


# Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

Our File No. 1250

05.0009.0182

RULE REVIEW CHECKLIST

2-7 C. Elker notified to arrange for correctly titled page 1. of rules

DATE RULE RECEIVED 1-~~30~~29-86
DATE FOR REVIEW
DATE DUE 2-12-86

Adopted w/a hearing
Adopted w/o hearing
~~Temporary~~ rule EMERGENCY ✓

Approved 2-12-86 mjc Disapproved Returned to Agency

Resubmitted Due
Approved Disapproved Returned to Agency

Date filed w/Secretary of State 2-13-86 Revisor approved 2.3.86 disapproved

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? Rule as Adopted mistitled Department - should be "Authority"

✓ Rule as Proposed

✓ Order Adopting 1.22.86 Date combined with FF

✓ Notice of Intent to Solicit Outside Opinion - SR. 1.15.85

✓ Order for rulemaking
N/A date of Hearing

✓ Certificate of Board's Authorizing Resolution

✓ Notice of rulemaking
✓ Sufficiency

? Affidavit of Mailing Notice or rulemaking titled correctly but states Notice is to adopt w/o public hearing
12.13.85 At least ~~30~~ 25 days prior to ~~hearing~~/adoption

✓ Mailing list Certificate

✓ Publication in State Register
12.16.85 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 combined with Order Adopting

N/A 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

✓ Affidavit of Mailing Notice of Submission to Attorney General

? Notice of Submission to the Attorney General
Misstates AG address — misstates Rule review period

✓ Memo, Elker to JVW, re emergency rulemaking authority + previous publication of rule.

SF-00006-03

STATE OF MINNESOTA

DEPARTMENT ATTORNEY GENERAL

# Office Memorandum

TO: MARK B. DAYTON, Chairmen
Minnesota Energy and Economic Development Authority

DATE: 2/13/86

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 Minnesota Energy and Economic Development Authority Governing the Qualified Economic Diversification Program

The above-referenced rule has been approved as to its legality by the Attorney General on February 12, 1986.

Enclosed is the agency's copy of the approved rule. This office has already filed two copies of the approved rule with the Secretary of State, who will forward one copy to the Revisor of Statutes. The fourth copy is being retained by this division of the Attorney General's Office for its records.

Also enclosed are any petitions, requests, submission or comments received by the agency and any extra copies of documents which the agency submitted to the Attorney General.

In order for a permanent rule without a hearing to become effective, your agency must publish a notice of adoption in the State Register in accordance with Minn. Stat. § 14.27. An emergency rule becomes effective five working days after approval by the Attorney General; however, the agency must publish a notice in the State Register in accordance with Minn. Stat. § 14.34.

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

MJC:pmf

Enclosures

cc: Maryanne Hruby
Executive Director
Legislative Commission to Review
Administrative Rules

Duane Harves
Chief Administrative Law Judge
Office of Administrative Hearings

RR1250

Energy and Economic Development Authority

Adopted Emergency Rules Relating to Qualified Economic Diversification Projects

Rules as Adopted, Emergency

## QUALIFIED ECONOMIC DIVERSIFICATION PROJECTS OF THE SPECIAL ASSISTANCE PROGRAM

8300.3100 [Emergency] SCOPE.

Parts 8300.3100 to 8300.3106 [Emergency] specify procedures and criteria for application for qualified economic diversification projects of the special assistance program.

8300.3101 [Emergency] PURPOSE.

The purpose of the distressed counties/economic diversification projects program is to reimburse sales and property tax expenditures for qualifying businesses that expand their operations in Minnesota.

8300.3102 [Emergency] DEFINITIONS.

Subpart 1. **Statutory terms.** The definitions in Minnesota Statutes, section 116M.03, and this part apply to parts 8300.3100 to 8300.3106 [Emergency].

Subp. 2. **Act.** "Act" means the Minnesota Energy and Economic Development Authority Act.

Subp. 3. **Capital equipment.** "Capital equipment" means capital equipment as defined in Minnesota Statutes, section 297A.01, subdivision 16.

Subp. 4. **Capital investment.** "Capital investment" means investment made after July 1, 1985, in new buildings, new equipment, additions to existing buildings, or purchase of existing buildings and equipment that have not been in use for 90 days.

Subp. 5. **Commissioner.** "Commissioner" means the commissioner of energy and economic development.

Subp. 6. **Distressed county.** "Distressed county" means a county or portion of a county designated by the commissioner under Minnesota Statutes, section 297A.257, as distressed.

Subp. 7. **Permanent employee.** "Permanent employee" means the equivalent of one person employed full time for one year. The term does not include persons temporarily employed in construction or installation of the qualified economic diversification project.

Subp. 8. **Sales tax refund.** "Sales tax refund" means the reimbursement paid to a business by the commissioner of revenue under Minnesota Statutes, section 297A.15, subdivision 5, because the equipment is located in a distressed county.

8300.3103 [Emergency] PROCEDURES FOR APPLICATION FOR REIMBURSEMENT.

Subpart 1. **In general.** To apply for special assistance from the authority for a qualified economic diversification project, an applicant shall submit an application form to the commissioner on a form provided by the commissioner. An application must be completed, dated, and signed by an owner, general partner, or an authorized officer of the applicant. The commissioner shall follow the procedures under part 8300.3104 [Emergency].

Subp. 2. **Contents.** An application must contain, at a minimum, the following information:

A. the name of applicant's business;

B. the business location;

C. a description of the business, as required by the Standard Industrial Classification Code found in Code of Federal Regulations, title 13, part 121;

D. a description of the qualified economic diversification project;

E. estimated sales tax to be paid on capital equipment purchased;

F. estimated incremental increase in property tax as a result of the qualified economic diversification project;

G. current employment figures;

H. projected employment figures with supporting documentation; and

I. certifications demonstrating the business' assessment of how it meets the criteria contained in Minnesota Statutes, section 116M.03, subdivision 28.

8300.3104 [Emergency] PROCEDURES FOR APPLICATION PROCESSING.

Subpart 1. **Deadline for submission.** The applicant shall submit a complete application to the commissioner by the first business day of any month in order for the authority to consider it in that month. If an application is received after the first business day of the month and can be reviewed by the commissioner for eligibility and financial feasibility prior to the authority agenda deadline, the authority may consider the application at the meeting in that month. Applications will be accepted only if there is nonencumbered money available for economic diversification projects.

Subp. 2. **Completed applications.** An application is complete when the commissioner receives all required documentation.

Subp. 3. **Incomplete applications.** If an incomplete application is received, the commissioner shall notify the applicant of specific deficiencies in the application. The applicant has 60 days from the date of mailing of the commissioner's notification to complete the application. If the application is not completed and received by the commissioner within 60 days, the application is considered rejected and the applicant shall reapply to be further considered.

Subp. 4. **Review of eligibility of project and applicant.** The commissioner shall review all completed applications to determine if the project and the applicant are eligible and meet the requirements in parts 8300.3100 to 8300.3106 [Emergency].

Subp. 5. **Ineligible project or applicant.** The commissioner shall notify the applicant in writing if the applicant or the project is ineligible. The applicant has 30

days from the date of the commissioner's notification to amend the application and resubmit it to the commissioner, or to request that the commissioner submit the rejected application to the authority for review at the next regularly scheduled meeting of the authority for which the agenda has not been established. If so submitted, the authority must evaluate the application at its board meeting, in accordance with subpart 7.

Subp. 6. **Amended application.** Upon receipt of an amended application, the commissioner shall review the amended application under subpart 4. The commissioner shall reject the amended application if the project or applicant is ineligible.

If the application is not amended and resubmitted to the commissioner within 30 days, the application will be rejected and will not receive any further consideration.

Subp. 7. **Authority evaluation procedure.** Applications approved for processing by the commissioner must be presented to the authority for approval or disapproval. Upon the determination by the authority that the application will meet the requirements contained in Minnesota Statutes, sections 116M.03, subdivision 28; 116M.07, subdivision 11, paragraph (b); and parts 8300.3105 [Emergency] and 8300.3106 [Emergency] within two years of approval, the authority shall approve the project, set aside money for the approved project, and enter into a contract with the applicant to disburse the reimbursements when the criteria have been met.

Subp. 8. **Preparation of documents.** The commissioner has the authority and responsibility to prepare or cause to be prepared all necessary documents and to execute them on behalf of the authority.

8300.3105 [Emergency] SPECIAL ASSISTANCE CRITERIA.

To qualify for special assistance projects, an economic diversification project must meet at least three of the five criteria outlined in Minnesota Statutes, section 116M.07, subdivision 11, paragraph (b).

8300.3106 [Emergency] CRITERIA FOR REIMBURSEMENTS.

Subpart 1. **Distressed counties.** The authority shall provide the following special assistance to qualified economic diversification projects located in distressed counties based upon the following criteria:

A. Reimbursement of sales taxes paid for capital equipment purchased as part of the application. Reimbursement shall be made only if the capital equipment purchase or a part of the capital equipment purchase is not eligible for a sales tax refund from the commissioner of revenue.

B. A property tax reimbursement paid on an annual basis for five years. The amount of the property tax reimbursement shall be based on the amount of property tax attributable to the incremental increase in value of the property as a result of the capital investment based on the most recent assessment period.

C. An interest subsidy reimbursement for a loan used to finance the capital investment for qualified diversification projects that will create more than 50 additional permanent employees or constitutes more than five percent of the base manufacturing employment in the county. In determining the amount and term of the interest subsidy reimbursement, the authority shall consider the level of distress in the county based upon the average rate of unemployment for the 12-month period ending the previous April 30, and shall within the limit of available funds approve a greater interest subsidy for projects located in counties with a higher rate of distress.

D. The total reimbursement for a qualified economic diversification project cannot exceed $20,000 per additional permanent employee.

E. The maximum reimbursement per qualified economic diversification project is $500,000 per project.

Subp. 2. **Nondistressed counties.** The authority shall provide the following special assistance to qualified economic diversification projects located outside distressed counties based upon the following criteria:

A. A one percent sales tax reimbursement paid on

capital equipment purchased as part of the application.

B. For qualified economic diversification projects that will create more than 300 additional permanent employees or contribute more than five percent of the base manufacturing employment in the county, one or more of the following reimbursement:

(1) Reimbursement of sales taxes greater than one percent.

(2) Property tax reimbursement for up to five years. The amount of property tax reimbursement shall be based on the amount of property tax attributable to the incremental increase in value of the property as a result of the capital investment based on the most recent assessment period.

(3) An interest subsidy reimbursement for a loan used to finance the capital investment for the qualified economic diversification project.

In determining the amount and term of the sales tax reimbursement, property tax reimbursement, or interest subsidy reimbursement in item B, the authority shall consider the level of distress in the county based upon the average rate of unemployment for the 12-month period ending the previous April 30 and shall within the limit of available funds approve greater interest subsidy for projects located in counties with a higher rate of distress.

C. The total reimbursement for a qualified economic diversification project cannot exceed $10,000 per additional permanent employee.

D. The maximum reimbursement per qualified economic diversification project is $500,000 per project.

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
FEB 13 1986
Joan Anderson Growe
Secretary of State
3:12 PM

APPROVED AS TO FORM AND LEGALITY
February 12 1986
HUBERT H. HUMPHREY, III
ATTORNEY GENERAL
BY MJ Cassidy
SPECIAL ASSISTANT ATTORNEY GENERAL

Department of Energy and Economic Development

Proposed Emergency Rules Relating to Qualified Economic Diversification Projects

Rules as Proposed, Emergency (all new material)

## QUALIFIED ECONOMIC DIVERSIFICATION PROJECTS OF THE SPECIAL ASSISTANCE PROGRAM

8300.3100 [Emergency] SCOPE.

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8300.3101 [Emergency] PURPOSE.

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Subp. 5. **Commissioner.** "Commissioner" means the commissioner of energy and economic development.

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county or portion of a county designated by the commissioner under Minnesota Statutes, section 297A.257, as distressed.

Subp. 7. **Permanent employee.** "Permanent employee" means the equivalent of one person employed full time for one year. The term does not include persons temporarily employed in construction or installation of the qualified economic diversification project.

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E. estimated sales tax to be paid on capital equipment purchased;

F. estimated incremental increase in property tax as a result of the qualified economic diversification project;

G. current employment figures;

H. projected employment figures with supporting

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documentation; and

I. certifications demonstrating the business' assessment of how it meets the criteria contained in Minnesota Statutes, section 116M.03, subdivision 28.

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Subp. 2. **Completed applications.** An application is complete when the commissioner receives all required documentation.

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the authority for review at the next regularly scheduled meeting of the authority for which the agenda has not been established. If so submitted, the authority must evaluate the application at its board meeting, in accordance with subpart 7.

Subp. 6. **Amended application.** Upon receipt of an amended application, the commissioner shall review the amended application under subpart 4. The commissioner shall reject the amended application if the project or applicant is ineligible.

If the application is not amended and resubmitted to the commissioner within 30 days, the application will be rejected and will not receive any further consideration.

Subp. 7. **Authority evaluation procedure.** Applications approved for processing by the commissioner must be presented to the authority for approval or disapproval. Upon the determination by the authority that the application will meet the requirements contained in Minnesota Statutes, sections 116M.03, subdivision 28; 116M.07, subdivision 11, paragraph (b); and parts 8300.3105 [Emergency] and 8300.3106 [Emergency] within two years of approval, the authority shall approve the project, set aside money for the approved project, and enter into a contract with the applicant to disburse the reimbursements when the criteria have been met.

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8300.3105 [Emergency] SPECIAL ASSISTANCE CRITERIA.

To qualify for special assistance projects, an economic diversification project must meet at least three of the five criteria outlined in Minnesota Statutes, section 116M.07, subdivision 11, paragraph (b).

8300.3106 [Emergency] CRITERIA FOR REIMBURSEMENTS.

Subpart 1. **Distressed counties.** The authority shall provide the following special assistance to qualified economic diversification projects located in distressed counties based



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upon the following criteria:

A. Reimbursement of sales taxes paid for capital equipment purchased as part of the application. Reimbursement shall be made only if the capital equipment purchase or a part of the capital equipment purchase is not eligible for a sales tax refund from the commissioner of revenue.

B. A property tax reimbursement paid on an annual basis for five years. The amount of the property tax reimbursement shall be based on the amount of property tax attributable to the incremental increase in value of the property as a result of the capital investment based on the most recent assessment period.

C. An interest subsidy reimbursement for a loan used to finance the capital investment for qualified diversification projects that will create more than 50 additional permanent employees or constitutes more than five percent of the base manufacturing employment in the county. In determining the amount and term of the interest subsidy reimbursement, the authority shall consider the level of distress in the county based upon the average rate of unemployment for the 12-month period ending the previous April 30, and shall within the limit of available funds approve a greater interest subsidy for projects located in counties with a higher rate of distress.

D. The total reimbursement for a qualified economic diversification project cannot exceed $20,000 per additional permanent employee.

E. The maximum reimbursement per qualified economic diversification project is $500,000 per project.

Subp. 2. **Nondistressed counties.** The authority shall provide the following special assistance to qualified economic diversification projects located outside distressed counties based upon the following criteria:

A. A one percent sales tax reimbursement paid on capital equipment purchased as part of the application.

B. For qualified economic diversification projects that will create more than 300 additional permanent employees or

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contribute more than five percent of the base manufacturing employment in the county, one or more of the following reimbursement:

(1) Reimbursement of sales taxes greater than one percent.

(2) Property tax reimbursement for up to five years. The amount of property tax reimbursement shall be based on the amount of property tax attributable to the incremental increase in value of the property as a result of the capital investment based on the most recent assessment period.

(3) An interest subsidy reimbursement for a loan used to finance the capital investment for the qualified economic diversification project.

In determining the amount and term of the sales tax reimbursement, property tax reimbursement, or interest subsidy reimbursement in item B, the authority shall consider the level of distress in the county based upon the average rate of unemployment for the 12-month period ending the previous April 30 and shall within the limit of available funds approve greater interest subsidy for projects located in counties with a higher rate of distress.

C. The total reimbursement for a qualified economic diversification project cannot exceed $10,000 per additional permanent employee.

D. The maximum reimbursement per qualified economic diversification project is $500,000 per project.

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

OFFICE OF THE REVISOR OF STATUTES

Proposed Rule

RD880

Agency: Department of Energy and Economic Development

Division:

Agency Contact: Debra Kaltala

Minnesota Rules: Parts 8300.3100 to 8300.3106 [Emergency]

Title: Proposed Emergency Rules Relating to Qualified Economic Diversification Projects

Type of Rules: Emergency

Incorporations by Reference: None

Steven C. Cross
Revisor of Statutes

David S. Niss
Assistant Revisor
Phone: 297-2948

Date: December 2, 1985

MEEDA RESOLUTION NO. 85-501
MINNESOTA ENERGY AND ECONOMIC DEVELOPMENT AUTHORITY
STATE OF MINNESOTA
ST. PAUL, MINNESOTA

In the Matter of the Proposed Emergency Rules of the Minnesota Energy and Economic Development Authority Relating to Economic Diversification Program.

Findings of Fact, Conclusions and Order Adopting Emergency Rules

Notice of Intent to adopt Emergency rules regarding the above-entitled matter was published in the State Register on December 16, 1985 at 10 S.R. 1331 and was mailed to all persons who had registered their names with the Authority. The Notice afforded interested parties 25 days to submit comments to the Authority on the proposed rules. The comment period expired January 9, 1985.

The Authority received one written comment, which is attached hereto as an exhibit, no verbal comments, and a request for notification of submission of the rules to the Attorney General. The Authority received no other verbal or written comments on the rules or requests for notification of submission of the rules to the Attorney General.

After affording interested parties an opportunity to submit comments on the proposed emergency rules, having received the sets of comments, the Authority makes the following:

## Findings

The Authority received a written comment from Mr. Dave Maroney, Community Development Director, City of Northfield, requesting that the proposed rules be modified to reflect the maximum benefit limitations provided under the legislation for non-distressed counties as for distressed counties.

I. A request was made by Mr. Maroney to expand the limitations on the criteria for reimbursement for non-distressed counties, Section 8300.3106, Subpart 2, to the maximum extent permissible under state law, thereby equalizing the maximum amount of benefits available to a non-distressed county as is available to a distressed county. Subpart 1.

The criteria for reimbursement allowed for non-distressed counties as proposed in the rules is of necessity more restrictive than the maximum benefit level permitted under the relevant state law. The Economic Diversification Program has limited funding of $8.8 million and is basically a 5 year program. The restrictions drafted in the rules are necessary to carry out the legislative intent for the program and to ensure that the funding is not utilized immediately by one or two companies without exceptional benefit to the state over the course of 5 years.

## Conclusions

1. The Authority gave proper notice of its intent to adopt the proposed emergency rules.

2. The Authority has fulfilled the procedural requirements of Chapter 14, and all other procedural requirements of law or rule.

3. The Authority has statutory authority to adopt the proposed emergency rules, and has fulfilled all other substantive requirements of the law or rules within the meaning of the Administrative Procedures Act.

4. The Authority has determined the need for and reasonableness of these adopted emergency rules.

## Order

NOW THEREFORE, IT IS ORDERED that these rules identified as Emergency Rules governing the Economic Diversification Program, Parts 8300.3100 to 8300.3106 (Emergency) are adopted this 22nd day of January, 1986, pursuant to the authority vested in me by Minnesota Statutes 116M.08, Subdivision 4 (1984), Minnesota Statutes 116M.07, Subdivision 11 (1985 Supp.), and Minn. Laws 1985 Ex. Sess. Ch. 14, A. 8, Sec. 62.

STATE OF MINNESOTA



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

Date: this 22nd day of January, 1986

MEEDA RESOLUTION NO. 85-501
MINNESOTA ENERGY AND ECONOMIC DEVELOPMENT AUTHORITY
STATE OF MINNESOTA
ST. PAUL, MINNESOTA

In the Matter of the Proposed Emergency Rules of the Minnesota Energy and Economic Development Authority Relating to Economic Diversification Program.

Findings of Fact, Conclusions and Order Adopting Emergency Rules

Notice of Intent to adopt Emergency rules regarding the above-entitled matter was published in the State Register on December 16, 1985 at 10 S.R. 1331 and was mailed to all persons who had registered their names with the Authority. The Notice afforded interested parties 25 days to submit comments to the Authority on the proposed rules. The comment period expired January 9, 1985.

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After affording interested parties an opportunity to submit comments on the proposed emergency rules, having received the sets of comments, the Authority makes the following:

## Findings

The Authority received a written comment from Mr. Dave Maroney, Community Development Director, City of Northfield, requesting that the proposed rules be modified to reflect the maximum benefit limitations provided under the legislation for non-distressed counties as for distressed counties.

I. A request was made by Mr. Maroney to expand the limitations on the criteria for reimbursement for non-distressed counties, Section 8300.3106, Subpart 2, to the maximum extent permissible under state law, thereby equalizing the maximum amount of benefits available to a non-distressed county as is available to a distressed county. Subpart 1.

The criteria for reimbursement allowed for non-distressed counties as proposed in the rules is of necessity more restrictive than the maximum benefit level permitted under the relevant state law. The Economic Diversification Program has limited funding of $8.8 million and is basically a 5 year program. The restrictions drafted in the rules are necessary to carry out the legislative intent for the program and to ensure that the funding is not utilized immediately by one or two companies without exceptional benefit to the state over the course of 5 years.

## Conclusions

1. The Authority gave proper notice of its intent to adopt the proposed emergency rules.

2. The Authority has fulfilled the procedural requirements of Chapter 14, and all other procedural requirements of law or rule.

3. The Authority has statutory authority to adopt the proposed emergency rules, and has fulfilled all other substantive requirements of the law or rules within the meaning of the Administrative Procedures Act.

4. The Authority has determined the need for and reasonableness of these adopted emergency rules.

## Order

NOW THEREFORE, IT IS ORDERED that these rules identified as Emergency Rules governing the Economic Diversification Program, Parts 8300.3100 to 8300.3106 (Emergency) are adopted this 22nd day of January, 1986, pursuant to the authority vested in me by Minnesota Statutes 116M.08, Subdivision 4 (1984), Minnesota Statutes 116M.07, Subdivision 11 (1985 Supp.), and Minn. Laws 1985 Ex. Sess. Ch. 14, A. 8, Sec. 62.

STATE OF MINNESOTA



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

Date: this 22nd day of January, 1986

# OFFICIAL NOTICES

Pursuant to the provisions of Minn. Stat. § 15.0412, subd. 6, an agency, in preparing proposed rules, may seek information or opinion from sources outside the agency. Notices of intent to solicit outside opinion must be published in the *State Register* and all interested persons afforded the opportunity to submit data or views on the subject, either orally or in writing.

The *State Register* also publishes other official notices of state agencies, notices of meetings, and matters of public interest.

## Department of Energy and Economic Development Energy and Economic Development Authority

### Outside Opinion Sought Concerning a Proposed Rule Governing Special Assistance for Qualified Diversification Projects

Notice is hereby given that the Minnesota Energy and Economic Development Authority is seeking information or opinions from interested or affected persons or groups in preparing to promulgate emergency rules governing Special Assistance for Qualified Projects. Promulgation of these rules is authorized by M.S. Minnesota Laws 1985, Extended Session, Chapter 14, Section 18 (297A.257), Subdivision 3.

The Minnesota Energy and Economic Development Authority requests information and comments concerning the subject matter of these rules. Interested or affected persons or groups may submit statements of information or comment orally or in writing. Written statements should be addressed to:

Terry Brown
Minnesota Energy and Economic Development Authority
900 American Center Building
150 E. Kellogg Blvd.
St. Paul, Minnesota 55101

Oral statements should be received during regular business hours over the telephone at 612/297-1981 and in person at the above address.

All statements of information and comments shall be accepted until August 1, 1985. Any written material received by the Authority shall become part of the record in the event the rules are promulgated.

## Department of Energy and Economic Development Energy and Economic Development Authority

### Public Hearing on Proposed Project and Issuance of Bonds Under Minnesota Statutes, Chapter 116M, Exclusive—Equity Investors of Crookston, Incorporated

NOTICE IS HEREBY GIVEN that the Minnesota Energy and Economic Development Authority (the "Authority"), shall meet on July 31, 1985, at 3:00 p.m. o'clock, at 900 American Center Building, 150 East Kellogg Boulevard, Saint Paul, Minnesota, for the purpose of conducting a public hearing on a proposed issue of bonds (the "Bonds") under Minnesota Statutes, Chapter 116M, as amended and supplemented (the "Act"), to undertake and finance a project on behalf of Equity Investors of Crookston, Inc., a Minnesota corporation, or another entity of substantially similar ownership (the "Company"). Such persons as desire to be heard with reference to said issue of Bonds will be heard at this meeting.

The project to be financed consists of the construction of an approximately 35,000 sq. ft. new building on land to be acquired by the Company and the equipping thereof for use in connection with the leasing of these facilities to American AeroStar Corporation which, in the course of business, will utilize these facilities to manufacture fiberglass rotor blades to be used in wind turbines to generate electricity, to be located in the City of Crookston, Polk County, Minnesota (general description of location: at the southeastern corner of the intersection of Third Avenue S.W. and Bruce Street in the City of Crookston, Polk County, Minnesota) (the "Project"). The initial owner of the Project will be the Company, and the Project is expected to be operated and managed by American AeroStar Corporation. The estimated maximum amount of the Authority's proposed bond issue is an amount equal to $1,141,000. The Bonds shall be limited obligations of the Authority, and the Bonds and the interest thereon shall be payable solely from the revenue pledged to the payment thereof, except that such Bonds may be secured by a mortgage or security interest or other security arrangements to be created by the Company if subsequently required by the Authority. In addition, the Bonds and the Project may subsequently be considered by the Authority for financial assistance to be provided by the Energy Development Fund, created and established pursuant to the Act or other applicable financial assistance of the Authority. Notwithstanding the foregoing,

State of Minnesota
Minnesota Energy and Economic Development Authority

In the Matter of the Proposed Emergency Rules of the Minnesota Energy and Economic Development Authority Relating to the Qualified Economic Diversification Program

ORDER FOR THE PUBLICATION OF EMERGENCY RULES

IT IS ORDERED this twenty fifth day of November, 1985 that the proposed emergency rules in the above-entitled matter be published in the State Register.

STATE OF MINNESOTA

MARK B. DAYTON, CHAIRMAN
MINNESOTA ENERGY AND ECONOMIC
DEVELOPMENT AUTHORITY

MEEDA RESOLUTION NO. 85-380
MINNESOTA ENERGY AND ECONOMIC DEVELOPMENT AUTHORITY
STATE OF MINNESOTA
ST. PAUL, MINNESOTA

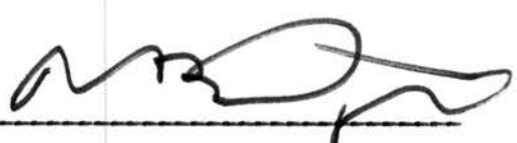
In the Matter of the Proposed Emergency Rules of the Energy and Economic Development Authority Relating to Rules for the Economic Diversification Projects of the Special Assistance Program.

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 24th day of July, 1985, 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, Lyn Burton, Vice Chairman, or David L. Printy, Secretary of the Energy and Economic Development Authority, be and they hereby are 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 Economic Diversification Projects of the Special Assistance Program as well as perform any and all acts incidental thereto.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 24th day of July, 1985.

BY: 

Chair, Vice Chair, or Secretary



Member of the Authority

In the Matter of the Proposed Adoption of Rules of the Minnesota Energy and Economic Development Authority Governing the Qualified Economic Diversification Program

AFFIDAVIT OF MAILING

STATE OF MINNESOTA)
) SS.
COUNTY OF RAMSEY )

Darlene Christenson, being first duly sworn deposes and says:

That on the 13th day of December, 1985, at the City of St. Paul, County of Ramsey, State of Minnesota, she served that attached Notice of Intent to Adopt Rules Without a Public Hearing 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 Minnesota Energy and Economic Development Authority for the purpose of receiving notice of the proposed extension of rules by this Authority.

Darlene A. Christenson

Darlene A. Christenson

Subscribed and sworn to before me
this 28th day of January, 1986

Richard B. Nadeau

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

MINN DEPT OF ENERGY & ECONOMIC DEVELOPMENT
POLICY ANALYSIS DIVISION
POSTAL DATA BASE
RULES & REGULATIONS

COMPILED BY
MARY ANDERSEN

LABELS CONTAINING
THE FOLLOWING NAMES
DELIVERED 12/13/85
TO Darlene Christenson

LIST OF CODE RULES-POSTAL DATA BASE
85/12/10.

| *** | ID# | COMPANY | LAST NM | FIRST NM | ADDRESS | CITY | ZIP |
|---|---|---|---|---|---|---|---|
| * | 6680 | | ALFERS | MARK | 2496 145TH ST W | ROSEMOUNT | 55068 |
| * | 8544 | | ANDERSON | HERBERT K | 418 EIGHTH ST S | VIRGINIA | 55792 |
| * | 8555 | | BROOKS JR | WILLIAM F | 405 SECOND AVE S-RM 900 | MPLS | 55401 |
| * | 16966 | | DEML | BERNARD J | BOX 76 | CARLOS | 56319 |
| * | 8514 | | DIRACLES | JAMES C | 80 EIGHTH ST S-RM 4040 | MPLS | 55402 |
| * | 8515 | | DRAWZ | JOHN F | 120 SIXTH ST S-RM 2000 | MPLS | 55402 |
| * | 16789 | | EDEL | SUSAN | 86 HILLSDALE COURT | WINONA | 55987 |
| * | 36904 | | ELLER | CHRISTIE B | BREMER TOWER-RM 1100 | ST PAUL | 55101 |
| * | 8571 | | FITZPATRICK | LEO C | 8138 HENSLOWE AVE S | COTTAGE GROVE | 55016 |
| * | 12363 | | FLOHRS | WAYNE | COURTHOUSE-RM 105 | FAIRMONT | 56031 |
| * | 2267 | | FRANK | DONALD J | STATE CAPITOL BLDG-RM G28 | ST PAUL | 55155 |
| * | 6682 | | GREENWALD | MARTHA | 2222 ELM ST SE | MPLS | 55414 |
| * | 65317 | | JENSEN | JAMES | BOX 459 | RUSHFORD | 55971 |
| * | 8446 | | JERONIMUS | DAVID | 4808 TIOGA ST | DULUTH | 55802 |
| * | 66323 | | KEYES | RALPH T | 1631 BROOKS AVE W | ST PAUL | 55113 |
| * | 1630 | | LINDBERG | CLARENCE P | 750 PLAZA DR S | MENDOTA HTS | 55118 |
| * | 16941 | | LOCKYEAR | ROBERT | 14900 61ST ST N | STILLWATER | 55082 |
| * | 6917 | | OHMAN | JON G | 1732 LONDON RD | DULUTH | 55812 |
| * | 6691 | | OLSON | GEOFF | 1380 FROST AVE | MAPLEWOOD | 55109 |
| * | 16763 | | OLSON | ROLAND E | 5416 70TH ST W-RM 2 | EDINA | 55435 |
| * | 30025 | | OSMUNDSON | MICHAEL | 240 GEORGIA AVE W | MPLS | 55427 |
| * | 8641 | | ROSS | ALFRED J | 6356 WARE RD | LINO LAKES | 55014 |
| * | 16835 | | TROSKA | GREGORY F | 804 11TH ST E | GLENCOE | 55336 |
| * | 6694 | | UNMACHT | DAVID J | 420 MAIN ST E | BELLE PLAINE | 56011 |
| * | 16864 | | VIRKUS | THERESA | 1031 SIXTH ST E | DULUTH | 55805 |
| * | 8508 | A F L-C I O | BROMMER | BERNARD L | 175 AURORA AVE | ST PAUL | 55103 |
| * | 16889 | ALBANY CITY OF | WEIVODA | CLYDE A | | ALBANY | 56307 |
| * | 36525 | ALEXANDRIA CITY OF | TADDEL | JAMES | 114 SEVENTH AVE W-BOX 369 | ALEXANDRIA | 56308 |
| * | 8605 | ANOKA CITY HALL | KIRCHNER | ROBERT | 2015 FIRST AVE | ANOKA | 55303 |
| * | 8547 | ARROWHEAD REG DEVEL COMM | POWERS | JOHN | | DULUTH | 55802 |
| * | 65316 | ASSOC BLDRS & CONTRACTORS INC | FOTH | DANIEL D | 6989 WASHINGTON AVE S-STE 200 | EDINA | 55435 |
| * | 8582 | ASSOCIATED MOTOR CARRIERS | HALLMAN | W A | 1745 UNIVERSITY AVE | ST PAUL | 55104 |
| * | 9759 | AUSTIN COMM COLLEGE | FLANNERY | JAMES D | 1600 EIGHTH AVE NW | AUSTIN | 55912 |
| * | 16972 | BARR ENGINEERING CO | CREME | FRANCINE | 6800 FRANCE AVE S | MPLS | 55435 |
| * | 6677 | BASS BROOK TOWN OF | | | BOX 146 | COHASSET | 55721 |
| * | 16863 | BECHTEL POWER COMPANY | SLATER JR | JAMES E | 15740 SHADY GROVE RD | GAITHERSBURG | 20877 |
| * | 16854 | BEMIDJI CHAMBER OF COMMERCE | | | BOX 806 | BEMIDJI | 56601 |
| * | 16853 | BEMIDJI CHAMBER OF COMMERCE | | | BOX 850 | BEMIDJI | 56601 |
| * | 16706 | BENNET RINGROSE WOLSFELD INC | WEBER | WILLIAM | 700 THIRD ST | MPLS | 55415 |
| * | 5 | BENS CITY OF | SHUKLE JR | EDWARD J | 1411 PACIFIC AVE | BENSON | 56215 |
| * | 16760 | BENTON CO LAND USE TECH | BARTHELEMY | AL | COURTHOUSE | FOLEY | 56329 |
| * | 8602 | BLAINE CITY OF | JOHNSON | LESLIE M | 9150 CENTRAL AVE NE | BLAINE | 55434 |

| | | | | | | |
|---|---|---|---|---|---|---|
| * 16780 | BLANDIN PAPER CO | LICKE | W J | 115 FIRST ST SW | GRAND RAPIDS | 55744 |
| * 8455 | BLOOMINGTON BLDG & INSPECT DIV | GASTERLAND | JAN P | 2215 OLD SHAKOPEE RD W | BLOOMINGT | 55431 |
| * 8454 | BLOC NGTON CITY MGRS OFFICE | MEYER | HERBERT W | 2215 OLD SHAKOPEE RD W | BLOOMINGTON | 55431 |
| * 16862 | BOISE CASCADE WOODLAND | BARKER | BRUCE | BOX 1152 | INTL FALLS | 56649 |
| * 16618 | BONNESTRO & ASSOCIATES | PFEFFERLE | ROBERT | 2335 HWY 36 W | ST PAUL | 55113 |
| * 16775 | BRAINERD AREA CHAMBER OF COMMERCE | FRAZIOR | DOUGLAS | SIXTH & WASHINGTON STS | BRAINERD | 56401 |
| * 16828 | BRAINERD COMM DEVEL ADMIN | BREKKE JR | CURT | CITY HALL | BRAINERD | 56401 |
| * 11 | BRAINERD LIGHT & WATER DEPT | SJOLUND | WALTER C | 501 LAUREL ST-BOX 373 | BRAINERD | 56401 |
| * 8511 | BRECKENRIDGE CITY OF | CASPER | M D | 420 NEBRASKA AVE | BRECKENRIDGE | 56520 |
| * 11695 | BROEKER HARTFELDT HEDGES & GRANT | BROEKER | JOHN M | 2850 METRO DR-STE 800 | BLOOMINGTON | 55429 |
| * 16673 | BROOKLYN PARK CITY OF | BERG | GARY | 5800 85TH AVE N | BROOKLYN PK | 55430 |
| * 8516 | BROOKLYN PARK CITY OF | DULLINGER | GIL A | 5800 85TH AVE N | BROOKLYN PK | 55443 |
| * 6686 | BUREAU OF NATIONAL AFFAIRS | KESSLER | MARTHA | 420 FORD RD-RM 318 | ST LOUIS PK | 55426 |
| * 16871 | BUTLER RESEARCH & ENG CO INC | BUTLER | ROBERT S | 1306 CO RD F W | ST PAUL | 55112 |
| * 17200 | CARLTON COUNTY OFFICES | TURNQUIST | P JEROME | COURTHOUSE-BOX 316 | CLOQUET | 55720 |
| * 16636 | CARVER CO OFFICES | HARRIS | VIRGINIA | 600 FOURTH ST E | CHASKA | 55318 |
| * 6407 | CHAMBER OF COMMERCE | MATEGKO | MICHELE | 325 HARBOR DR | DULUTH | 55802 |
| * 17266 | CHAMPION INTL CORP | FLAIM | JOSEPH J | 2250 WABASHA ST-BOX 43260 | ST PAUL | 55114 |
| * 16724 | CHANHASSEN CITY OF | MARTIN | SCOTT A | 690 COULTER DR | CHANHASSEN | 55317 |
| * 803 | CIRCLE PINES UTILITIES | RAPP | CRAIG R | 9201 LEXINGTON AVE N | CIRCLE PINES | 55014 |
| * 36556 | CLOQUET CITY OF | SCHLENVOGT | WILLIAM | 508 CLOQUET AVE | CLOQUET | 55720 |
| * 16725 | COLUMBIA HTS HOUSING & REDEVEL AUTH | STUTZ | TODD M | 590 40TH AVE | COLUMBIA HTS | 55421 |
| * 16990 | COMMONWEALTH ASSOC | TAKATS | JOSEPH | 209 WASHINGTON AVE E | JACKSON | 49201 |
| * 6685 | CONSULTING ENGINEERS DIVERSIFIED | JOHNSON | ZACK | 7200 HEMLOCK LN N-STE 200 | MAPLE GROVE | 55369 |
| * 16884 | CONSULTING ENGINEERS DIVERSIFIED | SCHOENECKER | MICHAEL A | 7200 HEMLOCK LANE-STE 200 | MAPLE GROVE | 55369 |
| * 5261 | CONTROL DATA CORP | BELAU | JANE | 8100 34TH AVE S | MPLS | 55440 |
| * 10691 | COOPERATIVE POWER ASSN | AMBROSE | ROBERT P | 14615 LONE OAK RD | EDEN PRAIRIE | 55344 |
| * 8486 | COOPERATIVE POWER ASSN | MUSSELL | ADE | 14615 LONE OAK RD | EDEN PRAIRIE | 55344 |
| * 16824 | COTTONWOOD CO OFFICES | GRUNIG | FARLEY | COURTHOUSE | WINDOM | 56101 |
| * 16837 | DAIRYLAND POWER COOPERATIVE | DIAL | ALBERT D | BOX 817 | LACROSSE | 54601 |
| * 8478 | DAIRYLAND POWER COOPERATIVE | LEIFER | JOHN P | 2615 EAST AVE S | LACROSSE | 54601 |
| * 8562 | DAYTON HERMAN GRAHAM & GETTS | DAYTON | CHARLES K | 10 FIFTH ST S-STE 930 | MPLS | 55402 |
| * 4741 | DAYTON HERMAN GRAHAM & GETTS | HERMAN | JOHN H | 10 FIFTH ST S-STE 930 | MPLS | 55402 |
| * 16934 | DAYTON HERMAN GRAHAM & GETTS | PEPIN JR | RICHARD G | 10 FIFTH ST S-STE 930 | MPLS | 55402 |
| * 6681 | DETROIT LAKES CITY OF | GRABOW | RICHARD | 10225 ROOSEVELT AVE-BOX 647 | DETROIT LAKES | 56501 |
| * 8470 | DEVAC INC | HETMAN | FRANK W | 10130 HWY 55 | MPLS | 55441 |
| * 6689 | DEVAC INC | MCGRATH | FRANCIS X | 10130 HWY 55 | MPLS | 55441 |
| * 16839 | DONOHUE & ASSOCIATES | HOFF | MICHAEL | 7400 METRO BLVD-STE 450 | MPLS | 55435 |
| * 16905 | DONOVAN COMPANIES INC | SMITH | JAMES A | 1080 MONTREAL AVE | ST PAUL | 55116 |
| * 4722 | DONOVAN MCCARTHY CRASSWELLR LARSN&M | CRASSWELLER | DONALD B | ALWORTH BLDG-RM 1000 | DULUTH | 55802 |
| * 16742 | DORSEY WINDHRST HANNAFRD WHITNY&HAL | COMSTOCK | BECKY A | 220 SIXTH ST S-RM 2300 | MPLS | 55402 |
| * 5263 | DORSEY & WHITNEY LIBRARY | | | 2200 FIRST BANK PL E | MPLS | 55402 |
| * 16719 | DULUTH CHAMBER OF COMMERCE | RAIMO | DAVID A | 325 HARBOR DR | DULUTH | 55802 |
| * 16754 | DULUTH CITY OF | NELSON | DOUGLAS | CITY HALL-RM 409 | DULUTH | 55802 |
| * 8676 | DULUTH COMM HEALTH SERV | ROWE | BRUCE T | 325 LAKE AVE S-STE 604 | DULUTH | 55802 |
| * 16663 | E W A INC | NGO | VIET | 12800 INDUS PK BLVD | PLYMOUTH | 55441 |
| * 2286 | EAGAN BLDG INSPEC DEPT | PETERSON | DALE S | 3795 PILOT KNOB RD-BOX 21 199 | EAGAN | 55121 |
| * 36557 | EAGAN CITY OF | HEDGES | THOMAS L | 3830 PILOT KNOB RD | EAGAN | 55123 |
| * 16643 | EDEN PRAIRIE CITY OF | ENGER | CHRIS | 8950 EDEN PRAIRIE RD | EDEN PRAIRIE | 55344 |
| * 16674 | EDINA CHAMBER OF COMMERCE | BODINE | VIRGINIA | 5200 73RD ST W | EDINA | 55435 |
| * 9861 | EDINA COMMUNITY ED | BRANNON | ROD | 5701 NORMANDALE RD | MPLS | 55424 |
| * 16935 | ENRIGHT & ASSOC | EDMAN | JOHN F | 220 ROBERT ST S | ST PAUL | 55107 |
| * 16952 | EXPERIENCE INC | PIETRUS | JOSEPH T | 527 MARQUETTE AVE-RM 1930 | MPLS | 55402 |
| * 16703 | FARIBAULT AREA CHAMBER OF COMMERCE | HERING | DIANA | 228 CENTRAL AVE-BOX 434 | FARIBAULT | 55021 |
| * 16890 | FERGUS FALLS CHAMBER OF COMMERCE | WIEBER | STANLEY | 202 COURT ST S-BOX 724 | FERGUS FALLS | 56537 |
| * 8521 | FORSBERG AGRIC SERV | FORSBERG | WINFIELD | 518 SUMMIT AVE | NEW ULM | 56073 |
| * 60688 | FRIDLEY CITY OF | DEBLON | WILLIAM S | 6431 UNIVERSITY AVE NE | FRIDLEY | 55432 |
| * 12455 | FRUNDT FRUNDT & JOHNSON | | | 117 FIFTH ST W-BOX 95 | BLUE EARTH | 56013 |
| * 8584 | GENERAL MILLS INC | TAYLOR | WILLIAM T | BOX 1113 | MPLS | 55440 |
| * 8549 | GOLDEN VALLEY CITY OF | BECKER | LLOYD G | 7800 GOLDEN VALLEY RD | GOLDEN VALLEY | 55427 |
| * 16620 | GRAND MARAIS CITY OF | KENNEDY | TIMOTHY | COURTHOUSE | GRAND MARAIS | 55604 |
| * 16786 | GRAND RAPIDS CHAMBER OF COMMERCE | | | WELCOME HOUSE | GRAND RAPIDS | 55744 |
| * 16716 | GRANITE FALLS AVTI | HAWK | JACK | HWY 212 W | GRANITE FALLS | 56241 |
| * 16687 | GRAVEN & ASSOCIATES | | | 9800 ANN LN | MINNETONKA | 55343 |
| * 16915 | GREATER DULUTH COACT | FURE | ERIC | 2904 THIRD ST W | DULUTH | 55806 |
| * 16743 | HAMLINE UNIV SCHOOL OF LAW | ROBERTS | MARILYNNE K | 1536 HEWITT AVE | ST PAUL | 55104 |

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|---|---|---|---|---|---|---|---|
| * | 5281 | HASTINGS CITY OF | GERLOCK | FRANK | 100 SIBLEY ST | HASTINGS | 55033 |
| * | 59166 | HEADWATERS REGIONAL DEVEL COMM | OSTREM | JOHN | 722 15TH ST NW-BOX 906 | BEMIDJI | 56601 |
| * | 8560 | HENKEL CORP | DAILEY | THOMAS M | 7900 78TH ST W | MPLS | 55435 |
| * | 10562 | HENNEPIN CO ENVIRON & ENERGY OFFICE | NELSON | LUTHER D | HENNEPIN CO GOVERNMENT CTR | MPLS | 55487 |
| * | 8465 | HENNEPIN CO OFFICES | LEE | A J | 300 SIXTH ST S-RM A2307 | MPLS | 55487 |
| * | 8460 | HENNEPIN CO OFFICES | MCMILLAN | JOHN G | 300 SIXTH ST S-RM A2208 | MPLS | 55487 |
| * | 5433 | HENNEPIN CO PUBLIC WORKS | WINTER | DAVID G | 320 WASHINGTON AVE S | HOPKINS | 55343 |
| * | 16831 | HENNINGSON DURHAM & RICHARDSON | MCMICHAEL | DALE | 5401 GAMBLE DR-RM 300 | MPLS | 55416 |
| * | 36538 | HERMANTOWN CITY OF | RUTH | HELMER A | 3161 MAPLE GROVE RD | HERMANTOWN | 55811 |
| * | 16781 | HESSIAN MCKASY & SODERBERG | SODERBERG | HAROLD J | IDS CTR-STE 4700 | MPLS | 55402 |
| * | 6166 | HILL ASSOCIATION | HILL | JAMES R | 8200 HUMBOLDT AVE S | BLOOMINGTON | 55431 |
| * | 8661 | HONEYWELL INC | VIITALA | W C | HONEYWELL PLAZA-BOX 524 | MPLS | 55440 |
| * | 16886 | HOPKINS ENVIRONMENT & ENERGY DEPT | LIE | GREGORY B | 320 WASHINGTON AVE S | HOPKINS | 55343 |
| * | 9485 | HORMEL & CO | HAHN | DOUGLAS | BOX 800 | AUSTIN | 55912 |
| * | 11596 | HOUSTON CO OFFICES | FRANK | RICHARD | COURTHOUSE | CALEDONIA | 55921 |
| * | 8464 | HUBER LTD | HUBER | PAUL | 1821 UNIVERSITY AVE | ST PAUL | 55104 |
| * | 4654 | IND SCHOOL DIST 623 | VANDERWALL | JAN | 1251 CO RD B2 W | ROSEVILLE | 55113 |
| * | 16767 | INTERSTATE POWER CO | CORDES | AL D | 1000 MAIN ST | DUBUQUE | 52001 |
| * | 16731 | INVER HILLS COMM COLLEGE | MITCHELL | RUSTY | 8445 COLLEGE TR | INVER GROVE HTS | 55075 |
| * | 16975 | ISBERG & ASSOC | ISBERG | GUNNAR | BOX 115 | NORTHFIELD | 55057 |
| * | 6693 | JANESVILLE CITY OF | TRAHMS | CINDI JO | 219 MAIN ST N | JANESVILLE | 56048 |
| * | 16984 | JENOS INC | STROBEL | JACK C | 100 LIVE OAK GARDENS-BOX 200 | CASSELBERRY | 32707 |
| * | 8574 | JOHNSON FREDIN KILLEN THIBODEAU&SEI | FREDIN | CONRAD M | NORWEST CTR-RM 811 | DULUTH | 55802 |
| * | 16712 | KLEINSCHMIDT & WEBBER INC | WEBBER | ROBERT | 4240 FIFTH ST | WINONA | 55987 |
| * | 36663 | LACRESCENT CITY OF | JILK | STEPHAN | 315 MAIN ST | LACRESCENT | 55947 |
| * | 8573 | LAKE SUPERIOR INDUSTRIAL BUREAU | FRANCE | ALFRED E | NORWEST CTR-RM 828 | DULUTH | 55802 |
| * | 10030 | LAKEWOOD COMM COLLEGE | WISCHMANN | ROBERT | 3401 CENTURY AVE N | WHITE BEAR LK | 55110 |
| * | 16991 | LEFEUERE LAW FIRM | STRAND | JEFFREY J | 120 SIXTH ST S-RM 2000 | MPLS | 55402 |
| * | 6688 | LEHMANN & ASSOC INC | LEHMANN | ERNEST K | 1409 WILLOW ST-RM 300 | MPLS | 55403 |
| * | 8480 | LEVANDER GILLEN MILLER & MAGNUSON | MILLER | ROGER C | 633 CONCORD ST-RM 402-BOX 298 | S ST PAUL | 55075 |
| * | 8600 | LUTHERAN SOCIAL SERVICE | JOHNSON | GORDON | 2414 PARK AVE | MPLS | 55404 |
| * | 16974 | LUVERNE CITY OF | GUHIN | MARY | 203 MAIN ST E | LUVERNE | 56156 |
| * | 65315 | LYMAN BLUEPRINT THE | JANICKE | JUDY | BOX 40 | EXCELSIOR | 55331 |
| * | 16696 | MANKATO AREA CHAMBER OF COMMERCE | | | BOX 999 | MANKATO | 56001 |
| * | 6690 | MANKATO COMM DEVEL OFFICE | MELENA | THOMAS | 202 JACKSON ST E | MANKATO | 56001 |
| * | 60188 | MANKATO STATE UNIV | JACK | JAMES | BOX 36 | MANKATO | 56001 |
| * | 16793 | METRO COUNCIL | MICHAND | CARL | 121 SEVENTH ST E-RM 300 | ST PAUL | 55101 |
| * | 16971 | METRO COUNCIL | RUTFORD | JOHN | 121 SEVENTH ST E | ST PAUL | 55101 |
| * | 16848 | METRO MUNICIPAL ASSN | PETERSON | VERNON | 183 UNIVERSITY AVE E | ST PAUL | 55101 |
| * | 61113 | MICHAUD COOLEY ERICKSON & ASSOC INC | HARTRANFT | FRANK F | 625 FOURTH AVE S-STE 1325 | MPLS | 55415 |
| * | 16708 | MILACA CITY OF | HESTER | RALPH K | 145 CENTRAL AVE S | MILACA | 56353 |
| * | 16761 | MINN ATTORNEY GEN OFC-ANTITRUST DIV | CATANIA | THOMAS F | 117 UNIV AVE-SECOND FLR | ST PAUL | 55155 |
| * | 8512 | MINN AUTO DEALERS ASSN | CLAESON JR | LOUIS W | 277 UNIVERSITY AVE | ST PAUL | 55103 |
| * | 16648 | MINN BOARD OF AGING | ORSELLO | JEAN | 121 SEVENTH ST E-RM 204 | ST PAUL | 55101 |
| * | 16962 | MINN COACT-LEGAL SERV ADVOC PROJ | OSTERUD | DRU | 60 FOURTH ST E-RM 300 | ST PAUL | 55101 |
| * | 8625 | MINN COMMERCE & INDUSTRY ASSN OF | OCONNELL | RAYMOND E | 480 CEDAR ST-RM 300 | ST PAUL | 55109 |
| * | 8651 | MINN COOPERATIVES ASSN OF | SLETTOM | EDWARD E | 480 CEDAR ST-RM 380 | ST PAUL | 55101 |
| * | 8649 | MINN COUNTIES ASSN OF | SHIPMAN | JAMES C | 555 PARK ST-STE 300 | ST PAUL | 55103 |
| * | 8586 | MINN DEPT OF ADMIN | HALE | SANDRA J | 50 SHERBURNE AVE-RM 200 | ST PAUL | 55155 |
| * | 16762 | MINN DEPT OF AGRICULTURE | HEIL | GERALD | 90 PLATO BLVD W | ST PAUL | 55107 |
| * | 16803 | MINN DEPT OF HEALTH-COMM DEVEL | | | 717 DELAWARE ST SE | MPLS | 55440 |
| * | 16647 | MINN DEPT OF HEALTH-COMM DEVEL OFF | SKUBIC | MARK | 717 DELAWARE ST SE | MPLS | 55440 |
| * | 6684 | MINN DEPT OF REVENUE | HANSON | DOROTHY M | CENTENNIAL BLDG | ST PAUL | 55145 |
| * | 16876 | MINN DEPT OF TRANS-DRIVER&SERV | SWANSON | MARLENE | JOHN IRELAND BLVD-RM 161 | ST PAUL | 55155 |
| * | 6692 | MINN GOVERMENT REPORT | DAWSON | JEAN | STATE CAPITAL BLDG-PRESS RM B2 | ST PAUL | 55155 |
| * | 16894 | MINN HOUSING FINANCE AGENCY | SOLEM | JAMES | 400 SIBLEY ST-STE 300 | ST PAUL | 55101 |
| * | 4742 | MINN LEGIS AUDITOR | BAUMGARTEN | ALLAN | VETERANS SERVICE BLDG-RM 122 | ST PAUL | 55155 |
| * | 8502 | MINN LEGIS COMM TO REVIEW ADMIN RUL | HRUBY | MARYANNE V | STATE OFFICE BLDG-RM 55 | ST PAUL | 55155 |
| * | 4651 | MINN MULTI HOUSING ASSN | HORNER | JOHN | 3100 LAKE ST W | MPLS | 55416 |
| * | 8015 | MINN PETROLEUM COUNCIL | BUNGE | DARREL | 386 WABASHA ST N-RM 1025 | ST PAUL | 55102 |
| * | 16650 | MINN PLANT FOOD & CHEM ASSN | SALLSTROM | CRAIG | 1821 UNIVERSITY AVE-RM 253 | ST PAUL | 55104 |
| * | 10133 | MINN POLLUTION CONTROL AGENCY | GARDENBRING | SANDRA S | 1935 CO RD B2 W | ROSEVILLE | 55113 |
| * | 8646 | MINN POLLUTION CONTROL AGENCY | SCHADE | BARRY C | 1935 CO RD B2 W | ROSEVILLE | 55113 |
| * | 8671 | MINN POWER CO | DEBEIR | ELAINE | 30 SUPERIOR ST W | DULUTH | 55802 |
| * | 16683 | MINN POWER CO | HANSMEYER | LEN | 30 SUPERIOR ST W | DULUTH | 55802 |
| * | 8538 | MINN POWER CO | ROBERTS | JAMES A | 30 SUPERIOR ST W | DULUTH | 55802 |

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|---|---|---|---|---|---|---|
| * 16978 | MINN PROJECT-S E OFFICE | KEMP | LONI | BOX 4 | PRESTON | 55965 |
| * 7390 | MINN PUBLIC INTEREST RESEARCH GROUP | GOSTOVICH | JOHN | 2412 UNIVERSITY AVE SE | MPLS | 55414 |
| * 16669 | MINN ETAIL MERCHANTS ASSN | MORRIS | RANDY | 121 SEVENTH S. E-STE 180 | ST PAUL | 55101 |
| * 8505 | MINN RURAL ELECTRIC ASSN | BARNIER | LEON | 4901 77TH ST W | MPLS | 55435 |
| * 8568 | MINN SERVICE STATION ASSN | ETTESVOLD | BRIAN | 2700 RICE ST | ST PAUL | 55113 |
| * 12760 | MINN STATE UNIV SYSTEM | STANTON | MARY E | 555 PARK ST-STE 230 | ST PAUL | 55105 |
| * 16817 | MINN TOWNSHIPS ASSN OF | FRICKE | DAVID | BOX 246 | ST MICHAEL | 55376 |
| * 8640 | MINN TRANSPORT SERV ASSN | ROSENTHAL | ABE | 1821 UNIVERSITY AVE-RM 310N | ST PAUL | 55104 |
| * 16858 | MINN VOLUNTARY SOC SERV ASSN OF | KAUFMAN | BARBARA W | 1821 UNIVERSITY AVE-RM 141S | ST PAUL | 55104 |
| * 800 | MINNEGASCO | | | 201 SEVENTH ST S | MPLS | 55402 |
| * 16951 | MINNEGASCO | KOMAREK | LUKE R | 201 SEVENTH ST S | MPLS | 55402 |
| * 65725 | MINNEGASCO | LAMPERT | JOHN H | 700 LINDEN AVE W | MPLS | 55403 |
| * 16721 | MONTEVIDEO CITY OF | BIFOSS | R BEN | BOX 676 | MONTEVIDEO | 56265 |
| * 16728 | MONTICELLO CITY OF | ELDEM | THOMAS | 250 BROADWAY ST E | MONTICELLO | 55362 |
| * 8459 | MOSS FLAHERTY CLARKSON & FLETCHER | AHERN | MICHAEL J | 200 SIXTH ST S-STE 1200 | MPLS | 55402 |
| * 8617 | MOSTCA INC | AICHINGER | CLIFF | 2225 WHITE BEAR AVE | MAPLEWOOD | 55109 |
| * 16795 | MPLS ADMIN HEARING OFFICE | RUHLE | SAM | 310 FOURTH AVE-RM 400 | MPLS | 55415 |
| * 8536 | MPLS BLDG OWNERS & MGRS ASSN | OLOFSON | ARTHUR W | 105 FIFTH ST S-RM 927 | MPLS | 55402 |
| * 16829 | MPLS CITY COORDINATORS OFFICE | MEININGER | PHILIP G | 350 FIFTH ST S-RM 210 | MPLS | 55415 |
| * 16705 | MPLS PUBLIC LIBRARY-ENVIRON CONSERV | | | 300 NICOLLET MALL | MPLS | 55401 |
| * 8667 | N E C A | FRISON | FRANK | 200 ROBERT ST S-RM 305 | ST PAUL | 55107 |
| * 10211 | N S P | HAIK | RAYMOND A | 414 NICOLLET MALL | MPLS | 55401 |
| * 4723 | NATIONAL HOMES MFG CO | PETTRY | SHELBY | BOX 7680 | LAFAYETTE | 47903 |
| * 8591 | NATIONAL SOCIAL WORKERS ASSN | INGRAM | ALAN W | 614 PORTLAND AVE | ST PAUL | 55102 |
| * 16697 | NEW HOPE CITY OF | DONAHUE | DANIEL J | 4401 XYLON AVE N | NEW HOPE | 55428 |
| * 8482 | NORTHERN STATES POWER | BIZZANO JR | JOSEPH D | 414 NICOLLET MALL | MPLS | 55401 |
| * 8663 | NORTHERN STATES POWER | WELK | G V | 414 NICOLLET MALL | MPLS | 55401 |
| * 16764 | NORTHERN STATES POWER CO | WIETECKI | KEITH H | 414 NICOLLET MALL | MPLS | 55403 |
| * 16987 | NORTHERN SUN ALLIANCE | FIELDSETH | HENRY | 1519 FRANKLIN AVE E | MPLS | 55404 |
| * 16666 | NORTHFIELD CITY OF | MARONEY | DAVID | 801 WASHINGTON ST | NORTHFIELD | 55057 |
| * 60405 | NORTHWEST REG DEVEL COMM | JORGENS | THOMAS | 425 WOODLAND AVE | CROOKSTON | 56716 |
| * 8539 | NORTHWEST REG DEVEL COMM | SCHARMER | PAT | 425 WOODLAND AVE | CROOKSTON | 56716 |
| * 16822 | OLMSTED CO PLANNING DEPT | MOORE | THOMAS O | 1421 THIRD AVE SE | ROCHESTER | 55901 |
| * 8619 | OTTERTAIL POWER CO | MYSTER | JAY D | 215 CASCADE ST S | FERGUS FALLS | 56537 |
| * 88 | OWATONNA PUBLIC UTILITIES | MARTIN | DAVID M | 208 WALNUT AVE S-BOX 800 | OWATONNA | 55060 |
| * 16988 | PEOPLES NAT GAS CO | HAUBENSAK | RICHARD | 25 MAIN PLACE | COUNCIL BLUFFS | 51501 |
| * 8628 | PHILLIPS LEGISLATIVE SERVICE INC | PHILLIPS | WILLIAM L | 459 RICE ST | ST PAUL | 55103 |
| * 4672 | PILLSBURY CO | SMITH | CARL A | 200 SIXTH ST S | MPLS | 55402 |
| * 16960 | PLANNING & DEVEL CONST | REICHERT | ROBERT J | ALWORTH BLDG-RM 505 | DULUTH | 55802 |
| * 8674 | POPHAM HAIK SCHNOBRICH KAUFMN&DOTY | BURK | ROBERT S | 80 EIGHTH ST S-RM 4344 | MPLS | 55402 |
| * 8599 | POPHAM HAIK SCHNOBRICH KAUFMN&DOTY | JOHNSON | G ROBERT | 80 EIGHTH ST S-RM 4344 | MPLS | 55402 |
| * 16807 | PROJECT ENVIRONMENT FOUNDATION | | | 2929 FOURTH AVE S | MPLS | 55408 |
| * 8635 | Q S S INC | KROEGER | CHARLES | BOX 838 | FARIBAULT | 55021 |
| * 8448 | RAMSEY CO COMM BOARD | KARON | JUDY | COURTHOUSE-STE 316 | ST PAUL | 55102 |
| * 16893 | REGION EIGHT REG DEVEL COMM | PERKINS | STEVEN L | 214 SECOND ST NW | PIPESTONE | 56164 |
| * 42736 | REGION FIVE REG DEVEL COMM | KNOSALLA | LARRY | 611 IOWA AVE | STAPLES | 56479 |
| * 4639 | REGION NINE REG DEVEL COMM | WALDRON | CRAIG | 410 FIFTH ST S-BOX 3367 | MANKATO | 56001 |
| * 1786 | REGION SIX EAST REG DEVEL COMM | HIPPE | H EUGENE | 311 SIXTH ST W | WILLMAR | 56201 |
| * 16810 | RICHFIELD CITY OF | JOPKE | RICHARD | 6700 PORTLAND AVE | RICHFIELD | 55423 |
| * 1088 | RIEKE CARROLL MULLER ASSOC | HENNEMUTH | WILLIAM H | 1011 FIRST ST S-BOX 130 | HOPKINS | 55343 |
| * 11999 | ROCHESTER BLDG & SAFETY DEPT | SATHER | GORDON I | 1605 CASCADE ST NW | ROCHESTER | 55901 |
| * 16637 | ROCHESTER CHAMBER OF COMMERCE | WELTY | LLOYD | 212 FIRST ST SW | ROCHESTER | 55902 |
| * 16661 | ROSEVILLE CITY OF | ANDRE | JAMES | 2024 CLEVELAND AVE N | ROSEVILLE | 55113 |
| * 16682 | SALO INC | SALO | JACK D | 15 FIRST ST E | DULUTH | 55802 |
| * 6678 | SCOTT CO HOUSING & REDEVEL AUTH | | | 16049 FRANKLIN TR SE-RM 104 | PRIOR LAKE | 55372 |
| * 16662 | SOUTH ST PAUL CHAMBER OF COMMERCE | OLSEN | RICHARD A | LIVESTOCK EXCH BLDG-RM 217 | S ST PAUL | 55075 |
| * 10681 | SOUTHERN MINN MUNI POWER AGENCY | LANDWEHR | MARY ELLEN | 21 FIRST ST SW-STE 400 | ROCHESTER | 55902 |
| * 16880 | SOUTHERN MINN REG LEGAL SERVICES | LANSDOWNE | PETER | MEDICAL ARTS BLDG-RM 310 | ALBERT LEA | 56007 |
| * 60067 | SOUTHWEST REG DEVEL COMM | SHORTEN | BRIAN | 2524 BROADWAY AVE-BOX 265 | SLAYTON | 56172 |
| * 10789 | ST CLOUD AREA CHAMBER OF COMMERCE | CARLSON | GLENN | 20 FOURTH AVE S-BOX 487 | ST CLOUD | 56302 |
| * 16641 | ST CLOUD STATE UNIV | BIXBY | ROBERT | STEWARD HALL-RM 301 | ST CLOUD | 56301 |
| * 16640 | ST LOUIS CO PLANNING & ZONING OFF | JOHNSON | MARK | COURTHOUSE | DULUTH | 55802 |
| * 8675 | ST LOUIS PARK CITY OF | THIBAULT | WILLIAM | 5005 MINNETONKA BLVD | ST LOUIS PK | 55416 |
| * 8518 | ST PAUL CITY OF | ERICKSON | GLENN A | 25 FOURTH ST W-RM 445 | ST PAUL | 55102 |
| * 8565 | ST PAUL PORT AUTHORITY | DZUGAN | KENNETH | 25 FOURTH ST W-STE 1305 | ST PAUL | 55102 |
| * 7005 | ST PAUL PUBLIC HOUSING AUTHORITY | HARJU | RUSS | 419 ROBERT ST N-RM 380 | ST PAUL | 55101 |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| * | 5254 | ST PAUL T V I | MUCKENHIRN | FRANK A | 235 MARSHALL ST | ST PAUL | 55102 |
| * | 65319 | STATE SERV GROUP | SAHAGUN | BETSY L | 1015 15TH ST NW | WASHINGTON | 20005 |
| * | 16840 | STEARNS CO OFFICES | HOPKE | KENNETH | BOX 604 | ST CLOUD | 56301 |
| * | 16896 | SUBURBAN ENGINEERING INC | PRICE | WILLIAM | 12350 RIVER RIDGE BLVD | BURNSVILLE | 55337 |
| * | 5565 | SUN CONTROL PRODUCTS | KLAMPE | E J | 431 FOURTH AVE SE | ROCHESTER | 55904 |
| * | 16852 | THIEF RIVER FALLS CITY OF | QUINLIVAN | JOHN | CITY HALL-BOX 528 | THIEF RIVER FLS | 56701 |
| * | 8461 | TRI COUNTY COMM ACTION PROG | SEXTON | MARK G | 404 SECOND AVE NE | LITTLE FALLS | 56345 |
| * | 5885 | TROMMALD CITY OF | | | RT 3-BOX 160 | CROSBY | 56441 |
| * | 8653 | U OF M | SNYDER | ROBERT W | 1994 BUFORD AVE-RM 248C | ST PAUL | 55108 |
| * | 16787 | U OF M-DULUTH POLITICAL SCIENCE DEP | OLSEN | DR DALE | HOME EC BLDG-RM 242 | DULUTH | 55812 |
| * | 16806 | U OF M-FORESTRY DEPT | LEWIS | BERNARD J | GREEN HALL-RM 10 | ST PAUL | 55108 |
| * | 16811 | U OF M-GEOLOGY DEPT | GREEN | JOHN C | 10550 OLD NORTH SHORE RD | DULUTH | 55812 |
| * | 16777 | U OF M-SCHL OF BUSINESS & ECON | IRELAND | DR DONALD W | | DULUTH | 55812 |
| * | 8545 | U S DEPT OF AG-FARMERS HOME ADM | BJORHUS | RUSS | 316 ROBERT ST N-RM 252 | ST PAUL | 55101 |
| * | 16872 | U S DEPT OF COMMERCE | MATSON | GLENN A | 110 FOURTH ST S-RM 108 | MPLS | 55401 |
| * | 16922 | U S DEPT OF INTERIOR-FISH &WILDLIFE | SMITH | JAMES L | 333 SIBLEY ST-RM 570 | ST PAUL | 55101 |
| * | 16928 | U S HOUSING & URBAN DEVEL | OLSON | ROGER | 220 SECOND ST S | MPLS | 55401 |
| * | 452 | UNION OIL OF CALIFORNIA | | | 1650 GOLF RD E | SCHAUMBURG | 60196 |
| * | 121 | UNITED POWER ASSN | HAUSCHULZ | BRUCE | | ELK RIVER | 55330 |
| * | 8673 | UNITED POWER ASSN | RAHKO | REYNOLD S | HWY 10 E | ELK RIVER | 55330 |
| * | 16739 | UPPER MINN VALLEY REG DEVEL COMM | SCHMID | OTTO | 323 SCHLIEMAN AVE W | APPLETON | 56208 |
| * | 6687 | VAN DOREN HAZARD STALLINGS | KOEGLER | MARK | 3030 HARBOR LN N-STE 104 | PLYMOUTH | 55441 |
| * | 16741 | WADENA AVTI | KINN | PAUL D | 405 COLFAX AVE SW-BOX 566 | WADENA | 56482 |
| * | 16642 | WASHINGTON CO HRA/N A H R O-MINN CH | KEMP | WILLIAM A | 900 THIRD ST | ST PAUL PK | 55071 |
| * | 16658 | WASHINGTON CO PLANNING DEPT | ODONNELL | DENNIS | 14900 61ST ST N | STILLWATER | 55082 |
| * | 16913 | WATERVILLE CITY OF | HANSEN | LAWRENCE D | BOX 9 | WATERVILLE | 56096 |
| * | 8637 | WEST CENTRAL COMM SERV CTR INC | REARDON | HELEN J | 1125 SIXTH ST SE-BOX 787 | WILLMAR | 56201 |
| * | 6679 | WEST CENTRAL INDUS IMPROVEMENT CORP | | | STEVENS CO COURTHOUSE | MORRIS | 56267 |
| * | 8660 | WHITE BEAR LAKE CITY OF | | | 1281 HAMMOND RD | WHITE BEAR LK | 55110 |
| * | 8474 | WHITE EARTH RESERVATION | LANZ | JOHN | BOX 418 | WHITE EARTH | 56591 |
| * | 91 | WHYT WATER HEATERS | LANNES | ERIC | BOX 60129 | RENO | 89506 |
| * | 16785 | WILLMAR AVTI | WILDE | DENNIS L | BOX 1097 | WILLMAR | 56201 |
| * | 8588 | WILLMAR CITY OF | HOGLUND | RICHARD C | 333 SIXTH ST SW-BOX 755 | WILLMAR | 56201 |
| * | 16652 | WINONA CITY HALL | MOCOL | DAVID L | FOURTH & LAFAYETTE ST-BOX 378 | WINONA | 55987 |
| * | 66324 | WINTHROP WEINSTINE & SEXTON | KNAPP | JOHN A | 444 CEDAR ST-STE 1800 | ST PAUL | 55101 |
| * | 16898 | WOODBURY CITY OF | PICHA | DWIGHT W | 2100 RADIO DR | WOODBURY | 55125 |
| * | 16710 | YAGGY ASSOCIATES | | | 717 THIRD AVE SE | ROCHESTER | 55904 |
| * | 16980 | YELLOW MEDICINE PLANNING OFFICE | HOLIEN | JERRY | BOX 675 | CLARKFIELD | 56223 |
| * | 16943 | ZENK ENGINEERING | READ | LARRY A | BOX 689 | ALBERT LEA | 56007 |
| * | 16660 | 3 M COMPANY | LANGLOIS | WILLIAM J | 2501 HUDSON RD-BOX 225 2N06 | ST PAUL | 55144 |

STATE OF MINNESOTA )
) ss.
COUNTY OF RAMSEY )

CERTIFICATE

In the Matter of the Proposed Adoption
the temporary rules for the Minnesota
Energy and Economic Development Authority governing
the Qualified Economic Diversification Projects

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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 Friday, this 13 day of December, 1985.

Mary Anderson

The Speaker and the Minority Leader of the House of Representatives are each invited to appoint one Representative to the Council. The Majority Leader and the Minority Leader of the Senate are also each invited to appoint one Senator to the Council.

In the event that an agency or department head who is a member of the Council is unable to attend a scheduled meeting, he or she shall designate a deputy or an assistant to represent the department or agency.

The Council shall elect a chairperson from among its membership, and adopt by-laws governing its operation.

Pursuant to Minnesota Statutes, Section 4.035, this Order shall be effective fifteen (15) days after publication in the *State Register* and filing with the Secretary of State and shall remain in effect until rescinded by proper authority or it expires in accordance with Minnesota Statutes, Section 4.035, Subdivision 3.

in TESTIMONY WHEREOF I have set my hand this 19th day of November, 1985.



# PROPOSED RULES

Pursuant to Minn. Stat. of 1982, §§ 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing, as long as the agency determines that the rules will be noncontroversial in nature. The agency must first publish a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. The notice must advise the public:

1. that they have 30 days in which to submit comment on the proposed rules;
2. that no public hearing will be held unless 25 or more persons make a written request for a hearing within the 30-day comment period;
3. of the manner in which persons shall request a hearing on the proposed rules; and
4. that the rule may be modified if the modifications are supported by the data and views submitted.

If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.14-14.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

Pursuant to Minn. Stat. §§ 14.29 and 14.30, agencies may propose emergency rules under certain circumstances. Proposed emergency rules are published in the *State Register* and, for at least 25 days thereafter, interested persons may submit data and views in writing to the proposing agency.

## Department of Energy and Economic Development

### Proposed Emergency Rules Relating to Qualified Economic Diversification Projects

#### Notice of Intent to Adopt Emergency Rules

Notice is hereby given that the Minnesota Energy and Economic Development Authority is proposing to adopt emergency rules for the Qualified Economic Diversification Projects of The Special Assistance Program. The agency is authorized by Minn. Laws 1985, Ex. Sess. Chapter 14, Article 8, sec. 62, to adopt emergency rules for the Qualified Economic Diversification Projects of The Special Assistance Program.

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.

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 December 16, 1985 *State Register*, written comments must be received by the agency no later than 4:30 p.m. on January 9, 1985. Written comments should be sent to:

Debra J. Kultala
Financial Management Division
Department of Energy & Economic Development
900 American Center Building
150 East Kellogg Boulevard
St. Paul, Minnesota 55101
Telephone: 612/296-4337

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 Debra J. Kultala at the above address.

November 25, 1985

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

**Rules as Proposed, Emergency (all new material)**

## QUALIFIED ECONOMIC DIVERSIFICATION PROJECTS OF THE SPECIAL ASSISTANCE PROGRAM

**8300.3100 [Emergency] SCOPE.**

Parts 8300.3100 to 8300.3106 [Emergency] specify procedures and criteria for application for qualified economic diversification projects of the special assistance program.

**8300.3101 [Emergency] PURPOSE.**

The purpose of the distressed counties/economic diversification projects program is to reimburse sales and property tax expenditures for qualifying businesses that expand their operations in Minnesota.

**8300.3102 [Emergency] DEFINITIONS.**

Subpart 1. **Statutory terms.** The definitions in Minnesota Statutes, section 116M.03, and this part apply to parts 8300.3100 to 8300.3106 [Emergency].

Subp. 2. **Act.** "Act" means the Minnesota Energy and Economic Development Authority Act.

Subp. 3. **Capital equipment.** "Capital equipment" means capital equipment as defined in Minnesota Statutes, section 297A.01, subdivision 16.

Subp. 4. **Capital investment.** "Capital investment" means investment made after July 1, 1985, in new buildings, new equipment, additions to existing buildings, or purchase of existing buildings and equipment that have not been in use for 90 days.

Subp. 5. **Commissioner.** "Commissioner" means the commissioner of energy and economic development.

Subp. 6. **Distressed county.** "Distressed county" means a county or portion of a county designated by the commissioner under Minnesota Statutes, section 297A.257, as distressed.

Subp. 7. **Permanent employee.** "Permanent employee" means the equivalent of one person employed full time for one year. The term does not include persons temporarily employed in construction or installation of the qualified economic diversification project.

Subp. 8. **Sales tax refund.** "Sales tax refund" means the reimbursement paid to a business by the commissioner of revenue under Minnesota Statutes, section 297A.15, subdivision 5, because the equipment is located in a distressed county.

**8300.3103 [Emergency] PROCEDURES FOR APPLICATION FOR REIMBURSEMENT.**

Subpart 1. **In general.** To apply for special assistance from the authority for a qualified economic diversification project, an applicant shall submit an application form to the commissioner on a form provided by the commissioner. An application must be completed, dated, and signed by an owner, general partner, or an authorized officer of the applicant. The commissioner shall follow the procedures under part 8300.3104 [Emergency].

Subp. 2. **Contents.** An application must contain, at a minimum, the following information:

A. the name of applicant's business;

B. the business location;

C. a description of the business, as required by the Standard Industrial Classification Code found in Code of Federal Regulations, title 13, part 121;

D. a description of the qualified economic diversification project;

E. estimated sales tax to be paid on capital equipment purchased;

F. estimated incremental increase in property tax as a result of the qualified economic diversification project;

G. current employment figures;

H. projected employment figures with supporting documentation; and

I. certifications demonstrating the business' assessment of how it meets the criteria contained in Minnesota Statutes, section 116M.03, subdivision 28.

**8300.3104 [Emergency] PROCEDURES FOR APPLICATION PROCESSING.**

Subpart 1. **Deadline for submission.** The applicant shall submit a complete application to the commissioner by the first business day of any month in order for the authority to consider it in that month. If an application is received after the first business day of the month and can be reviewed by the commissioner for eligibility and financial feasibility prior to the authority agenda deadline, the authority may consider the application at the meeting in that month. Applications will be accepted only if there is nonencumbered money available for economic diversification projects.

Subp. 2. **Completed applications.** An application is complete when the commissioner receives all required documentation.

Subp. 3. **Incomplete applications.** If an incomplete application is received, the commissioner shall notify the applicant of specific deficiencies in the application. The applicant has 60 days from the date of mailing of the commissioner's notification to complete the application. If the application is not completed and received by the commissioner within 60 days, the application is considered rejected and the applicant shall reapply to be further considered.

Subp. 4. **Review of eligibility of project and applicant.** The commissioner shall review all completed applications to determine if the project and the applicant are eligible and meet the requirements in parts 8300.3100 to 8300.3106 [Emergency].

Subp. 5. **Ineligible project or applicant.** The commissioner shall notify the applicant in writing if the applicant or the project is ineligible. The applicant has 30 days from the date of the commissioner's notification to amend the application and resubmit it to the commissioner, or to request that the commissioner submit the rejected application to the authority for review at the next regularly scheduled meeting of the authority for which the agenda has not been established. If so submitted, the authority must evaluate the application at its board meeting, in accordance with subpart 7.

Subp. 6. **Amended application.** Upon receipt of an amended application, the commissioner shall review the amended application under subpart 4. The commissioner shall reject the amended application if the project or applicant is ineligible.

If the application is not amended and resubmitted to the commissioner within 30 days, the application will be rejected and will not receive any further consideration.

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.

Subp. 7. **Authority evaluation procedure.** Applications approved for processing by the commissioner must be presented to the authority for approval or disapproval. Upon the determination by the authority that the application will meet the requirements contained in Minnesota Statutes, sections 116M.03, subdivision 28; 116M.07, subdivision 11, paragraph (b); and parts 8300.3105 [Emergency] and 8300.3106 [Emergency] within two years of approval, the authority shall approve the project, set aside money for the approved project, and enter into a contract with the applicant to disburse the reimbursements when the criteria have been met.

Subp. 8. **Preparation of documents.** The commissioner has the authority and responsibility to prepare or cause to be prepared all necessary documents and to execute them on behalf of the authority.

**8300.3105 [Emergency] SPECIAL ASSISTANCE CRITERIA.**

To qualify for special assistance projects, an economic diversification project must meet at least three of the five criteria outlined in Minnesota Statutes, section 116M.07, subdivision 11, paragraph (b).

**8300.3106 [Emergency] CRITERIA FOR REIMBURSEMENTS.**

Subpart 1. **Distressed counties.** The authority shall provide the following special assistance to qualified economic diversification projects located in distressed counties based upon the following criteria:

A. Reimbursement of sales taxes paid for capital equipment purchased as part of the application. Reimbursement shall be made only if the capital equipment purchase or a part of the capital equipment purchase is not eligible for a sales tax refund from the commissioner of revenue.

B. A property tax reimbursement paid on an annual basis for five years. The amount of the property tax reimbursement shall be based on the amount of property tax attributable to the incremental increase in value of the property as a result of the capital investment based on the most recent assessment period.

C. An interest subsidy reimbursement for a loan used to finance the capital investment for qualified diversification projects that will create more than 50 additional permanent employees or constitutes more than five percent of the base manufacturing employment in the county. In determining the amount and term of the interest subsidy reimbursement, the authority shall consider the level of distress in the county based upon the average rate of unemployment for the 12-month period ending the previous April 30, and shall within the limit of available funds approve a greater interest subsidy for projects located in counties with a higher rate of distress.

D. The total reimbursement for a qualified economic diversification project cannot exceed $20,000 per additional permanent employee.

E. The maximum reimbursement per qualified economic diversification project is $500,000 per project.

Subp. 2. **Nondistressed counties.** The authority shall provide the following special assistance to qualified economic diversification projects located outside distressed counties based upon the following criteria:

A. A one percent sales tax reimbursement paid on capital equipment purchased as part of the application.

B. For qualified economic diversification projects that will create more than 300 additional permanent employees or contribute more than five percent of the base manufacturing employment in the county, one or more of the following reimbursement:

(1) Reimbursement of sales taxes greater than one percent.

(2) Property tax reimbursement for up to five years. The amount of property tax reimbursement shall be based on the amount of property tax attributable to the incremental increase in value of the property as a result of the capital investment based on the most recent assessment period.

(3) An interest subsidy reimbursement for a loan used to finance the capital investment for the qualified economic diversification project.

In determining the amount and term of the sales tax reimbursement, property tax reimbursement, or interest subsidy reimbursement in item B, the authority shall consider the level of distress in the county based upon the average rate of unemployment for the 12-month period ending the previous April 30 and shall within the limit of available funds approve greater interest subsidy for projects located in counties with a higher rate of distress.

C. The total reimbursement for a qualified economic diversification project cannot exceed $10,000 per additional permanent employee.

D. The maximum reimbursement per qualified economic diversification project is $500,000 per project.

# Department of Energy and Economic Development Minnesota Energy and Economic Development Authority

## Withdrawal of Previously Proposed Rules Relating to Qualified Economic Diversification Projects

### Notice of Withdrawal of Rules

Notice is hereby given that the proposed rules relating to Qualified Economic Diversification Projects as published in the *State Register* on September 30, 1985, pages 721 to 724 (10 S.R. 721), are withdrawn.

New proposed rules regarding the same subject matter are being published in this issue.

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

# Environmental Quality Board

## Proposed Rules Relating to Exploratory Drilling for the Disposal of High Level Radioactive Waste

### Notice of Proposed Adoption of Rules without a Public Hearing

Notice is hereby given that the Environmental Quality Board proposes to adopt the above-entitled rules without a public hearing following the procedures set forth in Minnesota Statutes, sections 14.22 to 14.28. The specific statutory authority to adopt the rules is 116C.724, subd. 2 (1985 Supp.).

Persons interested in these rules shall have 30 days in which to submit comment in support of or in opposition to the proposed rules or any part or subpart of the rule and comment is encouraged. Each comment should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rules within the 30-day comment period. If 25 or more persons submit written requests for a public hearing within the 30-day period, a public hearing will be held unless a sufficient number withdraw their request. Any person requesting a public hearing should state his or her name and address, is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the Board will proceed pursuant to Minnesota Statutes, sections 14.131 to 14.20.

Persons who wish to submit comments or a written request for a public hearing should submit such comments or requests to:

John Morley
High-Level Radioactive Waste Program
Environmental Quality Board
Room 100, Capitol Square Building
St. Paul, MN 55101
(612) 297-2373

The proposed rules may be modified if the modifications are supported by data and views submitted to the Board and do not result in a substantial change in the proposed rule.

A copy of the proposed rules are attached to this notice.

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rules and identifies the data and information relied upon to support the proposed rules has been prepared and is available from John Morley upon request.

If no hearing is required, upon adoption of the rules without a public hearing, the rules and the required supporting documents

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.

MEEDA RESOLUTION NO. 86-502
MINNESOTA ENERGY AND ECONOMIC DEVELOPMENT AUTHORITY
STATE OF MINNESOTA
ST. PAUL, MINNESOTA

In the matter of the adoption of Emergency Rules of the Minnesota Energy and Economic Development Authority Governing the Qualified Economic Diversification Program

Certificate of the Authority's Authorizing Resolution to Adopt Emergency 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 Authority duly and properly called and held on the 22nd day of January, 1986, 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 minutes of said meeting and has not been rescinded or modified.

> "Resolved, that the emergency rules governing the Economic Diversification Program be and hereby are approved and adopted pursuant to the authority invested in me by Minnesota Statutes, Section 116M.07, Subdivision 11 (1985 Supp.), Minnesota Statutes, Section 116M.08, Subdivision 4 (1984), Minn. Laws 1985 Ex. Sess. Ch. 14, A. 8, Sec. 62, and that Mark B. Dayton, Chairman of the Minnesota Energy and Economic Development Authority, Lyn Burton, Vice Chair and David L. 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 22nd day of January, 1986.

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

Lyn Burton
Member of the Authority

In the Matter of the Proposed Adoption of Emergency Rules of the Minnesota Energy and Economic Development Authority Governing the Qualified Economic Diversification Program.

STATEMENT OF COMPLIANCE WITH RULEMAKING PROCEDURES

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.

Christie B Eller

Christie B. Eller
Special Assistant Attorney General

Dated: Jan 29, 1986

MINNESOTA ENERGY AND ECONOMIC DEVELOPMENT AUTHORITY
STATE OF MINNESOTA
ST. PAUL, MINNESOTA

In the Matter of the Proposed Adoption of Rules of the Minnesota Energy and Economic Development Authority Governing the Qualified Economic Diversification Program

AFFIDAVIT OF MAILING NOTICE OF SUBMISSION TO THE ATTORNEY GENERAL

STATE OF MINNESOTA)
) SS.
COUNTY OF RAMSEY )

Darlene Christenson, being first duly sworn deposes and says:

That on the 29th day of January, 1986, at the City of St. Paul, County of Ramsey, State of Minnesota, she served that attached Notice of Submission to the Attorney General by depositing in the United States mail at said City of St. Paul, a copy thereof, properly enveloped, with postage prepaid, on all persons and associations who requested notice that the rules in the above-entitled matter have been submitted to the attorney general.

Darlene A. Christenson
Darlene A. Christenson

Subscribed and sworn to before me
this 29th day of January, 1986
Richard B. Nadeau

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

MINNESOTA ENERGY AND ECONOMIC DEVELOPMENT AUTHORITY
STATE OF MINNESOTA
ST. PAUL, MINNESOTA

In the matter of the adoption of Emergency Rules of the Minnesota Energy and Economic Development Authority Governing the Qualified Economic Diversification Program

NOTICE OF SUBMISSION TO THE ATTORNEY GENERAL

Pursuant to your request and in accordance with Minnesota Statutes, sections 14.05 TO 14.36:

PLEASE TAKE NOTICE that the above-captioned rules have been submitted to the Office of the Attorney General on this date, January 29, 1986, for review as to form and legality. Pursuant to part 2000.0700, the Attorney General will not approve the rules for at least ten (10) calendar days after receipt to allow any person or association time to comment on the legality of the rules, after which that Office will complete its review. If you desire to comment on the legality of the above-captioned rules, you should direct your comments to the Office of the Attorney General, G-25 State Administration Building, 50 Sherburne Avenue, Saint Paul, Minnesota 55155, telephone (612) 296-7030. Please note that the above-cited rule of the Attorney General also provides that a copy of any written comments submitted to the Attorney General must be submitted simultaneously to this agency.

If you are interested in determining what changes, if any, were made in the proposed rules after publication in the State Register and before submission to the Attorney General, you may contact Debra J. Kultala, Financial Management Division, Department of Energy and Economic Development, 900 American Center Building, 150 East Kellogg Boulevard, St. Paul, Minnesota 55101, Telephone 612/296-4337.

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SF-00096-03

STATE OF MINNESOTA

DEPARTMENT ATTORNEY GENERAL - Bremer Tower **Office Memorandum**

TO: JUDITH WEHRWEIN, Legal Assistant
Attorney General's Office - Admin. Division
204 Administration Building

DATE:

FROM: CHRISTIE B. ELLER CBE
Special Assistant Attorney General

PHONE: 6-9200

SUBJECT: In the Matter of the Proposed Adoption of the Rules of the Minnesota Energy and Economic Development Authority Relating to the Qualified Economic Diversification Program

The Minnesota Energy and Economic Development Authority (the Authority), is authorized to adopt rules for its programs under Minn. Stat. § 116M.08, subd. 4 (1984). The authority in Minn. Stat. § 116M.08, subd. 4 to promulgate emergency rules expired on June 30, 1985. However, last session the Legislature in Minn. Laws Ex. Sess. ch. 14, art. 8, § 62 authorized the Authority to adopt emergency rules for the special assistance for economic diversification projects authorized under Minn. Stat. § 116M.07, subd. 11 (1985 Supp.) The Authority is an agency which is authorized to issue bonds to obtain funds to implement its programs, including specifically, bonds for the special assistance program under Minn. Stat. § 116M.07, subd. 11. Thus, under Minn. Stat. § 14.29, subd. 3 (1984), the Authority may continue to adopt emergency rules governing its programs without regard to the 180-day limit for emergency rules in Minn. Stat. § 14.29, subd. 2 (1984).

As background, the Authority originally published proposed emergency rules with respect to the economic diversification program on September 30, 1985 at 10 State Register 721. The Authority received five written comments with respect to the rules. On November 20, 1985, the authority determined to withdraw the rules and republish the rules because the Authority felt that changes they wished to make in the rules as a result of the comment would be substantial changes. On December 16, 1985 the Authority published a notice of withdrawal of the proposed rules which were originally published on September 30, 1985. The Notice of Withdrawal was published in 10 State register 1335. Also on December 16, 1985 the Authority published the Notice of Intent to adopt the emergency rules in the form submitted along with this memorandum. That notice was published at 10 State Register 1331.

Enclosed please find the following rulemaking documents relating to the above-entitled rules.

- Certificate of Authority's Authorizing Resolution
- Order for Publication
- Copy of Proposed Rule
- Notice of Adoption of the Proposed Rule
- Affidavit of Mailing Notice of Proposed Adoption
- Mailing List Certificate
- Copy of State Register
- Four copies of Rule as Adopted
- Certificate of Authority's Resolution Adopting the Rule
- Two copies of Findings of Fact, Conclusions and Order
- Certificate of Compliance with Rulemaking Procedures
- Notice of Intent to Solicit Outside Opinion
- Written Comments

CBE:bl

Enclosures