

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

Our File No. 1100

RULE REVIEW CHECKLIST

DATE RULE RECEIVED 10-19-84
DATE FOR REVIEW _____
DATE DUE 11-2-84

Adopted w/a hearing _____
Adopted w/o hearing _____
Temporary rule ✓

Approved 11-2-84 MJC Disapproved _____ Returned to Agency _____

Resubmitted _____ Due _____
Approved _____ Disapproved _____ Returned to Agency _____

Date filed w/Secretary of State 11-2-84 Revisor approved 10/23/84 disapproved _____

✓ Rule as Adopted

✓ Rule as Proposed

✓ Order Adopting 10.11.84 Date

_____ Notice of Intent to Solicit Outside Opinion

✓ Order for rulemaking
N/A date of Hearing

✓ Certificate of Board's Authorizing Resolution

✓ Notice of rulemaking
✓ Sufficiency

✓ Affidavit of Mailing Notice or rulemaking
9.4.84 At least ~~30~~ 25 days prior to ~~hearing~~/adoption

✓ Mailing list Certificate

✓ Publication in State Register
9.10.84 At least ~~30/20~~ 25 days prior to ~~hearing~~/adoption

N/A Hearing Examiner's Report

_____ Chief Hearing Examiner's Report(s)
_____ Approving H.E.'s Report
_____ Approving agency action

_____ Agency's Findings of Fact

✓ LCRAR Report or agency Affidavit

✓ Certificate of Board's Resolution Adopting Rules

N/A Order Approving Incorporation by Reference

✓ Statement of Need and Reasonableness

✓ Petition for Adoption of a Rule

✓ Record (includes transcript or tape, exhibits, comments received by agency, requests for a hearing, and other relevant materials)

✓ Certificate of Compliance w/Rulemaking Procedures

N/A Affidavit of Mailing Notice of Submission to Attorney General

✓ Notice of Submission to the Attorney General

MINNESOTA
Department of Energy
and Economic Development

Financial Management Division
Energy Finance 297-1332
Business Finance 297-3547

900 American Center
150 East Kellogg Boulevard
St. Paul, Minnesota 55101

October 11, 1984

Ms. Judith Wehrwein
Office of the Attorney General
Administration Building
50 Sherburne Avenue
St. Paul, Minnesota 55155

Re: Proposed Emergency Rules Governing the Special Assistance Program

Dear Ms. Wehrwein:

Enclosed please find a complete set of documents for the above-entitled proposed emergency rules of the Minnesota Energy and Economic Development Authority including the following:

1. Rules as adopted
2. Certificate of Authority's Authorizing Resolution
3. Order for publication
4. Copy of the emergency rules as proposed
5. Mailing list certificate
6. Affidavit of mailing
7. Notice of intent to adopt emergency rules and request for public comment (rules enclosed)
8. Written comments on the rules received by the agency
9. Certificate of Authority's Adopting Resolution
10. Order adopting emergency rules
11. Certificate of compliance with rulemaking procedures.

We have not had any requests for a hearing made during the twenty-five day period and we received one comment on the rules, a copy of which as well as the letter sent in response to the comment are enclosed. The agency made no changes to the proposed emergency rules. These rules are not adopted in response to a petition and no requests have been made to be notified of submission of the rules to the Attorney General.

Your earliest response to these documents is appreciated. Should you have any questions, please call Christie B. Eller at 296-9200.

Sincerely,

Edward J. Meyer, Jr.
Deputy Commissioner of
Energy and Economic Development
EJM:dc
Attachments

AN EQUAL OPPORTUNITY EMPLOYER

SF-00006-02

STATE OF MINNESOTA

DEPARTMENT ATTORNEY GENERAL

Office Memorandum

TO : Mark B. Dayton
Commissioner of Energy & Economic Development

DATE: November 2, 1984

ATTN: Christie B. Eller
Special Assistant Attorney General

FROM : Martha J. Casserly MJC
Special Assistant Attorney General

PHONE: 296-4692

SUBJECT: In the Matter of the Proposed Adoption of Emergency Rules of the State of Minnesota Governing the Special Assistance Program

Enclosed herewith are the rules you have submitted for approval. These rules have been approved by this office and filed with the Secretary of State. Please note that they have not been filed with the State Register. This must be done promptly by your agency.

Upon receipt and before transmittal to your agency, however, it is important that you recheck these rules as to:

1. Affixation of stamps of the Attorney General and Secretary of State;

2. Coverage by these stamps of all rules submitted; and

3. Inclusion of all pages to the rules in the approved set.

If you have any questions in this regard, please contact me.

MJC:slz
Encs.

cc: Ms. Kathy Burek
Mr. Duane Harves

AG copy)

Energy and Economic Development Authority

Adopted Emergency Rules Governing the Special Assistance Program

Emergency Rules as Adopted

8300.3000 [Emergency] SCOPE.

Parts 8300.3001 to 8300.3004 [Emergency] specify procedures and criteria for financial assistance from the special assistance program of the authority.

8300.3001 [Emergency] DEFINITIONS.

The definitions in part 8300.0100 and Minnesota Statutes, sections 116J.88 and 472.03, apply to parts 8300.3002 to 8300.3004 [Emergency].

8300.3002 [Emergency] APPLICATION FORMS.

To qualify for special assistance, an applicant shall submit a standard application form on a form to be prepared by the commissioner. In addition, to apply for the special assistance program, an applicant shall submit a supplemental form that certifies the facts pertinent to the public purposes indicated in Laws of Minnesota 1984, chapter 583, section 14, paragraph (b), clauses (1) to (5).

8300.3003 [Emergency] FORM OF SPECIAL ASSISTANCE.

If an applicant requests financial assistance in a form designated in Laws of Minnesota 1984, chapter 583, section 14, paragraph (c), clauses (1) to (3), the application evaluation will be performed according to parts 8300.0100 to 8300.2200.

8300.3004 [Emergency] EXPENDITURES ELIGIBLE FOR SPECIAL ASSISTANCE.

is defined in 8300.0100 116J.....

Subpart 1. **Eligible costs.** Costs eligible for funding are the expenditures set forth in the act, including but not limited to the following:

A. land and/or building acquisition costs;

B. site preparation;

C. construction costs;

? what else might be included

D. engineering costs;

E. equipment and/or machinery;

F. bond issuance costs;

G. underwriting or placement fees;

H. trustee's fee;

I. fees of guarantor, fees or insurance contracts, letters of credit, municipal bond insurance, and surety bonds;

J. Small Business Administration processing and administration fee, if applicable;

K. authority fee and administrative costs and expenses;

L. certain contingency costs;

M. interest costs during construction;

N. legal fees, including those of authority's bond counsel; and

O. short-term costs of conducting a business or a small business as permitted by the act.

Subp. 2. **Maximum term.** The maximum term of financial assistance made under special assistance may not exceed the average useful life of the collateral.

Subp. 3. **Interest rate.** The authority shall set interest rates at a negotiated rate after reviewing market rates and comparable sources of financing available to the applicant at the time the financial assistance is extended.

Subp. 4. **Financial assistance monitoring.** The commissioner shall monitor the terms and conditions of the contract pertaining to the financial assistance.

Unless the authority contracts with bondholders or other interested parties to the contrary, the commissioner may restructure the financial assistance at the request of the borrower or upon his or her own initiative if he or she determines that restructuring the financial assistance will increase the probability that the financial assistance will be repaid to the state.

If the applicant requests the commissioner to restructure the financial assistance, the commissioner shall charge the

applicant a fee in the amount of one-half percent on the outstanding principal amount of the financial assistance.

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
NOV - 2 1984
Joan Anderson Growe
Secretary of State 11:10 AM

APPROVED AS TO FORM AND LEGALITY
November 2 1984
HUBERT H. HUMPHREY, III
ATTORNEY GENERAL
BY M J Cassedy
SPECIAL ASSISTANT ATTORNEY GENERAL

OFFICE OF THE REVISOR OF STATUTES

Proposed Rule

RD619E

Agency: Minnesota Energy and Economic Development Authority

Division:

Agency Contact: Mary Callahan 297-1543

Minnesota Rules: Parts 8300.3000 to 8300.3004 [Emergency]

Title: Proposed Emergency Rules Governing Economic Development; Special Assistance Program

Type of Rules: Emergency

Incorporations by Reference: None

Steven C. Cross
Revisor of Statutes

Janet C. Rahm
Assistant Revisor
Phone: 296-0952
Date: August 27, 1984

Emergency Rules as Proposed (all new material)

8300.3000 [Emergency] SCOPE.

Parts 8300.3001 to 8300.3004 [Emergency] specify procedures and criteria for financial assistance from the special assistance program of the authority.

8300.3001 [Emergency] DEFINITIONS.

The definitions in part 8300.0100 and Minnesota Statutes, sections 116J.88 and 472.03, apply to parts 8300.3002 to 8300.3004 [Emergency].

8300.3002 [Emergency] APPLICATION FORMS.

To qualify for special assistance, an applicant shall submit a standard application form on a form to be prepared by the commissioner. In addition, to apply for the special assistance program, an applicant shall submit a supplemental form that certifies the facts pertinent to the public purposes indicated in Laws of Minnesota 1984, chapter 583, section 14, paragraph (b), clauses (1) to (5).

8300.3003 [Emergency] FORM OF SPECIAL ASSISTANCE.

If an applicant requests financial assistance in a form designated in Laws of Minnesota 1984, chapter 583, section 14, paragraph (c), clauses (1) to (3), the application evaluation will be performed according to parts 8300.0100 to 8300.2200.

8300.3004 [Emergency] EXPENDITURES ELIGIBLE FOR SPECIAL ASSISTANCE.

Subpart 1. **Eligible costs.** Costs eligible for funding are the expenditures set forth in the act, including but not limited to the following:

A. land and/or building acquisition costs;

B. site preparation;

C. construction costs;

D. engineering costs;

E. equipment and/or machinery;

F. bond issuance costs;

G. underwriting or placement fees;

APPROVED BY THE REVISOR OF STATUTES OFFICE BY:

H. trustee's fee;

I. fees of guarantor, fees or insurance contracts, letters of credit, municipal bond insurance, and surety bonds;

J. Small Business Administration processing and administration fee, if applicable;

K. authority fee and administrative costs and expenses;

L. certain contingency costs;

M. interest costs during construction;

N. legal fees, including those of authority's bond counsel; and

O. short-term costs of conducting a business or a small business as permitted by the act.

Subp. 2. **Maximum term.** The maximum term of financial assistance made under special assistance may not exceed the average useful life of the collateral.

Subp. 3. **Interest rate.** The authority shall set interest rates at a negotiated rate after reviewing market rates and comparable sources of financing available to the applicant at the time the financial assistance is extended.

Subp. 4. **Financial assistance monitoring.** The commissioner shall monitor the terms and conditions of the contract pertaining to the financial assistance.

Unless the authority contracts with bondholders or other interested parties to the contrary, the commissioner may restructure the financial assistance at the request of the borrower or upon his or her own initiative if he or she determines that restructuring the financial assistance will increase the probability that the financial assistance will be repaid to the state.

If the applicant requests the commissioner to restructure the financial assistance, the commissioner shall charge the applicant a fee in the amount of one-half percent on the outstanding principal amount of the financial assistance.

APPROVED BY THE REVISOR OF STATUTES OFFICE BY:

STATE OF MINNESOTA

MINNESOTA ENERGY AND ECONOMIC DEVELOPMENT AUTHORITY

In the Matter of the Proposed Adoption of Emergency Rules of the State of Minnesota Governing the Special Assistance Program

ORDER ADOPTING EMERGENCY RULES

The above-entitled matter was published in the State Register on Monday, September 10, 1984, as a proposed emergency rule pursuant to Minnesota Statutes, § 14.29 to § 14.36. After affording interested and affected persons an opportunity to submit written data and news within 25 days of the publication date, reviewing and considering the data and views, and determining that the above-captioned rules are needed and reasonable,

NOW THEREFORE, IT IS ORDERED, that these rules identified as Emergency Rules Governing Economic Development; Special Assistance Program parts 8300.3000 to 8300.3004 (Emergency) are adopted this 11th day of October, pursuant to the authority vested in the Authority by Minnesota Statutes, § 116J.91, subdivision 4.

STATE OF MINNESOTA



Mark B. Dayton
Commissioner of Energy and
Economic Development,
and Chairman of Minnesota
Energy and Economic Development
Authority

STATE OF MINNESOTA
DEPARTMENT OF ENERGY AND ECONOMIC DEVELOPMENT
ON BEHALF OF THE
MINNESOTA ENERGY AND ECONOMIC DEVELOPMENT AUTHORITY

In the Matter of the Proposed Adoption of Emergency Rules of the State of Minnesota Governing the Special Assistance Program

ORDER FOR PUBLICATION OF EMERGENCY RULES

IT IS ORDERED this 27th day of August, 1984 that the proposed emergency rules in the above entitled matter be published in the State Register.

STATE OF MINNESOTA

Connie J. Lewis
Acting Commissioner of Energy
and Economic Development

Mark B. Dayton
Commissioner
Energy and Economic Development
Chairman, MEEDA

MEEDA RESOLUTION NO. 84-136
MINNESOTA ENERGY AND ECONOMIC
DEVELOPMENT AUTHORITY
STATE OF MINNESOTA
ST. PAUL, MINNESOTA

In the Matter of the Proposed Emergency Rules of the Energy and Economic Development Authority Relating to Rules for the Special Assistance Program.

Certificate of Authority's Authorizing Resolution

I, Mark B. Dayton, do hereby certify that I am a member and the Chairman of the Energy and Economic Development Authority, a board duly authorized under the laws of the State of Minnesota, and that the following is a true, complete, and correct copy of a resolution adopted at a meeting of the Energy and Economic Development Authority duly and properly called and held on the 16th day of May, 1984, that a quorum was present at said meeting, that a majority of those present voted for the resolution and that said resolution is set forth in the minutes of said meeting and has not been rescinded or modified.

> "RESOLVED, that Mark B. Dayton, Chairman of the Energy and Economic Development Authority, be and he hereby is granted the authority and directed to sign an Order of the Energy and Economic Development Authority directing the publication in the State Register of proposed emergency rules governing the Special Assistance Program, as well as perform any and all acts incidental thereto."

IN WITNESS WHEREOF, I have hereunto subscribed my name this 16th day of May, 1984.

BY: _____
Chair

ATTEST: _____
Member

MINNESOTA ENERGY AND ECONOMIC DEVELOPMENT AUTHORITY

Emergency Rules as Proposed (all new material) governing the Special Assistance Program

Notice of intent to adopt emergency rules and request for public comment

Notice is hereby given that the Minnesota Energy and Economic Development Authority is proposing to adopt emergency rules for the special assistance program. The agency is authorized by Minnesota Statutes, section 116J.91, subdivision 4, to adopt emergency rules for its financial assistance programs.

All interested parties have 25 days from the day of publication of this notice in the State Register to submit written comments to the agency in support of or in opposition to the proposed emergency rules, and comments are encouraged. With publication of this notice in the September 10, 1984, State Register, written comments must be received by the agency no later than 4:30 p.m. on October 5, 1984. Written comments should be sent to:

Mary A. Callahan
Financial Management Division
Department of Energy and Economic Development
900 American Center Building
150 E. Kellogg Boulevard
St. Paul, Minnesota 55101
Telephone: 612/297-1543

Please be advised that the proposed emergency rules may be modified as a result of the comments received. Any written material received by the agency will become part of the record in this matter.

The proposed emergency rules with any modifications adopted by the agency, will be submitted to the Attorney General for review as to form and legality after close of the comment period. Persons wishing to be informed of the date of submission of the proposed emergency rules to the Attorney General should notify the agency of such desire at the address given above. The Attorney General has ten working days to approve or disapprove the rules.

The emergency rules will be effective five working days following approval of the rules by the Attorney General. It is the agency's intent to keep the rules in effect for a period of 180,days although the proposed emergency rules may be continued in effect for an additional period of up to 180 days if the agency publishes a separate notice to such effect in the State Register and mails the same notice to all persons on the agency's list to receive notice of rulemaking proceedings.

A full copy of the proposed emergency rules is available by contacting Ms. Callahan at the above address.

Dated: August 27, 1984

Mark B. Dayton, Commissioner of the Department of Energy and Economic Development and Chairman of the Minnesota Energy and Economic Development Authority (Authority)

Connie J Lewis

In the Matter of the Proposed Adoption of Emergency Rules of the State of Minnesota Governing the Special Assistance Program

AFFIDAVIT OF MAILING

STATE OF MINNESOTA)
) SS
COUNTY OF RAMSEY)

Darlene Christenson, being first duly sworn desposes and says:

That on the 4th day of September, 1984, at the City of St. Paul, County of Ramsey, State of Minnesota, she served the attached Notice of Intent to Adopt Emergency Rules by depositing in the State of Minnesota Central Mail System for United States mailing at said City of St. Paul, a copy thereof, properly enveloped, with postage prepaid on all persons and associations who have requested that their names be placed on file with the State of Minnesota for the purpose of receiving notice of the proposed adoption of rules by this Authority.

Darlene Christenson

Subscribed and Sworn to before me
this 4th day of September, 1984

Richard B. Nadeau

RICHARD B. NADEAU
NOTARY PUBLIC - MINNESOTA
RAMSEY COUNTY
My Commission Expires Apr. 8, 1987

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

CERTIFICATE

In the Matter of the Proposed Adoption
of the Temporary Rules of the Energy
and Economic Development Authority Governing
the Special Assistance Program

I hereby certify that the list of persons, associations and other interested groups who have requested, pursuant to Minnesota Statute 14.14 subd.1, that their names be placed on file with and maintained by the State Department of Energy and Economic Development for both the Department and the Energy Economic Development Authority for the purpose of receiving notice of the proposed adoption of rules by both the Energy and Economic Development Authority and the Department of Energy and Economic Development is accurate and complete as of Tuesday, this 28 day of August, 1984.

Mary Anderson

Department of Energy and Economic Development

Notice of Withdrawal of Proposed Rules Governing Tax Credit Certification for "Qualified Small Businesses" and "Small Business Assistance Offices"

The following notice failed to appear in the *State Register*, July 9, 1984:

"Notice is hereby given that the rules proposed and published in the *State Register* on March 19, 1984 (8 SR 2050), have been withdrawn. The Department is proposing a new set of rules that reflect changes enacted by the 1984 Legislature.

Mark B. Dayton
Commissioner
Energy & Economic Development"

The new set of proposed rules appeared in the *State Register* on July 9, 1984 (9 SR 90).

Energy and Economic Development Authority

Proposed Emergency Rules Governing the Special Assistance Program

Notice of Intent to Adopt Emergency Rules and Request for Public Comment

Notice is hereby given that the Minnesota Energy and Economic Development Authority is proposing to adopt emergency rules for the special assistance program. The agency is authorized by Minnesota Statutes, section 116J.91, subdivision 4, to adopt emergency rules for its financial assistance programs.

All interested parties have 25 days from the day of publication of this notice in the *State Register* to submit written comments to the agency in support of or in opposition to the proposed emergency rules and comments are encouraged. With publication of this notice in the September 10, 1984, *State Register*, written comments must be received by the agency no later than 4:30 p.m. on October 5, 1984. Written comments should be sent to:

Mary A. Callahan
Financial Management Division
Department of Energy and Economic Development
900 American Center Building
150E. Kellogg Boulevard
St. Paul, Minnesota 55101
Telephone: 612/297-1543

Please be advised that the proposed emergency rules may be modified as a result of the comments received. Any written material received by the agency will become part of the record in this matter.

The proposed emergency rules, with any modifications adopted by the agency, will be submitted to the Attorney General for review as to form and legality after close of the comment period. Persons wishing to be informed of the date of submission of the proposed emergency rules to the Attorney General should notify the agency of such desire at the address given above. The Attorney General has ten working days to approve or disapprove the rules.

The emergency rules will be effective five working days following approval of the rules by the Attorney General. It is the agency's intent to keep the rules in effect for a period of 180 days although the proposed emergency rules may be continued in effect for an additional period of up to 180 days if the agency publishes a separate notice to such effect in the *State Register* and mails the same notice to all persons on the agency's list to receive notice of rulemaking proceedings.

A full copy of the proposed emergency rules is available by contacting Ms. Callahan at the above address.

August 27, 1984

Mark B. Dayton, Commissioner of the
Department of Energy and Economic
Development; and Chairman of the Minnesota
Energy and Economic Development Authority

Emergency Rules as Proposed (all new material)

8300.3000 [Emergency] SCOPE.

Parts 8300.3001 to 8300.3004 [Emergency] specify procedures and criteria for financial assistance from the special assistance program of the authority.

8300.3001 [Emergency] DEFINITIONS.

The definitions in part 8300.0100 and Minnesota Statutes, sections 116J.88 and 472.03, apply to parts 8300.3002 to 8300.3004 [Emergency].

8300.3002 [Emergency] APPLICATION FORMS.

To qualify for special assistance, an applicant shall submit a standard application form on a form to be prepared by the commissioner. In addition, to apply for the special assistance program, an applicant shall submit a supplemental form that certifies the facts pertinent to the public purposes indicated in Laws of Minnesota 1984, chapter 583, section 14, paragraph (b), clauses (1) to (5).

8300.3003 [Emergency] FORM OF SPECIAL ASSISTANCE.

If an applicant requests financial assistance in a form designated in Laws of Minnesota 1984, chapter 583, section 14, paragraph (c), clauses (1) to (3), the application evaluation will be performed according to parts 8300.0100 to 8300.2200.

8300.3004 [Emergency] EXPENDITURES ELIGIBLE FOR SPECIAL ASSISTANCE.

Subpart 1. Eligible costs. Costs eligible for funding are the expenditures set forth in the act, including but not limited to the following:

A. land and/or building acquisition costs;

B. site preparation;

C. construction costs;

D. engineering costs;

E. equipment and/or machinery;

F. bond issuance costs;

G. underwriting or placement fees;

H. trustee's fee;

I. fees of guarantor, fees or insurance contracts, letters of credit, municipal bond insurance, and surety bonds;

J. Small Business Administration processing and administration fee, if applicable;

K. authority fee and administrative costs and expenses;

L. certain contingency costs;

M. interest costs during construction;

N. legal fees, including those of authority's bond counsel; and

O. short-term costs of conducting a business or a small business as permitted by the act.

Subp. 2. Maximum term. The maximum term of financial assistance made under special assistance may not exceed the average useful life of the collateral.

Subp. 3. Interest rate. The authority shall set interest rates at a negotiated rate after reviewing market rates and comparable sources of financing available to the applicant at the time the financial assistance is extended.

Subp. 4. Financial assistance monitoring. The commissioner shall monitor the terms and conditions of the contract pertaining to the financial assistance.

Unless the authority contracts with bondholders or other interested parties to the contrary, the commissioner may

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

restructure the financial assistance at the request of the borrower or upon his or her own initiative if he or she determines that restructuring the financial assistance will increase the probability that the financial assistance will be repaid to the state.

If the applicant requests the commissioner to restructure the financial assistance, the commissioner shall charge the applicant a fee in the amount of one-half percent on the outstanding principal amount of the financial assistance.

Department of Economic Security

Proposed Rules Governing Targeted Jobs Tax Credit Program

Notice of Intent to Adopt Rule without Public Hearing

Notice is hereby given that the department proposes to adopt the above-entitled rule without a public hearing. The Commissioner has determined that the proposed adoption of the rule will be noncontroversial in nature and has elected to follow the procedures set forth in Minnesota Statutes, sections 14.21 to 14.28.

The adoption of the rule is authorized by Laws of Minnesota 1984, chapter 432, section 20, subdivision 2, which authorizes the Department to collect a fee for determining eligibility for the federal targeted jobs tax credit program.

The public is encouraged to comment on the proposed rule. The public shall have 30 days to submit comment in support of or in opposition to the proposed rule. Each comment should identify the portion of the proposed rule addressed, the reason for comment, and any change proposed. The proposed rule may be modified if the modifications are supported by the data and views submitted to the department and do not result in a substantial change in the proposed language.

Pursuant to Laws of Minnesota 1984, chapter 16A, section 128, subdivision 2a, no hearing will be held.

Notice of the date of submission of the proposed rule to the Administration Division of the Office of the Attorney General for review will be mailed to any person requesting to receive notice.

Comments and requests for notice of the date of submission to the Attorney General should be submitted to:

Roger Sorbel
Division of Vocational Rehabilitation
3rd Floor, Space Center
444 Lafayette Road
St. Paul, MN 55101
(612) 297-3754

Additionally, a Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available upon request from Roger Sorbel.

You are hereby advised, pursuant to Minnesota Statutes, section 14.115, that the proposed rule may affect small businesses in Minnesota. For more information, please see the Statement of Need and Reasonableness.

Barbara Beerhalter
Commissioner,
Department of Economic Security

Rules as Proposed (all new material)

3320.0010 SCOPE AND PURPOSE.

Parts 3320.0010 to 3320.0030 are adopted pursuant to Laws of Minnesota 1984, chapter 432, section 20, and govern fees for certifying that an employee is eligible for the federal targeted jobs tax credit program. An employer receives federal tax credits for wages paid to an employee certified by the division.

3320.0020 DEFINITIONS.

Subpart 1. General. The terms used in parts 3320.0010 to 3320.0030 have the meanings given them in this part.

Subp. 2. Division. "Division" means the Division of Vocational Rehabilitation of the Minnesota Department of Economic Security.

Subp. 3. Evaluation for certification of eligibility. "Evaluation for certification of eligibility" means a determination by the division that an employee is eligible for the federal targeted jobs tax credit program.

Subp. 4. Federal targeted jobs tax credit program. "Federal targeted jobs tax credit program" refers to the targeted jobs tax credit program as provided by the United States Code, title 26, section 51.

MEEDA RESOLUTION NO. 84-218
MINNESOTA ENERGY AND ECONOMIC DEVELOPMENT AUTHORITY
STATE OF MINNESOTA
ST. PAUL, MINNESOTA

In the Matter of the Proposed Adoption of Emergency Rules of the State of Minnesota Governing the Special Assistance Program.

CERTIFICATE OF AUTHORITY'S RESOLUTION ADOPTING RULES

I, MARK B. DAYTON, do hereby certify that I am a member and the Chairman of the Minnesota Energy and Economic Development Authority, an Authority duly authorized under the laws of the State of Minnesota, and that the following is a true, complete, and correct copy of a resolution adopted at a meeting of the Minnesota Energy and Economic Development Authority, duly and properly called and held on the 11th day of October, 1984, that a quorum was present at said meeting, that a majority of those present voted for the resolution, and that said resolution is set forth in the minutes of said meeting and has not been rescinded or modified.

> "RESOLVED, that the rules relating to the Special Assistance Program be and they hereby are approved and adopted, pursuant to authority vested in me by Minnesota Statutes, Section 116J.91, Subdivision 4, and that Mark B. Dayton, the Chairman of the Minnesota Energy and Economic Development Authority, Lyn Burton, Vice Chair or David Printy, Secretary, be and hereby are authorized to sign an order adopting these rules and further are authorized to perform the necessary acts to provide that these rules shall have the force and effect of law."

IN WITNESS WHEREOF, I have hereunto subscribed my name this 11th day of October, 1984.

Mark B. Dayton, Chairman and Commissioner
of Energy and Economic Development

Attest: _____
Member

STATE OF MINNESOTA

DEPARTMENT OF ENERGY AND ECONOMIC DEVELOPMENT

In the Matter of the Proposed Adoption of Emergency Rules of the State of Minnesota Governing the Special Assistance Program

STATEMENT OF COMPLIANCE FOR THE SPECIAL ASSISTANCE PROGRAM

I, Christie B. Eller, Special Assistant Attorney General, do hereby declare that I have examined the rules and all related documents and that, based on my examination and my personal familiarity with the applicable procedures, the Administrative Procedure Act, the rules of the Office of Administrative Hearings, and the rules of the Attorney General have been followed. Any exceptions are noted below.

Dated: Oct 19, 1984

Christie B Eller

Christie B. Eller
Special Assistant Attorney General