

Senate Bill No. 570

(By Senators Kessler (Mr. President), Prezioso and Plymale)

[Introduced February 10, 2012; referred to the Committee on Government Organization; and ten to the Committee on Finance.]

**FISCAL
NOTE**

A BILL to amend and reenact §22-1-7 of the Code of West Virginia, 1931, as amended, relating to requiring the Department of Environmental Protection to maintain an Office of Internal Auditing.

Be it enacted by the Legislature of West Virginia:

That §22-1-7 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 1. DEPARTMENT OF ENVIRONMENTAL PROTECTION.

§22-1-7. Offices and divisions within department.

(a) Consistent with the provisions of this article, the secretary shall, at a minimum, maintain the following offices and divisions within the ~~division~~ department:

(1) The Office of Abandoned Mine Lands and Reclamation, which is charged, at a minimum, with administering and enforcing, under

1 the supervision of the ~~director~~ secretary, the provisions of
2 article two of this chapter;

3 (2) The Division of Mining and Reclamation, which is charged,
4 at a minimum, with administering and enforcing, under the
5 supervision of the ~~director~~ secretary, the provisions of articles
6 three and four of this chapter;

7 (3) The Division of Air Quality, which is charged, at a
8 minimum, with administering and enforcing, under the supervision of
9 the ~~director~~ secretary, the provisions of article five of this
10 chapter;

11 (4) The Office of Oil and Gas, which is charged, at a minimum,
12 with administering and enforcing, under the supervision of the
13 ~~director~~ secretary, the provisions of articles six, seven, eight,
14 nine and ten of this chapter;

15 (5) The Division of Water and Waste Management, which is
16 charged, at a minimum, with administering and enforcing, under the
17 supervision of the ~~director~~ secretary, the provisions of articles
18 eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen,
19 eighteen, nineteen and twenty of this chapter; and

20 (6) The Office of Explosives and Blasting, which is charged,
21 at a minimum, with administering and enforcing, under the
22 supervision of the ~~director~~ secretary, the provisions of article
23 three-a of this chapter.

24 (b) In addition to the offices and divisions provided in

1 subsection (a) of this section, the secretary shall maintain an
2 Office of Internal Auditing. The office shall be staffed by an
3 auditor and other necessary support staff. The auditor is required
4 to have at least five years of experience auditing governmental
5 agencies. The auditor and all support staff within the office are
6 required to be nonexempt civil service employees. The auditor is
7 required to be a full-time employee. The auditor's primary
8 responsibility is to conduct a continuous audit and analysis of the
9 internal controls of the department.

NOTE: The purpose of this bill is to require the Department of Environmental Protection to maintain an Office of Internal Auditing.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.