

4301.0700 CERTIFICATION AND DISBURSEMENT.

Subpart 1. **Certification.** Except in the case of retention projects in subpart 2, a business is eligible for certification by the commissioner to receive benefits upon providing verification that the business has met the requirements of Minnesota Statutes, section 116J.8748, subdivision 4, paragraph (d). Once the capital investment and job creation requirements have been met, annual recertification is required to ensure that job creation or retention requirements are met.

Subp. 2. **Retained jobs projects.** If the project is a retained jobs project, a business may be certified by the commissioner to receive benefits upon receiving verification that the business has:

A. spent at least \$25,000,000 in capital investment, including the purchase and installation of machinery and equipment; and

B. retained at least 200 employees if the project is in the metropolitan area, or retained at least 75 employees if the project is outside the metropolitan area.

If fewer retained jobs are maintained, the benefit must be reduced according to Minnesota Statutes, section 116J.8748, subdivision 4, paragraph (d).

Subp. 3. **Capital investment rebate.** A certified job creation fund business is eligible for a rebate on the qualifying expenditures as described in Minnesota Statutes, section 116J.8748, subdivision 5. Each expenditure made by the job creation fund business submitted for a capital investment rebate is eligible for one rebate. Expenditures may be submitted over the life of the agreement as long as the maximum rebate allocated to a job creation fund business is not exceeded.

Subp. 4. **Job creation award.** A job creation fund business is eligible for an annual award for each new full-time job created and maintained for at least one year by the business using the schedule in Minnesota Statutes, section 116J.8748, subdivision 6. Each job is eligible for an award every year during the agreement as long as the maximum award allocated to a job creation fund business is not exceeded.

Subp. 5. **Wages.** To meet eligibility for any benefits under the job creation fund program, the business must also, at a minimum, provide total compensation according to Minnesota Statutes, section 116J.8748, subdivision 4, paragraph (f), and wage requirements must be adjusted annually as provided in Minnesota Statutes, section 116J.8748, subdivision 6, paragraph (b).

Subp. 6. **Request for disbursement.** A business may request disbursement of benefits under subparts 3 and 4 at any time, but no sooner than one year after the date the commissioner designates the business and all agreement conditions for that time period are met. Job creation fund businesses seeking a disbursement must submit invoices, payroll reports, and other forms and documentation to the commissioner. The forms must include

documentation and certification by the business that it is in compliance with the agreement, Minnesota Statutes, sections 116J.871 and 116L.66. Subsequent requests must be made annually on the anniversary of the first request. The submitted forms and documentation serve the purposes of the annual report required in part 4301.0800, subpart 2. A request for disbursement must be made within 90 days following the end of the agreement.

Subp. 7. **Removal from program.** Upon request from the job creation fund business, the commissioner must remove the requesting business from the program prior to the end of the contract period without penalty.

Statutory Authority: *MS s 116J.8748*

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