



General Assembly

February Session, 2010

Raised Bill No. 5148

LCO No. 654

00654_____JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

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. (*Effective from passage*) In achieving the reductions
2 specified in the provisions of sections 1 and 11 of public act 09-3 of the
3 June special session, Reduce Other Expenses to FY 07 Levels, no
4 reductions shall be made to the Other Expenses account of the Judicial
5 Department.

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 Section 4-73 of the general statutes is repealed and the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

8 (a) Part II of the budget document shall present in detail for each
9 fiscal year of the ensuing biennium the Governor's recommendation
10 for appropriations to meet the expenditure needs of the state from the
11 General Fund and from all special and agency funds classified by
12 budgeted agencies and showing for each budgeted agency and its
13 subdivisions: (1) A narrative summary describing the agency, the
14 Governor's recommendations for appropriations for the agency and a
15 list of agency programs, the actual expenditure for the last-completed
16 fiscal year, the estimated expenditure for the current fiscal year, the

17 amount requested by the agency and the Governor's recommendations
18 for appropriations for each fiscal year of the ensuing biennium; and (2)
19 a summary of permanent full-time positions by fund, setting forth the
20 number filled and the number vacant as of the end of the last-
21 completed fiscal year, the total number intended to be funded by
22 appropriations without reduction for turnover for the fiscal year in
23 progress, the total number requested and the total number
24 recommended for each fiscal year of the biennium to which the budget
25 relates.

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

49 (c) (1) There shall be a supporting schedule of total agency

50 expenditures including a line-item, minor object breakdown of
51 personal services, energy costs, contractual services and commodities
52 and a total of state aid grants and equipment, showing the actual
53 expenditures for the last-completed fiscal year, estimated expenditures
54 for the current fiscal year and requested and recommended
55 appropriations for each fiscal year of the ensuing biennium, classified
56 by objects according to a standard plan of classification.

57 (2) In addition, the supporting schedule of agency energy costs shall
58 be supported by a statement of the agency's plans for energy
59 conservation in each fiscal year of the ensuing biennium, and a
60 statement of the progress the agency has made in the last-completed
61 fiscal year concerning energy conservation.

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

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

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

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

89 Sec. 3. Section 4-85 of the 2010 supplement to the general statutes is
90 repealed and the following is substituted in lieu thereof (*Effective July*
91 *1, 2010*):

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

106 (b) Any allotment requisition and any allotment in force shall be
107 subject to the following: (1) If the Governor determines that due to a
108 change in circumstances since the budget was adopted certain
109 reductions should be made in allotment requisitions or allotments in
110 force or that estimated budget resources during the fiscal year will be
111 insufficient to finance all appropriations in full, the Governor may
112 modify such allotment requisitions or allotments in force to the extent
113 the Governor deems necessary. Before such modifications are effected

114 the Governor shall file a report with the joint standing committee
115 having cognizance of matters relating to appropriations and the
116 budgets of state agencies and the joint standing committee having
117 cognizance of matters relating to state finance, revenue and bonding
118 describing the change in circumstances which makes it necessary that
119 certain reductions should be made or the basis for his determination
120 that estimated budget resources will be insufficient to finance all
121 appropriations in full. (2) If the cumulative monthly financial
122 statement issued by the Comptroller pursuant to section 3-115 includes
123 a projected General Fund deficit greater than one per cent of the total
124 of General Fund appropriations, the Governor, within thirty days
125 following the issuance of such statement, shall file a report with such
126 joint standing committees, including a plan which he shall implement
127 to modify such allotments to the extent necessary to prevent a deficit.
128 No reduction of an allotment requisition by the Judicial Branch or an
129 allotment in force for the Judicial Branch shall be made by the
130 Governor pursuant to this subsection unless such proposed reduction
131 has first been submitted to the joint standing committee of the General
132 Assembly having cognizance of matters relating to appropriations and
133 the budgets of state agencies and said committee has, after a public
134 hearing, approved such reduction. If said committee fails to act on
135 such submission within thirty days of receipt thereof, the allotment
136 reduction shall be deemed approved. No modification of an allotment
137 requisition or an allotment in force made by the Governor pursuant to
138 this subsection shall result in a reduction of more than three per cent of
139 the total appropriation from any fund or more than five per cent of any
140 appropriation, except such limitations shall not apply in time of war,
141 invasion or emergency caused by natural disaster.

142 (c) If a plan submitted in accordance with subsection (b) of this
143 section indicates that a reduction of more than three per cent of the
144 total appropriation from any fund or more than five per cent of any
145 appropriation is required to prevent a deficit, the Governor may
146 request that the Finance Advisory Committee approve any such
147 reduction, provided any modification which would result in a

148 reduction of more than five per cent of total appropriations shall
149 require the approval of the General Assembly.

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

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

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>July 1, 2010</i>	4-73
Sec. 3	<i>July 1, 2010</i>	4-85

Statement of Purpose:

To exempt the Judicial Branch from a requirement to reduce its other expenses account to the fiscal year 2007 level, and revise the process

with respect to recommended appropriations for, and the reduction of allotment requisitions by, the Judicial Branch.

[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.]