

9210.0180 GRANT AGREEMENT.

Subpart 1. **Requirements.** A grant agreement shall:

A. include as attachments the resolutions required under Minnesota Statutes, section 115A.54, subdivision 3;

B. incorporate by reference the final grant application submitted to the commissioner under part 9210.0120;

C. allow the recipient to enter into contracts to complete the work specified in the agreement subject to any approval by the commissioner that may be required in the agreement;

D. provide that any cost overruns incurred in the development of the proposed facility shall be the sole responsibility of the recipient;

E. provide that the commissioner will not accept amendments requesting that additional funds be awarded to the recipient;

F. require that the recipient provide periodic written reports to the commissioner on the developmental and operational history of the project so that knowledge and experience gained from the project may be made available to other communities in the state;

G. require total repayment of the grant if the facility is sold to a private enterprise within three years of the effective date of the grant agreement. Beginning on the third anniversary of the grant, the amount of the grant that must be repaid shall be reduced ten percent each year. The sales agreement between the recipient and the private enterprise shall transfer the responsibilities in subpart 1, item F to the private enterprise; and

H. require that the facility may only be sold to a private enterprise in accordance with the constitution of the state of Minnesota and any applicable Minnesota statutes and rules.

Subp. 2. **Rescission of grant.** If a project is not completed and operational according to the terms and conditions of the grant agreement, including time schedules, the grant shall be rescinded, and the entire amount of the grant shall be repaid unless the commissioner determines that an amendment to the grant agreement is justified. The commissioner shall agree to an amendment if it will allow the original objectives of the project to be accomplished.

Subp. 3. **Disbursement.** The commissioner shall disburse grants according to the payment schedule in the grant agreement.

Statutory Authority: *MS s 115A.06; 115A.49 to 115A.54*

History: *11 SR 432; 12 SR 847; 15 SR 839; L 2005 1Sp1 art 2 s 161*

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