

1 H BILL NO. 377
 2 INTRODUCED BY Lieutenant Governor Dasinger
 3 Linda Cox Brand

4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT PERSONS
 5 ENTITLED TO MILEAGE REIMBURSEMENT FOR USE OF A PRIVATELY
 6 OWNED VEHICLE BE PAID AT THE RATE OF 19 CENTS PER MILE;
 7 AMENDING SECTION 59-801."

8
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 59-801, R.C.M. 1947, is amended to
 11 read as follows:

12 "59-801. Mileage of all officers. (1) Automobiles:
 13 Members of the legislature, state officers, township
 14 officers, jurors, witnesses, county agents, and all other
 15 persons, except sheriffs, who may be entitled to mileage,
 16 when using their own automobiles or airplanes in the
 17 performance of official duties, shall be entitled to collect
 18 mileage for the distance actually traveled by automobile,
 19 and for the shortest regularly traveled automobile route
 20 when travel is by private plane, 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) Where the individual is authorized to operate a
 25 privately owned vehicle ~~even though, whether or not~~ a

1 government owned or leased vehicle is available, a rate of
 2 ~~three cents (3c) less~~ 19 cents per mile than the mileage
 3 ~~rate allowed by the United States internal revenue service~~
 4 ~~for the next preceding year~~ shall be paid.

5 ~~(3) Where a privately owned vehicle is used because a~~
 6 ~~government owned or leased vehicle is not available for use~~
 7 ~~or it is in the best interest of the governmental entity~~
 8 ~~that a privately owned vehicle be used, a rate equal to the~~
 9 ~~mileage allotment allowed by the United States internal~~
 10 ~~revenue service for the next preceding year shall be paid~~
 11 ~~for the first one thousand (1,000) miles and three cents~~
 12 ~~(3c) per mile less for all miles thereafter traveled within~~
 13 ~~a given calendar month.~~

14 ~~(4)(3)~~ Private plane: Members of the legislature,
 15 state officers, township officers, jurors, witnesses, county
 16 agents and all other persons, except sheriffs, who may be
 17 entitled to mileage, when using their own airplanes, in the
 18 performance of official duties, are entitled to collect
 19 mileage for the distance actually traveled at a rate of
 20 twenty cents (20c) per statute mile, and no more unless
 21 specifically provided by law. This section does not affect
 22 the validity of section 43-310.

23 ~~(5)(4)~~ The department of administration shall
 24 prescribe rules necessary to effectively administer this
 25 section for state government."

-End-
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INTRODUCED BILL

HB 377

STATE OF MONTANA

REQUEST NO. 178-77

FISCAL NOTE

Form BD-1

In compliance with a written request received January 24, 19 77, there is hereby submitted a Fiscal Note for House Bill 377 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly.

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

House Bill 377 provides that persons entitled to mileage reimbursement for use of a privately owned vehicle be paid at the rate of nineteen (19) cents per mile.

ASSUMPTIONS:

1. That the information provided by SBAS for the cost of personal car mileage is materially correct.
2. That the personal car miles driven each year by state employees will increase, but this increase will be offset by the decrease in assumption No. 3.
3. That there will be a shift from use of personal vehicles to use of Motor Pool vehicles because of departmental regulations. Presently, the Motor Pool charges 11.3 cents per mile in a compact car.
4. That the miles driven by employees outside Helena and exempt employees at 15 cents per mile about equals those miles driven at 12 cents per mile; and therefore, 13½ cents per mile is the average claim for personal car mileage.

FISCAL IMPACT:

	<u>FY 78</u>	<u>FY 79</u>
Mileage cost under current law	\$2,000,000	\$2,000,000
Mileage cost under proposed law	<u>2,800,000</u>	<u>2,800,000</u>
Increased cost of proposed legislation	<u>\$ 800,000</u>	<u>\$ 800,000</u>

Richard L. Young
BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1-28-77