

469.166 DEFINITIONS.

Subdivision 1. **Generally.** In sections 469.166 to 469.173, the terms defined in this section have the meanings given them herein, unless the context indicates a different meaning.

Subd. 2. **Commissioner.** "Commissioner" means the commissioner of employment and economic development.

Subd. 3. **Enterprise zone.** "Enterprise zone" means an area in the state designated as such by the commissioner.

Subd. 4. **City.** "City" means a home rule charter or statutory city.

Subd. 5. **Municipality.** "Municipality" means a city, or a county for an area located outside the boundaries of a city. If an area lies in two or more cities or in both incorporated and unincorporated areas, "municipality" shall include an entity formed pursuant to section 471.59 by the governing bodies of the cities with jurisdiction over the incorporated area and the counties with jurisdiction over the unincorporated area.

Subd. 6. **Governing body.** "Governing body" means the county board in the case of a county, the city council or other body designated by its charter in the case of a city, or the tribal or federal agency recognized as the governing body of an Indian reservation by the United States Secretary of the Interior.

Subd. 7. **HUD.** "HUD" means the United States Secretary of Housing and Urban Development or the secretary's delegate or successor.

Subd. 8. **Indian reservation.** "Indian reservation" means an area determined to be such by the United States Secretary of the Interior.

Subd. 9. **SMSA.** "SMSA" means the area in and around a city of 50,000 inhabitants or more, or an equivalent area, as defined by the United States Secretary of Commerce.

Subd. 10. **Employment property.** (a) "Employment property" means taxable property, excluding land but including buildings, structures, fixtures, and improvements that satisfy each of the following conditions:

(1) the property is located within an enterprise zone designated according to section 469.167;

(2) the property is commercial or industrial property except (i) a facility the primary purpose of which is one of the following: retail food and beverage services, automobile sales or service, or the provision of recreation or entertainment, or a private or commercial golf course, country club, massage parlor, tennis club, skating facility including roller skating, skateboard, and ice skating, racquet sports facility, including any handball or racquetball court, hot tub facility, suntan

facility, or racetrack; (ii) property of a public utility; (iii) property used in the operation of a financial institution; (iv) property owned by a fraternal or veterans' organization; or (v) property of a business operating under a franchise agreement that requires the business to be located in the state; except that, in an enterprise zone designated under section 469.168, subdivision 4, paragraph (a), clause (4), that is not in a city of the first class, employment property includes property used as a retail food or beverage facility or an automobile sales or service facility, and property described in (v) except for property of a retail food or beverage facility.

(b) In the case of property located in a border city zone, "employment property" includes land except in the case of employment property that is assessed pursuant to the first clause of the first sentence of section 273.13, subdivision 24, paragraph (b).

Subd. 11. **Market value.** "Market value" of a parcel of employment property means the value of the taxable property as annually determined pursuant to section 273.12, less (i) the market value of all property existing at the time of application for classification, as last assessed prior to the time of application, and (ii) any increase in the market value of the property referred to in clause (i) as assessed in each year after the employment property is first placed in service. In each year, any change in the values of the employment property and the other property on the land shall be deemed to be proportionate unless caused by a capital improvement or loss.

Subd. 12. **Legislative Advisory Commission.** "Legislative Advisory Commission" means the Legislative Advisory Commission established under section 3.30.

History: 1987 c 268 art 10 s 1; 1987 c 291 s 167,243; 1987 c 312 art 1 s 26 subd 2; 1Sp2003 c 4 s 1