimate of the costs which the council will incur in the discharge of its responsibilities related to the commission in the next budget year including, without limitation, costs in connection with the preparation, review, implementation and defense of plans, programs and budgets of the commission. ~~Each~~ The commission shall include the estimates in its budget for the next budget year and may transmit its comments concerning the estimated amount to the council during the budget review process. Prior to December 15 of each year, the amount budgeted by ~~each~~ the commission for the next budget year may be changed following approval by the council. During each budget year, the commission shall transfer budgeted funds to the council in advance when requested by the council.

Subd. 3. **Final statement.** At the conclusion of each budget year, the council, in cooperation with ~~each~~ the commission, shall adopt a final statement of costs incurred by the council for ~~each~~ the commission. Where costs incurred in the budget year have exceeded the amount budgeted, ~~each~~ the commission shall transfer to the council the additional moneys needed to pay the amount of the costs in excess of the amount budgeted, and shall include a sum in its next budget. Any excess of budgeted costs over actual costs may be retained by the council and applied to the payment of budgeted costs in the next year.

Sec. 7. Minnesota Statutes 2010, section 473.565, subdivision 1, is amended to read:

Subdivision 1. **In MSRS; exceptions.** All employees of the former commission shall be members of the Minnesota State Retirement System with respect to service rendered on or after May 17, 1977, except as provided in this section.

Sec. 8. **[473J.01] DEFINITIONS.**

Subdivision 1. **Application.** For the purposes of this chapter, the terms defined in this section have the meanings given them, except as otherwise expressly provided or indicated by the context.

Subd. 2. **City.** "City" means the city of Minneapolis.

Subd. 3. **County.** "County" means Hennepin County.

Subd. 4. **Stadium.** "Stadium" means the Hubert H. Humphrey Metrodome.

Subd. 5. **Team.** "Team" means the owner and operator of the professional football team known as of the effective date of this chapter as the Minnesota Vikings or any team

owned and operated by someone who purchases or otherwise takes ownership or control of or reconstitutes the professional football team known as the Minnesota Vikings.

Sec. 9. **[473J.02] METRODOME TRANSFER.**

Subdivision 1. **Vikings ownership of Metrodome.** The Metropolitan Sports Facilities Commission will transfer the ownership and all control over the Hubert H. Humphrey Metrodome to the Minnesota Vikings, provided that:

(1) the team has signed a 25-year contract with the state Department of Administration requiring the team to play in the Metrodome for a period of not less than 25 years;

(2) the team has agreed to pay for all improvements, property taxes, and operating costs during the term of their ownership;

(3) after completion of the 25-year ownership period, the team may retain or sell rights to the Metrodome and associated land, provided that any obligations of the Metropolitan Sports Facilities Commission under current law are satisfied upon completion of a sale; and

(4) the 25-year contract may contain a provision allowing the team to leave the Metrodome at an earlier date, but only to move to a Minnesota stadium constructed by the team without a public subsidy.

Subd. 2. **Termination of operations.** The Metropolitan Sports Commission shall cease all operations within 45 days of completion of all duties under subdivision 1, and shall transfer any remaining assets, liabilities, and duties to the state Department of Administration.

Subd. 3. **Ban on local government competitions.** No home rule charter or statutory charter city, county, or other political subdivision of the state may:

(1) use public resources for any activity intended to encourage the relocation of a professional sports franchise that exists and plays its home games within Minnesota as of the effective date of this subdivision, including use of public resources for any form of education on or lobbying for the relocation; and

(2) adopt, implement, or enforce a resolution or ordinance that uses public resources to encourage an existing Minnesota professional sports franchise to relocate.

Sec. 10. **REPEALER.**

Minnesota Statutes 2010, sections 137.50, subdivision 5; 473.551; 473.552; 473.553, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13; 473.556, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, and 17; 473.561; 473.564, subdivisions 2

**S.F. No. 1745, as introduced - 87th Legislative Session (2011-2012) [12-3893]**

7.1 and 3; 473.572; 473.581; 473.592, subdivision 1; 473.595; 473.5955; 473.596; 473.598;  
7.2 473.599; 473.5995; and 473.76, are repealed.

7.3 Sec. 11. **EFFECTIVE DATE.**

7.4 Except as otherwise provided, this act is effective upon certification by the  
7.5 commissioner of the Department of Administration that the Minnesota Vikings have  
7.6 signed the contract required under Minnesota Statutes, section 473J.02.