

COMMITTEE SUBSTITUTE

FOR

H. B. 4049

(BY DELEGATES WHITE AND BOGGS)

(Originating in the Committee on Finance)
[February 16, 2012]

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.

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

4 (1) The Office of Abandoned Mine Lands and
5 Reclamation, which is charged, at a minimum, with
6 administering and enforcing, under the supervision of the
7 ~~director~~ secretary, the provisions of article two of this chapter;

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

12 (3) The Division of Air Quality, which is charged, at a
13 minimum, with administering and enforcing, under the
14 supervision of the ~~director~~ secretary, the provisions of article
15 five of this chapter;

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

20 (5) The Division of Water and Waste Management,
21 which is charged, at a minimum, with administering and

22 enforcing, under the supervision of the ~~director~~ secretary, the
23 provisions of articles eleven, twelve, thirteen, fourteen,
24 fifteen, sixteen, seventeen, eighteen, nineteen and twenty of
25 this chapter; and

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

30 (b) In addition to the offices and divisions provided in
31 subsection (a) of this section, the secretary shall maintain an
32 Office of Internal Auditing. The office shall be staffed by an
33 auditor and other necessary support staff. The auditor is
34 required to have at least five years of experience auditing
35 governmental agencies. The auditor and all support staff
36 within the office are required to be classified employees.
37 The auditor is required to be a full-time employee. The
38 auditor's primary responsibility is to conduct a continuous
39 audit and analysis of the internal controls of the department.