



General Assembly

February Session, 2010

Governor's Bill No. 5017

LCO No. 396

*00396 _____ *

Referred to Committee on Appropriations

Introduced by:

REP. CAFERO, 142nd Dist.

SEN. MCKINNEY, 28th Dist.

**AN ACT CONCERNING THE GOVERNOR'S RESCISSION
AUTHORITY.**

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Section 4-85 of the 2010 supplement to the general statutes
2 is repealed and the following is substituted in lieu thereof (*Effective*
3 *from passage*):

4 (a) Before an appropriation becomes available for expenditure, each
5 budgeted agency shall submit to the Governor through the Secretary of
6 the Office of Policy and Management, not less than twenty days before
7 the beginning of the fiscal year for which such appropriation was
8 made, a requisition for the allotment of the amount estimated to be
9 necessary to carry out the purposes of such appropriation during each
10 quarter of such fiscal year. Appropriations for capital outlays may be
11 allotted in any manner the Governor deems advisable. Such requisition
12 shall contain any further information required by the Secretary of the
13 Office of Policy and Management. The Governor shall approve such
14 requisitions, subject to the provisions of subsection (b) of this section.

15 (b) Any allotment requisition and any allotment in force shall be
16 subject to the following: (1) If the Governor determines that due to a
17 change in circumstances since the budget was adopted certain
18 reductions should be made in allotment requisitions or allotments in
19 force or that estimated budget resources during the fiscal year will be
20 insufficient to finance all appropriations in full, the Governor may
21 modify such allotment requisitions or allotments in force to the extent
22 the Governor deems necessary. Before such modifications are effected
23 the Governor shall file a report with the joint standing committee
24 having cognizance of matters relating to appropriations and the
25 budgets of state agencies and the joint standing committee having
26 cognizance of matters relating to state finance, revenue and bonding
27 describing the change in circumstances which makes it necessary that
28 certain reductions should be made or the basis for his determination
29 that estimated budget resources will be insufficient to finance all
30 appropriations in full. (2) If the cumulative monthly financial
31 statement issued by the Comptroller pursuant to section 3-115 includes
32 a projected General Fund deficit greater than one per cent of the total
33 of General Fund appropriations, the Governor, [within] not later than
34 thirty days following the issuance of such statement, shall file a report
35 with [such] said joint standing committees, including a plan which [he]
36 the Governor shall implement to modify such allotments to the extent
37 necessary to prevent a deficit. No modification of an allotment
38 requisition or an allotment in force made by the Governor pursuant to
39 this [subsection] subdivision shall result in a reduction of more than
40 three per cent of the total appropriation from any fund or more than
41 five per cent of any appropriation, except such limitations shall not
42 apply in time of war, invasion or emergency caused by natural
43 disaster. (3) If the cumulative monthly financial statement issued by
44 the Comptroller pursuant to section 3-115 includes a projected General
45 Fund deficit greater than three per cent of the total of General Fund
46 appropriations, the Governor, not later than thirty days following the
47 issuance of such statement, shall file a report with said joint standing
48 committees, including a plan which the Governor shall implement to

49 modify such allotments to the extent necessary to prevent a deficit. No
50 modification of an allotment requisition or an allotment in force made
51 by the Governor pursuant to this subdivision shall result in a reduction
52 of more than six per cent of the total appropriation from any fund or
53 more than ten per cent of any appropriation, except that such
54 limitations shall not apply in time of war, invasion or emergency
55 caused by natural disaster. (4) If the cumulative monthly financial
56 statement issued by the Comptroller pursuant to section 3-115 includes
57 a projected General Fund deficit greater than five per cent of the total
58 of General Fund appropriations, the Governor, not later than thirty
59 days following the issuance of such statement, shall file a report with
60 said joint standing committees, including a plan which the Governor
61 shall implement to modify such allotments to the extent necessary to
62 prevent a deficit. No modification of an allotment requisition or an
63 allotment in force made by the Governor pursuant to this subdivision
64 shall result in a reduction of more than ten per cent of the total
65 appropriation from any fund or more than fifteen per cent of any
66 appropriation, except that such limitations shall not apply in time of
67 war, invasion or emergency caused by natural disaster.

68 (c) (1) If a plan submitted in accordance with subdivision (2) of
69 subsection (b) of this section indicates that a reduction of more than
70 three per cent of the total appropriation from any fund or more than
71 five per cent of any appropriation is required to prevent a deficit, the
72 Governor may request that the Finance Advisory Committee approve
73 any such reduction, provided any modification [which] that would
74 result in a reduction of more than five per cent of total appropriations
75 shall require the approval of the General Assembly. (2) If a plan
76 submitted in accordance with subdivision (3) of subsection (b) of this
77 section indicates that a reduction of more than six per cent of the total
78 appropriation from any fund or more than ten per cent of any
79 appropriation is required to prevent a deficit, the Governor may
80 request that the Finance Advisory Committee approve any such
81 reduction, provided any modification that would result in a reduction
82 of more than five per cent of total appropriations shall require the

83 approval of the General Assembly, and provided further that if the
84 General Assembly fails to act on any such modification by the date
85 thirty days after the date of submittal of the plan to the General
86 Assembly, such modification shall be deemed to have been approved
87 by the General Assembly. (3) If a plan submitted in accordance with
88 subdivision (4) of subsection (b) of this section indicates that a
89 reduction of more than ten per cent of the total appropriation from any
90 fund or more than fifteen per cent of any appropriation is required to
91 prevent a deficit, the Governor may request that the Finance Advisory
92 Committee approve any such reduction, provided any modification
93 that would result in a reduction of more than five per cent of total
94 appropriations shall require the approval of the General Assembly,
95 and provided further that, if the General Assembly fails to act on any
96 such modification by the date thirty days after the date of submittal of
97 the plan to the General Assembly, such modification shall be deemed
98 to have been approved by the General Assembly.

99 (d) The secretary shall submit copies of allotment requisitions thus
100 approved or modified or allotments in force thus modified, with the
101 reasons for any modifications, to the administrative heads of the
102 budgeted agencies concerned, to the Comptroller and to the joint
103 standing committee of the General Assembly having cognizance of
104 appropriations and matters relating to the budgets of state agencies,
105 through the Office of Fiscal Analysis. The Comptroller shall set up
106 such allotments on the Comptroller's books and be governed thereby
107 in the control of expenditures of budgeted agencies.

108 (e) The provisions of this section shall not be construed to authorize
109 the Governor to reduce allotment requisitions or allotments in force
110 concerning (1) aid to municipalities; or (2) any budgeted agency of the
111 legislative or judicial branch, except that the Governor may require an
112 aggregate allotment reduction of a specified amount in accordance
113 with this section for the legislative or judicial branch, which shall be
114 achieved as determined by the Joint Committee on Legislative
115 Management or the Chief Court Administrator, as appropriate. The

116 joint committee or Chief Court Administrator, as appropriate, shall
117 submit reductions to the Governor through the Secretary of the Office
118 of Policy and Management not more than fifteen days after the
119 Governor requires such reductions.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	4-85

Statement of Purpose:

To implement the Governor's budget recommendations.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]