

**CROW TRIBAL LEGISLATURE
MAY 18, 2015 SPECIAL SESSION**

LR No. 15-09

Introduced by the Finance Committee

A Legislative Resolution Titled:

**A RESOLUTION OF THE CROW TRIBAL LEGISLATURE TO AMEND LR 07-04
FINANCIAL MANAGEMENT SYSTEMS, CHAPTER 7 TRAVEL**

Legislative Findings:

WHEREAS, the Crow Tribal Legislature (hereinafter “Legislature”) has the power and duty under Article V, Section 2 of the Crow Tribal Constitution to promulgate and adopt resolutions in accordance with the Tribal Constitution and federal laws for the governance of the Crow Tribe; and

WHEREAS, during the special legislative session held on June 26, 2007 the Legislature passed Legislative Resolution No. 07-04 (titled “Adoption of the Crow Tribe Financial Management Policy and Procedures”), which in Chapter 7 established Branch policy for official business travel; and

WHEREAS, LR No. 07-04 was an adoption by the Legislature of the Executive Branch financial management policy which did not fit the needs of the Legislature, particularly with regards to official travel policy; and

**NOW, THEREFORE BE IT RESOLVED BY THE CROW TRIBAL LEGISLATURE IN
SPECIAL SESSION:**

- Section 1. Amendment.** Amendment to Legislative Resolution No. 07-04 Financial Management Systems, Chapter 7 Travel is hereby amended as reflected in Attachment #1 from Finance Committee Meeting recommendation Redline dated May 4, with final amendments from May 12, 2015. This redline version as accepted is reflected in the clean version in Attachment #2 for final policy.
- Section 2. All other provisions to Remain in Effect.** All other provision of LR 07-04 Financial Management Systems Chapter 7 Travel shall remain in effect.
- Section 3. Effective Date.** This Legislative Resolution shall take effect immediately upon duly adopted by the Legislature.

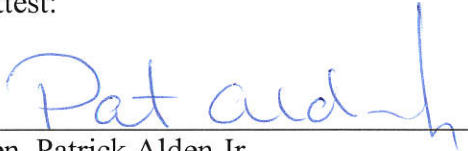
CERTIFICATION

I hereby certify that this Legislative Resolution titled “**A RESOLUTION OF THE CROW TRIBAL LEGISLATURE TO AMEND LR 07-04 FINANCIAL MANAGEMENT SYSTEMS, CHAPTER 7 TRAVEL**” was duly adopted by the Crow Tribal Legislature with a vote of 15 in favor, 0 opposed, and 0 abstained and that a quorum was present on the 18th day of May, 2015.



Sen. R. Knute Old Crow, Sr.
Speaker of the House
Crow Tribal Legislature

Attest:



Sen. Patrick Alden Jr.
Secretary
Crow Tribal Legislature



**A Legislative Resolution Titled: A Resolution of the Crow Tribal Legislature to Amend LR07-04
Financial Management Systems, Chapter 7 Travel**

Bill or Resolution: LR15-09 **Introduced by:** Crow Tribal Legislative Branch **Date of Vote:** 5/18/2015
Number

| <u>Representative:</u> | Yes | No | Abstained |
|---|-------------------|-------------------|-------------------|
| G. Three Irons | <u> X </u> | <u> </u> | <u> </u> |
| B. Rogers | <u> X </u> | <u> </u> | <u> </u> |
| C. Stewart | <u> X </u> | <u> </u> | <u> </u> |
| P. Hill | <u> X </u> | <u> </u> | <u> </u> |
| E. Birdinground | <u> X </u> | <u> </u> | <u> </u> |
| A.Coyote-Runs, Sr. | <u> X </u> | <u> </u> | <u> </u> |
| V. Nomee | <u> </u> | <u> </u> | <u> </u> |
| T. Gros Ventre | <u> X </u> | <u> </u> | <u> </u> |
| V. Crooked Arm | <u> X </u> | <u> </u> | <u> </u> |
| P. Spotted Horse, Sr. | <u> X </u> | <u> </u> | <u> </u> |
| L. DeCrane | <u> X </u> | <u> </u> | <u> </u> |
| C. Goes Ahead | <u> </u> | <u> </u> | <u> </u> |
| B. Hugs | <u> X </u> | <u> </u> | <u> </u> |
| G. Real Bird, Jr. | <u> X </u> | <u> </u> | <u> </u> |
| B. Good Luck | <u> X </u> | <u> </u> | <u> </u> |
| G. Stewart | <u> </u> | <u> </u> | <u> </u> |
| P. Alden, Jr. <i>Secretary of the House</i> | <u> X </u> | <u> </u> | <u> </u> |
| R. Old Crow, Sr. <i>Speaker of the House</i> | <u> X </u> | <u> </u> | <u> </u> |
| Totals: | <u> 15 </u> | <u> 0 </u> | <u> 0 </u> |


Result of Vote:

Passed

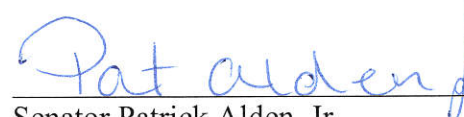
Not Passed

Tabled

Veto-Override


Senator R. Knute Old Crow, Sr.
Speaker of the House

5/20/15
Date


Senator Patrick Alden, Jr.
Secretary of the House

5-20-15
Date

LR 07-04 FINANCIAL MANAGEMENT SYSTEMS

CHAPTER 7 TRAVEL

Section 1. Travel Policy and Procedure.

It shall be the policy of the Legislature to designate a certain portion of the spending authorization contained in each tribal fiscal year Legislative Branch budget for the purpose of providing paid travel expenses for elected Senators and Branch staff to attend any conference, training, workshop, federal or state consultation, business meeting, and other function or event which serves as official tribal business and which will enhance the ability of the Legislature to carry out its lawful duties and authorities. Receiving paid travel expenses is a privilege, not a right and this Branch policy and procedure shall govern all requests for paid travel for these purposes.

Section 2. Permanent Budget Line Items.

There is hereby established permanent line items in all future Legislative Branch budgets titled "Official Business Travel for Elected Senators" and "Official Business Travel for Branch Staff"

Section 3. Travel Request Review and Approval Procedure.

- (a) ***Requests from Senators and Staff.*** An individual Senator, Legislative Committee or staff member seeking to travel for Legislative Branch business shall make a request in writing on a standard form (attached to this Resolution and incorporated herein), and submit the request to the Speaker of the House, or designee, at least two (2) weeks in advance of the travel start date. Any travel requests submitted with less than two (2) weeks prior to the travel start date may be approved by the Branch Officers on a case by case basis.
- (b) ***Travel Advance Form.*** Travelers must complete a Travel Advance Form prior to traveling. The steps to complete the form include the following:
1. Traveler must provide basic travel data on the Travel Advance Form and sign the request. Traveler shall provide back up for registration fees and dates of the required travel. If the traveler does not know the accounting line items to be charged, the Accounts Payable Clerk/Travel Specialist should be contacted to obtain the correct account number.
 2. The Travel Advance Form must be approved by signatures and dates by the Speaker of the House or designee and the Accounts Payable Clerk/Travel Specialist.

The Accounts Payable Clerk/Travel Specialist will confirm that there is budget in the line items that the travel will be charged to. If budgeted funds are not available, the form is rejected and returned to the traveler. The Accounts Payable Clerk/Travel Specialist will write on the form: "Rejected due to lack of budgeted funds".

If the Accounts Payable Clerk/Travel Specialist notes any other reason why the travel should be rejected, the form will be returned to the traveler with the reason written on the form. The travel may get rejected due to traveler having outstanding travel that hasn't been reconciled.

The Accounts Payable Clerk/Travel Specialist will confirm all amounts to be advanced and make corrections as deemed necessary. If approved, the Accounts Payable Clerk/Travel Specialist signs and processes the advance payment. The Legislature will pay all airfare and registration fees directly to the vendor, not to the traveler. An Accounts Payable voucher must be submitted by the traveler to pay for the registration. The Accounts Payable Clerk/Travel Specialist is responsible for making and paying for all airline reservations.

- (c) ***Review by Branch Officers.*** Upon receipt of a travel request form, the Branch Officers shall consult with the Accounts Payable Clerk/Travel Specialist on the amount of funds in the Branch budget and, if appropriate shall consult with the relevant Committee Officers regarding the proposed travel request. The Branch Officers shall promptly approve or deny all travel requests and provide notice to the Accounts Payable Clerk/Travel Specialist (for purposes of making reservations, cancellations, and other coordination) and the requesting Senators of the amount approved and any other conditions associated with the travel award.
- (d) ***Travel Expense Reimbursements.*** The Branch Officers, on a cases by case basis may approve the reimbursement, in full or part, of travel expenses paid in advance by a Senator, staff member, or a third party, provided that such travel reimbursement requests must be made on the attached standard form and must be related to tribal business and deemed in the best interests of the Legislature.

Section 4. Use of Private Vehicles, Mileage Allowance.

Mileage allowance for use of a private vehicle for Legislative business shall be at the federal approved standard mileage rate for all Senators and Branch staff. (However, see the exception noted below in Section 5). The standard mileage rate is utilized in lieu of reimbursing the actual costs of operating the vehicle. The standard mileage rate covers the operational costs of the vehicle while on Legislative business. The standard mileage rate does not include incidental charges such as highway tolls and parking expenses. These incidental charges shall be reimbursed to the traveler in addition to the standard mileage rate. Receipts are required for reimbursement of highway tolls, parking expenses, and other incidental charges. Receipts are not required for gasoline costs, or other vehicle operational expenses.

Section 5. Use of Personal or Tribal Vehicles, Elected Official Exception.

Senators are required to be available for service twenty-four (24) hours per day, seven days per week. The nature of these positions require a tremendous amount of local travel for Legislative Branch purposes. As a result, the Senators may either get reimbursed at the standard mileage rate or may purchase gas and actual expenditures to be reimbursed by the Legislature. Senators

may choose whichever method, but must stay with that method during the year without changing methods. If a Senator chooses to get reimbursed for actual expenditures, they should maintain a log of their business travel.

Section 6. Use of Branch Vehicles Mileage Allowance.

Senators and Branch staff authorized to use a Legislative Branch vehicle rather than a personal vehicle may get reimbursed at half of the current federal approved standard mileage rate to cover fuel expenses or get reimbursed for the actual fuel expenses. If actual expenses are used then original receipts must be attached. If no personal or Legislative Branch vehicle is available, a vehicle may be rented from a commercial company. The fuel will be reimbursed at half of the current federal approved standard mileage rate or the actual expense.

Section 7. Commercial Travel Costs vs a Personal Vehicle.

If commercial forms of travel are used, such as airlines, buses, trains, or charter services, the actual cost is the basis for reimbursement. The form of transportation use should be the least expensive available, unless the loss of time or effectiveness is disproportionate to the monetary savings. If airlines are used a standard coach class ticket will be purchased with the exception of the Senators. Senators may purchase a first class ticket pending budget availability. If the traveler opts to drive a personal vehicle in lieu of a commercial carrier, and the cost of mileage allowance at the federal approved standard mileage rate for use of a personal vehicle exceeds the regular coach (fourteen) 14 day advance fare of the commercial airline, then the traveler shall be reimbursed for the transportation costs at the regular coach fourteen (14) day advance fare of a commercial airline. If an airline reservation is changed due to personal reasons and there is a fee charged, the traveler is responsible to pay the fee. Airfare should be requested fourteen (14) days in advance. At the discretion of the Branch Officers, travel may be denied because of the higher cost of purchasing airfare after the fourteen (14) day advance fare.

If the traveler opts to drive a personal vehicle and this extends the travel time, the traveler will be reimbursed for the lesser travel time that the commercial travel would require. Per diem and lodging is reimbursed beginning twenty-four (24) hours prior to the start of his/her scheduled travel purpose and ending twenty-four (24) hours after the conclusion of the traveler's scheduled travel purpose. There are three exceptions to the twenty-four (24) hour rule. The first exception is if the savings on airfare for extending to travel time plus the additional per diem and lodging costs were less than the airfare allowed with the twenty-four (24) hour rule, then the traveler may get reimbursed for the additional per diem and lodging. The second exception is if there are no available flights within the twenty-four (24) hour period, then the per diem and lodging will be reimbursed until the next flight is procured. The third exception is if a personal vehicle is utilized because there are no other forms of commercial travel and the travel cannot feasibly be completed within the twenty-four (24) hour period, then additional per diem and lodging will be reimbursed. If the traveler opts to drive a personal vehicle and this extends the travel time beyond the twenty-four (24) hour rule, the traveler will not be reimbursed the additional per diem and lodging.

Section 8. Direct Route.

Senators and Branch staff are entitled to travel reimbursement for the most direct route to and from the destination. The traveler will pay any extra expenses incurred due to the interruption of the most direct route at the convenience of the traveler. Travelers who must travel to the Billings airport for an airline travel are entitled to reimbursement either:

- (a) Mileage for one Round-trip to Billings plus the cost of long-term parking, or
- (b) Mileage for two round-trips to Billings.

Long-term parking receipts must be attached to travel reconciliation form.

Section 9. Travel Beginning at Home.

In cases where the traveler must begin official travel from the traveler's home, the traveler will be entitled to reimbursement for mileage from their home rather than from the Legislative Branch Office.

Section 10. Insurance Coverage and Driver's License.

Senators and Legislative Branch staff utilizing a private vehicle for travel in connection with Legislative Branch business must maintain automobile liability insurance coverage and have a current driver's license.

Section 11. Lodging and Per Diem/Overnight Travel.

Lodging and per diem is based upon the federal approved daily rate for a given destination as published in the federal register. The lodging and per diem schedule shall be distributed to the Senators and Legislative Branch staff. Legislative Branch staff will be subject to these rates regardless of position with the exception of the Senators. Senators may get reimbursed for their actual expenses regardless of whether the expenses are less than or greater than the per diem rates. The only exception is that the lodging may not exceed 300% of the federal rate. Failure of the Senators to provide receipts for meals, the meals will get reimbursed at the applicable federal per diem rates.

Travelers are entitled to a flat rate for each day that does not require an overnight stay at the federal approved rate for per diem, excluding lodging, regardless of the actual expense. In instances where meals are provided by the conference/workshop the traveler's meal rate must be adjusted by deducting the appropriate amount allocated to that particular meal. Travel to/from days or same day travel are reimbursed at 75% of the full day per diem rate.

A sample reimbursement is given as such: if employee traveler travels to Billings on January 15 and returns January 17, the traveler will receive 75% of the federal approved per diem rate for meals for the 15th and 17th. He/she will receive the full per diem rate for the 16th and two nights lodging for the 15th and 16th. The federal approved per diem rate for Billings is currently \$31 per day and \$60 for lodging. The total reimbursement will be \$197.50.

The traveler may get reimbursed for the actual lodging expense if it is greater than the federal approved rate under two conditions. The first condition is if the traveler is staying in the hotel hosting the travel purpose (i.e. seminar). The second is if no lodging near the traveler's destination can be obtained for less than the federal approved rate. The actual expense may be reimbursed if either of these two conditions is met and no greater than 300% of the established federal approved rate.

A traveler who travels for a period that is equal to or less than four (4) hours voids any right to per diem. For example, a trip to Billings beginning 8:00 AM and ending at 12:00 noon is not eligible for per diem. If travel is less than twelve (12) hours, a reimbursement for the applicable lunch rate will be given. If the travel is the same day, but greater than twelve (12) hours, 75% of the full day rate will be given.

For overnight travel, per diem and lodging is reimbursed beginning twenty-four (24) hours prior to the start of his/her scheduled travel purpose and ending twenty (24) hours after the conclusion of the traveler's scheduled travel purpose. In instances where the travel is extended beyond the twenty-four (24) hour period through no fault of the traveler, additional lodging and/or per diem reimbursement will be issued. To be reimbursed for the additional lodging and per diem, the traveler must state the reason for the extended stay in writing and obtain the signatures of the Speaker of the House or designee and Accounts Payable Clerk/Travel Specialist.

Failure to provide a properly documented lodging receipt for any night of travel voids lodging reimbursement for that twenty-four (24) hour period. This failure shall not void reimbursement for the other days which lodging receipts are provided.

Travelers who share lodging with another traveler are entitled to a full day rate provided that a lodging receipt is obtained bearing each traveler's name.

The traveler must provide the original receipt used by the hotel/motel that bears the traveler's name. A copy issued by the hotel/motel is acceptable if traveler loses the original, however, such copy must be sent directly to the Accounts Payable Clerk/Travel Specialist by the hotel/motel and must show the traveler's name, dates of stay and final costs. Receipts are not required for meals and incidentals relative to per diem.

Section 12. Other Travel Expenses.

The only travel expenses which will be reimbursed to the traveler, other than the cost of travel to and from the destination, lodging, and per diem for meals, is the cost of local transportation and non-prepaid baggage fees at the travel destination. A receipt for local transportation is required for reimbursement. There is no limit on reimbursements for local transportation provided receipts are submitted.

Section 13. Entertainment.

Entertainment is not an eligible travel expense.

Section 14. Non-Legislative Individual Travel.

The Branch Officers may allow travel for non-Legislative individuals when the travel is deemed beneficial to Legislative business. The Branch Officers shall authorize travel for the non-Legislative individuals through a signed memorandum and Travel Advance Form. Non-Legislative individuals failing to reconcile outstanding travel will result in the Legislature deducting the outstanding amount owed from future payments to the non-Legislative individual such as committee stipends or contracted services. If the Legislature receives no reconciliation or payment within sixty (60) days after the trip has been completed, the Legislature may pursue any legal method of debt collection.

A non-Legislative individual funded from Federal, tribal or state sources who travels at the request of the Legislative Branch for purposes unrelated to the individual's federal, tribal or state program is required to take leave from the program for the travel.

Section 15. Travel Reconciliation.

All Travelers should complete a Travel Reconciliation Form within fourteen (14) days after the travel is completed. A validly completed Travel Reconciliation Form must be filled out and contain:

- (a) Hotel/motel receipt with traveler's name
- (b) Airline ticket receipt (if applicable)
- (c) Any agenda or other handout from the meeting evidencing attendance (if applicable)
- (d) Any other required receipts
- (e) Traveler's signature
- (f) Speaker of the House or Designee or Secretary of the House signature
- (g) Accounts Payable Clerk/Travel Specialist's signature

Original receipts must be attached. If traveler seeks reimbursement for expenses not included in his/her advance, he/she must provide receipts and must be applicable.

The Accounts Payable Clerk/Travel Specialist reviews the completed form for accuracy and indicates approval by signature. It is then forwarded to Accounts Payable if a refund is due, Accounts Receivable if the traveler has submitted payment for a balance owed, or payroll if the balance owed is to be repaid through payroll deduction. If there is a balance owed and payment is not attached, then the form is automatically forwarded to payroll for payroll deduction from the traveler's paycheck. Once a deduction is forwarded to payroll, the travel is no longer considered outstanding. If no balance or refund is due, the form is filed in records.

If the traveler fails to go on the intended travel, the traveler shall void the advanced travel check and return the check not cashed. If traveler cashes his/her travel advance check without

traveling, he/she shall reimburse the Legislature immediately. If the traveler fails to reimburse the Legislature, the Legislature shall deduct the travel advance from the traveler's paycheck.

Failure to submit a valid travel reconciliation form within thirty (30) days after the travel is completed, the Legislature shall deduct the travel advance from the traveler's paycheck.

Payroll deductions regarding travel advances will be deducted in full unless specifically requested to spread deduction evenly over four pay periods. Once travel is deducted from a Legislative Senator or staff's paycheck, it will not be reimbursed. Legislative Branch staff may elect to have the payroll deduction deducted from their annual leave balance if greater than \$100. This will be taken in full, not spread over pay periods. If there is not enough annual leave, then the remaining balance will be deducted from the next paycheck as discussed above. Special payback arrangements may be given if the total deduction is larger than \$400. If it is the traveler's last paycheck, 100% of the travel advance will be deducted. If a traveler is no longer elected/employed and still has outstanding travel advances that are not reimbursed, then the amount will be added to the Senator or Legislative Branch staff's gross W-2 wages and subject to income tax.

Section 16. On Reservation Travel.

On reservation travel is considered local travel within the reservation or a 100 mile radius from the tribal offices at Crow Agency. This travel does not include an overnight stay unless the travel extends beyond a full business day or more, or there is no option of driving back-and-forth. Travel must be authorized by the Speaker of the House or designee. The request for reimbursement for this travel is submitted on a mileage report form to the Accounts Payable Clerk/Travel Specialist

Section 17. Moratorium during Re-election, End of Term, or Petition for Removal/Recall.

There shall be an automatic moratorium placed upon all paid travel for Senators in their final year of a term, beginning on the last day of filing a statement of candidacy under the Tribal Election Ordinance and ending on the date of inauguration to begin a new term. Any Senator who is subject to a petition for recall or removal shall not be eligible for travel until such time as the Tribal Secretary certifies that the General Council has voted against removal or recall.

Section 18. Suspension of Travel Privileges.

Senators or Legislative Branch staff found by the Branch Officers to be in violation of this policy may have their travel privilege suspended, in writing, for such time as deemed appropriate but not exceed one (1) year from the date of the violation. An appeal of a travel suspension may be made to the full Legislature in accordance with applicable Legislative Branch policy and the Rules of Order. If either of the Branch Officers are found to be in violation of this policy, the Finance Committee shall review such conduct in accordance with this Section.

History: Adopted, June 26, 2007 during Special Session, L.R. 07-04 "Adoption of the Crow Tribe Financial Management Policy and Procedures". Amended, May __, 2015 during Special Session L.R. 15-__ "A Resolution of the Crow Tribal Legislature to Amend LR 07-04 Financial Management Systems, Chapter 7 Travel".