

**4301.0200 DEFINITIONS.**

Subpart 1. **Scope.** For the purpose of this chapter, the terms defined in this part have the meanings given them.

Subp. 2. **Agreement or business subsidy agreement.** "Agreement" or "business subsidy agreement" has the meaning given in Minnesota Statutes, section 116J.8748, subdivision 1, paragraph (b).

Subp. 3. **Application.** "Application" means a submittal requesting designation as a job creation fund business.

Subp. 4. **Benefit date.** "Benefit date" means the date a business is designated by the commissioner as a job creation fund business.

Subp. 5. **Benefits.** "Benefits" means a job creation award or capital investment rebate.

Subp. 6. **Capital investment.** "Capital investment" has the meaning given in Minnesota Statutes, section 116J.8748, subdivision 1, paragraph (d). Capital investment does not include costs associated with acquiring real property but does include expenditures made by a third-party business only if expenditures are reimbursed directly by the designated job creation fund business.

Subp. 7. **Commissioner.** "Commissioner" means the commissioner of the Department of Employment and Economic Development.

Subp. 8. **Department.** "Department" means the Minnesota Department of Employment and Economic Development.

Subp. 9. **General purpose local government or local government.** "General purpose local government" or "local government" means a statutory city, home rule charter city, town, or county.

Subp. 10. **Job creation fund business.** "Job creation fund business" means a business that is designated by the commissioner to receive benefits under the job creation fund program upon achieving job creation, retention, and capital investment goals as specified in the business subsidy agreement.

Subp. 11. **Metropolitan area.** "Metropolitan area" means the area defined in Minnesota Statutes, section 200.02, subdivision 24.

Subp. 12. **New full-time employee.**

A. "New full-time employee" has the meaning given in Minnesota Statutes, section 116J.8748, subdivision 1, paragraph (h).

B. In the case of employee turnover or voluntary leave, a full-time employee position must not be vacant for more than 90 consecutive days to be considered a new full-time employee and counted toward the full-time job creation goal.

C. New full-time employees include employees who were working 1,040 or fewer hours annually for the business prior to employment as a full-time employee.

Subp. 13. **Project.** "Project" is the location where the business will be making capital investment and hiring or retaining employees, and is the subject of the agreement.

Subp. 14. **Qualifying expenditures.** "Qualifying expenditures" means capital investment expenditures that are paid for with nongovernmental funds and are made after a business becomes designated as a job creation fund business.

Subp. 15. **Retained job.** "Retained job" has the meaning given in Minnesota Statutes, section 116J.8748, subdivision 1, paragraph (j). If the workers formerly working at another Minnesota facility will be located in a new facility, the workers at the former facility must be counted as retained. To determine the number of retained jobs, the commissioner shall use the employment period at the time of application and during the previous 12 months.

Subp. 16. **Wages.** "Wages" has the meaning given in Minnesota Statutes, section 290.92, subdivision 1, clause (1).

**Statutory Authority:** *MS s 116J.8748*

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