

## Side by Side Comparison of HF 778 UE-3/SF 605 UE-2 (Minnesota Sports Facilities Authority) for CONFERENCE COMMITTEE

Page R	General topic	HOUSE		SENATE	
		Description	Location in SF 605 – 2nd Unofficial Engrossment	Description	Location in UEH0778-3
R1	<b>Public data</b>	Provides that certain MSFA data are public	144.25-145.14	Provides that certain MSFA data are public	1.18-2.4
R1,R 2,R10 , R12	<b>Return of suite to Vikings, capture of savings</b>	The House requires that the MSFA negotiate an agreement with the Vikings to return the suite to the Vikings, in exchange for fair market value. Revenues received from the return would be deposited into the MSFA operating reserves, and a mechanism is provided to offset the state's share of the stadium operating expenses by the amount deposited in the MSFA reserves from the return of the suites. Savings captured through a reduction in the state's share of operating expenses would be set aside in an account and used to make payment on the stadium bonds, within the requirements of the law governing the bond tax status.	145.6-145.14 145.15-147.3 150.20-150.28 151.5-152.2	Senate does not require that the MSFA suites be returned to the Vikings, but instead requires that the MSFA submit a report to the legislature addressing possibilities for the future use, sale, or transfer of the suite, including a review of potential fiscal impacts to the public. The report is due February 1, 2018.  While the study is pending, the MSFA is required to assign its rights to one suite to a nonprofit charitable organization affiliated with the Vikings, chosen by the team.	8.11-8.30
R3	<b>Structure of MSFA Board</b>	The House expands the size of the MSFA board to seven, and modifies the appointing authority. The governor's appointments are reduced from three to one, the Minneapolis mayor's appointments are reduced from two to one, and the legislature is granted appointment authority over five members.	147.4-147.28	The Senate modifies the structure of the MSFA by making the appointees of the governor and mayor subject to Senate confirmation, and provides that members may not be removed except for cause. Violation of the code of ethics constitutes cause of removal.  The Senate does not add any legislative appointees to the board or expand the board's size.	2.17-3.3
R4	<b>Compensation of MSFA chair</b>	The House requires that the chair's compensation be the same as other members of the authority.	147.29-148.3	The Senate requires that the chair's compensation be no more than half the salary of the executive director.	3.8-3.13
R5	<b>Selection of chair</b>	The House requires that the chair be elected by the board itself, on a biennial basis.	148.4-148.9	The Senate requires that the chair be elected by the board itself, on a biennial basis.	3.14-3.19
R5	<b>Compensation of MSFA executive director</b>	The House caps the executive director's pay at the governor's salary. (\$127,629)	148.13-148.14	The Senate allows the executive director to be paid up to 115% of the governor's salary (\$146,773)	3.31-4.1
R5	<b>Annual review of executive director</b>	The House requires the authority to conduct an annual review of the executive director's performance, which must be reviewed and approved by the entire board.	148.22-148.23	The Senate requires the authority to conduct an annual review of the executive director's performance, which must be reviewed and approved by the entire board.	4.8-4.10

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R5	<b>Legislative report on annual budget</b>	The House requires the MSFA's annual budget be submitted to the commissioner of MMB, and to the House Ways and Means and Senate Finance Committees.	148.24-148.28	The Senate requires the MSFA's annual budget be submitted to the commissioner of MMB, and to the House Ways and Means and Senate Finance Committees.	4.11-4.15
R5- R6	<b>MSFA website</b>	The House requires budgets, meeting minutes, policies, and procedures to be available on the MSFA website.	148.29-148.30	The Senate requires all items required by the House, plus use agreements, management agreements, and sponsorship agreements be available on the website. Data that is not public is not required to be posted.	4.16-4.24
R6	<b>Partisan activity of MSFA staff</b>	The House prohibits MSFA employees from engaging in partisan political activity	149.1-149.7	No comparable language	N/A
R6	<b>Legislative reporting</b>	The House expands the existing mandated legislative report to include past operating and capital budgets	149.8-149.16	The Senate adds the Legislative Commission on Minnesota Sports Facilities and the Senate Finance/House Ways and Means committees to the list of recipients of the legislative report.  The Senate expands the content of the report to include actual revenues and expenditures, events conducted, maintenance and capital repair needs, and a listing of all stadium amenities under the control of the MSFA and how those amenities were used.	4.25-5.8
R7	<b>Use of stadium suites by board members</b>	The house prohibits board members from using a suite, except when participating in a marketing effort arranged by a vendor or conducting oversight of authority responsibilities. Board members may not use suites more than twice a year for oversight, and must pay fair market value. Use may not violate open meeting laws	149.23-149.27	The Senate prohibits board members from using suites except for a legitimate business purpose. Legitimate purposes include marketing, conducting oversight, and making space available to nonprofit charitable organizations.	5.9-5.17
R8	<b>Use of stadium suites by MSFA staff</b>	The House prohibits MSFA staff from using a suite except with an express written work assignment from the executive director. Staff may not receive free food or parking unless necessary to complete assigned duties.	150.15-150.17	The Senate prohibits the executive director from using a suite unless for a legitimate business purpose, approved by vote of the board at a public meeting. The legitimate business purpose must be made part of the public record. Other staff are subject to the same restrictions as provided in the House language.	5.18-5.26
R8	<b>Use of stadium suites by family and friends</b>	Limited to those with a legitimate business purpose. Family and friends are presumed not to have a legitimate business purpose unless approved by vote of the board and the purpose is made part of the public record.	149.28-150.2	Limited to those with a legitimate business purpose approved by a vote of the authority at a public meeting and made part of the public record. A "legitimate business purpose" means being a prospective user of the stadium.	5.27-6.3

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R8	<b>Use of stadium suites by marketing vendor.</b>	Marketing vendors may enter into an agreement to use suites for marketing purposes. Data related to suite use must be transmitted to the board.	149.19-149.22 150.3-150.14	Marketing vendors may be provided complimentary access to suites for use in marketing purposes. Data related to suite use must be transmitted to the board.	6.4-6.18
R9	<b>Annual report on stadium space use</b>	No comparable provision	N/A	Requires the authority to submit annual reports on use of stadium space to the governor, mayor, chair of the Legislative Commission on Sports Facilities, and the Senate Finance/House Ways and Means committees. A definition of "stadium space" is provided.	2.11-2.15 6.19-7.1
R9	<b>Open market purchases</b>	No comparable provision	N/A	The Senate clarifies that authority members, staff, and friends may purchase access to suites and other amenities on the open market.	7.2-7.8
R9	<b>Code of conduct</b>	Requires the authority to comply with the state code of conduct, as promulgated by MMB.	151.1-151.4	Requires the authority to comply with the state code of conduct, as promulgated by MMB, and additionally includes clarifies that certain standards in chapter 43A related to conduct of employees in the executive branch apply to the MSFA.	7.9-7.17
R10- R11	<b>Recovery of benefits already provided</b>	The House requires the MSFA to recover the fair market value of benefits provided prior to January 1, 2017, with monthly reporting to the legislature until the recovery is complete.	152.3-152.11	The Senate requires the MSFA to make "every effort" to recover the fair market value of benefits provided prior to January 1, 2017, with a legislative report due by May 31, 2017. Money recovered must be placed in the state's general reserve account.	8.1-8.10
R11	<b>Legislative Auditor review</b>	The House requires the Legislative Auditor to review the operations and management structure of all publicly-owned and publicly-operated major sports event facilities in Minnesota. Requirements for the content of the review are provided.	152.12-152.18	The Senate requests the OLA conduct a review of the management structure of the MSFA, with certain requirements.	7.18-7.30
R12	<b>Repealer</b>	Repeals language that is now unnecessary related to a mandatory study on conducting a raffle for access to certain tickets in the stadium.	153.1-153.2	Repeals language that is now unnecessary related to a mandatory study on conducting a raffle for access to certain tickets in the stadium.	8.31-8.32
R12	<b>Effective date</b>	Provides a July 1, 2017 effective date, with some conditions. The terms of all current members of the authority would end and be subject to re-appointment.	153.3-153.8	Provides an immediate effective date, with some conditions. The terms of all current members of the authority would end and be subject to re-appointment.	9.1-9.5
R13- R19	<b>Technical changes</b>	No comparable provision	N/A	The Senate includes an article that provides technical and conforming changes to obsolete laws related to the Metropolitan Sports Facilities Commission.	9.6-15.17