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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 20

01/08/2015 Authored by Kahn, Freiberg, Erhardt and Newton

The bill was read for the first time and referred to the Committee on Government Operations and Elections Policy

1.1 A bill for an act
1.2 relating to state government; providing that certain appropriations continue in
1.3 effect with certain exceptions and adjustments; proposing coding for new law
1.4 in Minnesota Statutes, chapter 16A.

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

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

1.7 Subdivision 1. Appropriations continue for one year. If a major appropriation bill
1.8 is not enacted before July 1 of an odd-numbered year, the existing appropriation amounts
1.9 pertaining to that bill for the fiscal year ending that June 30 are appropriated at the base
1.10 level for the fiscal year beginning July 1 of that odd-numbered year. The base level
1.11 is the amount appropriated for the fiscal year ending that June 30, except as otherwise
1.12 provided by subdivision 2 or other law. The amounts needed to implement this section
1.13 are appropriated from each fund covered by this section.

1.14 Subd. 2. Exceptions and adjustments. (a) The commissioner must adjust or
1.15 eliminate an appropriation created under subdivision 1 as required by other law and
1.16 according to paragraphs (b) to (e).

1.17 (b) In order to meet the fiscal obligations required under current law, the
1.18 commissioner must adjust the appropriation for each forecasted program according to the
1.19 forecast adjusted base spending level estimated by the commissioner in the preceding
1.20 February forecast.

1.21 (c) An appropriation for the fiscal year ending June 30 of the odd-numbered year
1.22 shall not be appropriated again under this section for the fiscal year starting on July 1 if:
1.23 (1) the legislature specifically designated the appropriation as a onetime appropriation;
1.24 (2) the commissioner determines that the legislature clearly intended the appropriation

2.1 to be onetime; or (3) the program for which the appropriation was made expires on or
2.2 before July 1.

2.3 (d) If an appropriation is created under subdivision 1, but the program or activity
2.4 that is the subject of the appropriation is scheduled to expire during a fiscal year, the
2.5 commissioner must prorate the appropriation consistent with the expiration date.

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

2.11 (1) the legislature previously appropriated money for a biennium, with the entire
2.12 appropriation being allocated to one year of the biennium, and the commissioner
2.13 determines an adjustment is necessary to accurately reflect the annual amount needed to
2.14 maintain program operations at the same level;

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

2.18 (3) duties have been transferred between agency programs, or between agencies, and
2.19 adjustments in appropriations are necessary to reflect these transfers; or

2.20 (4) a program, or changes to a program, are not fully operational in one fiscal year,
2.21 but will be fully operational in the following year, and an adjustment to the appropriation
2.22 is needed to accurately reflect the annual cost of the new or changed program.

2.23 (f) The commissioner must give the chairs and ranking minority members of the
2.24 senate finance and house of representatives ways and means committees written notice of
2.25 any adjustments made under this subdivision.

2.26 Subd. 3. **Statutory appropriations.** All statutory appropriations from the general
2.27 fund or another fund in the state treasury continue as required under current law and
2.28 are not limited by subdivision 1.

2.29 **EFFECTIVE DATE.** This section is effective July 1, 2015.