

Connecticut: A Guide to State Government

This guide presents an overview of Connecticut state government for students, teachers, and other interested citizens. The guide

- highlights the history of our state constitution.
- illustrates the interrelationship among the three branches of state government.
- lists the key powers and duties of the General Assembly, the Governor, other executive branch officials, and the courts.
- summarizes the relationship between state and local governments.

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Connecticut: The Constitution State



The Connecticut Constitution establishes the foundation of our state government. This vital document expresses the ideals and aspirations of

Connecticut's citizens and embodies the principles under which the state operates. The constitution establishes the structure of government, specifies its obligations, and limits its powers.

Throughout Connecticut's history, a series of documents, from the Fundamental Orders of 1639 to the current constitution adopted in 1965, have defined the character of government in Connecticut during its evolution from colony to modern state.

Direct Democracy. . . A New Beginning

In search of more fertile land and greater political and religious freedom, English settlers left the Massachusetts Bay Colony in the 1630s and established three settlements—Windsor, Wethersfield, and Hartford—along the banks of the Connecticut River. These Puritan (Congregationalist) settlements formed the core of the Connecticut Colony.

In 1638, Reverend Thomas Hooker, chief founder of Hartford, preached a powerful sermon urging settlers to take a more active role in governing themselves than they had in the Bay Colony. He boldly proclaimed that the authority to govern lies "firstly, in the free consent of the people.... As God has given us liberty, let us take it."

Inspired by Hooker's vision, the Connecticut Colony adopted the Fundamental Orders of 1639. This



document stands as the first known written constitution embodying the principle of self-government, recognizing the right of the people both to vote directly for their officials and to limit the powers of those officials.

However, at that time, *the people* did not refer to everyone. Only "Godly adult males who owned property" could vote. Nevertheless, the adoption of the Fundamental Orders of 1639 marked the beginning of representative government in Connecticut and embodied the spirit of constitutionalism so basic to American democracy.

Because of this unique early history, Connecticut became known as *The Constitution State*.

Individual Rights, Equal Protection

The Fundamental Orders of 1639 made no men tion of individual rights. To remedy this omission, Roger Ludlow, a lawyer and member of the early legislature, drew up the Declaration of Rights proclaiming the importance of individual liberties and equal protection under the law. This important statement stood, with only modest changes, until 1818.

Preserving Self-Government

hen King Charles II reclaimed the English throne for the monarchy in 1660, leaders of the Connecticut Colony feared he would demand greater control over their affairs.

Governor John Winthrop, Jr., was sent to England to petition the King for recognition of the provisions of the Fundamental Orders. In 1662, he successfully obtained a special charter guaranteeing Connecticut's relative independence and freedom. With a brief exception, The Royal Charter of 1662 remained the law of the colony and state into the nineteenth century.

Government by the People

A campaign for constitutional reform began around 1800. Many citizens believed that the Royal Charter was inadequate to serve as the state's constitution because the people had never ratified the document and the legislature could alter it at will.

Citizens had come to distrust the concentration of power in the legislature and, inspired by the new federal constitution, believed that a system of checks and balances should exist among those who make the laws, those who execute the laws, and those who interpret the laws.

After much political debate, voters ratified a new document, the Constitution of 1818, drawn up by a special convention. The document elevated the Declaration of Rights to constitutional status and separated the government into legislative, executive, and judicial branches, each with its own defined powers. It also ended the special status of the Congregational

Church as the state's established religion by asserting that "no preference shall be given, by law, to any Christian sect or mode of worship."

The Constitution of 1818 also assured the right to vote to more white male citizens. Eventually in 1870, the 15th Amendment to the U.S. Constitution granted black males voting rights



throughout the country. However, it was not until 1920 that women finally won the right to vote with the passage of the 19th Amendment.

Equal Representation, Equal Rights

The Constitution of 1818 and its amendments remained the fundamental law of the state for nearly 150 years, despite the many changes which affected the character of Connecticut and the needs of its citizens.

Under the provisions of the Constitution of 1818, voters in each town or city, no matter the size of its population, could elect no more than two representatives to the House of Representatives. As cities grew in population, this system of representation became increasingly undemocratic. By 1960, less than twelve percent of the vote could secure a majority in the House of Representatives.

Connecticut was forced to modernize its constitution after a 1964 U.S. Supreme Court decision declared that the equal protection clause in the 14th Amendment of the U.S. Constitution required that seats in both houses of a state legislature be apportioned on a population basis; that is, "one man, one vote."

In 1965, voters ratified a new constitution that included legislative representation proportionate to population, reapportionment every ten years following each federal census, and strengthening of the Governor's veto power. The Constitution of 1965 also included an equal protection clause to the Declaration of Rights, prohibiting discrimination or segregation because of religion, race, color, ancestry, or national origin. Subsequent amendments prohibited discrimination on the basis of gender as well as mental and physical disabilities. The Constitution of 1965, with amendments, remains the fundamental law of Connecticut.

The Three Branches of Connecticut State Government

All political power is inherent in the people, and all free governments are founded on their authority, and instituted for their benefit...

Declaration of Rights, Connecticut Constitution, Article I, Section 2

Legislative Branch

House of Representatives Representatives Speaker of the House

Senate

Senators President of the Senate President Pro Tempore

Executive Branch

Governor
Lieutenant Governor
Secretary of the State
Treasurer
Comptroller
Attorney General
Administrative departments, agencies,
boards, and commissions

Judicial Branch

Supreme Court Judges Appellate Court Judges Superior Court Judges Probate Court Judges



The Legislative Branch

L egislatures help to organize society and to resolve conflicts by enacting laws for the common good. Through laws, legislatures authorize the collection



and allocation of funds, regulate the activities of citizens and organizations, and integrate public demands with public policy. In Connecticut, members of the General Assembly must be at least eighteen years old and reside in the district they represent. Elected in November of even-numbered years, Senate and House members serve two-year terms. They may not hold elective or appointed office concurrently in any other branch or unit of state government.

Regular sessions of the General Assembly are held from January to June in odd-numbered years, and from February to May in even-numbered years. The state constitution restricts the shorter, even-year sessions to consideration of budgetary, revenue, and financial issues, bills and resolutions raised by committees of the General Assembly, and emergency matters.

The Governor may call special sessions in case of emergency. Also, a majority of the members of either chamber of the General Assembly may petition for a special session.

A post-adjournment, or *trailer*, session is required to reconsider any bills vetoed by the Governor and not



acted upon again by the legislature before the close of a previous regular or special session.

The Senate

Connecticut's Senate has 36 members, each elected from a separate senatorial district of substantially equal population. The state constitution permits the size of the Senate to vary from 30 to 50 members. The Senate is presided over by the Lieutenant Governor, who is President of the Senate. The Lieutenant Governor may cast the deciding vote in case of a tie.

The Senate determines its own rules and procedures. Members of the Senate elect a President *Pro Tempore* (temporary president) who presides in the absence of the President and serves as a party spokesperson. The President *Pro Tempore* appoints the Senate chairs of joint committees and Senate committee members.

Members of each party elect their own Majority Leader and a Minority Leader who also serve as party spokespersons. These leaders direct party affairs, assemble members for important votes, and serve as *ex officio* members of all committees.

The Senate tries all impeachments of executive and judicial branch officials.

The House of Representatives

The House of Representatives has 151 members, each elected from a separate assembly district of substantially equal population. The state constitution permits the size of the House to vary from 125 to 225 members.

The House of Representatives determines its own rules and procedures. It is presided over by a Speaker of the House, elected by the members. The Speaker is a party spokesperson and appoints the House chairs of joint committees and House committee members. The Speaker also may refer bills to appropriate committees. The Majority Leader and a Minority Leader serve as party spokespersons. Elected by members of their own party, they direct party affairs, assemble members for votes, and serve as *ex officio* members of all committees.

The House of Representatives has the power to impeach executive and judicial branch officials.

Powers of the General Assembly

Together, the House of Representatives and the Senate constitute the General Assembly. The General Assembly enacts legislation dealing with state appropriations and finance, public welfare, the environment, public works, housing, education, civil and criminal laws, and other matters. In addition, the General Assembly

- levies state taxes.
- establishes joint committees to review proposed legislation, and adopts joint rules for conducting committee and other legislative business.
- establishes administrative departments, agencies, boards and commissions; defines their functions; and funds their operations.
- redistricts the state every ten years, following each national census.

The General Assembly may also

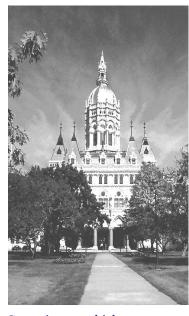
- independently investigate operations of any administrative agency for irregularities and/or inefficiencies.
- establish lower courts.
- override the Governor's veto by a two-thirds vote of the members of each house.
- call a special session at the request of a majority of the members of each house.
- introduce amendments to the state constitution.
- call for a constitutional convention, by a twothirds vote of the members of each house.



How the General Assembly Does Its Work

The General Assembly meets in the State Capitol in Hartford. General Assembly committees meet and hold most public hearings in the adjoining Legislative Office Building, which houses members' offices.

Connecticut's legislature is one of the few that operate s with a system of joint House



and Senate committees. Committees, which may operate on a year-round basis, meet to review proposed legislation and make recommendations to the full House and Senate. The joint committee system saves both time and expense, and spares the public from having to appear at separate public hearings on the same legislation.

In most cases, committee members represent each political party in relative proportion to its number in each house. Two committee chairs are appointed from the majority party, one by the President *Pro Tempore* of the Senate and one by the Speaker of the House.

There are currently more than twenty-five joint standing committees that focus on particular legislative issues. Most senators and representatives serve on several committees. Some committees use subcommittees to handle the volume and complexity of their work. Professional and technical support is available to legislators through the Joint Committee on Legislative Management, which supervises various non-partisan offices and commissions staffed by experts.

Legislative Definitions

BILLS are legislative proposals that seek to enact a new law or change an existing law.

RESOLUTIONS are legislative proposals that deal with internal matters of the legislature. They are also used for confirmation of executive and judicial branch appointees and to propose constitutional amendments. Resolutions do not affect state statutes (laws), and do not require the Governor's signature.

ACTS are pieces of legislation that pass both houses of the General Assembly and are sent to the Governor for approval.

There are two types of acts: Public Acts, or legislation of general application, and Special Acts, legislation of limited application or limited duration.

LAWS are acts that the Governor signs or does not veto within a set time (five days during a legislative session, or fifteen days after adjournment), or that are re-passed by the General Assembly over the Governor's veto.

STATE STATUTES are the laws of Connecticut.

The official, multi-volume *General Statutes of Connecticut* is published biennially by the state and is supplemented annually by the official *Public and Special Acts*. Public Acts that become law are incorporated into the *General Statutes*. Special Acts, with rare exception, are not.

The public may research laws, public acts, and special acts on the General Assembly's Web site, www.cga.ct.gov. West Publishing Company also publishes the Connecticut General Statutes Annotated, an authoritative, but unofficial, edition of the general statutes. Updated annually, it includes cases and administrative rulings that interpret the statutes. West also publishes Legislative Updates periodically throughout each session, giving the full text of all new Public Acts, without annotations.

How a Bill Becomes a Law

The process of law-making begins with an idea. Any member of the General Assembly may decide that an idea—whether the legislator's own, or that of a constituent, interest group, administrative agency, or the Governor—would benefit the people of the state and should be enacted into law. A proposed "bill" is written for this purpose and introduced into the General Assembly by one or more members, who act as its sponsor(s). The bill then wends its way through the legislative process.

- Members of the General Assembly may file proposed bills and resolutions before—and for a limited time after—the opening of a legislative session.
- Each bill is "read" in the chamber in which it originates and is then sent on to the appropriate joint committee for study and debate.
- 3. The committee reviews a proposed bill and decides whether to take no action (thereby effectively letting the bill die); have it drafted in legal form by the Legislative Commissioners' Office as a committee bill; or incorporate it with other proposals into another committee bill. The committee may also decide to raise an original bill. Committee and raised bills are given a public hearing.
- 4. After the public hearing, the committee usually acts on the bill, either rejecting it or sending it on for further consideration to another committee or to the full House or Senate. If the committee takes no action on the bill, the effect is the same as rejection.
- 5. The House or Senate may also refer the bill to additional committees for consideration. Bills favorably reported out of a committee frequently must receive favorable reports from one or more addi-

tional committees before either chamber is ready to vote on it. For example, bills requiring expenditures of state funds or bond provisions will be referred to the Appropriations Committee or to the Finance, Revenue and Bonding Committee.

- 6. A favorably reported bill is checked for accuracy, constitutionality, and consistency with other laws by the Legislative Commissioners' Office. The Office of Fiscal Analysis analyzes the bill's cost or revenue gain and its impact on municipalities. The Office of Legislative Research prepares a plain-language summary of the bill.
- 7. When ready, the bill returns to the chamber in which it originated for debate. There, it may also be amended. A "yes" vote by a simple majority—more than half the members present and voting—sends the bill to the other chamber, where it is also debated and may be amended. If any bill is passed in the second chamber with different amendments, it must then be returned to the first chamber for passage. If the two chambers cannot agree on the wording of the bill, it goes to a conference committee for compromise. If the conference committee reaches agreement, each chamber votes on the new version of the bill. If agreement is not reached, the bill dies.
- 8. If the bill has passed both chambers in identical form, it is sent to the Governor. The Governor may sign the bill, veto the bill, or take no action.
- 9. The bill becomes a law if the Governor signs it or takes no action within a specific period of time. A bill may also become law if, after the Governor's veto, each chamber passes the identical bill again by at least a two-thirds vote of its total membership.



The Executive Branch

The Governor and Lieutenant Governor

The Governor of Connecticut is the most visible and powerful governmental leader of the state. The Governor sets the political agenda and is responsible for the day-to-day operations of government.

The Governor and Lieutenant Governor must be at least thirty years old and electors of the state. They are elected as a team in November of even-numbered, non-presidential election years, and serve a four-year term.

The Governor's office is in the State Capitol in Hartford. Assisting the Governor is a diverse staff of executive, administrative, legislative, and legal aides. The Governor also has a military staff and a Cabinet made up of the commissioners of major state agencies.

The Constitution provides for a line of succession in case the Governor is unable to serve for any reason. It also provides for impeachment of the Governor as well as of other executive branch officials.

Powers and Duties of the Governor

The Governor as Chief Executive

The primary function of the Governor as chief executive and administrative officer is to ensure that the laws of the state are faithfully administered.

The Governor oversees the executive branch departments, agencies, boards, and commissions that are established and funded by the General Assembly to carry out the business of the state and to provide a wide variety of public services. Current examples of major departments are: Administrative Services, Education, Environmental Protection, Motor



Vehicles, and Transportation.

To manage and direct the work of the state government, the Governor appoints—and may remove—the commissioners of nearly all administrative departments and numerous agencies, boards, and commissions. In most cases, one or both houses of the General Assembly must confirm gubernatorial appointments. Terms generally coincide with that of the Governor.

As chief executive, the Governor presents an annual *State of the State* message before the General Assembly outlining the primary issues facing the state and proposing general fiscal and program priorities for the legislative session.

The Governor also prepares and submits the state budget based on gubernatorial priorities and the requests of administrative agencies. The Office of Policy and Management aids the Governor in budget development and implementation as well as in program analysis, planning, and intergovernmental relations. While the Governor initiates the budget process, the General Assembly must approve the actual appropriation of monies as well as the means of raising the revenues—through taxes and bonding—needed to support state spending.

The Governor is further responsible for nominating judicial branch officials, who must be confirmed by the legislature. The Governor also has limited powers to grant reprieves after convictions in all cases except impeachment.

The Governor's Role in the Legislative Process

The Governor may propose legislation based on gubernatorial program priorities. These priorities may emerge from needs identified by state agencies, specially appointed *blue ribbon* panels, or citizen groups.

The Governor often works closely with the General Assembly to promote legislative goals but has no constitutional role in the law-making process until after a bill has been passed by the legislature. The Governor may then sign the bill, veto it, or take no action, allowing it to become law after a period of time.

The Governor's principal legislative power lies in the use of the veto, including a line-item veto in budget appropriations. The legislature may override a veto by a 2/3 vote of the members of each chamber. The Governor may call a special session of the General Assembly in an emergency.

The Governor as Chief of State

The Governor performs a symbolic role as ceremonial chief of state—representing the entire citizenry of Connecticut at official functions, civic and social affairs, and regional or national conferences.

As chief of state the Governor also commands the National Guard—the state militia—except when the President of the United States calls it into national service.

Powers and Duties of the Lieutenant Governor

The Lieutenant Governor is President and presiding officer of the Senate and may cast the deciding vote in case of a tie.

The Lieutenant Governor frequently shares in the ceremonial functions of the Governor, assumes



various responsibilities that the Governor may assign, and, in the Governor's absence from the state, performs all gubernatorial duties.

In case of the Governor's death, resignation, refusal to serve, or removal from office, the Lieutenant Governor assumes the office of Governor.

Other Executive Branch Officials

The Governor and Lieutenant Governor share executive power with four other officials, also elected for four-year terms in gubernatorial election years. The state constitution and state statutes establish the duties of their offices.

The Secretary of the State

The Secretary of the State is the official keeper of public records, documents, and the State Seal.



In addition, the Secretary of the State

- is the Commissioner of Elections; administers and interprets all state and local election and primary laws.
- receives and files legislative and executive action on bills before the General Assembly.
- publishes the annual Connecticut State Register and Manual (the Blue Book) and distributes the General Statutes of Connecticut and other publications.
- files and maintains certificates of corporations, other businesses, and various organizations.



The Treasurer

The Treasurer receives, invests, and disburses state monies in accordance with the law. The Treasurer

- administers the state bond and debt-financing program.
- manages pension, retirement, and trust fund assets for state employees, some municipal employees, and teachers.

The Comptroller

The Comptroller adjusts and settles all public accounts and demands against the state not otherwise handled by the General Assembly; i.e., pays most of the state's bills in concert with the Treasurer. The Comptroller

- prepares all accounting statements relating to the financial condition of the state and monitors accounting procedures of state agencies.
- oversees health care and other insurance benefits for state employees and retirees.
- is the agent of the State Employee Retirement Commission and administers all state pension plans except the Teachers Retirement System.

The Attorney General

The Attorney General is the chief civil legal officer of the state and may bring suit on behalf of the state. The Attorney General supervises all civil legal affairs of the state and represents state officials and agencies in the courts. The Attorney General

- may investigate charges of graft and corruption within state government.
- informs citizens on such matters as public utility regulation and consumer protection.
- may take legal action in the public interest in areas such as consumer, child, and environmental protection.

The Judicial Branch

he judicial branch of government is the branch created to resolve disputes, administer justice, assure due process, and interpret the Constitution and the laws of the state. The Connecticut court system consists of the Supreme Court, the Appellate Court, the Superior Court, and the Probate Court.

Justices of the Supreme Court and judges of the Appellate and Superior Courts are nominated by the Governor from a list of candidates approved by the Judicial Selection Commission. Nominees are appointed by the General Assembly. They may serve for renewable, eight-year terms with mandatory retirement at age seventy. They may be removed by impeachment and limited other means. The voters of Connecticut elect probate judges.

The Supreme Court

he Supreme Court is the highest court of appeals in Connecticut—the court of last resort within the state. It consists of a Chief Justice and six Associate Justices. The Chief Justice appoints a Chief Court Administrator to oversee the administrative operations of the judicial branch. The Supreme Court

- does not hold trials.
- hears appeals of Appellate and Superior Court decisions to determine if state law was correctly and fairly applied.
- makes decisions that are final and binding on all other state courts. Further appeal may be made to the U.S. Supreme Court if a case involves a question of federal law.



The Appellate Court

The Appellate Court, consisting of nine judges, is the intermediate court of appeals in Connecticut. It was established in 1982 to alleviate the caseload burden on the state's Supreme Court. The Chief Justice of the Supreme Court designates one of the judges as Chief Judge. The Appellate Court

- does not hold trials.
- hears appeals of Superior Court decisions and appeals transferred from the state's Supreme Court to determine if the law was correctly and fairly applied.



The Superior Court

The Superior Court is the only trial court of general jurisdiction in Connecticut. All cases except probate matters begin here.

The Superior Court has five divisions: Family, Civil, Criminal, Housing, and Juvenile. Currently, there are 180 Superior Court judgeships.

Connecticut is divided geographically into thirteen Superior Court judicial districts to which judges are assigned on an annual basis by the Chief Court Administrator. In the Superior Court, witnesses give testimony and, in general, juries and judges decide cases. Some matters coming before the Court are handled by

- ❖ Family Support Magistrates, who hear matters of child and spousal support. Nine magistrates are appointed by the Governor for renewable threeyear terms.
- State Trial Referees, retired judges designated by the Chief Justice, who exercise the powers of the Superior Court on certain matters referred to them.
- Attorneys, appointed to act as Attorney State Trial Referees, Fact Finders, Small Claims Comissioners, Magistrates, and Arbitrators.

The Probate Court

The Probate Court oversees the settlement of estates of deceased persons, guardianships, trusts, conservatorships, commitments, and adoptions.

In 2009, to be effective January 2011, the General Assembly restructured the Probate Court system, establishing 54 probate court districts, each composed of one or more towns. The probate judge in each district is elected by the voters of that district for a term of four years.

Probate judges elected to a term that begins on or after January 2011 must be a member of the Connecticut bar. Retirement for probate judges is mandatory at age seventy.

The Chief Justice of the State Supreme Court appoints one judge of probate to serve as the Probate Court Administrator.

The Relationship Between State and Local Government

he State of Connecticut is divided into 169 municipalities. Each municipality, whether called a town or city, may operate under the state's statutes or may adopt its own local charter, as provided for in the Home Rule Act. A town charter specifies the form of government under which the municipality intends to operate. Although there are variants of each, the three basic forms of municipal government are

- Selectman—Town Meeting
- Mayor—Council
- Manager—Council

Each of these forms may include a Board of Finance.

Whatever the structure, each municipality is a self-governing unit, unique in character, with its own responsibilities, duties, and powers.

However, a municipality may exercise only those powers that the State of Connecticut has delegated to it. The General Assembly also imposes many mandates that have a broad impact upon the powers, scope, and financial obligations of local governments. For example, when a town establishes its own services—schools, road maintenance, police and fire services—they must operate within the confines of state statutes that apply to all Connecticut municipalities.

The *home rule* provision of the Constitution of 1965 prohibits the General Assembly from enacting any

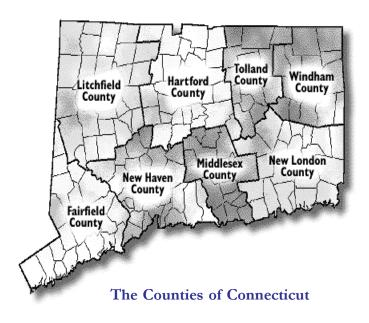


special legislation that would affect a single municipality except in regard to borrowing power, validating acts, and forming, consolidating, or dissolving a town, city, or borough.

Counties and Regional Cooperation

Ithough counties continue to exist as geographical areas for statistical and record-keeping purposes, county government in Connecticut was abolished in 1960. The state, cities, or towns now carry on all other governmental functions formerly performed by the county.

Municipalities cooperate with each other through intermunicipal agreements, regional government councils, and regional projects in public health, public safety, education, land use planning, environmental protection, transportation, and economic development.



Information & Resources

Capitol Information and Tours

State Capitol
210 Capitol Avenue
Hartford, CT 06106
(860) 240-0222
capitol.tours@cga.ct.gov
www.cga.ct.gov/capitoltours



Additional Resources

350 Years of Connecticut Government: A Search for the Common Good. Denise W. Merrill, ed. Hartford, CT: Connecticut Consortium for Law and Citizenship Education (CCLCE), 1991. Available online: www.cclce.org

Connecticut Legislative Guide. Hartford, CT: State of Connecticut, Office of Legislative Management. Published each legislative session. Available online: www.cga.ct.gov

The Connecticut State Constitution: A Reference Guide. Wesley W. Horton. Westport, CT: Greenwood Publishing Group, 1993

Connecticut State Register and Manual ("Blue Book"). Hartford, CT: State of Connecticut, Office of the Secretary of the State. Published annually. Available online: www.sots.ct.gov

Digest of Administrative Reports to the Governor. Hartford, CT: State of Connecticut, Department of Administrative Services. Published annually. Available online: www.das.state.ct.us

Directory of Connecticut's Federal and State Elected Officials. Hamden, CT: The League of Women Voters of Connecticut Education Fund. Published biennially. Available online: www.lwvct.org

Local Government in Connecticut. Frank B. Connolly. New Haven: Connecticut Conference of Municipalities (CCM), 1992

This is Your General Assembly. Hartford, CT: State of Connecticut, Joint Committee on Legislative Management. Published biennially. Available online: www.cga.ct.gov

