

1 the principal administrative officer of that office and is
2 accountable and responsible for the orderly and efficient
3 performance of the duties, functions and services of her or his
4 office. The chief executive officer shall monitor legal challenges
5 to the energy industries in the state and submit a report every
6 sixty days to the Department of Environmental Protection and the
7 Department of Revenue. The report shall contain information
8 relating to any litigation that challenges any statute that could
9 affect the production of natural resources in this state. The
10 Department of Environmental Protection and the Department of
11 Revenue shall make a fiscal and budgetary analysis of the impact of
12 the litigation for each chief executive officer who shall submit
13 these to the Governor and Legislature every sixty days.

14 (b) There shall be in the department such other supervisory
15 officers as the secretary determines is necessary to administer the
16 functions of the department. ~~Such~~ The supervisory officers are
17 "administrators" as ~~such~~ that term is defined in section two,
18 article six, chapter twenty-nine of this code, notwithstanding the
19 fact that the positions filled by ~~such~~ those persons are not
20 statutorily created. Any ~~such~~ supervisory officer may be
21 designated by the secretary as a deputy director, assistant
22 director, chief, administrator or other administrative title or
23 designation. Each of the supervisory officers shall be appointed
24 by the secretary and serve at the will and pleasure of the

1 secretary. The compensation of ~~such~~ supervisory officers shall be
2 fixed by the secretary. A single individual may be appointed to
3 serve simultaneously in two distinct supervisory positions, but in
4 a case where a dual appointment is made, the supervisory officer
5 ~~shall~~ may not receive additional compensation above that which
6 would be paid for serving in one supervisory position.

7 (c) A supervisory officer appointed pursuant to the provisions
8 of this section shall report directly to the secretary and shall,
9 in addition to any functions vested in or required to be delegated
10 to such officer, perform additional functions as the secretary may
11 prescribe.

12 (d) Each supervisory officer of the department shall, before
13 entering upon the discharge of his or her duties, take the oath of
14 office prescribed by section five, article IV of the Constitution
15 of West Virginia and shall execute a bond in the penalty of \$2,000,
16 with security to be approved by the Governor, conditioned upon the
17 faithful discharge of their duties, a certificate of the oath and
18 bond shall be filed in the office of the Secretary of State.
19 Premiums on the bond shall be paid from the department funds.

NOTE: The purpose of this bill is to require the supervisory officers of the offices within the Department of Environmental Protection to monitor litigation challenging state statutes affecting the production of natural resources in West Virginia; and to report to the Department of Environmental Protection, Department of Revenue, the Legislature and Governor every sixty days, with fiscal and budgetary analysis of the impact of any such

litigation.

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