General Assembly

Proposed Substitute Bill No. 5148

February Session, 2010

LCO No. **2839**

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 Section 4-73 of the general statutes is repealed and the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; <u>and</u> (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

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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

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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 must
95 be equal to the amount appropriated to such line item for the fiscal
96 year. Appropriations for capital outlays may be allotted in any manner
97 the Governor deems advisable. Such requisition shall contain any
98 further information required by the Secretary of the Office of Policy
99 and Management. The Governor shall approve such requisitions,
100 subject to 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.

154 (e) The provisions of this section shall not be construed to authorize
155 the Governor to reduce allotment requisitions or allotments in force
156 concerning (1) aid to municipalities; or (2) any budgeted agency of the
157 legislative or judicial branch, except that the Governor may require an
158 aggregate allotment reduction of a specified amount in accordance
159 with this section for the legislative or judicial branch, which shall be
160 achieved as determined by the Joint Committee on Legislative
161 Management or the Chief Court Administrator, as appropriate. The
162 joint committee or Chief Court Administrator, as appropriate, shall
163 submit reductions to the Governor through the Secretary of the Office
164 of Policy and Management not more than fifteen days after the
165 Governor requires such reductions.

This act shall take effect as follows and shall amend the following sections:		
Section 1	*July 1, 2010*	4-73
Sec. 2	*July 1, 2010*	4-85

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