

By Senator Atwater

25-1621A-03

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

Senate Concurrent Resolution No. \_\_\_\_

A concurrent resolution amending Joint Rules 4 and 5 and repealing Joint Rule 6 of the Joint Rules of the Legislature.

Be It Resolved by the Senate of the State of Florida, the House of Representatives Concurring:

That Joint Rules 4 and 5 of the Joint Rules of the Legislature are amended and Joint Rule 6 of the Joint Rules of the Florida Legislature is repealed:

JOINT RULE FOUR

(As Amended April 1998)

~~JOINT~~ LEGISLATIVE AUDITING COMMITTEE

4.1--Responsibilities

(1) On or before December 31 of the year following each decennial census, the Legislative Auditing Committee shall review the performance of the Auditor General and shall submit a report to the Legislature which recommends whether the Auditor General should continue to serve in office.

(2) The expenses of the members of the committee shall be approved by the chair of the committee and paid from the appropriation for legislative expense.

(3) The committee shall submit to the President of the Senate and the Speaker of the House of Representatives, for approval, an estimate of the financial needs of the committee, the Office of Government Accountability ~~Auditor General, and the Office of Program Policy Analysis and Government Accountability,~~ and the Public Counsel.

1           (4) The committee and the units it oversees, including  
2 the Office of Government Accountability Auditor General, the  
3 ~~Office of Program Policy Analysis and Government~~  
4 ~~Accountability~~, and the Public Counsel, shall submit their  
5 budget requests and operating budgets to the President of the  
6 Senate and the Speaker of the House of Representatives for  
7 prior written approval by the presiding officers acting  
8 together.

9           (5) The committee may receive requests for audits and  
10 reviews from legislators. Staff of the committee shall review  
11 each request and make a recommendation to the committee  
12 concerning its disposition. The manner of disposition  
13 recommended may be:

14           (a) Assignment to the Office of Government  
15 Accountability Auditor General for inclusion in a regularly  
16 scheduled agency audit;

17           (b) Assignment to the Office of Government  
18 Accountability Auditor General for special audit or review;

19           ~~(c) Assignment to the Office of Program Policy~~  
20 ~~Analysis and Government Accountability for inclusion in a~~  
21 ~~regularly scheduled performance audit;~~

22           ~~(d) Assignment to the Office of Program Policy~~  
23 ~~Analysis and Government Accountability for special audit or~~  
24 ~~review;~~

25           ~~(c)(e)~~ Assignment to committee staff; or

26           ~~(d)(f)~~ Rejection as being an unnecessary or  
27 inappropriate application of legislative resources.

28           (6) The committee may at any time, without regard to  
29 whether the Legislature is in session, take under  
30 investigation any matter within the scope of an audit either  
31 completed or then being conducted by the Office of Government

1 ~~Accountability Auditor General or the Office of Program Policy~~  
2 ~~Analysis and Government Accountability~~, and in connection with  
3 such investigation may exercise the powers of subpoena by law  
4 vested in a standing committee of the Legislature.

5 (7) The chair and alternating chair of the committee  
6 shall be permitted to file legislation in their respective  
7 chambers to implement recommendations made by the committee  
8 concerning opportunities to improve management of entities  
9 audited by the Office of Government Accountability.

10 Notwithstanding the Rules of the Florida Senate or the Rules  
11 of the Florida House of Representatives, any legislation filed  
12 by the chair or alternating chair on behalf of the committee  
13 are not to be considered member bills or counted within the  
14 limitation of member bills.~~The committee shall review the~~  
15 ~~performance of the director of the Office of Program Policy~~  
16 ~~Analysis and Government Accountability every 4 years and shall~~  
17 ~~submit a report to the Legislature recommending whether the~~  
18 ~~director should be reappointed. A vacancy in the office must~~  
19 ~~be filled in the same manner as the original appointment.~~

20  
21 JOINT RULE FIVE

22 Office of Government Accountability ~~AUDITOR GENERAL~~

23 5.1--Rulemaking authority

24 The Office of Government Accountability ~~Auditor General~~  
25 shall make and enforce reasonable rules and regulations  
26 necessary to facilitate audits that the Office of Government  
27 Accountability ~~he or she~~ is authorized to perform.

28 5.2--Budget and accounting

29 (1) The Office of Government Accountability ~~Auditor~~  
30 ~~General~~ shall prepare and submit annually to the President of  
31 the Senate and the Speaker of the House of Representatives for

1 their joint approval a proposed budget for the ensuing fiscal  
2 year.

3 (2) Within the limitations of the approved operating  
4 budget, the salaries and expenses of the Office of Government  
5 Accountability Auditor General and the staff of the Auditor  
6 ~~General~~ shall be paid from the appropriation for legislative  
7 expense or any other moneys appropriated by the Legislature  
8 for that purpose. The Office of Government Accountability  
9 ~~Auditor General~~ shall approve all bills for salaries and  
10 expenses for his or her staff before the same shall be paid.

11 5.3--Audit report distribution

12 (1) A copy of each audit report shall be submitted to  
13 the Governor, to the Chief Financial Officer ~~Comptroller~~, and  
14 to the officer or person in charge of the state agency or  
15 political subdivision audited. One copy shall be filed as a  
16 permanent public record in the Office of Government  
17 Accountability ~~the Auditor General~~. In the case of county  
18 reports, one copy of the report of each county office, school  
19 district, or other district audited shall be submitted to the  
20 board of county commissioners of the county in which the audit  
21 was made and shall be filed in the office of the clerk of the  
22 circuit court of that county as a public record. When an audit  
23 is made of the records of the district school board, a copy of  
24 the audit report shall also be filed with the district school  
25 board, and thereupon such report shall become part of the  
26 public records of such board.

27 (2) A copy of each audit report shall be made  
28 available to each member of the Legislative Auditing  
29 Committee.

30 (3) The Office of Government Accountability Auditor  
31 ~~General~~ shall transmit a copy of each audit report to the

1 appropriate substantive and fiscal committees of the Senate  
2 and House of Representatives.

3 (4) Other copies may be furnished to other persons  
4 who, as in the opinion of the Office of Government  
5 Accountability Auditor General, are directly interested in the  
6 audit or who have a duty to perform in connection therewith.

7 (5) The Office of Government Accountability Auditor  
8 General shall annually transmit by December 1 to the President  
9 of the Senate, and the Speaker of the House of  
10 Representatives, and the Legislative Auditing Committee, by  
11 December 1 of each year, a list of statutory and fiscal  
12 changes recommended by its ~~audit~~ reports. The recommendations  
13 shall be presented in two reports ~~categories~~: one report  
14 addressing substantive law and policy issues and the other  
15 report addressing fiscal budget issues. The Office of  
16 Government Accountability shall also transmit specific  
17 recommendations that require legislative action to the  
18 appropriate substantive and fiscal committees. The Office of  
19 Government Accountability shall include draft legislation and  
20 recommended proviso, if necessary. The Auditor General may  
21 also transmit recommendations at other times of the year when  
22 the information would be timely and useful for the  
23 Legislature.

24 (6) The Office of Government Accountability shall  
25 annually transmit by December 1 to the Legislative Auditing  
26 Committee a list of recommendations made by the office within  
27 the previous 12 months concerning the management of entities  
28 which should be brought to the attention of the Legislature.  
29 The committee may conduct hearings concerning the  
30 recommendations that were not implemented and take action as  
31 appropriate.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

~~JOINT RULE SIX~~  
~~OFFICE OF PROGRAM POLICY~~  
~~ANALYSIS AND GOVERNMENT ACCOUNTABILITY~~

~~6.1--Responsibilities of the director~~

~~(1) The director may adopt and enforce reasonable rules necessary to facilitate the studies, reviews, and reports that the office is authorized to perform.~~

~~(2) The director shall prepare and submit annually to the President of the Senate and the Speaker of the House of Representatives for their joint approval the annual projected work plan of the office in conjunction with a proposed operating budget for the ensuing fiscal year.~~

~~(3) Within the monetary limitations of the approved operating budget, the salaries and expenses of the director and the staff of the Office of Program Policy Analysis and Government Accountability shall be paid from the appropriation for legislative expense or any other moneys appropriated by the Legislature for that purpose. The director shall approve all bills for salaries and expenses before the same shall be paid.~~

~~(4) Within the monetary limitations of the approved operating budget, the director shall make all spending decisions, including entering into contracts on behalf of the Office of Program Policy Analysis and Government Accountability.~~

~~(5) The director shall transmit to the President of the Senate and the Speaker of the House of Representatives, by December 1 of each year, a list of statutory and fiscal changes recommended by office reports. The recommendations shall be presented in two categories: one addressing~~

1 ~~substantive law and policy issues and the other addressing~~  
2 ~~budget issues. The director may also transmit recommendations~~  
3 ~~at other times of the year when the information would be~~  
4 ~~timely and useful for the Legislature.~~  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31