

1 COMMITTEE SUBSTITUTE

2 FOR

3 **H. B. 4049**

4 (By Delegates White and Boggs)

5
6 (Originating in the Committee on Finance)

7 [February 16, 2012]

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9
10 A BILL to amend and reenact §22-1-7 of the Code of West Virginia,
11 1931, as amended, relating to requiring the Department of
12 Environmental Protection to maintain an Office of Internal
13 Auditing.

14 *Be it enacted by the Legislature of West Virginia:*

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

17 **ARTICLE 1. DEPARTMENT OF ENVIRONMENTAL PROTECTION.**

18 **§22-1-7. Offices and divisions within department.**

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

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

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

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

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

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

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

22 (b) In addition to the offices and divisions provided in
23 subsection (a) of this section, the secretary shall maintain an
24 Office of Internal Auditing. The office shall be staffed by an
25 auditor and other necessary support staff. The auditor is required
26 to have at least five years of experience auditing governmental

1 agencies. The auditor and all support staff within the office are
2 required to be classified employees. The auditor is required to be
3 a full-time employee. The auditor's primary responsibility is to
4 conduct a continuous audit and analysis of the internal controls of
5 the department.