

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #3

FILED
Aug 3 9 57 AM '99
OFFICE OF THE SECRETARY OF STATE
WEST VIRGINIA

**NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE
AND
FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE**

AGENCY: State Auditor TITLE NUMBER: 155

CITE AUTHORITY 12-3-10

AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 1

TITLE OF RULE BEING AMENDED: Standards for Requisitions for Payments
Issued by State Officers On the Auditor

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: _____

TITLE OF RULE BEING PROPOSED: _____

THE ABOVE PROPOSED LEGISLATIVE RULE HAVING GONE TO A PUBLIC HEARING OR A PUBLIC COMMENT PERIOD IS HEREBY APPROVED BY THE PROMULGATING AGENCY FOR FILING WITH THE SECRETARY OF STATE AND THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE FOR THEIR REVIEW.

Paul S. Mollohan

Authorized Signature
Paul S. Mollohan
Senior Deputy State Auditor

\$3.60



State of West Virginia
OFFICE OF THE STATE AUDITOR
CHARLESTON 25305

GLEN B. GAINER, III
STATE AUDITOR

August 2, 1999

PAUL S. MOLLOHAN
CHIEF CLERK

Judy Cooper
Director
Administrative Law Divisions
Secretary of State
Charleston. WV 25305

Dear Ms. Cooper

I am submitting the agency final approval for the existing rule, title 155, series 1, for the State Auditor's Office.

The effect of this modification is to make minor changes for the electronic submission and approval for invoices submitted to the Auditor. These changes are noted in paragraphs 2.2, 2.8, 2.9, and 3.5.

The rule was filed for public comment on June 22, 1999 with the period expiring on July 23, 1999. No comments were received.

Sincerely,

Paul S. Mollohan
Senior Deputy State Auditor

TITLE 155
LEGISLATIVE RULE
WEST VIRGINIA STATE AUDITOR

SERIES 1
STANDARDS FOR REQUISITIONS FOR PAYMENT ISSUED
BY STATE OFFICERS ON THE AUDITOR

FILED
AUG 3 9 57 AM '99
OFFICE OF THE WEST VIRGINIA STATE AUDITOR

§155-1-1. General.

1.1. Scope. -- This proposed rule establishes standards for the form and content of requisitions for payment issued by state officers on the Auditor.

1.2. Authority. -- W. Va. Code §12-3-10.

1.3. Filing Date. -- May 14, 1997.

1.4. Effective Date. -- May 25, 1997.

§155-1-2. Definitions.

2.1. Auditor. -- The Auditor of the State of West Virginia.

2.2. Authorized signature. -- The written or electronic authorization signature of a person authorized by the Department of Administration to certify that state agency funds are available to process the relevant transaction.

2.3. Certify. -- To authenticate or verify that pertinent information is true and accurate by affixation of an authorized signature.

2.4. Change order. -- An amendment to an original purchasing contract.

2.5. Coversheet. -- A printed or electronic document initiated by WVFIMS to be included with all requisitions submitted to the Auditor for payment.

2.6. Invoice. -- Written, printed or electronic documentation issued by a vendor reflecting the merchandise or service delivered or provided and the cost of the merchandise or service.

2.7. Open-end contract. -- A contract that has no determined quantity or encumbrance.

2.8. Requisition. -- A written, printed or electronic request demand or application for payment issued by a state officer ~~on~~ to the Auditor consisting of ~~a coversheet with authorized signature, an invoice and any other~~ documentation required by law, rule or lawful discretion of the Auditor.

2.9. Statewide contract. -- A contract that is initiated and maintained by the Department of Administration, Purchasing Division and is open to all state agencies and has no ~~set~~ fixed encumbrance.

2.10. West Virginia Financial Information Management Systems (WVFIMS). -- The centralized accounting systems used by all state agencies for processing financial transactions and maintained by the Department of Administration and the Auditor.

2.11. WVFIMS financial code components. -- The accounting code scheme used in WVFIMS which provides financial information necessary for the processing of financial transactions. The code components are required on all coversheets submitted to the Auditor. The code components are:

2.11.a. FUND. -- A self-balancing set of accounts containing assets, liabilities, fund balance, revenue and expenditure accounts;

2.11.b. FISCAL YEAR (FY). -- Represents the fiscal year in which an appropriation was authorized by the Legislature;

2.11.c. ORGANIZATION (ORG). -- The organizational entity which has management responsibility for a fund;

2.11.d. ACTIVITY (ACT). -- Represents the activity code corresponding to the budgetary line items in the Legislative Budget Bill;

2.11.e. OBJECT (OBJ). -- Represents the object code indicating what commodity or service was acquired by the expenditure; and

2.11.f. SOURCE. -- For revenue accounts, the source code indicates the type of revenue.

§155-1-3. Invoice Requirements.

3.1. Itemization. -- All invoices submitted to the Auditor for payment shall contain the following:

3.1.a. An ~~item~~ itemized description indicating the type of materials, supplies or service provided;

3.1.b. An invoice or order date and the date(s) of service, if the item to be paid is a service; and

3.1.c. Any additional information required by the Auditor.

3.2. "Miscellaneous" itemization. -- Invoices indicating "miscellaneous" as itemization are not acceptable for payment.

3.3. Credits. -- Invoices including credits shall not require credit memos if the credit is identified on the invoice.

3.4. Previous balances. -- Invoices including a previous balance require documentation before the previous balance may be paid. Metered utilities are excluded from the provisions of this subsection.

3.5. Vendor information. -- All invoices

submitted to the Auditor shall have an invoice coversheet containing the same vendor name as that contained on the invoice. If the vendor name on the coversheet and the invoice are not the same, then the invoice must ~~reflect~~ indicate that the vendor name on the invoice is that of a division, branch, subsidiary, or is a doing business as (DBA) name of the vendor name contained on the invoice coversheet. The Auditor shall accept letters of assignment for payments made in care of financial institutions.

3.6. Original invoice. -- All invoices submitted to the Auditor shall be an original or a certified original. The following are considered original invoices:

3.6.a. Wholly original invoices;

3.6.b. Invoices in which the body is wholly original; the body being that section of the invoice which contains the itemization, quantity and price of the goods or services;

3.6.c. Invoices reflecting that the invoice is an original, customer copy, remittance copy or billing copy, and in which the body is wholly original;

3.6.d. Computer generated invoices;

3.6.e. Original invoices which are handwritten, typewritten or created in whole, or in part, by a manual stamping device; and

3.6.f. Wholly original debt service documents, court orders, electronic funds transfer documents, and liens.

3.7. Original invoice certification. -- Any invoice requiring original certification may be certified by the agency receiving the invoice. Those invoices which require original certification are:

3.7.a. Faxed or photocopied invoices;

3.7.b. Invoices which reflect that they are revised, duplicate or second billing invoices; and

3.7.c. Non-original invoices which are typewritten, handwritten, or created in whole, or in part, by a manual stamping device.

3.8. Coversheet/Invoice certification. -- All requisitions submitted to the Auditor shall have an authorized signature on the face of the document.

3.9. Invoice date stamp requirement. -- In order to comply with W. Va. Code § 5A-3-54, the Prompt Pay Act of 1990, the Auditor shall require that all invoices be date stamped either manually or electronically upon receipt by the state agency. If goods are received prior to the receipt of an invoice for the goods, the affixation of a date stamp on the invoice indicating the date the invoice was received meets the requirement of this rule. The state agency shall date stamp invoices received prior to the receipt of the relevant goods a second time indicating the date the goods were received. In the absence of a second date stamp indicating that the goods were received after receipt of the invoice, the Auditor shall determine the interest due the vendor by referring to the date of receipt of the invoice. Invoices for services shall not require a second date stamp insofar as the date(s) of service reflected on the invoice constitutes prima facie proof of the date(s) the services were received.

§155-1-4. Contract Invoice Requirements.

4.1. Itemization. -- All invoices submitted to the Auditor for payment against a contract shall contain the following:

4.1.a. An item description, including, but not limited to, model number(s), quantity and unit price, indicating the type of materials, supplies or service. The materials, supplies or service shall be of the type covered under the contract and the description of the materials, supplies or service shall not conflict with the description contained in the contract; and

4.1.b. The date(s) of service, if the item to be paid is service. The date(s) shall fall within the contract period.

4.2. Vendor information. -- All invoices submitted to the Auditor for payment against a contract shall have an invoice coversheet containing the same vendor name as that contained on the invoice. If the vendor name on the coversheet and the invoice are not the same, then the state agency shall submit either a change order reflecting the change in vendor name or a statement from that the vendor indicating the vendor name on the invoice is that of a division, branch, subsidiary, or is a doing business as (DBA) name of the vendor name contained on the invoice coversheet. The name of the state agency ~~reflected~~ on the invoice and invoice coversheet shall be the same as the name of the state agency on the contract.

4.3. Funding information contract requirements. -- All contracts and change orders submitted to the Auditor shall include complete WVFIMS financial code component information, excluding statewide and open-end contracts. Complete WVFIMS financial code component information includes the components listed and defined in section 2.10 of this rule. All contracts with encumbered monies shall indicate funding information and the amount allotted to each fund, if more than one is indicated. Statewide and open-end contracts need only indicate "VARIOUS" or "MULTIPLE". All coversheets shall include the funding information indicated on the contract.

4.4. Building leases. -- All building leases are audited in accordance with the Department of Administration's Leasing Division's Guidelines. Time periods are required on all invoices to verify that the time is within the lease period.

4.5. Contract and Change order approvals. -- All contracts and change orders shall be approved by the following:

4.5.a. The Department of Administration Purchasing Division or an authorized procurement officer, if a Higher Education agency; and

4.5.b. The Attorney General, as to form, if the contract exceeds the dollar limits established by the Department of Administration or Higher Education statutes for delegated purchasing

authority, or is for the provision of legal services.

4.5.c. The Attorney General, as to form, if changes are made to contract terms and conditions.

§155-1-5. Travel Reimbursement.

5.1. All state employee travel reimbursements submitted to the Auditor shall comply with state travel regulations or Higher Education Travel Guidelines. In-state travel reimbursement shall be processed in accordance with those regulations or guidelines.

DATE: August 2, 1999

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

Glen B. Gainer III, WV State Auditor

FROM: Standards for Requisitions for Payents Issued

LEGISLATIVE RULE TITLE: by State Officers On the Auditor

1. Authorizing statute(s) citation 12-3-10

2. a. Date filed in State Register with Notice of Hearing

June 22, 1999 for public comment.

b. What other notice, including advertising, did you give of the hearing?

None

c. Date of Hearing(s) Public Comment ended on July 23, 1999.

d. Attach list of persons who appeared at hearing, comments received, amendments, reasons for amendments.

Attached _____ No comments received 0

e. Date you filed in State Register the agency approved proposed Legislative Rule following public hearing: (be exact)

August 2, 1999

f. Name and phone number(s) of agency person(s) to contact for additional information:

Paul S. Mollohan, Senior Deputy State Auditor

558-2251, Extension 113

3. If the statute under which you promulgated the submitted rules requires certain findings and determinations to be made as a condition precedent to their promulgation:

a. Give the date upon which you filed in the State Register a notice of the time and place of a hearing for the taking of evidence and a general description of the issues to be decided.

NA

b. Date of hearing: NA

c. On what date did you file in the State Register the findings and determinations required together with the reasons therefor?

NA

d. Attach findings and determinations and reasons:

Attached NA
