1	Zhane) BILL NO. 532
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2	INTRODUCED BY Municipal Delth
3	Aubury 09
4	A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE TRAVEL
5	ALLOWANCE OF AUTHORIZED PERSONS USING PRIVATE PLANES;
6	AMENDING SECTIONS 59-801 AND 59-802, R.C.M. 1947."
7	
8	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
9	Section 1. Section 59-801, R.C.M. 1947, is amended to
LO	read as follows:
11	"59-801. Mileage of all officers. (1) Automobiles:
12	Members of the legislative assembly, state officers,
13	township officers, jurors, witnesses, county agents, and all
14	other persons, except sheriffs, who may be entitled to
15	mileage, when using their own automobiles orairplanes in
16	the performance of official duties, shall-be are entitled to
17	collect mileage for the distance actually traveled by
18	automobiley and for the shortest regularly traveled
19	automobileroutewhen-travel-is-by-private-plane at a rate
20	of twelve cents (12¢) per statute mile, and no more unless
21	otherwise specifically provided by law; provided, however,
22	that nothing herein contained shall be construed as
23	affecting the validity of section 43-310.
24	(2)Wheretheindividualis-authorized-to-operate-a

privately-owned-vehicle-even-though-a-state-owned-vehicle-is

1	available;-a-rate-of-nine-cents-(9+)-per-mile-shall-be-paid;
2	(3)-Where-a-privately-owned-vehicle-is-usedbecausea
3	state-owned-or-leased-vehicle-is-not-available-for-use-or-it
4	isin-the-best-interest-of-the-state-that-a-privately-owned
5	vehicle-bc-used;-twelve-cents-(12*)-per-mile-shall-bepaid;
6	(2) Private plane: Members of the legislature, state
7	officers, township officers, jurors, witnesses, county
8	agents and all other persons, except sheriffs, who may be
9	entitled to mileage, when using their own airplanes, in the
10	performance of official duties, are entitled to collect
11	mileage for the distance actually traveled at a rate of
12	twenty-five cents (25¢) per statute mile, and no more unless
13	specifically provided by law. This section does not affect
14	the validity of section 43-310."
15	Section 2. Section 59-802, R.C.M. 1947, is amended to
16	read as follows:
17	*59-802. Mileage of all officersliability of
18	approving board for exceeding authorized amount. Whenever it
19	shall be necessary for any state or county officer or
20	employee to use his own automobile or airplane in the
21	performance of any official duty where traveling expense is
22	allowed by law, such officer or employee, except sheriffs,
23	shall receive twelve cents (12¢) per statute mile for each

mile necessarily traveled by automobile and twelve-cents

24

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1 shortest--requiarly-traveled-automobile-route-when-travel-is 2 by private plane, and no more unless otherwise specifically 3 provided by law and the members of any lawful approving board shall be liable upon their official bonds, for any 5 claim which they may allow in excess of such amount; provided, however, that nothing herein contained shall be 6 7 construed as affecting the validity of section 43-310. It is necessary for an individual to use his own vehicle where it 9 has been determined that a state vehicle is not available for use or that it is in the best interest of the state that 10 11 a privately owned vehicle be used."

-End-

Approved by Committee on State Administration

1	HOUSE BILL NO. 532
2	INTRODUCED BY MERCER, LOCKREM, FAGG,
3	R. BAETH, HUBING, DAY
4	
5	A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE TRAVEL
6	ALLOWANCE OF AUTHORIZED PERSONS USING PRIVATE PLANES;
7	AMENDING SECTIONS 59-801 AND 59-802, R.C.M. 1947."
3	
9	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
10	Section 1. Section 59-301, R.C.M. 1947, is amended to
11	read as follows:
12	"59-801. Mileage of all officers. (1) Automobiles:
13	Members of the legislative assembly, state officers,
14	township officers, jurors, witnesses, county agents, and all
15	other persons, except sheriffs, who may be entitled to
16	mileage, when using their own automobiles erairplanes in
17	the performance of official duties, shall-be are entitled to
13	collect mileage for the distance actually traveled by
19	automobile BY AUTOMOBILE, and for the shortest regularly
20	traveled-automobile-route-when-travel-is-by-private-plane at
21	arateof-twelve-cents-(124)-per-statute-mile, and no more
22	unless otherwise specifically provided by law; provided,
23	however, that nothing herein contained shall be construed as
24	affecting the validity of section 43-310.
25	(2)Wheretheindividualis-authorized-to-operate-a
	SECOND READING
	SECOND PRINTING 7/4/75

1	privately-owned-vehicle-even-though-a-state-owned-vehicle-is
2	available;-q-rate-of-nine-cents-{9+}-per-mile-shall-be-paid+
3	(3)-Where-a-privately-owned-vehicle-is-usedbecausea
4	state-owned-or-leased-vehicle-is-not-available-for-use-or-it
5	isin-the-best-interest-of-the-state-that-a-privately-owned
6	vehiste-be-used;-twelve-sents-(12*)-per-mile-shall-bepaid.
7	(2) WHERE THE INDIVIDUAL IS AUTHORIZED TO OPERATE A
8	PRIVATELY OWNED VEHICLE EVEN THOUGH A STATE OWNED VEHICLE IS
9	AVAILABLE, A RATE OF NINE CENTS (9¢) PER MILE SHALL BE PAID.
LO	(3) WHERE A PRIVATELY OWNED VEHICLE IS USED BECAUSE A
11	STATE OWNED OR LEASED VEHICLE IS NOT AVAILABLE FOR USE OR IT
12	IS IN THE BEST INTEREST OF THE STATE THAT A PRIVATELY OWNED
L3	VEHICLE BE USED, TWELVE CENTS (12¢) PER MILE SHALL BE PAID.
L4	(2)(4) Private plane: Members of the legislature,
.5	state officers, township officers, jurors, witnesses, county
.6	agents and all other persons, except sheriffs, who may be
L7	entitled to mileage, when using their own airplanes, in the
18	performance of official duties, are entitled to collect
9	mileage for the distance actually traveled at a rate of
20	twenty-five-cents-(250) TWENTY CENTS (200) per statute mile,
21	and no more unless specifically provided by law. This
22	section does not affect the validity of section 43-310."
23	Section 2. Section 59-802, R.C.M. 1947, is amended to
24	read as follows:
25	"59-802. Mileage of all officersliability of
	2 10 523

1 approving board for exceeding authorized amount. Whenever it 2 shall be necessary for any state or county officer or employee to use his own automobile or airplane in the 3 performance of any official duty where traveling expense is 4 allowed by law, such officer or employee, except sheriffs, 5 6 shall receive twelve cents (12¢) per statute mile for each mile necessarily traveled by automobile and twelve--cents 7 8 (124) twenty-five-sents-(254) TWENTY CENTS (20¢) per statute 9 mile by--the--shortest--regularly-traveled-automobile-route 10 when--travel--is by private plane, and no more unless 11 otherwise specifically provided by law and the members of 12 any lawful approving board shall be liable upon their 13 official bonds, for any claim which they may allow in excess 14 of such amount; provided, however, that nothing herein contained shall be construed as affecting the validity of 15 section 43-310. It is necessary for an individual to use his 16 17 own vehicle where it has been determined that a state 18 vehicle is not available for use or that it is in the best 19 interest of the state that a privately owned vehicle be used." 20

-End-

HB 532

Approved by Committee on State Administration

1	HOUSE BILL NO. 532
2 .	INTRODUCED BY MERCER, LOCKREM, FAGG,
3	R. BAETH, HUBING, DAY
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ű	ALLOWANCE OF AUTHORIZED PERSONS USING PRIVATE PLANES;
7	AMENDING SECTIONS 59-801 AND 59-802, R.C.M. 1947."
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à	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
13	Section 1. Section 59-301, R.C.M. 1947, is amended to
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12	*59-801. Mileage of all officers. (1) Automobiles:
13	Members of the legislative assembly, state officers,
14	township officers, jurors, witnesses, county agents, and all
15	other persons, except sheriffs, who may be entitled to
16	mileage, when using their own automobiles erairplanes in
17	the performance of official duties, shall-be are entitled to
13	collect mileage for the distance actually traveled by
19	automobile BY AUTOMOBILEy-and-for-the-shortest-regularly
23	traveled-automobile-route-when-travel-is-by-private-plane at
21	arateof-twelve-cents-(124)-per-statute-miley and no more
22	unless otherwise specifically provided by law; provided,
23	however, that nothing herein contained shall be construed as
24	affecting the validity of section 43-319.
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2	availablea-rate-of-nine-cents-{9+}-per-mile-shall-be-paid-
3	(3)-Where-a-privately-owned-vehicle-is-usedbecausea
4	state-owned-or-leased-vehicle-is-not-available-for-use-or-it
5	isin-the-best-interest-of-the-state-that-a-privately-owned
6	vehicle-be-used;-twelve-sents-{124}-per-mile-shall-bepaid;
7	(2) WHERE THE INDIVIDUAL IS AUTHORIZED TO OPERATE A
8	PRIVATELY OWNED VEHICLE EVEN THOUGH A STATE OWNED VEHICLE IS
9	AVAILABLE, A RATE OF NINE CENTS (9¢) PER MILE SHALL BE PAID.
LO	(3) WHERE A PRIVATELY OWNED VEHICLE IS USED BECAUSE A
11	STATE OWNED OR LEASED VEHICLE IS NOT AVAILABLE FOR USE OR IT
L2	IS IN THE BEST INTEREST OF THE STATE THAT A PRIVATELY OWNED
13	VEHICLE BE USED, TWELVE CENTS (12¢) PER MILE SHALL BE PAID.
L4	(2)(4) Private plane: Members of the legislature,
L5	state officers, township officers, jurors, witnesses, county
L 6	agents and all other persons, except sheriffs, who may be
L 7	entitled to mileage, when using their own airplanes, in the
L8	performance of official duties, are entitled to collect
L9	mileage for the distance actually traveled at a rate of
20	twenty-five-cents-{254} TWENTY CENTS (20¢) per statute mile,
21	and no more unless specifically provided by law. This
22	section does not affect the validity of section 43-310.*
23	Section 2. Section 59-802, R.C.M. 1947, is amended to
24	read as follows:
>5	*59-802. Mileage of all officersliability of

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privately-owned-vehicle-even-though-a-state-owned-vehicle-is

THIRD READING SECOND PRINTING 4/4/15

approving board for exceeding authorized amount. Whenever it 1 shall be necessary for any state or county officer or employee to use his own automobile or airplane in the 3 performance of any official duty where traveling expense is allowed by law, such officer or employee, except sheriffs, 5 shall receive twelve cents (12¢) per statute mile for each mile necessarily traveled by automobile and twelve--cents (204) twenty-five-cents-(254) TWENTY CENTS (204) per statute 9 mile by--the--shertest--regularly-traveled-automobile-route 10 when--bravel--is by private plane, and no more unless 11 otherwise specifically provided by law and the members of 12 any lawful approving board shall be liable upon their 13 official bonds, for any claim which they may allow in excess 14 of such amount; provided, however, that nothing herein 15 contained shall be construed as affecting the validity of 16 section 43-310. It is necessary for an individual to use his 17 own vehicle where it has been determined that a state 18 vehicle is not available for use or that it is in the best 19 interest of the state that a privately owned vehicle be 20 used."

-End-

HB 0532/02 HB 0532/02 44th Legislature

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1	HOUSE BILL NO. 532
2	INTRODUCED BY MERCER, LOCKREM, FAGG,
3	R. BAETH, HUBING, DAY
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8	
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13	Members of the legislative assembly, state officers,
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16	mileage, when using their own automobiles erairplanes in
17	the performance of official duties, shell-be are entitled to
18	collect mileage for the distance actually traveled by
19	awtomobile,andfortheshortestregularlytraveled
20	automobileroutewhen-travel-is-by-private-plane at a rate
21	of twelve cents (12¢) per statute mile, and no more unless
22	otherwise specifically provided by law; provided, however,
23	that nothing herein contained shall be construed as
24	afferting the validity of section 43-310.
25	131Wheretheindividuelis_sutherized_to_aparate_a

1	privately-owned-vehicle-even-though-a-state-owned-vehicle-is
2	available;-a-rate-of-nine-cents-{9¢}-per-mile-shall-be-paid:
3	(3)-Where-a-privately-owned-vehicle-is-usedbecausea
4	state-ewned-or-leased-vehicle-is-not-available-for-use-or-it
5	isin-the-best-interest-of-the-state-that-a-privately-owned
6	vehicle-be-used;-twelve-cents-(124)-per-mile-shall-bepaid;
7	(2) Private plane: Members of the legislature, state
8	officers, township officers, jurors, witnesses, county
9	agents and all other persons, except sheriffs, who may be
10	entitled to mileage, when using their own airplanes, in the
11	performance of official duties, are entitled to collect
12	mileage for the distance actually traveled at a rate of
13	twenty-five-cents-(25¢) TWENTY CENTS (20¢) per statute mile,
14	and no more unless specifically provided by law. This
15	section does not affect the validity of section 43-310."
16	Section 2. Section 59-802, P.C.M. 1947, is amended to
17	read as follows:
18	*59-802. Mileage of all officersliability of
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20	shall be necessary for any state or county officer or

employee to use his own automobile or airplane in the

performance of any official duty where traveling expense is

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s'all receive twelve cents (12¢) per statute mile for each

mile necessarily traveled by automobile and twelve-cents

1 (124) twenty-five-cents-(254) TWENTY CENTS (20¢) per statute mile by-the-shortest--regularly--traveled--automobile--route 2 when--travel--is by private plane, and no more unless 3 otherwise specifically provided by law and the members of 4 any lawful approving board shall be liable upon their 5 official bonds, for any claim which they may allow in excess 6 of such amount; provided, however, that nothing herein 7 contained shall be construed as affecting the validity of section 43-310. It is necessary for an individual to use his 9 10 own vehicle where it has been determined that a state vehicle is not available for use or that it is in the best 11 interest of the state that a privately owned vehicle be 12 13 used."

-End-

-3- HB 532