

**3321.0700 BUSINESS ENTERPRISE EQUIPMENT AND INITIAL STOCKS; OWNERSHIP.**

Subpart 1. **Ownership of equipment.** The right to, title to, and interest in the business enterprise equipment used in the program is vested in the state of Minnesota. No fixtures or equipment may be added, altered, or removed from the business enterprise except at the direction of the state licensing agency. The licensed blind vendor must exercise all possible care in the use of fixtures and equipment, and must not make any alterations, changes, or additions.

Subp. 1a. **Ownership of merchandise and supplies.**

A. Licensed blind vendors must acquire ownership of merchandise and supplies through reimbursing the state licensing agency for such expenditures by monthly payments extended over a three-year period. Upon approval of the state licensing agency, additional time may be granted in hardship cases, the purpose of which is to ensure that no individual be denied the opportunity to become a licensed blind vendor because of the licensed blind vendor's inability to purchase the initial merchandise and supplies.

B. Upon termination of a licensed blind vendor's license or when a licensed blind vendor withdraws from a specific business enterprise location, the state licensing agency must purchase for the new licensed blind vendor, at cost, salable merchandise and, at an amortized price, supplies remaining in the business enterprise, assuming there is no amount owing in the departing licensed blind vendor's accounts with the state licensing agency or other outstanding financial obligations that result from a signed agreement between the state licensing agency and a location on the licensed blind vendor's behalf authorizing the placement of the vending facility or vending machines.

C. If a licensed blind vendor under contract dies, the state licensing agency must immediately take an inventory at the business enterprise. If possible, the state licensing agency must conduct this inventory with a member of the licensed blind vendor's family or a representative of the licensed blind vendor's estate. The state licensing agency must then prepare a summary accounting of the deceased licensed blind vendor's accounts with the state licensing agency. If the balance is in favor of the state licensing agency, the estate must pay that balance. If the balance is in favor of the deceased licensed blind vendor, the state licensing agency must pay the balance to the estate. The warrant must be made payable to the "Estate of [licensed blind vendor's name]."

D. A licensed blind vendor who begins to operate a business enterprise location shall determine what merchandise or supplies the licensed blind vendor will purchase from the departing licensed blind vendor. In the case of a licensed blind vendor disagreement over the purchase of supplies or merchandise, the departing licensed blind vendor may request that the state licensing agency intervene and make a final decision. The departing licensed

blind vendor is responsible for disposing of all the merchandise or supply inventory not purchased by the new licensed blind vendor.

Subp. 2. [Repealed, 37 SR 939]

**Statutory Authority:** *MS s 248.07*

**History:** *L 1985 1Sp14 art 9 s 12; 15 SR 692; 37 SR 939*

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