

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

Our File #525

RULES REVIEW CHECKLIST

DATE RULES RECEIVED _____ Temporary Rule 6/26/79

Resubmitted and Received _____

DUE DATE 7/3/79

a. Returned to Agency w/o filing w/Secy of State _____
b. Approved 6/29 Date Sent Back to Agency _____

- -

1. Rules as Adopted _____
2. Rules as Proposed _____
3. Certificate of Board's Authorizing Resolution, where applicable _____
4. Order for Hearing _____
5. Notice of Hearing _____
   (i) Sufficiency _____
6. Secretary of State's List _____
7. Certificate of Acquisition of Secretary of State's List _____
8. Affidavit of Mailing _____
   (i) At least 30 days prior to hearing _____
9. Statement of Need and Evidence _____
10. Hearing Examiner's Report _____
11. Agency's Findings of Fact _____
12. Certificate of Board's Resolution Adopting Rules, where applicable _____
13. Order Adopting _____
14. Report of Chief Hearing Examiner _____
    (i) Finding of No Substantial Change _____
    (ii) Permission to Incorporate by Reference, where applicable _____
15. Certificate of Compliance with Rulemaking Procedures _____
16. Copy of Notice of Intent to Solicit Outside Opinion, where applicable _____
17. Petition by Public, where applicable _____.

ADMIN 1000

STATE OF MINNESOTA

DEPARTMENT ATTORNEY GENERAL

Office Memorandum

TO : LEE SHEEHY
JOANNE HINDERAKER
Special Assistant Attorneys General
Department of Administration

DATE: 6-28-79

FROM : ANDREA M. KIRCHER AMK
Special Assistant Attorney General

PHONE: 6-7960

SUBJECT: Temporary Rules of the Department of Personnel

This is to confirm my request of June 26 when I delivered the Department of Personnel's temporary rules to you. The Department would appreciate it if you would correct the two typographical errors which I indicated to you on the permanent copy of the rules to be filed with the Secretary of State. On page 2108 of the State Register dated June 4, 1979 (3 S.R. 2108), an error occurs in the chart describing hours of vacation accrued. When an employee works at least 49 1/2 but less than 59 1/2 hours during a pay period, in the column entitled "After Three Through Five Years," the number "1 1/2" should be changed to 2 1/2. The other error occurs at page 2113. Paragraph 6 should read as follows in the temporary rule:

> "6. Eligibility. In order to be eligible for any payment of moving expenses or to be eligible for reimbursement of any expenses under this section, ..."

Thank you for your help in this matter.

AMK:jb

RECEIVED
JUN 28 1979
ATTORNEY GENERAL
ADMINISTRATIVE AGENCIES

STATE OF MINNESOTA
OFFICE OF THE ATTORNEY GENERAL
ST. PAUL 55155

WARREN SPANNAUS
ATTORNEY GENERAL

TELEPHONE
(612) 296-6196

7960

June 26, 1979

Mr. Lee Sheehy
Ms. Joanne Hinderaker
Special Assistant
Attorneys General
Department of Administration
G-25 Administration Building
St. Paul, Minnesota 55155

Dear Ms. Hinderaker and Mr. Sheehy:

Enclosed are a copy of the temporary rules proposed by the Department of Personnel, the Order Adopting Temporary Rules, the rules as adopted, the one comment received by the department, and its response to that comment for your review.

If you have any questions or suggestions, please contact me.

Very truly yours,

AMKircher

ANDREA MITAU KIRCHER
Special Assistant
Attorney General

AMK:js

Enc.

Our File 525

ATTORNEY GENERAL

ANDREA M. KIRCHER
Special Assistant
Attorney General

June 29, 1979

LEE E. SHEEHY
Special Assistant
Attorney General

296-1288

Temporary Rules of the Department of Personnel

The above-captioned temporary rules have been approved by this office, subject to the amendments set forth in your memorandum dated June 28, 1979, and shall be effective on the effective date of the statute.

If you have any questions, do not hesitate to contact me.

LES/bw

cc: Marshall Whitlock
Duane Harves

STATE OF MINNESOTA

DEPARTMENT OF PERSONNEL

IN THE MATTER OF THE PROPOSED ADOPTION OF TEMPORARY RULES OF THE DEPARTMENT OF PERSONNEL GOVERNING TRAVEL AND RELOCATION REIMBURSEMENT, PROBATIONARY PERIOD, VACATION LEAVE AND HOLIDAYS.

ORDER ADOPTING TEMPORARY RULES

IT IS HEREBY ORDERED that proposed temporary rules governing travel and relocation reimbursement, probationary period, vacation leave and holidays as published in the State Register, Volume 3, No. 48 , Page 2106, June 4, 1979 (3SR.2106), are hereby adopted.

Dated: June 26, 1979.

Barbara L. Sundquist

BARBARA L. SUNDQUIST
Commissioner

Department of Personnel

RULES AS ADOPTED

Governing Travel and Relocation Reimbursement, Probationary Period, Vacation Leave and Holidays

Request for Public Comment

Notice is hereby given, pursuant to Minn. Stat. § 15.0412, subd. 5 (1978), that the Minnesota Department of Personnel will adopt temporary rules pursuant to Minn. Stat. § 43.323, subd. 3 (1978), which will amend the existing rules on travel and relocation reimbursement, probationary period, vacation leave and holidays to bring them into conformance with collective bargaining agreements. These rules shall take effect on July 3, 1979, and remain in effect until December 30, 1979, or the adoption of permanent rules, whichever occurs first.

All interested persons may submit written comment or data on these rules to: James Lee, Minnesota Department of Personnel, 3rd floor, Space Center Building, 444 Lafayette Road, St. Paul, Minnesota 55101. Written statements submitted for consideration must be received by June 24, 1979.

Barbara L. Sundquist
Commissioner

RULES AS ADOPTED

2 MCAR § 2.097 Duration of probationary period. All original and promotional appointments shall be tentative subject to the probationary period as determined by the Commissioner of Personnel. Employees in salary schedules A, B, and C shall serve a probationary period in working hours as follows:

~~A. Half to full-time employees in salary schedule A shall serve a probationary period of six calendar months. Less than half-time employees shall serve a probationary period of nine calendar months.~~

~~B. Half to full-time employees in salary schedule B shall serve a probationary period of two calendar months. Less than half-time employees shall serve a probationary period of three calendar months.~~

~~C. Half to full-time employees in salary schedule C shall serve probationary period of four calendar months. Less than half-time employees shall serve a probationary period of six calendar months.~~

Salary Schedule	Hours of Satisfactory Service
A	1044 working hours
B	348 working hours
C	696 working hours

For purposes of this rule, working hours shall include hours actually worked, excluding overtime, except that working hours shall include overtime hours actually worked if the employee is required to liquidate the overtime in compensatory time off. Working hours shall also include paid holidays; and paid leave taken in increments of less than the employee's normal work day.

A. ~~D.~~ Teachers, institutional education administrators, and educational supervisors shall serve a probationary period of one year.

B. ~~E.~~ Employees in the management compensation schedule shall normally serve a probationary period of twelve months. An appointing authority may reduce the length of an individual period to not less than nine months, provided the employee has demonstrated the ability to effectively perform the duties and responsibilities of the position and the training requirements of 2 MCAR § 2.166 have been met. With the approval of the Commissioner of Personnel, the probationary period may be extended to provide sufficient time for individual managers to complete mandatory minimum training requirements provided the total probationary period does not exceed two years.

Unpaid leave, to the extent that it exceeds ten or more work days, shall be added to the length of the probationary period.

The probationary period shall include all regular service, excluding time served in emergency, provisional, or temporary employment.

An employee who is promoted prior to the completion of the probationary period to a higher position in the same occupational field and in the same department shall complete the probationary period in the lower position by service in the higher position. The appointing authority shall certify that employee for permanent status in the lower position at the end of the specified probationary period for such class, or its equivalent period following the employee's original appointment to the position. In the absence of certification, the employee shall be deemed to possess permanent status.

When a probationary employee is granted a leave of absence to accept a position in the unclassified service, the unfulfilled portion of the probationary period in the classified service may be completed by service in the unclassified service position, subject to a positive recommendation of the appointing authority and approval of the Commissioner, provided that the work in the unclassified position is within the same department and general occupa-

tional field and is at least equivalent in difficulty and responsibility to the work in the position in the classified service.

All employees appointed from eligible lists other than the layoff list shall be subject to a probationary period beginning the date of the new appointment.

Employees transferred from the jurisdiction of one appointing authority to that of another appointing authority may be subject to a probationary period as provided by this section of the rules.

For the purposes of this rule, classes shall be considered to be in the same occupational field when the appointing authority determines, after an analysis of the positions involved, that it is possible to evaluate the probability of satisfactory service in one class by observing service in the other class.

2 MCAR § 2.131 Holidays. Holidays will be observed as prescribed by the legislature. (Minn. Stat. § 645.44, subd. 5)

This rule applies to all classified employees and, notwithstanding 2 MCAR § 2.004, all full-time unlimited unclassified employees in the executive branch of government, except non-tenured laborers, temporary employees, emergency employees and project employees. Holiday leave provisions may be established by the appointing authority for employees not covered by this rule.

The following days are holidays and an alternate day off shall be granted for work done on these days, except where payment is allowed under the overtime provision of 2 MCAR § 2.130.

New Year's Day ..... January 1

Washington's and Lincoln's Birthday ..... Third Monday in February

Memorial Day ..... Last Monday in May

Independence Day ..... July 4

Labor Day ..... First Monday in September

~~Columbus Day ..... Second Monday in October~~

Veterans Day ..... November 11

Thanksgiving Day ..... Fourth Thursday in November

Day After Thanksgiving ..... Fourth Friday in November

Christmas Day ..... December 25

Employee's Birthday ..... Employee's Birthdate

Where a collective bargaining agreement specifies holidays, covered employees shall receive only the holidays set forth in that agreement.

A. When New Year's Day, Independence Day, Veterans Day, ~~or~~ Christmas Day or the employee's birthday fall on Sunday, the following day shall be considered the official holiday for employees. When these holidays fall on Saturday, the preceding day shall be considered the official holiday for employees. An employee, regardless of work schedule, shall receive the same number of holidays as an employee whose regular work week is Monday through Friday.

When an employee's birthday falls on any of the other holidays listed above, the employee's first scheduled work day following the holiday which is not a holiday, shall be observed as the birthday holiday. Except in leap years, when an employee's birthday falls on February 29, March 1 shall be observed as the birthday holiday. An employee whose birthday falls during a period of seasonal layoff shall be entitled to be paid for the birthday holiday during the first payroll period after return from layoff.

B. The appointing authority in those agencies which remain open to the public for performance of public business may designate a sufficient number of employees to maintain the continuity of the agency's operations on such days.

C. Holidays which occur within the employee's vacation or sick leave period will not be charged to the employee's vacation or sick leave time.

D. Employees must be on the payroll on the work day immediately preceding and the work day immediately following a holiday to be eligible for such holiday.

For the purpose of determining eligibility for holiday pay, "on the payroll" shall mean those who are in pay status.

E. Employees who work less than full-time or intermittent employees are compensated for holidays on the following basis:

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Hours that would have been worked during the pay period had there been no holiday	Holiday hours earned for each holiday in that pay period
0 - 9	0
10 - 19	1
20 - 29	2
30 - 39	3
40 - 49	4
50 - 59	5
60 - 69	6
70 - 79	7
80	8

Intermittent employees shall receive a holiday if they work the day before and the day after a holiday. If such intermittent employee works on a holiday, that employee will be reimbursed for the holiday in addition to the pay for the time worked. This pay shall be in accordance with the above schedule. Seasonal employees are entitled to holidays as defined in this rule.

Holiday pay shall be computed at the employee's normal day's pay (i.e., the employee's regular hourly rate of pay multiplied by the number of hours in his/her normal work day).

F. Employees who observe religious holidays on days which do not fall on a Sunday or a legal holiday shall be entitled to such days off to observe the religious holiday upon 21 days advance written notice to the appointing authority. Such days off to observe these religious holidays shall be taken without pay, or upon the election of the employee, may be charged against accumulated vacation leave. If the appointing authority can arrange to have the employee work an equivalent number of hours at another time during the fiscal year to compensate for the days lost for observance of religious holidays, these holidays may be taken against such hours actually worked.

2 MCAR § 2.135 Vacation leave. This rule applies to all classified state employees in the executive branch except for non-tenured laborers, emergency employees, project employees or temporary appointment employees and also applies to all full-time unclassified employees appointed for a period in excess of 6 months in the executive branch except those listed in 2 MCAR § 2.004. Vacation leave provisions may be established by the appointing authority for those unclassified employees listed in 2 MCAR § 2.004 and for other employees who are not covered by this rule provided they are not specifically excluded from coverage.

Each eligible non-managerial employee shall earn vacation with pay according to the rate listed below:

HOURS OF VACATION ACCRUED DURING EACH PAYROLL PERIOD OF CONTINUOUS SERVICE

No. Hours Worked During Pay Period	0 thru 3 yrs. if appointed on or after 7/1/79	0 thru 3 yrs. if appointed before 7/1/79	After 3 thru 5 years	After 5 thru 8 years	After 8 thru 12 years	After 12 thru 20 years	After 20 years
Less than 9½	0	0	0	0	0	0	0
At least 9½, but less than 19½	½	¾	¾	1	1¼	1½	1½
At least 19½, but less than 29½	¾	1	1	1¼	1¾	2	2
At least 29½, but less than 39½	1	1½	1½	2	2¾	3	3
At least 39½, but less than 49½	1½	2	2	2½	3½	3¾	4
At least 49½, but less than 59½	2	2½	1½	3¼	4½	4¾	5

At least 59½, but less than 69½	2¼	3	3	3¾	5¼	5¾	6
At least 69½, but less than 79½	2¾	3½	3½	4½	6¼	6¾	7
At least 79½	3	4	4	5	7	7½	8

When sick leave and/or vacation leave is used in conjunction with the Workers' Compensation benefit, an eligible employee receiving Workers' Compensation benefits shall accrue vacation leave for the total number of hours compensated by Workers' Compensation, sick leave and vacation leave.

Changes in the rate of accumulation for eligible employees shall be made effective at the beginning of the next payroll period following completion of the specified amount of service.

Service shall begin on the date of state employment. Time on suspension or non-medical leave of absence without pay, if at least one full payroll period in duration, except as otherwise provided by law or these rules, shall not be counted in determining the date of completion of a full year. An eligible employee being paid for less than the full payroll period of 80 hours will have vacation accrual prorated for that payroll period. A vacation leave shall not be granted or accrued before completion of six calendar months of service. Upon completion of such period, vacation leave shall accrue to the employee from the beginning of the period of continuous service.

Departments or agencies may determine the time and establish schedules governing the use of vacation leave, except that in no instance will vacation leave be granted in increments of less than one-half hour except to permit utilization of lesser fractions that have been accrued.

Unused vacation leave may be accumulated to a total of ~~224~~ 240 working hours. Supervisors should make every effort to schedule vacation leaves for their employees on a regular basis each calendar year in order to reduce the possibility of an employee losing vacation leave because of a maximum accumulation having been exceeded. An eligible employee on military leave, as provided by these rules, shall not be limited to the maximum accrual of vacation leave. Such employee may immediately upon reinstatement from military leave take all vacation in excess of the maximum accumulation. As an alternative, the employee may elect to be credited with the vacation leave in excess of the maximum accumulation, but such leave shall be taken at a time determined by the appointing authority within two years of the date of reinstatement.

Any eligible employee who is separated from the state service by layoff, resignation, death, or otherwise, shall be paid for the number of working hours of unused vacation leave accumulated to that employee's credit.

An employee who is transferred or accepts employment under the jurisdiction of a new appointing authority, or in the unclassified service of the state, or an unclassified employee who transfers to the classified service, without interruption of services to the state shall be entitled to credit of accumulated unused vacation leave earned in the employee's former employment. Notwithstanding 2 MCAR § 2.004, any state employee except an elected employee who is separated from the state service or who is transferred or accepts employment under a new appointing authority, is entitled to pay for any accumulated vacation leave. (Minn. Stat. §§ 43.222-43.224)

Department heads and deputies of departments listed in Minn. Stat. § 15A.081, subds. 1 and 5, plus the Department of Military Affairs, shall earn vacation pay at the rate of six hours per full payroll period. Covered department heads and deputies who currently are eligible to receive more than six hours per full payroll period shall continue to accrue at the higher rate.

Employees in positions designated as managerial shall accrue vacation leave in accordance with a schedule established by the Commissioner.

2 MCAR § 2.181

A. Means of travel.

1. State-owned vehicles. An employee may be permanently assigned a state-owned vehicle when required by law or if circumstances make such assignment necessary when

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recommended by the appointing authority and approved by the Commissioner of Administration.

Departments operating vehicles not in the Central Motor Pool shall operate them on a pool basis following rules of the Department of Administration for the operation of such state-owned vehicles.

2. Privately-owned automobiles and aircraft. The compensation for use of a personal automobile is ~~16¢~~ 19¢ per mile when a motor pool vehicle is not available. Mileage shall be paid based on the most direct route according to Transportation Department records. Deviations from the shortest direct route, such as vicinity driving or driving from the employee's residence where the employee's residence becomes the point of departure, shall be shown on the expense account as a daily total, with a separate explanation outlining the reasons for such mileage. No additional reimbursement will be made for incidental expenses to the operation or maintenance of a personal automobile for state business except for payment of toll charges and parking.

The employee who elects to use a personal car on official state business with the approval of the appointing authority when traveling within the state in cases where a motor pool vehicle is available shall be reimbursed at the rate of ~~11¢~~ 14¢ per mile. The higher rate may be paid if the use of the motor pool vehicle would have resulted in a greater cost to the state than the reimbursement of the personal car rate.

~~The reimbursement for mileage shall be adjusted as follows:~~

~~A "base rate" gasoline price shall be established by computing the average price per gallon of gasoline delivered to the Central Motor Pool during the month of April, 1977. A "new rate" shall be calculated in the same manner for each month commencing in July, 1977. The difference, if any between the "base rate" and the "new rate" shall be added to the sum of any changes in federal or state gasoline taxes levied on or after April 1, 1977, and such total shall be referred to as the "adjusted difference". Effective the second month following the computation of the "new rate", mileage reimbursement rates shall be increased or decreased by 1 cent for each full 10 cent increase or decrease in the "adjusted difference". In no event shall such mileage rates be less than the rates of 16 cents or 11 cents as set forth above.~~

The appointing authority may authorize travel in personal aircraft when it is deemed in the best interest of the state. Mileage reimbursement in such cases shall be 25 cents per mile and shall be based on the shortest route based on direct air mileage between the point of departure and the destination.

3. Out-of-state travel. Payment for expenses for transportation by personal vehicle for out-of-state travel shall be made on the basis of a single coach air fare for each vehicle used.

If available, motor pool vehicles or state-owned vehicles may be used for out-of-state travel. When a central motor pool vehicle is used, reimbursement will be made to the Central Motor Pool. The expense of such vehicles shall be charged against the out-of-state authorization of the department.

When personal vehicles are used in driving to out-of-state locations not available by commercial transportation, travel reimbursement shall be made on an actual mileage basis in accordance with these rules.

Any in-state travel expense directly related to an out-of-state trip shall be charged against the annual out-of-state travel allowance for the department involved.

4. Commercial transportation. State employees may travel in-state and out-of-state by commercial transportation when authorized by the department head. Air transportation shall be by coach class except in those instances where such space is not available. When an employee has a reservation for a flight that is not going to be used, such employee shall be accountable for the cancellation of such reservation. Air charter service may be used for in or out-of-state travel where such charter service is more practical than commercial transportation.

5. Motorcycle reimbursement. Reimbursement for use of a motorcycle on official state business, when authorized in advance by the appointing authority, shall be at the rate of 8 cents per mile. ~~This rate shall not be subject to the escalator provision of 2 MCAR § 2.181 A.2.~~

B. Meals and lodging.

1. Employees shall claim reimbursement only for the amount actually paid for meals when in a travel status. The amount must be reasonable, taking into consideration the location in which the meal is obtained.

Maximum reimbursement, including sales tax for meals within the state, shall be ~~$2.45~~ $3.00 for breakfast, ~~$2.95~~ $4.00 for lunch, and ~~$5.90~~ $7.00 for dinner.

Maximum reimbursement, including sales tax for meals outside the state ~~and~~ or on trains shall be ~~$3.20~~ $4.00 for breakfast, ~~$3.70~~ $5.00 for lunch, and ~~$7.90~~ $9.00 for dinner.

~~The maximum reimbursement for meals shall be increased based upon the food away from home component of the consumer's price index for urban wage earners and clerical workers for Minneapolis-St. Paul, new series index (1967=100).~~

~~The base period for any adjustment shall be the July, 1977 index and the April, 1978 index. For each full 1.5 points rise in the food away from home component of the index during the base period, the maximum reimbursement for dinner shall be increased 5 cents effective July 1, 1978. The maximum reimbursement for breakfast and lunch shall each also be increased by one-half of the amount of the increase for dinner. If the increased maximum reimbursements for breakfast and lunch results in an amount not equally divisible by five the maximum reimbursement for breakfast shall be rounded down to the next amount divisible by five, and the maximum reimbursement for lunch shall be rounded up to the next amount that is equally divisible by five.~~

Reimbursement for an official breakfast, luncheon, dinner, or banquet meeting shall be the actual cost of the meal.

An employee in a travel status between employee's work station and a field assignment may claim reimbursement for meals under the following circumstances:

a. Breakfast, providing the employee leaves home before 6:00 a.m. and is away from the permanent or temporary station.

b. Dinner, providing such employee returns home after 7:00 p.m. and is away from the permanent or temporary station.

c. Employees may be reimbursed for noon meals if the employee is in a travel status. Employees stationed in the seven-county metropolitan area shall not be reimbursed for meals obtained in the seven-county metropolitan area except when properly authorized as a special expense in section (d) below. In other areas the cost of a noon meal shall only be reimbursed where such employee would not ordinarily have incurred such a cost and the employee is considered in a travel status. Any request for reimbursement under this section shall include a statement in writing that the employee has complied with provisions of this section of the rules.

Because of variances in in-state and out-of-state hotel or motel accommodations, no fixed amounts are prescribed. It is the responsibility of the appointing authority to instruct the employee to use good judgment in incurring lodging costs. Charges shall be reasonable and consistent with the facilities available.

C. Other Fees and expenses.

1. Parking fees. Employees using state-owned or private vehicles shall be reimbursed on an actual expense basis. Charges shall be necessary and reasonable, and consistent with the facilities available. When receipt or other evidence of payment is issued to the employee, such receipt must be submitted with the expense reimbursement request.

2. Telephone calls. Telephone calls between state offices and cities shall be made using the state telephone network if at all possible. When the state telephone network is not readily available, employees should use a WATS line where such lines are available. Use of either the state telephone network or the WATS line is explained in the state telephone directory.

In cases where it is necessary to place a regular long distance call, the employee should request that the operator bill the call to the home office telephone number. If an employee pays cash for a long distance call, reimbursement for such calls may be obtained by using an employee expense report.

State personnel who must frequently place long distance telephone calls may be eligible for a telephone credit card. The procedure for obtaining a state telephone credit card is explained in the state telephone directory.

3. Personal expenses. Personal expenses for purpose of this rule are defined as dry cleaning, laundry, and baggage handling. Employees continuing in a travel status in excess of one week who do not return home during that week may claim reimbursement not to exceed $3.50 per week for laundry or not to exceed $2.00 for dry cleaning and pressing expenses for each week after the first week. If an employee returns home during a period of time in which an employee continues in a travel status, the employee is not eligible for reimbursement for laundry, dry cleaning or pressing in the subsequent week after such return. Receipts must accompany the claim for reimbursement. The employee's judgment is to be used regarding baggage handling expense. No reimbursement shall be made for personal phone calls, valet service, or similar personal expenses.

D. Special expenses. Special expenses shall require prior approval of the appointing authority and the approval of the Commissioner of Personnel, who shall issue guidelines regarding eligible special expenses. This section also applies to any state board, council, or commission member.

E. Station assignments. The appointing authority shall assign employees permanent or temporary stations with such assignments to be in the best interest of the state and

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travel origin and records shall be based on these permanent or temporary assigned stations. A department head reporting deviation from this provision shall submit a request in accordance with the rules relating to special expenses. Employees away from such designated stations on unfinished assignments may be allowed mileage reimbursement for trips to their stations on alternate weekends. An employee may return to the station each weekend at state expense if the cost of such return is less than that of remaining in the field.

F. Payment of expenses.

1. Expense accounts. Expense accounts for all state employees shall be submitted to the Commissioner of Finance on the prescribed form (see Accounting Procedures Manual, Section E-2). If a receipt is required and the receipt has been lost or is otherwise unavailable, an affidavit stating the facts covering the expenditure shall accompany the expense account.

A department may be billed directly for expenses such as registration or conference fees, travel agencies, hotels and motels. Such billings shall include the name of the employee and the nature and date of the expense. Payment shall be processed promptly and charged to the allotment classification for travel.

2. Advances. A department may upon request advance an estimated amount for approved travel expenses, if greater than $50.00, to an employee who will be traveling on state business.

The authority for advance of travel expense payments may not exceed the maximum allowance permitted under state travel regulations.

In the case of travel expense advances departments having imprest cash funds shall make the advance from such accounts if possible. In other instances, departments shall prepare a statement with supporting expense voucher clearly stating the advance is being made under provisions of Minn. Stat. § 43.33. In all cases after the actual expense is determined, a final employee report for the trip and/or period for which the advance was made shall be prepared and forwarded to the Department of Finance. The advance payment transaction date and transaction number must be shown on the final employee expense report. The final expense voucher shall include the number of the state warrant covering the advance payment. If additional payment is due the employee, an additional state warrant shall be prepared in the usual manner. If an advance payment exceeds the actual expenses, the employee shall return the excess which shall be deposited in accordaince with provisions established by the Commissioner of Finance.

G. Insurance. Department heads shall require proof of automobile liability insurance in the minimum amount required by law before approving travel involving private automobile mileage allowance.

Any employee flying a personal aircraft on official state business must show proof of adequate liability insurance coverage by a firm licensed to do business in Minnesota. Such coverage shall be in an amount of $50,000 minimum for each passenger seat, $50,000 per person, and $150,000 per accident for public liability for bodily injury, and $50,000 property damage.

It shall be the responsibility of the employee to immediately notify the appointing authority of any change in insurance coverages under such employee's automobile and aircraft liability insurance.

H. Automobile leasing. An employee may be reimbursed for car rental expenses where the use of a state car in the conduct of state business is not possible and the use of a rental car is the only or the least expensive method of transportation. An employee using such rental car must indicate the need for the rental and attach an itemized statement for the rental upon requesting reimbursement.

2 MCAR § 2.182 Relocation expenses.

A. Authorization. An employee shall be reimbursed for relocation expenses under the provisions of this rule if the conditions of 2 MCAR § 2.182 B.6. are met and if the change in residence is completed within 6 months, unless other time extension arrangements have been approved by the appointing authority and if:

1. The appointing authority determines that an employee is required to be transferred or reassigned to a different work station, when the transfer or reassignment is not for the employee's sole benefit, or:

2. The employee must change residence as a condition of employment, or:

3. The employee accepts an appointment at a higher salary range, or:

4. The employee is reassigned, transferred or demoted to a vacant position in the employee's state department or agency due to the abolishment, transfer of the function to another governmental jurisdiction or private enterprise, removal to a new location or to another state agency of all or a major portion of the operations of the employee's appointing authority.

An employee transferred under these conditions shall receive prior authorization before incurring any expenses authorized by this rule.

An employee who is demoted during the probationary period after the trial period, shall receive those relocation expenses provided in 2 MCAR § 2.182 B.3. and 4.

Relocation expenses authorized by this rule may be paid to a person initially accepting employment in the state service with the advance approval of the Commissioner. Payment shall be made only after the person becomes a state employee.

B. Relocation expenses covered.

1. Travel status. An employee transferred or reassigned at the convenience of the state service as defined in paragraph A. above shall be considered in a travel status for a period of up to ~~sixty~~ ninety calendar days and shall be authorized to be reimbursed for return to such employee's original work station once a week. During the first ~~sixty~~ ninety calendar days the state may also reimburse the cost of transporting the employee's spouse twice during such period, including the cost of mileage, meals and lodging, but not to exceed a total period of seven calendar days. In addition, the state may reimburse the employee's family for reasonable transportation costs to the new work station at the point that the move is made, including mileage, meals and lodging. Such expenses shall be reimbursed consistent with these rules.

2. Realtor's fees. The state may pay the cost of realtor's fees on the home being sold by the employee but in no case shall such payment exceed $3,000.00.

3. Moving expenses. The state shall pay the cost of moving and packing of household goods. The employee shall obtain two or more bids for packing and moving of household goods. Approval shall be given by the appointing authority before authorizing a mover to pack and ship household goods. The state shall also pay for the cost of moving house trailers where that is the domicile of the employee, including the cost of transporting blocks, skirts, or other attached fixtures. The employee shall obtain two or more bids.

4. Miscellaneous expenses. The employee shall be reimbursed up to a maximum of ~~$250.00~~ $350.00 for miscellaneous expenses directly related to a move. Such expenses shall be reimbursed when supported by documentation. These expenses may include such things as disconnecting and connecting appliances and/or utilities, or other costs associated with the purchasing or rental of a new residence not covered elsewhere in this rule.

5. Liability. Neither the State of Minnesota nor any of its agencies shall be responsible for loss or damage to any employee's household goods or personal effects as a result of such transfer.

6. Eligibility. In order to be eligible for any payment of moving expenses or to be eligible for reimbursement of and expenses under this section, the new permanent work station shall be at least 35 miles from the current work station or to change in residence required by an appointing authority as a condition of employment.

KEY: RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language. PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material."