

# Analysis of Finance Advisory Committee Meeting Items

March 5, 2015 Agenda



## **OFFICE OF FISCAL ANALYSIS**

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## FAC 2015-01 Department of Transportation

Account	Original Appropriation	Prior Policy Actions <sup>1</sup>	Proposed FAC Transfer		Available Funding Post FAC Action
			FROM (Decrease)	TO (Increase)	
Personal Services	165,908,804	1,304,402	(10,700,000)	-	156,513,206
Other Expenses	53,569,517	-	-	10,700,000	64,269,517
<b>TOTAL - Special Transportation Fund</b>			<b>(10,700,000)</b>	<b>10,700,000</b>	

*Funding is available for transfer from this account due to the following:*

- Personal Services - Funding is available due to delays in hiring 173 vacant positions, although the current proposed FAC transfer of \$10.7 million is estimated to cause a deficiency in the account, if approved.

*Funding is needed in this account due to the following:*

- Other Expenses- Funding of \$10.7 million is needed for snow and ice removal and equipment and motor vehicle repair due to higher than budgeted storm related costs. The Department of Transportation's (DOT) snow and ice removal budget is based on an average of 12 storms per year, and to date there have been 15 storms with an anticipation of three more storms before the end of the winter season. The price of road salt has increased by 24%, and due to the severity of the storms, DOT has been using more contractor trucks. Also, per union contract, employees that work certain hours beyond the regularly scheduled day must have meals provided which has exceeded budgeted amounts. Due to winter storm costs funding is needed for the following reasons; (1) \$8.8 million from higher than average storm costs for road salt, material and contractual services, (2) \$1.9 million for equipment maintenance and repair of the department's fleet. Currently, 280 of DOT's 632 truck fleet, or 45% are past the 12 year useful lifecycle.

### *Holdbacks and Lapses*

There are no holdbacks or budgeted lapses in this agency.

### *Deficiency Issues*

We have previously identified the Rail Operations account as having a projected deficiency of approximately \$20 million due to increased costs from the Metro North rail line.

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<sup>1</sup> Prior policy actions may include holdbacks (forced lapses), rescissions, and transfers.

## FAC 2015-02 Public Defender Services Commission

Account	Original Appropriation	Prior Policy Actions <sup>1</sup>	Proposed FAC Transfer		Available Funding Post FAC Action
			FROM (Decrease)	TO (Increase)	
Personal Services	41,789,717	(1,167,512)	(4,960,000)	-	35,662,205
Assigned Counsel - Criminal	17,997,900	-	-	4,650,000	22,647,900
Expert Witnesses	2,082,252	-	-	310,000	2,392,252
<b>TOTAL - General Fund</b>			<b>(4,960,000)</b>	<b>4,960,000</b>	

*Funding is available for transfer from this account due to the following:*

- Personal Services - This transfer is anticipated to result in a deficiency of approximately \$4.9 million. HB 6825, *An Act Making Deficiency Appropriation and Addressing the Deficit for Fiscal Year Ending June 30, 2015*, includes a deficiency appropriation to the Assigned Counsel - Criminal and Expert Witnesses account. It is anticipated that this deficiency appropriation will now be revised and redirected to the Personal Services account to cover the deficiency created by this transfer.

*Funding is needed in these accounts due to the following:*

- Assigned Counsel - Criminal - PA 12-115, *An Act Concerning Habeas Reform*, reduced the length of time in which a habeas petitions can be filed, which in turn has resulted in an influx of habeas petitions received by the agency. Habeas petitions have almost doubled since the legislation passed. Previous to the legislation, the agency averaged about 25 petitions per month, or about 300 per year. Since the legislation passed, the agency has averaged about 50 petitions per month, or about 600 per year. The cost per case can vary significantly but is usually between \$3,000 and \$10,000 per case.
- Expert Witnesses - Funds in this account are used, in part, to support habeas cases, which have increased significantly as explained above. In addition, the 2014 CT Supreme Court decision in *State v. Wang* required the Public Defenders to now pay for reasonably necessary expert witness fees for indigent pro-se (self-represented) cases. So far in FY 15 there has been one indigent pro-se case that has required expert witness funding by the agency.

### *Holdbacks and Lapses*

This transfer may affect the agency's ability to achieve the Personal Services holdback of \$175,442 depending on the amount of the deficiency appropriation.

## Appendix A: Projected Account Balances for Agencies on this Agenda (After Proposed FAC Transfer(s))

<b>Department of Transportation</b>				
	<b>Original Appropriation<sup>2</sup></b>	<b>Available Funding<sup>3</sup></b>	<b>Estimated Expenditures</b>	<b>Estimated Surplus/(Deficiency)</b>
Personal Services	165,908,804	156,513,206	165,908,804	(9,395,598)
Other Expenses	53,569,517	64,269,517	64,269,517	-
Equipment	1,336,113	1,336,113	1,278,755	57,358
Minor Capital Projects	449,639	449,639	400,000	49,639
Highway Planning And Research	3,246,823	3,246,823	1,853,080	1,393,743
Rail Operations	152,279,937	152,279,937	172,128,213	(19,848,276)
Bus Operations	146,972,169	146,972,169	146,972,169	-
Tweed-New Haven Airport Grant	1,500,000	1,500,000	1,500,000	-
ADA Para-transit Program	32,935,449	32,935,449	32,935,449	-
Non-ADA Dial-A-Ride Program	576,361	576,361	576,361	-
Pay-As-You-Go Transportation Projects	19,700,000	19,700,000	18,200,000	1,500,000
CAA Related Funds	3,272,322	3,272,322	3,272,322	-
<b>TOTAL - Special Transportation Fund</b>	<b>581,747,134</b>	<b>583,051,536</b>	<b>609,294,670</b>	<b>(26,243,134)</b>

<b>Public Defender Services Commission</b>				
	<b>Original Appropriation<sup>2</sup></b>	<b>Available Funding<sup>3</sup></b>	<b>Estimated Expenditures</b>	<b>Estimated Surplus/(Deficiency)</b>
Personal Services	41,789,717	35,662,205	40,622,205	(4,960,000)
Other Expenses	1,491,837	1,491,837	1,416,309	75,528
Assigned Counsel - Criminal	17,997,900	22,647,900	22,647,824	76
Expert Witnesses	2,082,252	2,392,252	2,388,957	3,295
Training And Education	130,000	130,000	121,541	8,459
Contracted Attorneys Related Expenses	125,000	53,176	53,176	-
<b>Total - General Fund</b>	<b>63,616,706</b>	<b>62,377,370</b>	<b>67,250,012</b>	<b>(4,872,642)</b>

<sup>2</sup> Includes appropriated accounts from all appropriated funds.

<sup>3</sup> Includes all anticipated and enacted holdbacks (forced lapses), rescissions, and transfers.