

By the Committee on Governmental Oversight and Productivity;  
and Senator Atwater

302-2520-03

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

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

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

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11 the Florida Legislature is repealed:

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13 JOINT RULE FOUR  
14 (As Amended April 1998)  
15 ~~JOINT~~ LEGISLATIVE AUDITING COMMITTEE

16 4.1--Responsibilities

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

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

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

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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.~~

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21 JOINT RULE FIVE

22 Office of Government Accountability ~~AUDITOR GENERAL~~

23 5.1--Rulemaking authority

24 The Auditor General shall make and enforce reasonable  
25 rules and regulations necessary to facilitate audits that the  
26 Office of Government Accountability ~~he or she~~ is authorized to  
27 perform, including, but not limited to, rules relating to  
28 examinations, policy analyses, program evaluations and  
29 justification reviews, reviews, and other engagements.

30 5.2--Budget and accounting

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1           (1) The Auditor General shall prepare and submit  
2 annually to the President of the Senate and the Speaker of the  
3 House of Representatives for their joint approval a proposed  
4 budget for the Office of Government Accountability for the  
5 ensuing fiscal year.

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

14 5.3--Audit report distribution

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

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

4           (3) The Office of Government Accountability Auditor  
5 ~~General~~ shall transmit a copy of each audit report to the  
6 appropriate substantive and fiscal committees of the Senate  
7 and House of Representatives.

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

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

27           (6) The Auditor General shall annually transmit by  
28 December 1 to the Legislative Auditing Committee a list of  
29 recommendations made by the office within the previous 12  
30 months concerning the management of entities which should be  
31 brought to the attention of the Legislature. The committee may

1 conduct hearings concerning the recommendations that were not  
2 implemented and take action as appropriate.

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4 ~~JOINT RULE SIX~~

5 ~~OFFICE OF PROGRAM POLICY~~

6 ~~ANALYSIS AND GOVERNMENT ACCOUNTABILITY~~

7 ~~6.1--Responsibilities of the director~~

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

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

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

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

29 ~~(5) The director shall transmit to the President of~~  
30 ~~the Senate and the Speaker of the House of Representatives, by~~  
31 ~~December 1 of each year, a list of statutory and fiscal~~

1 ~~changes recommended by office reports. The recommendations~~  
2 ~~shall be presented in two categories: one addressing~~  
3 ~~substantive law and policy issues and the other addressing~~  
4 ~~budget issues. The director may also transmit recommendations~~  
5 ~~at other times of the year when the information would be~~  
6 ~~timely and useful for the Legislature.~~

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8 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
9 COMMITTEE SUBSTITUTE FOR  
10 SCR 2798

11 The Committee Substitute makes minor changes in the amended  
12 duties of the Office of Governmental Accountability on the  
13 timing and nature of the reports submitted to the Legislature.  
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