

**State Board of Finance
Minutes**

**Tuesday, March 31, 2015
2:00 p.m.**

**Governor's Small Conference Room
Capitol Building**

Board members present: Tony Venhuizen, Office of the Governor; Shantel Krebs, Secretary of State; Jeffrey Hallem, Office of the Attorney General; Dennis Keith, Office of the State Auditor; Rich Sattgast, State Treasurer; Mike Lauritsen, Office of School and Public Lands; Mike Mueller, Bureau of Administration; Jason Dilges, Commissioner of the Bureau of Finance and Management.

Others Present: Teresa Bray, Leah Svendsen and Kim Paxton, all from the Office of the Secretary of State.

Call to Order: Tony Venhuizen, Chairman, called the meeting to order at 2:00 p.m.

Agenda: Rich Sattgast moved and Shantel Krebs seconded to approve the agenda. Motion carried.

Minutes: Mike Mueller moved and Dennis Keith seconded to approve the minutes from the public hearing on March 17, 2015. Motion carried.

Discussion: Tony Venhuizen confirmed that no further input had been received regarding the rules changes. Jeffrey Hallem moved and Shantel Krebs seconded to adopt the rules changes as per the attachment. Under discussion, Hallem stated that there has been no opposition to the rules changes. Everyone has been supportive and appreciates the rate changes being done. No changes to the proposed rule changes have been received. Hearing no further discussion Venhuizen called for a voice vote. Motion carried.

Adjournment: Jeff Hallem moved and Rich Sattgast seconded to adjourn the meeting. Meeting adjourned at 2:05 p.m.



Shantel Krebs
Secretary of State

1)

CHAPTER 5:01:02

ALLOWABLE TRAVEL EXPENDITURES

Section

- 5:01:02:01 Allowance for use of privately owned motor vehicle.
- 5:01:02:01.01 Allowance for use of privately owned motor vehicle by individual with special needs.
- 5:01:02:02 Repealed.
- 5:01:02:03 Transferred.
- 5:01:02:04 Limits for out-of-state travel, meals, and lodging allowances.
- 5:01:02:04.01 Eligibility for reimbursement of state officers and employees attending public meetings.
- 5:01:02:05 Repealed.
- 5:01:02:06 Motor vehicle rentals authorized.
- 5:01:02:07 Private airplane rates.
- 5:01:02:08 Charter airplane rates.
- 5:01:02:09 Repealed.
- 5:01:02:10 Use of state-owned aircraft for general state business.
- 5:01:02:10.01 Out-of-country per diem rates.
- 5:01:02:11 Out-of-state per diem rates.
- 5:01:02:12 Repealed.
- 5:01:02:13 Repealed.
- 5:01:02:14 In-state per diem rates (Effective through December 31, 2014); In-state per diem rates (Effective January 1, 2015).
- 5:01:02:14.01 In-state lodging reimbursement for individual with special needs.
- 5:01:02:15 Official travel rate allowable.

5:01:02:16 Only one ticket allowable per employee.

5:01:02:17 Schedule for computation of travel meal allowances.

5:01:02:18 ~~Evening supper limitations~~ Repealed.

5:01:02:19 Per diem rates for private trailer house.

5:01:02:20 Interview expenses.

5:01:02:21 Transferred.

5:01:02:22 Registration fees allowable expense.

5:01:02:23 Meals and lodging not to be included in registration expense -- Exception.

5:01:02:24 Repealed.

5:01:02:25 Transferred.

5:01:02:26 Transferred.

5:01:02:27 Repealed.

5:01:02:28 Transferred.

5:01:02:29 Repealed.

5:01:02:30 Transferred.

5:01:02:31 Transferred.

5:01:02:32 Transferred.

5:01:02:33 Transferred.

5:01:02:34 Transferred.

5:01:02:35 Transferred.

5:01:02:36 Transferred.

5:01:02:37 Transferred.

5:01:02:38 Transferred.

5:01:02:39 Reimbursement at higher rates.

5:01:02:40 Per diem for certain boards and commissions.

2) **5:01:02:01. Allowance for use of privately owned motor vehicle.** In lieu of actual transportation expenses, an employee shall be paid ~~37~~42 cents a mile for use of a privately owned motor vehicle on official business outside the city limits of the employee's designated post of duty. The mileage rate covers all expenses incidental to the operation of a motor vehicle, including gasoline, oil, tires, repairs, towing, and insurance.

If State Fleet and Travel Management or Department of Transportation pool motor vehicles are available in a designated city but the employee desires to drive a personal motor vehicle, the employee shall be paid at the rate of ~~20~~23 cents a mile.

Upon written request of the head of a state agency or institution, an employee may be reimbursed for mileage within a designated city area by the state auditor if the required travel is not compensated through the employee's salary.

Source: SL 1975, ch 16, § 1; 2 SDR 14, effective August 27, 1975; 3 SDR 92, effective July 10, 1977; 6 SDR 15, effective August 30, 1979; 7 SDR 52, effective May 1, 1981; 11 SDR 176, effective June 30, 1985; 15 SDR 194, effective June 22, 1989; 16 SDR 195, effective May 20, 1990; 17 SDR 194, effective June 23, 1991; 19 SDR 68, effective July 1, 1993; 21 SDR 4, effective July 22, 1994; 25 SDR 146, effective July 1, 1999; 30 SDR 204, effective June 30, 2004; 33 SDR 212, adopted May 15, 2007, effective July 1, 2007.

General Authority: SDCL 3-9-1.

Law Implemented: SDCL 3-9-1.

3) **5:01:02:01.01. Allowance for use of privately owned motor vehicle by individual with special needs.** If no state vehicles are equipped or modified for the transportation of an individual with special needs and the individual desires to drive a personal motor vehicle on state business, the individual shall be paid ~~49~~56 cents a mile for a passenger or cargo van, pick up, or sports utility vehicle and ~~37~~42 cents a mile for any other motor vehicle.

An individual with special needs is a person with a disability that makes the person unable temporarily or permanently to operate an unmodified state vehicle but allows the person to operate a personal motor vehicle that is equipped or modified to be operated in spite of the disability.

To receive reimbursement under this section, the individual shall complete the form provided by the State Board of Finance and attach the form to the travel voucher. The form shall contain the name of the individual requesting the reimbursement, the individual's driver license number, the individual's agency and the agency address and phone number, the make and model of the motor vehicle, the vehicle license plate number, the individual's signature, the signature of the supervisor approving the request, and the date of travel.

Source: 21 SDR 218, effective July 1, 1995; 25 SDR 146, effective July 1, 1999; 30 SDR 204, effective June 30, 2004; 33 SDR 212, adopted May 15, 2007, effective July 1, 2007.

General Authority: SDCL 3-9-2.

Law Implemented: SDCL 3-9-2.

4) **5:01:02:07. Private airplane rates.** The mileage rates for any state employee flying a privately owned or rented airplane while traveling on state business are as follows:

(1) Piston single engine -- ~~\$1.50~~2.50 per statute mile;

- (2) Piston multi engine -- ~~\$3.00~~ 4.00 per statute mile;
- (3) Turbo prop multi engine with fewer than nine seats -- ~~\$3.95~~ 4.65 per statute mile; and
- (4) Turbo prop multi engine with nine seats or more -- ~~\$5.25~~ 5.65 per statute mile.

Travel by privately owned or rented airplanes may be authorized only by the head of the department.

Source: SL 1975, ch 16, § 1; 1 SDR 44, effective December 9, 1974; 2 SDR 14, effective August 27, 1975; 3 SDR 92, effective July 10, 1977; 6 SDR 15, effective August 30, 1979; 7 SDR 52, effective May 1, 1981; 10 SDR 62, effective January 1, 1984; 14 SDR 61, effective October 28, 1987; 21 SDR 4, effective July 22, 1994; 25 SDR 146, effective July 1, 1999; 33 SDR 212, adopted May 15, 2007, effective July 1, 2007.

General Authority: SDCL 3-9-1, 3-9-2.

Law Implemented: SDCL 3-9-1, 3-9-2.

5) 5:01:02:10.01. Out-of-country per diem rates. Reimbursement for official state travel outside the United States of America shall be paid in United States dollars. Prior approval by the department head is required for all out-of-country travel. Receipts are required for all reimbursement of lodging. The out-of-country rates are as follows:

(1) The actual cost of lodging up to a maximum of ~~\$150~~ 175 per day. A person designated as having authority to approve out-of-country travel requests may at the person's discretion approve up to 100 additional dollars a day for lodging provided the total amount paid to the employee does not exceed the actual cost of the lodging; and

(2) An allowance for meals in the amount not to exceed ~~\$7~~ 10 for breakfast, ~~\$18~~ 21 for lunch, and ~~\$25~~ 29 for dinner while on travel status.

Source: 7 SDR 52, effective May 1, 1981; 15 SDR 194, effective June 22, 1989; 25 SDR 146, effective July 1, 1999; 33 SDR 66, effective October 23, 2006; 33 SDR 212, adopted May 15, 2007, effective July 1, 2007

General Authority: SDCL 3-9-1, 3-9-2.

Law Implemented: SDCL 3-9-1, 3-9-2.

6) **5:01:02:11. Out-of-state per diem rates.** The per diem rates for official state travel outside South Dakota are as follows:

(1) The actual cost of lodging up to a maximum of ~~\$150~~175 plus tax a day. A person designated as having authority to approve out-of-state travel requests may at the person's discretion approve an additional allowance of up to \$100 a day for lodging provided the total amount paid to the employee as reimbursement for lodging does not exceed the actual cost of that lodging; and

(2) An allowance for meals of ~~\$8~~10 for breakfast, ~~\$11~~14 for lunch, and ~~\$17~~21 for dinner a day while on travel status.

Elected state constitutional officers and public utilities commissioners shall be reimbursed for actual expenses for lodging and meals if the officials provide receipts. Such officials may, in lieu of providing receipts for meals, be reimbursed in accordance with subdivision (2) of this section.

Source: SL 1975, ch 16, § 1; 3 SDR 34, effective November 7, 1976; 4 SDR 8, effective August 15, 1977; 6 SDR 15, effective August 30, 1979; 7 SDR 52, effective May 1, 1981; 10 SDR 62, effective January 1, 1984; 15 SDR 194, effective June 22, 1989; 19 SDR 68, effective

July 1, 1993; 25 SDR 146, effective July 1, 1999; 31 SDR 115, effective January 27, 2005; 33 SDR 212, adopted May 15, 2007, effective July 1, 2007.

General Authority: SDCL 3-9-2.

Law Implemented: SDCL 3-9-2.

7) **5:01:02:14. In-state per diem rates.** Per diem rates for official in-state travel are as follows:

(1) The actual cost of lodging up to a maximum of:

(a) \$55 plus tax a day from check-in on September 1 through check-out on June 1, and

(b) \$70 plus tax a day from check-in on June 1 through check-out on September 1;

(2) An allowance for meals of ~~\$5-6~~ for breakfast, ~~\$9-11~~ for noon lunch, and \$12-15 for dinner, ~~and \$2 for evening supper~~ up to a maximum of ~~\$26-32~~ a day;

(3) A flat meal allowance of ~~\$12-14~~ a day for uniformed highway patrol officers when assigned to field duties; and

(4) Mileage to and from an in-state work site, allowable only to the extent that it does not exceed the allowable cost of meals and lodging that could be charged if the employee stayed at the work site.

Elected state constitutional officers and public utilities commissioners shall be reimbursed for actual expenses for lodging and meals if the officials provide receipts. Such officials may, in lieu of providing receipts for meals, be reimbursed in accordance with subdivision (2) of this section.

An employee required to perform services under the provisions of SDCL 33-15-8, if authorized by the Governor, shall be reimbursed for actual expenses for lodging in excess of allowances provided under subdivision (1) of this section if the employee provides receipts.

Upon prior written request of the head of a department or a constitutional officer who hosts a regional or national conference of which the state is a dues-paying member, the Board of Finance may authorize an employee of the department, agency, bureau, or office to be reimbursed for up to the actual costs of lodging if the conference or meeting is in furtherance of the state's interests, concerns, and activities within the scope of the department's, agency's, bureau's, or office's responsibilities; the employee's lodging is required to carry out duties connected with employment; and lodging for the employee at in-state per diem rates is not available.

Source: SL 1975, ch 16, § 1; 1 SDR 44, effective December 9, 1974; 2 SDR 14, effective August 27, 1975; 3 SDR 34, effective November 7, 1976; 3 SDR 92, effective July 10, 1977; 4 SDR 8, effective August 15, 1977; 6 SDR 15, effective August 30, 1979; 7 SDR 52, effective May 1, 1981; 9 SDR 49, effective October 24, 1982; 10 SDR 62, effective January 1, 1984; 11 SDR 176, effective June 30, 1985; 13 SDR 128, effective March 22, 1987; 14 SDR 150, effective May 22, 1988; 15 SDR 194, effective July 1, 1989; 16 SDR 195, effective May 20, 1990; 16 SDR 220, effective July 1, 1990; 17 SDR 194, effective June 23, 1991; 19 SDR 68, effective July 1, 1993; 19 SDR 198, effective July 1, 1993; 21 SDR 4, effective July 22, 1994; 25 SDR 146, effective July 1, 1999; 29 SDR 101, effective July 1, 2003; 31 SDR 115, effective January 27, 2005; 33 SDR 66, effective October 23, 2006; 38 SDR 220, effective July 1, 2012.

General Authority: SDCL 3-9-2.

Law Implemented: SDCL 3-9-2.

Cross-Reference: Allowance for use of privately owned automobile, § 5:01:02:01.

8) 5:01:02:14.01. In-state lodging reimbursement for individual with special needs. If an individual who has special needs is required to travel on state business and that individual cannot find accessible rooms available at the customary state rates, the individual may be reimbursed for not more than ~~\$100~~125 for the accessible room.

An individual with special needs is a person with a disability who requires lodging that is physically accessible.

To receive reimbursement under this section, the individual shall complete a form provided by the State Board of Finance and attach the form to the travel voucher. The form shall contain the name of the individual requesting the reimbursement, the individual's agency, the agency address and phone number, the individual's signature, the signature of the supervisor approving the request, and the date of the travel.

Source: 21 SDR 218, effective July 1, 1995.

General Authority: SDCL 3-9-2.

Law Implemented: SDCL 3-9-2.

9) 5:01:02:17. Schedule for computation of travel meal allowances. The travel meal allowances provided in subdivision 5:01:02:11(2) and subdivision 5:01:02:14(3) shall be computed according to the following schedule:

(1) Breakfast shall be allowed if an employee leaves the post of duty before 5:31 a.m. or returns to the post of duty after 7:59 a.m.;

(2) Noon lunch shall be allowed if an employee leaves the post of duty before 11:31 a.m. or returns to the post of duty after 12:59 p.m.;

(3) Dinner shall be allowed if an employee leaves the post of duty before 5:31 p.m. or returns to the post of duty after 7:59 p.m.; and

~~(4) Evening supper shall be allowed if an employee leaves the post of duty before 8:01 p.m. or returns to the post of duty after 1:59 a.m.~~

Source: SL 1975, ch 16, § 1; 6 SDR 15, effective August 30, 1979; 7 SDR 52, effective December 4, 1980.

General Authority: SDCL 3-9-2.

Law Implemented: SDCL 3-9-2.

10) ~~5:01:02:18. Evening supper limitations. The evening supper allowed by § 5:01:02:14 is allowable only to employees whose hours do not conform to normal hours or who perform special night duties. It does not apply to employees who return late from meetings, seminars, or conferences.~~ Repealed.

Source: SL 1975, ch 16, § 1; 19 SDR 68, effective July 1, 1993.

11) **5:01:02:19. Per diem rates for private trailer house.** For use of a privately owned trailer house for sleeping accommodations while on in-state or out-of-state official state travel, an allowance of \$48 a day plus parking fees and electricity costs is allowed. The total amount may not exceed \$1326 a day.

Source: SL 1975, ch 16, § 1; 10 SDR 62, effective January 1, 1984; 19 SDR 68, effective July 1, 1993.

General Authority: SDCL 3-9-2.

Law Implemented: SDCL 3-9-2.

12) 5:01:02:23. Meals and lodging not to be included in registration expense --

Exception. The cost of meals or lodging which is included in the registration fee shall be deducted from the registration fee and included as per diem based on rates allowed by § 5:01:02:11 or 5:01:02:14. However, one ~~banquet~~meal fee per registration fee will be allowable in lieu of reimbursement under subdivision 5:01:02:11(2) or subdivision 5:01:02:14(3) for that meal.

Source: SL 1975, ch 16, § 1; 6 SDR 15, effective August 30, 1979.

General Authority: SDCL 3-9-2.

Law Implemented: SDCL 3-9-2.