

MARYLAND REGISTER

Proposed Action on Regulations

Transmittal Sheet PROPOSED OR REPROPOSED Actions on Regulations	Date Filed with AELR Committee	TO BE COMPLETED BY DSD
	02/10/2014	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

1. Desired date of publication in Maryland Register: 3/21/2014

2. COMAR Codification

Title Subtitle Chapter Regulation

23 02 01 02., .03, .10, .12

3. Name of Promulgating Authority

Department of Budget and Management

4. Name of Regulations Coordinator

Jennifer P Hine

Telephone Number

410-767-4718

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301 W. Preston St., Rm 602

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Baltimore MD 21201

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Jennifer.Hine@maryland.gov

5. Name of Person to Call About this Document

Jennifer P. Hine

Telephone No.

410 767-4718

Email Address

jennifer.hine@maryland.gov

6. Check applicable items:

New Regulations

X- Amendments to Existing Regulations

Date when existing text was downloaded from COMAR online: 07-17-13.

- Repeal of Existing Regulations
- Recodification
- Incorporation by Reference of Documents Requiring DSD Approval
- Reproposal of Substantively Different Text:

: Md. R
(vol.) (issue) (page nos) (date)

Under Maryland Register docket no.: --P.

7. Is there emergency text which is identical to this proposal:

Yes **X-** No

8. Incorporation by Reference

Check if applicable: Incorporation by Reference (IBR) approval form(s) attached and 18 copies of documents proposed for incorporation submitted to DSD. (Submit 18 paper copies of IBR document to DSD and one copy to AELR.)

9. Public Body - Open Meeting

X- OPTIONAL - If promulgating authority is a public body, check to include a sentence in the Notice of Proposed Action that proposed action was considered at an open meeting held pursuant to State Government Article, §10-506(c), Annotated Code of Maryland.

OPTIONAL - If promulgating authority is a public body, check to include a paragraph that final action will be considered at an open meeting.

10. Children's Environmental Health and Protection

Check if the system should send a copy of the proposal to the Children's Environmental Health and Protection Advisory Council.

11. Certificate of Authorized Officer

I certify that the attached document is in compliance with the Administrative Procedure Act. I also certify that the attached text has been approved for legality by Bruce P. Martin, General Counsel, (telephone #410 767-1056) on February 10, 2014. A written copy of the approval is on file at this agency.

Name of Authorized Officer

T. Eloise Foster

Title

Secretary

Date

February 10, 2014

Telephone No.

410 260-7041

BOARD OF PUBLIC WORKS

Subtitle 02 PROGRAM ADMINISTRATION

23.02.01 Standard Travel Regulations

Authority: State Finance and Procurement Article, §10-203; Education Article, §§14-104 and 14-404; Annotated Code of Maryland

Notice of Proposed Action

□

The Board of Public Works through Secretary of Budget and Management proposes to amend Regulations .02, .03, .10, and .12 under COMAR 23.02.01 Program Administration.

This action was considered at a December 15, 2013 meeting where the BPW approved the submission of the proposed regulation changes to the AELR and then to the Maryland Register for public comment. Final Action will be considered at a subsequent BPW meeting.

Statement of Purpose

The purpose of this action is to amend the regulations to clarify the definition of in-State travel and its application to Washington, D.C. and federal regional districts. To include travel to Canada within the out-of-country travel approval requirement process. To eliminate the requirement for DBM to report quarterly to the Board on out-of-country travel to conventions, conferences, seminars and training. Also to clarify the State's policy on travel promotional awards, compensation for being bumped from one flight to another, tip reimbursement as well as the requirement for receipts for reimbursement of travel expenses.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Jennifer Hine, Personnel Director, Department of Budget and

Management, 301 W. Preston Street, Room 602, Baltimore, MD 21201, or call 410 767-4718, or email to jennifer.hine@maryland.gov, or fax to 410 333-5262. Comments will be accepted through April 21, 2014. A public hearing has not been scheduled.

Economic Impact Statement Part C

A. Fiscal Year in which regulations will become effective: FY 2014

B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?

No

C. If 'yes', state whether general, special (exact name), or federal funds will be used:

D. If 'no', identify the source(s) of funds necessary for implementation of these regulations:

These regulatory changes will have no economic impact. They simply clarify existing regulations and make other minor modifications to existing travel regulations.

E. If these regulations have no economic impact under Part A, indicate reason briefly:

These regulatory changes will have no economic impact. They simply clarify existing regulations and make other minor modifications to existing travel regulations.

F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.

These changes simply clarify existing regulations and make other minor modifications to existing travel regulations.

G. Small Business Worksheet:

Attached Document:

23.02.01.02 Downloaded 7/17/13

.02 Definitions.

A.-B. (text unchanged)

(1)-(5) (text unchanged)

(a)-(b) (text unchanged)

(6) "In-State travel" means travel to destinations inside the boundaries of Maryland, and includes [the] Washington, D.C. [area, and travel to attend meetings with the employee's federal regional counterpart in that federal regional district.]

(7) (text unchanged)

(8) "Out-of-country travel" means travel to destinations outside the United States[,] and its territories[, and Canada].

[(9) Out-of-State travel.]

(9) [(a)] "Out-of-State travel" means travel to destinations outside Maryland and [the] Washington, D.C. [area.]

[(b) "Out-of-State travel" does not mean travel to meetings with federal regional counterparts in that federal regional district.]

(10)-(15) (text unchanged)

23.02.01.03

.03 Policy.

A. (text unchanged)

B. An employee traveling on official business is expected to exercise the same care incurring expenses as would a prudent person traveling for personal reasons. Travel for business should be conducted at a minimum cost for achieving the success of the mission. Travelers shall request reservations as far in advance as possible and shall utilize the lowest logical air/rail fares available. Subject to approval by the unit head, use of business class is allowable when traveling to destinations outside North America, the Caribbean Islands, and the Hawaiian Islands. Travel in first class is not allowable unless documented evidence clearly indicates the travel is in the best interest of the State. [An employee may not participate in any promotional plan, such as a frequent flyer program, when this participation entails foregoing a more favorable fare rate. Travel awards accrued under a promotional plan as a result of State business travel should be applied to State business travel expenses, whenever feasible.] *An employee may accept promotional awards if they are obtained under the same conditions as those offered to the general public, provided that participation in such programs results in no additional cost to the State. An employee who receives compensation for being bumped from a flight while on travel status shall remit that compensation to the State.* Baltimore/Washington International Thurgood Marshall Airport, as the State's preferred airport, should be used whenever convenient and cost effective.

C.-D. (text unchanged)

23.02.01.10

.10 Travel Authorization.

A.-B. (text unchanged)

C. Conventions, Conferences, Seminars, or Training Travel.

(1) (text unchanged)

(2) [Travel out-of-country to conventions, conferences, seminars, or training shall be reported to the Board of Public Works.] Requests for authorization [for this travel] *to travel out-of-country to conventions, conferences, seminars or training* shall be submitted to the Secretary *for approval*. [The Secretary shall submit reports of this travel to the Board of Public Works every 3 months.]

23.02.01.12

.12 Reimbursable Expenses.

A. General. The State shall reimburse employees for authorized necessary travel and related expenses incurred by the employee. The State may not reimburse an employee for transportation, lodging, meal expense, or any other costs incurred by a spouse, child, or other person not essential to the business mission, who accompanies the employee on an official business trip. *For reimbursement of travel expenses, including meals and expenses other than authorized tips, employees must provide receipts.*

B. Taxi, Bus, and Airport Limousine. Taxi, bus, *shuttle* and airport limousine fares incurred while on travel status are reimbursable when traveling to and from the airport, train station, or bus station, or when otherwise incurred while conducting official business. *Employees may be reimbursed for tips for taxi, bus, shuttle and airport limousine at rates and limits established by the Secretary.* Employees shall use the mode of public transportation that results in the lowest logical cost to the State.

C.-D. (text unchanged)

E. Meals.

(1) Meal allowances for employees while in travel status are reimbursable at the rates established by the Secretary. *All meal rates are inclusive of taxes and tips.*

(2)-(10) (text unchanged)

(11) Meal reimbursement above the standard limits is allowable for employees conducting business in high cost areas designated by the Secretary. [Employees shall be reimbursed for actual amounts based on receipts, not to exceed limits set by the Secretary.]

(12) (text unchanged)

F. (text unchanged)

G. Porter Fees and Hotel Tips.

(1) Porter fees and hotel tips per each bag carried at common carrier depots and hotels respectively are reimbursable at the rates *and limits* established by the Secretary.

(2) (text unchanged)

(3) The State will not reimburse for tips for hotel housekeeping services.
H.-J. (text unchanged)