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### Overview

This bill would appropriate money to the judiciary, a constitutional office, the legislature, or an executive agency if the legislature fails to reauthorize operating money for the entity or the funding is vetoed by the governor. Funding would be limited to 90 percent of the base level, with certain exceptions.

In 2005 and 2011, when the new fiscal biennium began on July 1, laws necessary to fund a significant portion of state government had not yet been enacted. Upon petition by the attorney general, the Ramsey County District Court ordered state officials to release funding from the treasury sufficient to temporarily continue certain critical functions. With the Minnesota Supreme Court's 2017 ruling in *90<sup>th</sup> Minnesota State Senate, et al. v. Dayton et al.*, it is not clear whether the courts will order funding for critical activities in the event of a future shutdown.

#### Section

##### **1 Continuing appropriations.**

**Subd. 1. Appropriations reauthorized for one year.** Appropriates money to the judiciary, a constitutional office, an executive agency, or the legislature if operating money is not otherwise appropriated by law for the first year of a fiscal biennium. Sets the funding level at 90 percent of base, except as provided in subdivision 2. Limits monthly funding to no more than the fractional share of the appropriation amount.

**Subd. 2. Exceptions and adjustments.** Establishes exceptions and authorizes certain adjustments to the 90-percent funding level established under subdivision 1. Provides that funding for forecasted, entitlement-type programs is not subject to the

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90-percent restriction. Instead, these programs would be funded at full statutory levels. Forecasted programs include debt service, general education aid to school districts, and Medical Assistance. Authorizes MMB to make certain specific, technical adjustments to the appropriation for other programs.

**Subd. 3. Statutory appropriations.** Clarifies that all other statutory appropriations from the general fund continue as required under current law and are not limited by this section.