



General Assembly

**Substitute Bill No. 5148**

February Session, 2010

\* \_\_\_\_\_HB05148GAE\_\_\_042210\_\_\_\_\_\*

**AN ACT CONCERNING FUNDING FOR THE JUDICIAL BRANCH.**

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

1 Section 1. Section 4-73 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2010*):

3 (a) Part II of the budget document shall present in detail for each  
4 fiscal year of the ensuing biennium the Governor's recommendation  
5 for appropriations to meet the expenditure needs of the state from the  
6 General Fund and from all special and agency funds classified by  
7 budgeted agencies and showing for each budgeted agency and its  
8 subdivisions: (1) A narrative summary describing the agency, the  
9 Governor's recommendations for appropriations for the agency and a  
10 list of agency programs, the actual expenditure for the last-completed  
11 fiscal year, the estimated expenditure for the current fiscal year, the  
12 amount requested by the agency and the Governor's recommendations  
13 for appropriations for each fiscal year of the ensuing biennium; and (2)  
14 a summary of permanent full-time positions by fund, setting forth the  
15 number filled and the number vacant as of the end of the last-  
16 completed fiscal year, the total number intended to be funded by  
17 appropriations without reduction for turnover for the fiscal year in  
18 progress, the total number requested and the total number  
19 recommended for each fiscal year of the biennium to which the budget  
20 relates.

21 (b) In addition, programs shall be supported by: (1) The statutory  
22 authorization for the program; (2) a statement of program objectives;  
23 (3) a description of the program, including a statement of need,  
24 eligibility requirements and any intergovernmental participation in the  
25 program; (4) a statement of performance measures by which the  
26 accomplishments toward the program objectives can be assessed,  
27 which shall include, but not be limited to, an analysis of the workload,  
28 quality or level of service and effectiveness of the program; (5)  
29 program budget data broken down by major object of expenditure,  
30 showing additional federal and private funds; (6) a summary of  
31 permanent full-time positions by fund, setting forth the number filled  
32 and the number vacant as of the end of the last-completed fiscal year,  
33 the total number intended to be funded by appropriations without  
34 reduction for turnover for the fiscal year in progress, the total number  
35 requested and the total number recommended for each fiscal year of  
36 the biennium to which the budget relates; (7) a statement of  
37 expenditures for the last-completed and current fiscal years, the  
38 agency request and the Governor's recommendation for each fiscal  
39 year of the ensuing biennium and, for any new or expanded program,  
40 estimated expenditure requirements for the fiscal year next succeeding  
41 the biennium to which the budget relates; and (8) an explanation of  
42 any significant program changes requested by the agency or  
43 recommended by the Governor.

44 (c) (1) There shall be a supporting schedule of total agency  
45 expenditures including a line-item, minor object breakdown of  
46 personal services, energy costs, contractual services and commodities  
47 and a total of state aid grants and equipment, showing the actual  
48 expenditures for the last-completed fiscal year, estimated expenditures  
49 for the current fiscal year and requested and recommended  
50 appropriations for each fiscal year of the ensuing biennium, classified  
51 by objects according to a standard plan of classification.

52 (2) In addition, the supporting schedule of agency energy costs shall  
53 be supported by a statement of the agency's plans for energy  
54 conservation in each fiscal year of the ensuing biennium, and a

55 statement of the progress the agency has made in the last-completed  
56 fiscal year concerning energy conservation.

57 (d) All federal funds expended or anticipated for any purpose shall  
58 be accounted for in the budget. The document shall set forth a listing  
59 of federal programs, showing the actual expenditures for the last-  
60 completed fiscal year, estimated expenditures for the current fiscal  
61 year and anticipated funds available for expenditure for each fiscal  
62 year of the ensuing biennium. Such federal funds shall be classified by  
63 program in each budgeted agency but shall not include research grants  
64 made to educational institutions.

65 (e) Part II of the budget document shall also set forth the budget  
66 recommendations for the capital program, to be supported by  
67 statements listing the agency's requests and the Governor's  
68 recommendations with the statements required by section 4-78.

69 (f) The appropriations recommended for the legislative branch of  
70 the state government shall be the estimates of expenditure  
71 requirements transmitted to the Secretary of the Office of Policy and  
72 Management by the Joint Committee on Legislative Management  
73 pursuant to section 4-77 and the recommended adjustments and  
74 revisions of such estimates shall be the recommended adjustments and  
75 revisions, if any, transmitted by said committee pursuant to said  
76 section 4-77.

77 (g) The appropriations recommended for the judicial branch of the  
78 state government shall be the estimates of expenditure requirements  
79 transmitted to the Secretary of the Office of Policy and Management by  
80 the Chief Court Administrator pursuant to section 4-77 and the  
81 recommended adjustments and revisions of such estimates shall be the  
82 recommended adjustments and revisions, if any, transmitted by said  
83 administrator pursuant to said section 4-77.

84 Sec. 2. Section 4-85 of the 2010 supplement to the general statutes is  
85 repealed and the following is substituted in lieu thereof (*Effective July*  
86 *1, 2010*):

87 (a) Before an appropriation becomes available for expenditure, each  
88 budgeted agency shall submit to the Governor through the Secretary of  
89 the Office of Policy and Management, not less than twenty days before  
90 the beginning of the fiscal year for which such appropriation was  
91 made, a requisition for the allotment of the amount estimated to be  
92 necessary to carry out the purposes of such appropriation during each  
93 quarter of such fiscal year. The initial allotment requisition for each  
94 line item appropriated to the Judicial Branch for any fiscal year shall be  
95 equal to the amount appropriated to such line item for the fiscal year.  
96 Appropriations for capital outlays may be allotted in any manner the  
97 Governor deems advisable. Such requisition shall contain any further  
98 information required by the Secretary of the Office of Policy and  
99 Management. The Governor shall approve such requisitions, subject to  
100 the provisions of subsection (b) of this section.

101 (b) Any allotment requisition and any allotment in force shall be  
102 subject to the following: (1) If the Governor determines that due to a  
103 change in circumstances since the budget was adopted certain  
104 reductions should be made in allotment requisitions or allotments in  
105 force or that estimated budget resources during the fiscal year will be  
106 insufficient to finance all appropriations in full, the Governor may  
107 modify such allotment requisitions or allotments in force to the extent  
108 the Governor deems necessary. Before such modifications are effected  
109 the Governor shall file a report with the joint standing committee  
110 having cognizance of matters relating to appropriations and the  
111 budgets of state agencies and the joint standing committee having  
112 cognizance of matters relating to state finance, revenue and bonding  
113 describing the change in circumstances which makes it necessary that  
114 certain reductions should be made or the basis for his determination  
115 that estimated budget resources will be insufficient to finance all  
116 appropriations in full. (2) If the cumulative monthly financial  
117 statement issued by the Comptroller pursuant to section 3-115 includes  
118 a projected General Fund deficit greater than one per cent of the total  
119 of General Fund appropriations, the Governor, within thirty days  
120 following the issuance of such statement, shall file a report with such

121 joint standing committees, including a plan which he shall implement  
122 to modify such allotments to the extent necessary to prevent a deficit.  
123 No reduction of an allotment requisition by the Judicial Branch or an  
124 allotment in force for the Judicial Branch shall be made by the  
125 Governor pursuant to this subsection unless such proposed reduction  
126 has first been submitted to the joint standing committee of the General  
127 Assembly having cognizance of matters relating to appropriations and  
128 the budgets of state agencies and said committee has, after a public  
129 hearing, approved such reduction. If said committee fails to act on  
130 such submission within thirty days of receipt thereof, the allotment  
131 reduction shall be deemed approved. No modification of an allotment  
132 requisition or an allotment in force made by the Governor pursuant to  
133 this subsection shall result in a reduction of more than three per cent of  
134 the total appropriation from any fund or more than five per cent of any  
135 appropriation, except such limitations shall not apply in time of war,  
136 invasion or emergency caused by natural disaster.

137 (c) If a plan submitted in accordance with subsection (b) of this  
138 section indicates that a reduction of more than three per cent of the  
139 total appropriation from any fund or more than five per cent of any  
140 appropriation is required to prevent a deficit, the Governor may  
141 request that the Finance Advisory Committee approve any such  
142 reduction, provided any modification which would result in a  
143 reduction of more than five per cent of total appropriations shall  
144 require the approval of the General Assembly.

145 (d) The secretary shall submit copies of allotment requisitions thus  
146 approved or modified or allotments in force thus modified, with the  
147 reasons for any modifications, to the administrative heads of the  
148 budgeted agencies concerned, to the Comptroller and to the joint  
149 standing committee of the General Assembly having cognizance of  
150 appropriations and matters relating to the budgets of state agencies,  
151 through the Office of Fiscal Analysis. The Comptroller shall set up  
152 such allotments on the Comptroller's books and be governed thereby  
153 in the control of expenditures of budgeted agencies.

