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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. **1863**

02/28/2019 Authored by Lillie, Freiberg, Nelson, Considine, Brand and others  
The bill was read for the first time and referred to the Committee on Government Operations  
03/11/2019 Adoption of Report: Amended and re-referred to the Committee on Ways and Means

1.1 A bill for an act  
1.2 relating to state government; appropriating money for state employee salaries in  
1.3 the event of nonappropriation; proposing coding for new law in Minnesota Statutes,  
1.4 chapter 16A.

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

1.6 Section 1. **[16A.1335] APPROPRIATIONS FOR STATE EMPLOYEE SALARIES**  
1.7 **AND BENEFITS IN EVENT OF NONAPPROPRIATION.**

1.8 Subdivision 1. **Appropriation; agencies.** If, by July 1 of an odd-numbered year,  
1.9 legislation has not been enacted to appropriate money for the biennium beginning on that  
1.10 July 1 to an agency for regular operations, the amount necessary to pay salaries and  
1.11 employment benefits for the agency's employees for one fiscal year is appropriated annually  
1.12 beginning on that July 1 to the agency. The appropriation is to be made from the fund from  
1.13 which an appropriation was made in the second year of the biennium ending June 30 of the  
1.14 same year for salary and employment benefits paid to the agency's employees.

1.15 Subd. 2. **Appropriation; legislature.** If, by July 1 of an odd-numbered year, legislation  
1.16 has not been enacted to appropriate money for the biennium beginning on that July 1 to the  
1.17 house of representatives, the senate, and the Legislative Coordinating Commission for the  
1.18 joint offices and commissions of the legislature for regular operations, the amounts necessary  
1.19 to pay salaries and employment benefits for employees are appropriated on that July 1 to  
1.20 the house of representatives, the senate, and the Legislative Coordinating Commission for  
1.21 salary and benefits for each entity's respective employees in an amount certified under  
1.22 subdivision 4. The appropriation is to be made from the fund from which an appropriation

2.1 was made in the preceding biennium for salary and employment benefits paid to each  
2.2 employee.

2.3 Subd. 3. **Appropriation; judicial branch.** If, by July 1 of an odd-numbered year,  
2.4 legislation has not been enacted to appropriate money for the biennium beginning on that  
2.5 July 1 to the courts or a judicial branch agency for regular operations, amounts necessary  
2.6 up to the cap determined in subdivision 6 to pay salaries and employment benefits for  
2.7 employees are appropriated on that July 1 to each court and judicial branch agency, for  
2.8 salary and benefits for its respective employees in an amount certified under subdivision 4.  
2.9 The appropriation is to be made from the fund from which an appropriation was made in  
2.10 the preceding biennium for salary and employment benefits paid to each employee.

2.11 Subd. 4. **Certification of amount for employees in the legislative and judicial**  
2.12 **branches.** By June 25 of an odd-numbered year preceding the start of a biennium for which  
2.13 legislation has not been enacted to appropriate money for regular operations, each legislative  
2.14 body and office, and the chief clerk of the supreme court, shall certify to the commissioner  
2.15 of management and budget the amount needed for salaries and benefits for each fiscal year  
2.16 of the biennium, and the commissioner of management and budget shall make the certified  
2.17 amount available on July 1 or on a schedule that permits the agency, joint offices of the  
2.18 legislature, or the courts, to meet all salary and benefit obligations in a timely manner.

2.19 Subd. 5. **Later appropriation.** Any subsequent appropriation to the state agencies, the  
2.20 legislature or its joint offices, and the courts, for regular operations for a biennium in which  
2.21 this section has been applied shall supersede and replace the funding authorized in this  
2.22 section.

2.23 Subd. 6. **Cap.** The amounts appropriated in subdivisions 1, 2, and 3, may not exceed  
2.24 the base level for the second year of the biennium ending on June 30 of the same year to  
2.25 each respective recipient under an appropriation in this section.