

Section 1. Minnesota Statutes 2004, section 161.115, subdivision 74, is amended to read:

Subd. 74. **ROUTE NO. 143.** Beginning at a point on Route No. ~~49~~ 210 westerly of Penneek Sunburg, thence extending in a northerly direction to a point at or near Terrace, thence continuing in a northerly direction to a point on Route No. 142 as herein established.

EFFECTIVE DATE. This section is effective the day following final enactment.

Presented to the governor March 3, 2005

Signed by the governor March 7, 2005, 10:35 a.m.

CHAPTER 7—S.F.No. 234

An act relating to highways; providing for turnback of highway to Becker County.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **REPEALER; LEGISLATIVE ROUTE NO. 224 REMOVED; EFFECTIVE DATE; REVISOR INSTRUCTION.**

(a) Minnesota Statutes 2004, section 161.115, subdivision 155, is repealed effective the day after the commissioner of transportation issues a notice of transfer transferring jurisdiction of Legislative Route No. 224 to Becker County and notifies the revisor of statutes under paragraph (b).

(b) The revisor of statutes shall delete the route identified in paragraph (a) from Minnesota Statutes when the commissioner of transportation sends notice to the revisor in writing informing the revisor of the effective date and that the conditions required to transfer the route are satisfied.

Presented to the governor March 3, 2005

Signed by the governor March 7, 2005, 10:33 a.m.

CHAPTER 8—H.F.No. 248

An act relating to education finance; modifying a school district's percentage of students attending nonpublic school necessary to qualify for an exemption; creating a process to resolve a tuition obligation; converting referendum revenue authority for Common School District No. 815, Prinsburg; authorizing the school district to recertify its school levy for taxes payable in 2005; amending Minnesota Statutes 2004, section 123A.70.

New language is indicated by underline, deletions by ~~strikeout~~.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2004, section 123A.70, is amended to read:

123A.70 PRIVATE SCHOOLS; PRINSBURG.

Sections 123A.64 to 123A.68 shall not apply to any common school district in which is located any existing private school maintaining elementary and secondary education for 75 50 percent of the eligible pupils within the district and complying with the requirements of section 120A.22.

EFFECTIVE DATE. This section is effective July 1, 2005.

Sec. 2. AMOUNT OF OBLIGATION.

The board of Common School District No. 815, Prinsburg, must make tuition payments to Independent School District No. 2180, MACCRAY, in the total amount of \$282,000. The payments must be made in six equal payments on June 30 and December 30 of each year beginning with a payment on June 30, 2005.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 3. CONVERSION OF REFERENDUM REVENUE AUTHORITY TO SPECIAL LEVY AUTHORITY.

Subdivision 1. CONVERSION OF QUESTION 1 REFERENDUM LEVY AUTHORITY TO SPECIAL LEVY AUTHORITY. Notwithstanding any law to the contrary, Common School District No. 815, Prinsburg, may convert the levy authority approved during the November 2004 general election as school district ballot question 1 from referendum revenue authority to special levy authority. This levy authority must be used for payments of outstanding tuition amounts to Independent School District No. 2180, MACCRAY. The maximum levy authority annually shall be converted from the amount described as a dollar allowance per resident marginal cost pupil unit to a fixed dollar amount for each of the three years as specified by the board of Common School District No. 815, Prinsburg. These amounts may be levied for taxes payable in 2005, 2006, and 2007 only. Seventy percent of the amount certified in each year must be spread on tax capacity and the remaining 30 percent of the levy must be spread on the referendum market value of the school district. This levy is not subject to the property tax recognition shift under Minnesota Statutes, sections 123B.75, subdivision 5, and 127A.441.

Subd. 2. CONVERSION OF QUESTION 2 TO SPECIAL LEVY AUTHORITY FOR FOUR YEARS. Notwithstanding any law to the contrary, Common School District No. 815, Prinsburg, may convert the levy authority approved during the November 2004 general election as school district ballot question 2 from referendum revenue authority to special levy. The maximum levy authority under this question is the annual amount specified by the board of Common School District No. 815, Prinsburg, as the amount necessary to eliminate the district's operating deficit. Seventy percent of the amount certified in each year must be spread on tax capacity and the remaining 30 percent of the levy must be spread on the referendum market value of the school district. This levy is not subject to the property tax recognition shift under

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Minnesota Statutes, sections 123B.75, subdivision 5, and 127A.441.

Subd. 3. **SPECIAL OPERATING LEVY AUTHORITY.** Common School District No. 815, Prinsburg, may hold an election once every four years on the first Tuesday after the first Monday in November, beginning with the November 2008 general election to approve an additional special operating levy for another four years. The ballot must state that the board of the district desires to levy the amounts necessary to eliminate any operating deficit for the following four years. The election must follow the notice and procedural provisions described under Minnesota Statutes, section 126C.17. Seventy percent of the amount certified in each year must be spread on tax capacity and the remaining 30 percent of the levy must be spread on the referendum market value of the school district. This levy is not subject to the property tax recognition shift under Minnesota Statutes, sections 123B.75, subdivision 5, and 127A.441.

Subd. 4. **SCHOOL BOARD RESOLUTION.** The board of Common School District No. 815, Prinsburg, may adopt a written resolution converting referendum revenue authority to special levy authority. The resolution must state the district's desire to convert its referendum revenue authority approved at the November 2004 general election into special levy authority and specify the amounts of the special levy authority. The district must also notify the Department of Education by July 1 of each year of the amount it intends to levy for that year.

EFFECTIVE DATE. This section is effective the day following final enactment and applies for taxes payable in 2005.

Sec. 4. **RECERTIFICATION OF 2005 SCHOOL DISTRICT LEVY.**

Subdivision 1. **ELIGIBILITY.** Common School District No. 815, Prinsburg, may recertify its 2004 levy for taxes payable in 2005 if:

(1) the district is in statutory operating debt according to Minnesota Statutes, section 123B.81;

(2) the district conducted a successful referendum at the November 2004 election;
and

(3) the board of the district has adopted a resolution as required by section 3, subdivision 4.

Subd. 2. **RECERTIFICATION PROCESS.** Notwithstanding any law to the contrary, Common School District No. 815, Prinsburg, may recertify its 2004 levy for taxes payable in 2005 in the following manner:

(1) within five days after the effective date of this section, the board must notify the Department of Education that it has adopted the resolution according to section 3, subdivision 4;

(2) within five days after receiving the notice from the district, the Department of Education must recompute the district's 2004 payable in 2005 levy limitation and report these amounts to the school district and the county auditor; and

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(3) within five days after receiving the notice from the Department of Education, the school district must certify the added levy amount to the county auditor. The county auditor must add these amounts to the 2004 levy for taxes payable in 2005 previously certified by the school district.

EFFECTIVE DATE. This section is effective the day following final enactment and applies for taxes payable in 2005.

Presented to the governor March 4, 2005

Signed by the governor March 7, 2005, 10:33 a.m.

CHAPTER 9—H.F.No. 871

An act relating to state government; authorizing participation of day training and habilitation services providers in state cooperative purchasing agreements; including certain rehabilitation facilities, extended employment providers, and day training and habilitation services providers in the state agency acquisition process; amending Minnesota Statutes 2004, sections 16C.10, subdivision 5; 471.59, subdivision 1.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2004, section 16C.10, subdivision 5, is amended to read:

Subd. 5. **SPECIFIC PURCHASES.** The solicitation process described in this chapter is not required for acquisition of the following:

- (1) merchandise for resale purchased under policies determined by the commissioner;
- (2) farm and garden products which, as determined by the commissioner, may be purchased at the prevailing market price on the date of sale;
- (3) goods and services from the Minnesota correctional facilities;
- (4) goods and services from rehabilitation facilities and extended employment providers that are certified by the commissioner of employment and economic development, and day training and habilitation services licensed under sections 245B.01 to 245B.08;
- (5) goods and services for use by a community-based facility operated by the commissioner of human services;
- (6) goods purchased at auction or when submitting a sealed bid at auction provided that before authorizing such an action, the commissioner consult with the requesting agency to determine a fair and reasonable value for the goods considering factors including, but not limited to, costs associated with submitting a bid, travel,

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