



Franchise of

Americans

Needing

Sports

"FACTS NOT FOUND AROUND THE BASES"

SUBJECT: Drug abuse in professional sports



Author: Watson

Bill Number: SJR 10

Bill Version: April 25, 1985

Co Authors: 8 of them

Sponsors: FANS

FANS Position: Sponsors

Code Sections Affected: None. This is a Policy resolution.



Bill Summary: SJR 10 resolves that the Legislature finds that it is in the interest of the Legislature to enhance the positive image of sports and encourages all professional sports leagues and fan clubs to work toward combating drug abuse on and off of the field.

Arguments in support:

1. The use of drugs by professional sports stars is harmful to the children who look up to these people as heroes.
2. Even with the advent of the "Commissioners drug programs" in all sports leagues, the problem of drug abuse in all areas of sports still persists.
3. To effectively deal with the problem at the level where it does the most good, the grade school, a comprehensive program utilizing all interested parties must be established to correct the problem.

Support:

The Franchise of Americans Needing Sports (FANS)  
Board of Supervisors, County of Sacramento

Opposition:

None after amendments made at the request of the professional sports lobbyists

Committee Assignment and Hearing Date: In Assembly Governmental Organization Committee on July 9, 1985.



Introduced by Senator Watson

February 6, 1985

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Senate Joint Resolution No. 10—Relative to substance abuse in professional sports.

LEGISLATIVE COUNSEL'S DIGEST

SJR 10, as amended, Watson. Substance abuse in professional sports.

This measure memorializes that the President and the Congress of the United States research the problems and incidence of substance abuse in sports through the establishment of a national sports drug information and rehabilitation network designed to educate both athletes and fans on and off the field, with a special emphasis placed on educating children and amateur athletes about the hazards of drug and alcohol abuse.

Fiscal committee: no.

1 WHEREAS, The art, flair, culture, and hobbies  
2 associated with fan participation in professional  
3 professional and amateur sports have become a vital part  
4 of California's social and economic communities; and

5 WHEREAS, Professional sports stars are often looked  
6 upon as modern day heroes in the eyes of our nation's  
7 children; and

8 ~~WHEREAS, Fans throughout the state and nation have  
9 helped to enhance the~~

10 WHEREAS, The image of the professional athlete has  
11 been enhanced in our society through the collection of  
12 trading cards, autographs, posters, and other forms of  
13 memorabilia; and

1 WHEREAS, The professional image of athletes is  
2 sometimes can be tarnished by abuse of drugs or alcohol  
3 at all levels of professional and amateur sports; and

4 WHEREAS, Many times, players have gone  
5 unpenalized or unpunished when caught for substance  
6 abuse related offenses; and

7 WHEREAS, California has a huge financial investment  
8 in, and commitment to, its national and international  
9 sports images, as the largest sports state in the nation with  
10 15 professional sports teams, and as host to the 1984  
11 Summer Olympics, Major League Baseball's 1984 All-Star  
12 Game, and the Super Bowl within the past 12 months;  
13 therefore, be it

14 *Resolved by the Senate and the Assembly of the State*  
15 *of California, jointly, On behalf of the state's professional*  
16 *and amateur sports consumers and sports image, that the*  
17 *Legislature finds that substance abuse by any sports*  
18 *professional has a negative impact on the professional*  
19 *image of sports and that it has an interest in enhancing*  
20 *the positive image of sports and leagues the players*  
21 *represent; in addition to the image of the State of*  
22 *California; and be it further*

23 *Resolved, That the Legislature encourages all*  
24 *professional sports leagues; players' unions; and fans'*  
25 *unions, clubs to work together to combat substance abuse*  
26 *on and off the field; and be it further*

27 *Resolved, That on behalf of both the image of the*  
28 *nation and the State of California before the world as*  
29 *hosts of the successful 1984 Summer Olympics; the*

30 **RESOLVED, That the** Legislature respectfully  
31 requests that the President and the Congress of the  
32 United States research the problems and incidence of  
33 substance abuse in sports through the establishment of a  
34 national sports drug information and rehabilitation  
35 network designed to educate both athletes and fans on  
36 and off the field, with a special emphasis placed on  
37 educating children and amateur athletes about the  
38 hazards of drug and alcohol abuse; and be it further

39 *Resolved, That the Secretary of the Senate transmit*  
40 *copies of this resolution to the President and Vice*

1 President of the United States, to the Speaker of the  
2 House of Representatives, to each Senator and  
3 Representative from California in the Congress of the  
4 United States, and to the Franchise of Americans  
5 Needing Sports.



"FACTS NOT FOUND AROUND THE BASES"



SUBJECT: THE FRANCHISE RELOCATION OF SPORTS TEAMS

Author: Hughes


Bill Number: AB 2344

Bill Version: March 8, 1985

Co Authors: Bradly, Moore,  
Harris, Campbell


Sponsors: FANS

Fiscal: No




Arguments in support:

1. Because of the importance of professional sports to our state, a successful solution to the issue of franchise relocation is vital to both our economic and social well being. This measure protects these aspects, while enhancing consumer and city rights.




2. Because of the relationship between professional sports teams and their cities (the fans), teams owe it to their city to notify them of their departure one year in advance.



3. Because of the impact to a community's social and economic infrastructures when a sports team departs, a city should be able to protect the investments they have created and thus be able to purchase the team through competitive bidding should they so desire.




Code Sections Affected: This section adds Chapter 1.5 to Division 8 of the Business and Professions Code.



Bill Summary: This measure requires sports franchises that reside within the state, to notify the local governmental authority of their desire to relocate their professional sports team, 12 months in advance of their relocation.

This measure states that there are only 3 reasons upon which sports franchises can relocate:

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- 1) Financial Hardship; or
  - 2) Stadium Inadequacy; or
  - 3) Breach of contract.

This measure then states that the owner of any professional sports team must prove the condition outlined and prove that said instance exists before that team can be moved.

Finally, this measure provides Major League Cities with the opportunity to remain Major League, by enacting language allowing cities to purchase professional sports teams, should they opt to do so.

**Support:**

City of San Diego  
City of San Francisco

**Opposition: Contacted Authors Office**

The San Francisco Giants  
The Oakland Invaders  
The San Diego Chargers

**Positions yet to be announced:**

The City of Oakland  
The City of Los Angeles  
The City of Anaheim  
City of Sacramento  
League of California Cities  
California Supervisors Association

**Committee Assignment and Hearing Date: Assembly Committee on Finance and Insurance on July 9, 1985.**

**ASSEMBLY BILL**

**No. 2344**

**Introduced by Assembly Members Hughes, Bradley,  
Campbell, Harris, and Moore**

**March 8, 1985**

An act to add Chapter 1.5 (commencing with Section 18500) to Division 8 of the Business and Professions Code, relating to sports franchises.

LEGISLATIVE COUNSEL'S DIGEST

AB 2344, as introduced, Hughes. Sports franchise: relocation.

Existing law does not require an owner of a professional sports franchise who intends to relocate that franchise to furnish notification of that intent to a specified government authority prior to its relocation.

This bill would require an owner of a professional sports franchise, as defined, who intends to relocate from a stadium in this state to a stadium outside the city, city and county, or county in which the franchise is operating to furnish notification of the intent to relocate to the appropriate local government authority. It would prohibit a professional sports franchise from relocating unless the person intending to relocate the franchise establishes in the written notification specific factors.

The bill would also provide that any time the owner of a professional sports franchise proposes to sell, or having complied with the provisions of the bill, to relocate the franchise, any appropriate government authority may acquire ownership of the franchise at the fair market value or, if a bona fide offer to purchase has been made by another party, at a price equal to that offer. It would allow for the franchise to be sold to another party or relocated only if no

government authority elects to exercise the right of acquisition.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates which do not exceed \$500,000 statewide and other procedures for claims whose statewide costs exceed \$500,000.

This bill would provide that reimbursement for costs mandated by the bill shall be made pursuant to those statutory procedures and, if the statewide cost does not exceed \$500,000, shall be payable from the State Mandates Claims Fund.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Chapter 1.5 (commencing with Section  
2 18500) is added to Division 8 of the Business and  
3 Professions Code, to read:

4  
5 CHAPTER 1.5. SPORTS FRANCHISE RELOCATION ACT  
6 OF 1985

7  
8 18500. This act shall be known and may be cited as the  
9 "Sports Franchise Relocation Act of 1985."

10 18501. The Legislature hereby finds and declares that  
11 the public has a vested interest in promoting solid  
12 stability in the relationship between professional sports  
13 teams and the local communities in which they operate.  
14 The Legislature also finds and declares that the public has  
15 an interest in encouraging professional sports leagues to  
16 promote the economic and geographic stability of  
17 member clubs because professional sports teams achieve  
18 a strong local identity with the people of the city and  
19 region by providing a source of pride and entertainment  
20 to their supporters.

21 18502. For the purpose of this chapter, the following



1 definitions shall control:

2 (a) "Government authority" means the unit of local  
3 government which exercises regulatory authority with  
4 respect to a professional sports franchise, as designated by  
5 the board of supervisors of the county wherein the  
6 stadium is situated.

7 (b) "Professional sports franchise" means any  
8 organized professional baseball, football, basketball,  
9 hockey, or soccer team engaged in established league  
10 competition which also qualifies as a professional athletic  
11 team under paragraph (3) of subdivision (a) of Section  
12 25141 of the Revenue and Taxation Code.

13 (c) "Stadium" includes any arena, amphitheater, or  
14 other facility in which a professional sports franchise  
15 plays its home games.

16 18503. (a) Any owner of a professional sports  
17 franchise intending to relocate that franchise from a  
18 stadium in this state to a stadium outside the city, city and  
19 county, or county, in which the franchise is operating  
20 shall furnish notification of that intent to relocate to the  
21 appropriate local government authority.

22 (b) Notification under this section shall be in writing  
23 and shall contain each of the following:

24 (1) A statement of intention to relocate, the proposed  
25 new location, and the reason for that proposed relocation.

26 (2) Full documentation supporting one or more of the  
27 grounds for relocation, as specified in subdivision (c).

28 (3) The date on which the relocation is intended to  
29 occur.

30 (c) No professional sports franchise may be relocated  
31 unless the person intending to relocate the franchise  
32 establishes in the notification described in subdivision (b)  
33 that one or more of the factors set forth below exist:

34 (1) A stadium owner or operator has failed to comply  
35 with a provision of material significance to a stadium  
36 lease agreement with the professional sports franchise,  
37 and that the noncompliance cannot be remedied or has  
38 not been remedied within a reasonable period of time.

39 (2) The stadium in which the professional sports  
40 franchise plays is inadequate for the purposes of properly

1 and competitively operating the team, and the stadium  
2 owner or operator demonstrates no intent, or fails within  
3 a reasonable period of time, to remedy that inadequacy.

4 (3) The professional sports franchise has incurred an  
5 annual loss of net income for each of the seven years  
6 immediately preceding notice of intent to move under  
7 subdivision (a).

8 (d) Upon the request of the government authority  
9 receiving notification under this section, the person  
10 furnishing notice of intent to relocate shall make  
11 available for public inspection all financial records  
12 necessary to support the grounds for relocation provided  
13 in the notification.

14 (e) No relocation of a professional sports franchise  
15 may take place within one year following the receipt by  
16 the appropriate governmental authority of the  
17 notification required under this section or if a legal action  
18 has been filed to enforce the provisions of this chapter.

19 18504. Any time the owner of a professional sports  
20 franchise proposes to sell, or having complied with the  
21 provisions of this chapter, to relocate the franchise, any  
22 appropriate government authority may acquire  
23 ownership of the franchise at the fair market value or, if  
24 a bona fide offer to purchase has been made by another  
25 party, at a price equal to the offer. The franchise may be  
26 sold to another party or relocated only if no government  
27 authority elects to exercise the right of acquisition.

28 18505. Nothing contained in this section shall do any  
29 of the following:

30 (a) Change, determine, or otherwise affect the  
31 applicability or nonapplicability of any provision of  
32 federal or state law to the wages, hours, or other terms  
33 and conditions of player employment within any sports  
34 league, to any collective bargaining rights and privileges  
35 of any player union within any sports league.

36 (b) Exempt from the antitrust laws of the United  
37 States any predatory practice or other conduct with  
38 respect to competing sports leagues which would  
39 otherwise be unlawful under those antitrust laws.

40 (c) Modify any laws relating to the television practices

1 of sports leagues, or change, determine, or otherwise  
2 affect the applicability or nonapplicability of the antitrust  
3 laws or communications laws of the United States to any  
4 form of joint-dealing practices by sports leagues with  
5 respect to the sale of cable or subscription television.  
6 18506. This act shall apply to all professional sports  
7 franchise relocations occurring after January 1, 1986.