A bill for an act
relating to state government; providing for continuing appropriations in the event
all or a portion of the state operating budget is not enacted prior to the start of a
fiscal biennium; appropriating money; proposing coding for new law in Minnesota
Statutes, chapter 16A.

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

Section 1. [16A.117] CONTINUING APPROPRIATIONS.

Subdivision 1. Appropriations reauthorized for one year. (a) If operating money for
the judiciary, a constitutional office, an executive agency, or the legislature is not appropriated
before July 1 of an odd-numbered year, appropriations for that entity for the fiscal year
ending that June 30 are reauthorized at 90 percent of the base level for the new fiscal year
beginning July 1.

(b) Each month, the commissioner must allocate to the judiciary, constitutional office,
executive agency, or legislature no more than 90 percent of the fractional share of the
recipient's base level appropriation.

(c) The amounts required to implement this section are appropriated from the same funds
and accounts as in the fiscal year ending that June 30.

(d) For purposes of this section, "base level" means the amount appropriated for the
fiscal year ending June 30 of that calendar year, except as otherwise provided by subdivisions
2 and 3 or by other law.

Subd. 2. Exceptions and adjustments. (a) The commissioner must adjust an
appropriation reauthorized under subdivision 1 according to paragraphs (b) to (e) or as
required by other law. Except as provided under paragraph (b), adjusted appropriation
amounts must not exceed 90 percent of the base level.

(b) In order to fully satisfy fiscal obligations under current law, the commissioner must
adjust the appropriation for each forecasted program according to the forecast adjusted base
spending level estimated by the commissioner in the preceding budget forecast and the 90
percent limitation under subdivision 1 does not apply.

(c) An appropriation for the fiscal year ending June 30 of the odd-numbered year is not
reauthorized under this section if the legislature specifically designated the appropriation
as a onetime appropriation, if the commissioner determines that the legislature clearly
intended the appropriation to be onetime, or if the program or activity for which the
appropriation was made expires on or before July 1.

(d) If an appropriation is reauthorized under this section, but a program or activity that
is the subject of the appropriation is scheduled to expire during a fiscal year, the
commissioner must prorate the appropriation consistent with the expiration date.

(e) The commissioner may make technical adjustments to the amount of an appropriation
to the extent the commissioner determines the adjustments are needed to accurately reflect
the amount that constitutes the annual base level of the appropriation. The commissioner
may make an adjustment under this paragraph only if one or more of the following conditions
is met:

(1) the legislature previously appropriated money for a biennium, with the entire
appropriation allocated to one year of the biennium, and the commissioner determines an
adjustment is necessary to accurately reflect the amount of annual funding;

(2) laws or policies under which revenues and expenditures are accounted for have
changed to eliminate or consolidate certain funds or accounts or to create new funds or
accounts, and adjustments are necessary to implement these changes; or

(3) duties have been transferred between programs or agencies and adjustments are
necessary to reflect these transfers.

(f) The commissioner must give prompt written notice of any adjustments made under
this subdivision to the chairs and ranking minority members of the senate Committee on
Finance and house of representatives Committee on Ways and Means.

Subd. 3. Statutory appropriations. All statutory appropriations from the general fund
or another fund in the state treasury continue as required under current law and are not
limited by this section.