



STATE OF WEST VIRGINIA
DEPARTMENT OF AGRICULTURE
CHARLESTON
25305

Gus R. Douglass
Commissioner

SECRETARY OF STATE

1985 OCT 22 PM 1:14

FILED

NOTICE OF AGENCY ADOPTION

RULE TITLE: Regulations To Govern In-State and Out-Of-State Travel by
West Virginia Department of Agriculture Employees.

RULE TYPE: Procedural

The attached rule constitutes the official rule adopted by the West Virginia
Department of Agriculture on October 1, 1985 and filed with the Secretary of
State.

Gus R. Douglass
Agriculture Commissioner

*Process
complete
Series 17*



KEN HECHLER
Secretary of State

MARY P. RATLIFF
Deputy Secretary of State

BARBARA STARCHER
Deputy Secretary of State

RICHARD S. STEPHENSON
Deputy Secretary of State

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Director, Administrative Law

DONALD R. WILKES
Director, Corporations

VIRGINIA SKEEN
Special Assistant
(Plus all the volunteer help we can get)

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SECRETARY OF STATE

STATE OF WEST VIRGINIA
SECRETARY OF STATE
Charleston 25305

PROPOSED RULES
STATE REGISTER FILING

=====

AGENCY West Virginia Department of Agriculture

CONTACT PERSON William H. Gillespie PHONE 348-3550 or 348-2203

TYPE OF RULE Procedural

TITLE OF RULE Regulations To Govern In-State and Out-of-State Travel By
West Virginia Department of Agriculture Employees.

CHAPTER 12 ARTICLE 3 SERIES XVII

AUTHORITY 12-3-11

+++++

CHECK APPLICABLE ITEMS BELOW TO SHOW KIND OF ACTION BEING TAKEN

NEW RULE

NOTICE OF HEARING

AMENDMENTS TO EXISTING RULE

NOTICE OF AGENCY APPROVAL
(legislative rules only)

REPEAL OF EXISTING RULE

NOTICE OF AGENCY ADOPTION
(interpretive & procedural rules only)

NOTE: ALL FILINGS REQUIRE ONLY ONE COPY, EXCEPT FINAL FILING OF RULES WHICH REQUIRES AN ORIGINAL AND A COPY.

FINAL FILING

FIRST EMERGENCY FILING

SECOND EMERGENCY FILING

FILED IN THE OFFICE OF
A. JAMES MANCHIN
SECRETARY OF STATE

THIS DATE *January 10, 1983*

WEST VIRGINIA ADMINISTRATIVE REGULATIONS
STATE DEPARTMENT OF AGRICULTURE

Chapter 12-3
1981
GENERAL INDEX
For
Series XVII

TRAVEL REGULATIONS

Declaration of Policy, Section 2 - Page 1
General, Section 1 - Page 1
In-State Travel, Section 3 - Page 2
Out-Of-State Travel, Section 4 - Page 7

obsolete
valid July 1, 1984
to Sept 30, 1985



STATE OF WEST VIRGINIA
DEPARTMENT OF AGRICULTURE
CHARLESTON 25305

GUS R. DOUGLASS
COMMISSIONER

WILLIAM H GILLESPIE
ADMINISTRATIVE ASSISTANT

July 2, 1984

Honorable A. James Manchin
Secretary of State
Building 1, Suite 157-K
Charleston, WV 25305

Dear Secretary Manchin:

I am attaching a copy of amended West Virginia Administrative Regulations for the State Department of Agriculture which establish general operating procedures for in-state and out-of-state travel by employees of the West Virginia Department of Agriculture and are filed in accordance with Chapter 29A, Article 3, Section 7(a). These regulations are promulgated and issued under authority of Chapter 12, Article 3, Section 11, Code of West Virginia, 1931, as amended. These are Procedural Regulations.

I hereby certify that these are the original regulations to be filed in the office of the Secretary of State on July 2, 1984.

With best regards, I am

Very truly yours,

Gus R. Douglass
Agriculture Commissioner

GRD/G/d
Enc.

cc - Auditor Gainer
Legislative Auditor Bailey
Dept. of Finance & Administration
Fiscal Division

FILED IN THE OFFICE OF
A. JAMES MANCHIN
SECRETARY OF STATE

THIS DATE July 2, 1984
Administrative Law Division



STATE OF WEST VIRGINIA
 OFFICE OF THE SECRETARY OF STATE
 CHARLESTON 25305

A. JAMES MANCHIN
 SECRETARY OF STATE

STATE REGISTER FILING

I, Gus R. Douglass, Commissioner,
 Title or Position

West Virginia Department of Agriculture, hereby submit to record in
 Department or Division

the State Register on 8 1/2 x 11" paper two (2) copies of

- proposed rules and regulations concerning topics of material not covered by existing rules and regulations;
- proposed rules and regulations superseding rules and regulations already on file;
- notice of hearing;
- findings and determinations;
- rules and regulations; or
- other - specify () .

This filing pertains to

Chapter 12
 Article 3
 Series XVII
 Section 11
 Page No. 1, 5 and 8

FILED IN THE OFFICE OF
 A. JAMES MANCHIN
 SECRETARY OF STATE
 THIS DATE 7-2-84
 Legislative Law Division

- proposed rules and regulations are required to go to Legislative Rule Making Committee;
- proposed rules and regulations are excluded from Legislative Rule Making Committee;

July 2, 1984
 Date Submitted

 Signature of Person Authorizing
 this Filing



STATE OF WEST VIRGINIA
 OFFICE OF THE SECRETARY OF STATE
 CHARLESTON 25305

A. JAMES MANCHIN
 SECRETARY OF STATE

STATE REGISTER FILING

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- findings and determinations;
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- other - specify ()

This filing pertains to

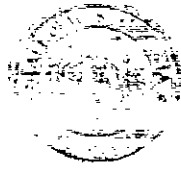
Chapter 12
 Article 3
 Series XVII
 Section 11
 Page No. 1 and 6

FILED IN THE OFFICE OF
 A. JAMES MANCHIN
 SECRETARY OF STATE
 THIS DATE Feb. 17, 1984
 Administrative Law Division

- proposed rules and regulations are required to go to Legislative Rule Making Committee;
- proposed rules and regulations are excluded from Legislative Rule Making Committee; These are Procedural Regulations

February 17, 1984
 Date Submitted

Gus R. Douglass
 Signature of Person Authorizing



STATE OF WEST VIRGINIA
DEPARTMENT OF AGRICULTURE
CHARLESTON 25305

GUS R. DOUGLASS
COMMISSIONER

WILLIAM H. GILLESPIE
ADMINISTRATIVE ASSISTANT

June 30, 1983

Honorable A. James Manchin
Secretary of State
Building 1, Room W-157
Charleston, WV 25305

Dear Secretary Manchin:

I am attaching a copy of amended West Virginia Administrative regulations for the State Department of Agriculture which establish general operating procedures for in-state and out-of-state travel by employees of the West Virginia Department of Agriculture and are filed in accordance with Chapter 29A, Article 3, Section 7(a). These regulations are promulgated and issued under authority of Chapter 12, Article 3, Section 11, Code of West Virginia, 1931, as amended. These are Procedural Regulations.

I hereby certify that these are the original regulations to be filed in the office of the Secretary of State on June 29, 1983.

With best regards, I am

Very truly yours,

Gus R. Douglass
Agriculture Commissioner

GRD/G/d
Enc.

cc - Auditor Gainer
Legislative Auditor Bailey
Finance & Administration
WVDA Fiscal Division

FILED IN THE OFFICE OF
A. JAMES MANCHIN
SECRETARY OF STATE
THIS DATE June 30, 1983
Administrative Law Division



STATE OF WEST VIRGINIA
OFFICE OF THE SECRETARY OF STATE
CHARLESTON 25305

A. JAMES MANCHIN
SECRETARY OF STATE

STATE REGISTER FILING

I, Gus R. Douglass, Agriculture Commissioner,
Title or Position

West Virginia Department of Agriculture, hereby submit to record in
Department or Division

the State Register on 8 1/2 x 11" paper two (2) copies of

- proposed rules and regulations concerning topics of material not covered by existing rules and regulations;
- proposed rules and regulations superseding rules and regulations already on file;
- notice of hearing;
- findings and determinations;
- rules and regulations; or
- other - specify ()

This filing pertains to

Chapter 12
 Article 3
 Series XVII
 Section 11
 Page No. 1, 5 and 6

FILED IN THE OFFICE OF
 A. JAMES MANCHIN
 SECRETARY OF STATE
 THIS DATE June 30, 1983
 Administrative Law Division

- proposed rules and regulations are required to go to Legislative Rule Making Committee;
- proposed rules and regulations are excluded from Legislative Rule Making Committee;

June 30, 1983
Date Submitted

Gus R. Douglass
Signature of Person Authorizing
this Filing



FILED IN THE OFFICE OF
A. JAMES MANCHIN
SECRETARY OF STATE

THIS DATE *January 10, 1983*

GUS R. DOUGLASS
COMMISSIONER

STATE OF WEST VIRGINIA
DEPARTMENT OF AGRICULTURE
CHARLESTON 25305
January 10, 1983

WILLIAM H GILLESPIE
ADMINISTRATIVE ASSISTANT

Honorable A. James Manchin
Secretary of State
Building 1, Room W-157
Charleston, WV 25305

Dear Secretary Manchin:

I am attaching a copy of amended West Virginia Administrative Regulations for the State Department of Agriculture which establish general operating procedures for in-state and out-of-state travel by employees of the West Virginia Department of Agriculture and are filed in accordance with Chapter 29A, Article 3, Section 7(a). These regulations are promulgated and issued under authority of Chapter 12, Article 3, Section 11, Code of West Virginia, 1931, as amended. These are Procedural Regulations.

I hereby certify that these are the original regulations to be filed in the office of the Secretary of State on January 10, 1983.

With best regards, I am

Very truly yours,

Gus R. Douglass
Agriculture Commissioner

GRD/G/d
Enc. - 2 copies.

cc - Auditor Gainer
Legislative Auditor Bailey
Fiscal Division

PROCEDURAL

WEST VIRGINIA ADMINISTRATIVE REGULATIONS
STATE DEPARTMENT OF AGRICULTURE

Chapter 12-3

SERIES XVII

FILED IN THE OFFICE OF
A. JAMES MANCHIN
SECRETARY OF STATE

THIS DATE 7-2-84

Administrative Law Division

SUBJECT: Revised regulations to govern in-state and out-
of-state travel by West Virginia Department of
Agriculture employees.

Section 1. General

1.01 Scope. These regulations establish general operating procedures for in-state and out-of-state travel by employees of the West Virginia Department of Agriculture and are filed in accordance with Chapter 29A, Article 3, Section 7(a). These are procedural regulations.

1.02 Authority. These regulations are promulgated and issued under authority of Chapter 12, Article 3, Section 11, Code of West Virginia, as amended.

1.03 Effective Date. These regulations become effective on July 1, 1984, and supersede all previously filed regulations concerning West Virginia Department of Agriculture employee travel.

Section 2. Declaration of Policy.

2.01 Article 3, Section 11, Chapter 12 of the West Virginia Code, 1931, as amended, specifically delegates the responsibility for promulgated rules and regulations governing travel allowances for employees of the West Virginia Department of Agriculture to the Commissioner of Agriculture. Accordingly, I, Gus R. Douglass, hereby promulgate the following regulations to govern in-state and out-of-state travel for Department of Agriculture employees

traveling on official business for the State of West Virginia. The allowances set out herein shall be considered the maximum for approved travel allowances. No employee shall collect expenses from the State of West Virginia if he has or will receive reimbursement from others.

Section 3. IN-STATE-TRAVEL.

3.01 Headquarters.

(a) Each employee shall be presumed to have his or her official headquarters at the Guthrie Agricultural Center unless a properly executed headquarters justification statement is on file with the Department's Fiscal Division. When the official station is other than Guthrie, the proper designation shall be shown on expense accounts. It is permissible for field employees to use their home as headquarters, but if an assigned work station is within 25 miles, the employee will normally be assigned that station as a headquarters.

(b) Headquarters shall not be multiple stations. Personnel who work multiple stations which necessitate automobile travel are in travel status from the moment of departing their headquarters station until they return to their headquarters station. If the employee does not return to the headquarters station at the end of the day or trip, he or she shall not be eligible for mileage (when driving personal car) in excess of the distance back to the headquarters station.

(c) When a new employee is assigned a headquarters station that requires the relocation of his or her place of

PROCEDURAL

Dept. of Agri.
Adm. Reg. 12-3
Series XVII

Sec. 3.01

residence or if an employee is asked to change his headquarters assignment, which requires relocation of his place of residence, he will be so instructed and up to a 90 day (calendar) grace period will be allowed during which time the employee can collect expenses. If the employee elects not to move, he or she will not be allowed expenses relating to the change in headquarters after the expiration of the 90 day grace period.

(d) Expenses incurred at the official station or within reasonable distance will not be allowed unless it is to attend special meetings for which prior written approval has been obtained from the Commissioner.

3.02. Submission of Expense Accounts.

(a) The standard form, "Travel Expense Account" shall be used for all claims for traveling expenses.

(b) All expenses shall be itemized in detail. No item shall be designated as miscellaneous or by any term of like nature and no item shall be incorporated which is not travel related.

(c) All expenses shall be verified by affidavit of the person incurring the expense and certified by the responsible supervisor.

(d) Receipts as required by the State Auditor must accompany the submitted expense account and a separate claim must be filed by each employee.

(e) Expense accounts of permanent personnel are to be submitted once a month, but not later than the eighth calendar

day after the end of the month. Non-permanent personnel may submit expense accounts to correspond to their established pay periods.

(f) Written permission must be received from the Commissioner before any employee stays at the Greenbrier Hotel. Such written permission must accompany requests for reimbursement.

3.03 Transportation.

(a) Transportation may be obtained by the usual means of public conveyance, by State-owned vehicles or by privately-owned vehicles subject to the limitations set out herein.

(b) Receipted bills for travel by any common carrier must accompany reimbursement requests. Employees traveling by commercial airline are required to travel at the cheapest rate, including discount rates. If no such space is available, the employee may travel by other rates, but the reimbursement request must include verification in the form of a signed statement prepared by the clerk issuing the ticket.

(c) Employees whose official headquarters is designated as a certain city shall be reimbursed mileage expenses incurred when using their private car while traveling on official business within the corporate limits and vicinity of his headquarters, provided such is certified by his supervisor.

(d) Reimbursement shall be limited to actual costs supported by ticket stubs or other appropriate documentation

based on the most economically direct and practical route possible. When travel is by automobile, a State vehicle will be used unless other permission has been granted by the Commissioner. In the event that private vehicles are used, the reimbursement shall be at the rate of twenty-two (22) cents per mile. Properly receipted toll bridges, turnpike and storage charges may be included as additional items for reimbursement. Receipts are not necessary on the West Virginia Turnpike.

(e) Operation of State-owned vehicles will be confined to State Officials and employees. No passengers or other riders are permitted unless they are on the same State business as the authorized user of the car, except where special permission is granted by the Commissioner for an employee's spouse to accompany the employee to official meetings wherein the Department is considered to be the host. When the spouse accompanies employees on such trips, it is the responsibility of the employee to provide accident insurance coverage. The Department shall in no way be liable.

3.04 Subsistence.

(a) Lodging. All employees traveling on official business will be reimbursed for the actual cost of lodging as shown by the receipt. Reimbursement shall not be allowed for extra charges for radio, television, laundry and/or valet charges and personal telephone calls. In the event an employee's spouse

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A. JAMES MANCHIN
SECRETARY OF STATE

THIS DATE 7-2-84

Administrative Law Division

accompanies the employee, reimbursement for lodging shall be made on the basis of the single occupancy rate, as indicated on the receipt, but such charges shall not exceed 80% of the actual room cost.

(b) Meals. Reimbursement will be made for actual cost of meals while absent from headquarters, to a maximum of fifteen dollars (\$15.00) per day that the employee is in overnight travel status. Such maximum allowance shall not be arrived at by the average of days, but by a purely day by day maximum. The maximum for individual meals shall not exceed: Breakfast \$4.00; Lunch \$5.00; Dinner \$9.00. Employees working the normal 8:00 A.M. to 4:00 P.M. day and still on official duty after 6.00 P.M. shall be allowed to charge for dinner, provided the duty is performed away from headquarters, but lunch shall not be allowed unless in overnight travel status. Tips and gratuities shall not be allowed.

Meals held as an integral part of an official meeting shall be allowable expense regardless of headquarters assignment, but advance approval for attendance must be secured from the Executive office. Such meals shall be stated as L. (Meeting) and the amount on the expense account. An example would be: L. (Pest Control Association Banquet) \$10.00. All such charges shall be accompanied by a receipt and the memo showing advance permission to attend.

Soil Conservation Supervisors shall be allowed to charge for lunch at the official District Meetings.

Section 4. OUT-OF-STATE TRAVEL.

4.01 Prior Permission Necessary.

(a) Prior permission of the Commissioner is required for official travel to and attendance at any meeting out of the State. However, when such travel is for one day or less and does not require out-of-state lodging, the expense shall be considered as in-state expenses.

(b) All out-of-state travel requests shall be submitted at least ten (10) working days in advance of the planned trip unless the trip is of an emergency nature that precludes such advance filing. Emergency requests shall be filed the same as any usual out-of-state requests.

(c) Interdepartmental requisition forms requesting out-of-state travel shall be filed in triplicate authorized and approved by the Division Director and shall contain the following information:

- (1) Time of departure including hour and day and the time of return in similar fashion.
- (2) Planned transportation and cost.
- (3) Number of nights lodging and cost.
- (4) Number of days and portions of days meals will be claimed and estimated cost.
- (5) Probable cost for taxi or bus if common carrier is used.
- (6) Registration costs for meeting, if any.

THIS DATE 7-2-84

Administrative Law Division

(7) Total estimated cost.

(d) When two or more employees are required to travel

out-of-state, each must file an application requesting such travel.

4.02 Maximum Allowance.

(a) Hotel lodging bills for out-of-state travel shall be reimbursed for the actual cost of the room as shown by receipt and the expense for meals shall not exceed twenty-five dollars (\$25.00) per day. The maximum out-of-state travel expenses for meals and lodging shall not exceed one-hundred dollars (\$100.00) per day for meals and lodging, unless prior written permission has been granted by the Commissioner. Meal expenses will be reimbursed for all meals eaten while in travel status.

(b) Reimbursement for automobile travel enroute to and from a designation outside the State shall not exceed the cheapest coach fare by commercial airlines. Any excess of this amount must be paid by the individual. Maximum mileage allowance will be twenty-two (22) cents per mile. Properly receipted toll bridge, turnpike and storage charges may be included as additional items for reimbursement.

(c) Expenses for personal services such as radio, television, laundry and/or valet charges are not allowable.

(d) Tips and gratuities are not allowed unless a separate charge is automatically included on the bill.

(e) Reimbursement for transportation of personal baggage in excess of the allowable amount shall not exceed

fifteen (15) percent of the fare and must be approved in advance.

(f) Registration fees must be supported by receipts and are limited to fifty dollars (\$50.00) unless prior written permission has been obtained from the Commissioner.

4.03 Submission of Expense Accounts.

(a) The standard yellow form for "out-of-state travel" shall be used for all claims for such expenses.

(b) No item shall be designated miscellaneous or by any like term of similar nature and no item shall be incorporated which is not travel related.

(c) All expenses shall be verified by affidavit of the person incurring the expense and certified by the responsible supervisor.

(d) All requisitions for payment shall be accompanied by a brief report to the Executive Division stating the benefits derived from the travel, except that such reports are waived for personnel attending schools, classes or sessions which result in the employee being certified for duties he or she normally perform.

(e) Receipts as required by the State Auditor must accompany the submitted expense account and a separate claim must be filed by each employee.

(f) When spouses accompany employee on such trips, it is the responsibility of the employee to file for approval

with the Commissioner, to pay for spouses meals, travel and other expenses and to provide accident insurance where applicable. The Department shall be responsible only for single occupancy rates for lodging and they shall not exceed 80% of the total lodging expense.

I, Gus R. Douglass, hereby reserve the right to revoke, suspend, rescind or amend any rules or regulations herein set forth at any time, subject to general administrative procedures.

A handwritten signature in cursive script, appearing to read "Gus R. Douglass", is written over a horizontal line.

Gus R. Douglass
Agriculture Commissioner