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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. 2904

03/15/2012 Authored by Loeffler

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

1.1 A bill for an act
1.2 relating to finance; requiring the appointment of at least one member of the
1.3 minority party in the house of representatives and the senate to any conference
1.4 committee appointed to resolve differences in a major appropriation bill;
1.5 suspending compensation of legislators until certain major budget bills have
1.6 been enacted; requiring legislators and the governor to mediate their differences
1.7 after adjournment of the annual legislative session in an odd-numbered year if
1.8 the governor vetoes a major appropriation bill; proposing coding for new law in
1.9 Minnesota Statutes, chapters 3; 16A.

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

1.11 Section 1. **CITATION.**

1.12 Sections 1 to 4 may be cited as the "Anti-Shutdown Act."

1.13 Sec. 2. **[3.058] FINANCE LEGISLATION; CONFERENCE COMMITTEE**
1.14 **REQUIREMENT.**

1.15 Each body of the legislature must appoint at least one member of its minority caucus
1.16 to each conference committee appointed to resolve disagreements concerning a major
1.17 appropriation bill. This section remains applicable when no member of the minority
1.18 caucus has voted for a major appropriation bill. For the purposes of this section, "minority
1.19 caucus" means the caucus that is the second-largest political affiliation in the respective
1.20 body of the legislature.

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

1.22 Sec. 3. **[3.0985] COMPENSATION SUSPENDED UNTIL MAJOR BUDGET**
1.23 **BILL ENACTED.**

Subdivision 1. **Suspension.** Notwithstanding sections 3.099 and 3.101, and except as provided in subdivision 2, members of the legislature may not receive salary after the end of the fiscal year following the deadline for annual adjournment in an odd-numbered year unless the legislature has passed and the governor has signed all of the bills designated as major appropriation and revenue bills by law, or by rules of both the house of representatives and the senate.

Subd. 2. **Exception.** This section does not apply to the payment of the amount of salary equivalent to the employee contribution for state-paid health and dental insurance for legislative members.

Sec. 4. **[16A.117] MEDIATION REQUIRED FOR CERTAIN VETOED APPROPRIATION BILLS AFTER ADJOURNMENT.**

(a) If a major appropriation bill to fund a given state agency for the next biennium has been passed by the legislature before the constitutional deadline for annual adjournment of the legislative session in an odd-numbered year and subsequently vetoed by the governor, the governor and the legislature must seek to resolve the disagreements concerning the bill through mediation after the legislature has adjourned the regular legislative session for that year, as provided in this section.

(b) After a bill subject to this section is vetoed, the chief justice of the Supreme Court must name a mediator within three days after the date of adjournment of the annual legislative session during which the bill was vetoed, or within three days following the date the bill is vetoed, whichever is later. The mediator named under this section must be a retired judge of the appellate or district courts of this state who has not served in a party designated or party-endorsed position, such as legislator. The parties to the mediation shall include:

(1) the governor;
(2) two members of the senate designated by the majority leader in the senate;
(3) two members of the senate designated by the minority leader in the senate;
(4) two members of the house of representatives designated by the speaker of the house; and

(5) two members of the house of representatives designated by the minority leader in the house of representatives.

(c) The parties to the mediation shall meet with the designated mediator within two days after the mediator has been named and shall attempt to resolve the differences related to the major appropriation bill that is the subject of this section at that meeting through mediation. The parties must complete the mediation no later than ten days before the end

3.1 of the fiscal year when the bill was vetoed. The senate and the house of representatives
3.2 shall share the cost of the mediation.

3.3 (d) This section does not apply to a major appropriation bill:

3.4 (1) if a subsequent major appropriation bill to fund each state agency funded within
3.5 the bill subject to this section is enacted before any of the deadlines provided in this
3.6 section; or

3.7 (2) during a special session of the legislature.