WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1973

ENROLLED
SENATE BILL NO. 2040

(By Mr. Originating in the Committee on Finance)

PASSED ________April 14, ________ 1973

In Effect 90 Days from Passage

Veto. 20X0

FILED IN THE OFFICE
EDGAR F. HEISKELL III
SECRETARY OF STATE
THIS DATE 573/73
ENROLLED
Senate Bill No. 2040
(Originating in the Committee on Finance)

[Passed April 14, 1973; in effect ninety days from passage]

AN ACT to amend and reenact section eleven, article three, chapter twelve of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to out-of-state and in-state travel expenses by state officials and employees, restrictions on increases, recruitment expenses, moving expenses, dues to voluntary organizations and lodging expenses for claimants making claims against the workmen's compensation fund.

Be it enacted by the Legislature of West Virginia:

That section eleven, article three, chapter twelve of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 3. APPROPRIATIONS AND EXPENDITURES.

§12-3-11. Travel expenses; rules to be promulgated concerning same; recruitment expenses and moving expenses for state spending units; dues to voluntary organizations; restrictions on increases; lodging expenses for claimants making claims against the workmen's compensation fund.

(a) Within the restrictions and limitations as hereinafter provided by law, the governor shall promulgate rules and regulations concerning out-of-state and in-state travel by state officials and employees of all governmental agencies and departments, except those in the legislative and judicial branches of the state government and except for the governor, attorney general, auditor, secretary of state, treasurer and commissioner of agriculture and their employees. The Legislature, the supreme court of appeals and the governor, attorney general, auditor, secretary of state, treasurer and
commissioner of agriculture shall promulgate rules and regulations concerning out-of-state travel for their respective branches and departments of state government. Copies of such rules and regulations shall be filed with the auditor and the secretary of state. It shall be unlawful for the auditor to issue a warrant in payment of any claim for out-of-state or in-state travel expenses incurred by a state official or employee unless such claim meets all the requirements of the rules and regulations so filed.

Mileage allowances for use of a personal car for both out-of-state and in-state travel shall be uniform in all executive agencies and departments to which this section applies and shall not exceed the rate of eleven cents per mile.

Reimbursement for lodging costs for in-state travel shall be uniform in all executive agencies and departments to which this section applies and shall be based on the actual lodging cost not to exceed twenty-five dollars per day. Notwithstanding any other provision of the code to the contrary, any claimant making a claim against the workmen's compensation fund pursuant to the Workmen's Compensation Act and required to be lodged at the expense of the workmen's compensation commission for any reason shall be paid from the workmen's compensation fund the same daily rate for in-state lodging that is authorized for employees of all executive agencies and departments to which this section applies. Reimbursement for lodging costs for out-of-state travel shall be uniform in all executive agencies and departments to which this section applies and shall be based on the actual lodging cost not to exceed thirty-five dollars per day. Each request for reimbursement for lodging shall be supported by a proper receipt.

Reimbursement shall be made for actual cost of meals to a maximum of nine dollars per day for in-state travel and fifteen dollars per day for out-of-state travel.

Reimbursement for fares expended for travel via common carrier shall be made for actual cost supported by a proper receipt, however, officials and employees traveling by way of commercial airlines whose travel time does not exceed two hours shall be reimbursed for such travel at tourist or economy rates unless the urgency or the airline booking schedule mandates otherwise.
Reimbursement for tips and gratuities shall not be allowed unless included in the maximum allowance for meals.

No increase in out-of-state or in-state travel and expense allowances above the level of allowances in effect as of the effective date of this section shall be made until the proposed increases have been submitted to the budget division of the department of finance and administration, presented to the Legislature and the moneys being requested for increased allowances have been approved and appropriated by the Legislature.

These rules and regulations shall apply only to persons who are employed by the state on an hourly or salary basis.

(b) It shall be lawful for state spending units to authorize the payment of traveling expenses incurred by any person invited to visit the state spending unit to be interviewed concerning his possible employment by the state agency or agent thereof.

It shall be lawful for each state spending unit to authorize payment of: (1) All or part of the reasonable expense incurred by a person newly employed by the spending unit in moving his household furniture, effects and immediate family to his place of employment; and (2) all or part of the reasonable expense incurred by an employee of the spending unit in moving his household furniture, effects and immediate family as a result of a reassignment of the employee which is considered desirable and advantageous to and in the best interest of the state: Provided, That no part of the moving expenses of any one such employee shall be paid more frequently than once in twelve months.

Notwithstanding any other provisions of this code to the contrary which have granted certain state spending units the right to pay for or reimburse the expenses incurred by persons visiting the agency to be interviewed concerning possible employment and the right to pay a part or all of the costs incurred by an employee in moving of his household effects, this subsection eleven-b shall be the controlling and governing legal provision, upon the effective date of this section.

(c) Payment for dues or membership in annual or other voluntary organizations relating to the function of the
92 agency or departments subject to this section is hereby 
93 authorized and shall be made from the proper item or 
94 appropriation after an itemized schedule of such organiza-
95 tions, together with the amount of such dues or membership, 
96 has been submitted to the budget director and approved by 
97 the governor.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

[Signature]
Chairman Senate Committee

[Signature]
Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

[Signature]
Clerk of the Senate

[Signature]
Clerk of the House of Delegates

[Signature]
President of the Senate

[Signature]
Speaker House of Delegates

The within bill approved this the 27th day of April, 1973.

[Signature]
Governor
PRESENTED TO THE GOVERNOR

Date 4/27/73
Time 2:05 p.m.