

**HOUSE OF REPRESENTATIVES STAFF ANALYSIS**

**BILL #:** HCR 1127

Appointment of Gary VanLandingham as OPPAGA Director

**SPONSOR(S):** Homan

**TIED BILLS:**

**IDEN./SIM. BILLS:** SCR 1468

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) <u>Rules &amp; Calendar Council</u>	<u>20 Y, 0 N</u>	<u>Rubottom</u>	<u>Rubottom</u>
2) _____	_____	_____	_____
3) _____	_____	_____	_____
4) _____	_____	_____	_____
5) _____	_____	_____	_____

**SUMMARY ANALYSIS**

HCR 1127 confirms the appointment of Gary VanLandingham as Director of the Office of Program Policy Analysis and Government Accountability (OPPAGA).

OPPAGA is established in s. 11.51, F. S., as a unit of the Office of the Auditor General, to perform independent examinations, program reviews and other specifically authorized or required research projects. The office also makes recommendations and provides other services to the Legislature.

Section 11.511, Florida Statutes, provides that the Director of OPPAGA is to appointed by majority vote of the Legislative Auditing Committee, a joint committee established under Joint Rule Four of the Joint Rules of the Senate and House. The appointment is subject to confirmation by the Senate and the House. The appointment may be terminated at any time by a majority vote of the Senate and the House.

On January 24, 2005, the Legislative Auditing Committee appointed Gary VanLandingham to the position of Director. Pursuant to s. 11.511(2)(b), the appointee shall perform the functions as provided by law until confirmation. Mr. VanLandingham served as interim Director from July, 2003, until his January, 2005, appointment.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. HOUSE PRINCIPLES ANALYSIS:

**Provide Limited Government**—The Concurrent Resolution implements policy designed to improve legislative oversight and provide greater accountability for state programs and policies.

#### B. EFFECT OF PROPOSED CHANGES:

HCR 1127 confirms the appointment of Gary VanLandingham as Director of the Office of Program Policy Analysis and Government Accountability (OPPAGA). The appointee has served as interim Director since July, 2003.

OPPAGA is established in s. 11.51, F. S., as a unit of the Office of the Auditor General, to perform independent examinations, program reviews and other specifically authorized or required research projects. The office also makes recommendations and provides other services to the Legislature. The office maintains a schedule of examinations of state programs intended to assure review of the effectiveness of all programs on a rotating basis. In addition, legislation creating new programs will direct OPPAGA to review and report on initial results or the results of pilot programs.

Section 11.511, Florida Statutes, provides that the Director of OPPAGA is to appointed by majority vote of the Legislative Auditing Committee, a joint committee established under Joint Rule Four of the Joint Rules of the Senate and House. The appointment is subject to confirmation by the Senate and the House. The appointment may be terminated at any time by a majority vote of the Senate and the House.

On January 24, 2005, the Legislative Auditing Committee appointed Gary VanLandingham to the position of Director. Pursuant to s. 11.511(2)(b), the appointee shall perform the functions as provided by law until confirmation.

Pursuant to Joint Rule 4(7), the Joint Legislative Auditing Committee is to review the performance of the director of OPPAGA every 4 years and submit a report to the Legislature recommending whether the director should be reappointed.

#### C. SECTION DIRECTORY:

NA

### II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

#### A. FISCAL IMPACT ON STATE GOVERNMENT:

The concurrent resolution makes no substantive policy and does not affect revenues or expenditures.

1. Revenues: NA

2. Expenditures: NA

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues: NA
2. Expenditures: NA

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

The concurrent resolution makes no substantive policy and does not affect the private sector.

D. FISCAL COMMENTS:

The Legislative Auditing Committee submits an estimate of financial needs of OPPAGA to the President of the Senate and House and the Office is funded through the annual Legislative Budget. The Concurrent Resolution makes no impact on the budget.

### III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:
2. Other:

B. RULE-MAKING AUTHORITY:

The Concurrent Resolution does not create any rulemaking authority.

C. DRAFTING ISSUES OR OTHER COMMENTS:

The title "Legislative Auditing Committee" is used in s. 11.51, et seq., and in Joint Rule 4, except that the title for Joint Rule 4 is "Joint Legislative Auditing Committee. Because the Office is a legislative office, the Legislative Auditing Committee should be deemed at law to be whatever the current Legislature deems it to be. It is reasonably clear from the Joint Rule if not from the statute, that the titles are interchangeable.

### IV. AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES