



General Assembly

February Session, 2010

**Amendment**

LCO No. 4284

**\*HB0514804284HDO\***

Offered by:

REP. LAWLOR, 99<sup>th</sup> Dist.

REP. O'NEILL, 69<sup>th</sup> Dist.

SEN. MCDONALD, 27<sup>th</sup> Dist.

SEN. KISSEL, 7<sup>th</sup> Dist.

To: Subst. House Bill No. 5148

File No. 555

Cal. No. 344

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

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. Section 4-73 of the general statutes is amended by adding  
4 subsection (g) as follows (*Effective July 1, 2010*):

5 (NEW) (g) The appropriations recommended for the judicial branch  
6 of the state government shall be the estimates of expenditure  
7 requirements transmitted to the Secretary of the Office of Policy and  
8 Management by the Chief Court Administrator pursuant to section 4-  
9 77 and the recommended adjustments and revisions of such estimates  
10 shall be the recommended adjustments and revisions, if any,  
11 transmitted by said administrator pursuant to said section 4-77.

12 Sec. 2. Section 4-85 of the 2010 supplement to the general statutes is

13 repealed and the following is substituted in lieu thereof (*Effective July*  
14 *1, 2010*):

15 (a) Before an appropriation becomes available for expenditure, each  
16 budgeted agency shall submit to the Governor through the Secretary of  
17 the Office of Policy and Management, not less than twenty days before  
18 the beginning of the fiscal year for which such appropriation was  
19 made, a requisition for the allotment of the amount estimated to be  
20 necessary to carry out the purposes of such appropriation during each  
21 quarter of such fiscal year. Commencing with the fiscal year ending  
22 June 30, 2011, the initial allotment requisition for each line item  
23 appropriated to the legislative branch and to the judicial branch for  
24 any fiscal year shall be based upon the amount appropriated to such  
25 line item for such fiscal year minus any amount of budgeted  
26 reductions to be achieved by such branch for such fiscal year pursuant  
27 to subsection (c) of section 2-35, as amended by this act.  
28 Appropriations for capital outlays may be allotted in any manner the  
29 Governor deems advisable. Such requisition shall contain any further  
30 information required by the Secretary of the Office of Policy and  
31 Management. The Governor shall approve such requisitions, subject to  
32 the provisions of subsection (b) of this section.

33 (b) Any allotment requisition and any allotment in force shall be  
34 subject to the following: (1) If the Governor determines that due to a  
35 change in circumstances since the budget was adopted certain  
36 reductions should be made in allotment requisitions or allotments in  
37 force or that estimated budget resources during the fiscal year will be  
38 insufficient to finance all appropriations in full, the Governor may  
39 modify such allotment requisitions or allotments in force to the extent  
40 the Governor deems necessary. Before such modifications are effected  
41 the Governor shall file a report with the joint standing committee  
42 having cognizance of matters relating to appropriations and the  
43 budgets of state agencies and the joint standing committee having  
44 cognizance of matters relating to state finance, revenue and bonding  
45 describing the change in circumstances which makes it necessary that  
46 certain reductions should be made or the basis for his determination

47 that estimated budget resources will be insufficient to finance all  
48 appropriations in full. (2) If the cumulative monthly financial  
49 statement issued by the Comptroller pursuant to section 3-115 includes  
50 a projected General Fund deficit greater than one per cent of the total  
51 of General Fund appropriations, the Governor, within thirty days  
52 following the issuance of such statement, shall file a report with such  
53 joint standing committees, including a plan which he shall implement  
54 to modify such allotments to the extent necessary to prevent a deficit.  
55 No modification of an allotment requisition or an allotment in force  
56 made by the Governor pursuant to this subsection shall result in a  
57 reduction of more than three per cent of the total appropriation from  
58 any fund or more than five per cent of any appropriation, except such  
59 limitations shall not apply in time of war, invasion or emergency  
60 caused by natural disaster.

61 (c) If a plan submitted in accordance with subsection (b) of this  
62 section indicates that a reduction of more than three per cent of the  
63 total appropriation from any fund or more than five per cent of any  
64 appropriation is required to prevent a deficit, the Governor may  
65 request that the Finance Advisory Committee approve any such  
66 reduction, provided any modification which would result in a  
67 reduction of more than five per cent of total appropriations shall  
68 require the approval of the General Assembly.

69 (d) The secretary shall submit copies of allotment requisitions thus  
70 approved or modified or allotments in force thus modified, with the  
71 reasons for any modifications, to the administrative heads of the  
72 budgeted agencies concerned, to the Comptroller and to the joint  
73 standing committee of the General Assembly having cognizance of  
74 appropriations and matters relating to the budgets of state agencies,  
75 through the Office of Fiscal Analysis. The Comptroller shall set up  
76 such allotments on the Comptroller's books and be governed thereby  
77 in the control of expenditures of budgeted agencies.

78 (e) The provisions of this section shall not be construed to authorize  
79 the Governor to reduce allotment requisitions or allotments in force

80 concerning (1) aid to municipalities; or (2) any budgeted agency of the  
81 legislative or judicial branch, except that the Governor may [require]  
82 propose an aggregate allotment reduction of a specified amount in  
83 accordance with this section for the legislative or judicial branch. [,  
84 which shall be achieved as determined by the Joint Committee on  
85 Legislative Management or the Chief Court Administrator, as  
86 appropriate. The joint committee or Chief Court Administrator, as  
87 appropriate, shall submit reductions to the Governor through the  
88 Secretary of the Office of Policy and Management not more than fifteen  
89 days after the Governor requires such reductions.] If the Governor  
90 proposes to reduce allotment requisitions or allotments in force for any  
91 budgeted agency of the legislative or judicial branch, the Secretary of  
92 the Office of Policy and Management shall, at least five days before the  
93 effective date of such proposed reductions, notify the president pro  
94 tempore of the Senate and the speaker of the House of Representatives  
95 of any such proposal affecting the legislative branch and the Chief  
96 Justice of any such proposal affecting the judicial branch. Such  
97 notification shall include the amounts, effective dates and reasons  
98 necessitating the proposed reductions. Not later than three days after  
99 receipt of such notification, the president pro tempore or the speaker,  
100 or both, or the Chief Justice, as appropriate, may notify the Secretary of  
101 the Office of Policy and Management and the chairpersons and  
102 ranking members of the joint standing committee of the General  
103 Assembly having cognizance of matters relating to appropriations and  
104 the budgets of state agencies in writing of any objection to the  
105 proposed reductions. The committee may hold a public hearing on  
106 such proposed reductions. Such proposed reductions shall become  
107 effective unless they are rejected by a two-thirds vote of the members  
108 of the committee not later than fifteen days after receipt of the  
109 notification of objection to the proposed reductions. If the committee  
110 rejects such proposed reductions, the Secretary of the Office of Policy  
111 and Management shall present an alternative plan to achieve such  
112 reductions to the president pro tempore and the speaker for any such  
113 proposal affecting the legislative branch or to the Chief Justice for any  
114 such proposal affecting the judicial branch. If proposed reductions in

115 allotment requisitions or allotments in force for any budgeted agency  
116 of the legislative or judicial branch are not rejected, such reductions  
117 shall be achieved as determined by the Joint Committee on Legislative  
118 Management or the Chief Justice, as appropriate. The Joint Committee  
119 on Legislative Management or the Chief Justice, as appropriate, shall  
120 submit such reductions to the Governor through the Secretary of the  
121 Office of Policy and Management not later than ten days after the  
122 proposed reductions become effective.

123       Sec. 3. Section 2-35 of the 2010 supplement to the general statutes is  
124 repealed and the following is substituted in lieu thereof (*Effective July*  
125 *1, 2010*):

126       (a) All bills carrying or requiring appropriations and favorably  
127 reported by any other committee, except for payment of claims against  
128 the state, shall, before passage, be referred to the joint standing  
129 committee of the General Assembly having cognizance of matters  
130 relating to appropriations and the budgets of state agencies, unless  
131 such reference is dispensed with by a vote of at least two-thirds of each  
132 house of the General Assembly. Resolutions paying the contingent  
133 expenses of the Senate and House of Representatives shall be referred  
134 to said committee. Said committee may originate and report any bill  
135 which it deems necessary and shall, in each odd-numbered year,  
136 report such appropriation bills as it deems necessary for carrying on  
137 the departments of the state government and for providing for such  
138 institutions or persons as are proper subjects for state aid under the  
139 provisions of the statutes, for the ensuing biennium. In each even-  
140 numbered year, the committee shall originate and report at least one  
141 bill which adjusts expenditures for the ensuing fiscal year in such  
142 manner as it deems appropriate. Each appropriation bill shall specify  
143 the particular purpose for which appropriation is made and shall be  
144 itemized as far as practicable. The state budget act may contain any  
145 legislation necessary to implement its appropriations provisions,  
146 provided no other general legislation shall be made a part of such act.

147       (b) The state budget act passed by the legislature for funding the

148 expenses of operations of the state government in the ensuing  
 149 biennium shall contain a statement of estimated revenue, based upon  
 150 the most recent consensus revenue estimate or the revised consensus  
 151 revenue estimate issued pursuant to section 2-36c, itemized by major  
 152 source, for each appropriated fund. The statement of estimated  
 153 revenue applicable to each such fund shall include, for any fiscal year,  
 154 an estimate of total revenue with respect to such fund, which amount  
 155 shall be reduced by (1) an estimate of total refunds of taxes to be paid  
 156 from such revenue in accordance with the authorization in section 12-  
 157 39f, and (2) an estimate of total refunds of payments to be paid from  
 158 such revenue in accordance with the provisions of section 4-37. Such  
 159 statement of estimated revenue, including the estimated refunds of  
 160 taxes to be offset against such revenue, shall be supplied by the joint  
 161 standing committee of the General Assembly having cognizance of  
 162 matters relating to state finance, revenue and bonding. The total  
 163 estimated revenue for each fund, as adjusted in accordance with this  
 164 section, shall not be less than the total net appropriations made from  
 165 each fund. On or before July first of each fiscal year said committee  
 166 shall, if any revisions in such estimates are required by virtue of  
 167 legislative amendments to the revenue measures proposed by said  
 168 committee, changes in conditions or receipt of new information since  
 169 the original estimate was supplied, meet and revise such estimates  
 170 and, through its cochairpersons, report to the Comptroller any such  
 171 revisions.

172 (c) If the state budget passed by the legislature for funding the  
 173 expenses of operations of the state government in the ensuing  
 174 biennium or making adjustments to a previously adopted biennial  
 175 budget contains state-wide budgeted reductions not allocated by  
 176 budgeted agency, such act shall specify the amount of such budgeted  
 177 reductions to be achieved in each branch of state government."

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

Sec. 2	<i>July 1, 2010</i>	4-85
Sec. 3	<i>July 1, 2010</i>	2-35