

CHAPTER NO. 643

HOUSE BILL NO. 386

INTRODUCED BY QUILICI, MENAHAN, DUSSAULT, FAGG, DAILY,
METCALF, MCBRIDE, FABREGA, HARRINGTON, PAVLOVICH

IN THE HOUSE

January 24, 1979	Introduced and referred to Committee on State Administration.
February 20, 1979	Committee recommend bill do pass as amended. Report adopted.
February 21, 1979	Printed and placed on members' desks.
February 22, 1979	Second reading, do pass. On motion taken from Engrossing and referred to Committee on Appropriations.
April 6, 1979	Committee recommend bill do pass as amended. Report adopted.
April 7, 1979	Printed and placed on members' desks.
April 9, 1979	Second reading, do pass.
April 10, 1979	Considered correctly engrossed. Third reading, passed. Transmitted to second house.

IN THE SENATE

April 11, 1979	Introduced and referred to Committee on Finance and Claims.
April 13, 1979	Committee recommend bill be concurred in. Report adopted.
April 16, 1979	Second reading, concurred in.
April 17, 1979	Third reading, concurred in.

IN THE HOUSE

April 18, 1979

Returned from second house.
Concurred in. Sent to enrolling.

Reported correctly enrolled.

1 *HOUSE* BILL NO. *386*
 2 INTRODUCED BY *Quilici, Menasha, Summers*
 3 *Foss, Daily, Metcalf, McBride, Foye*
 4 *Harrington, Palmit*
 5 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR TRAVEL
 6 EXPENSES AND MEAL REIMBURSEMENT FOR PERSONS IN STATE
 7 SERVICE; AMENDING SECTION 2-18-501, MCA."

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

9 Section 1. Section 2-18-501, MCA, is amended to read:

10 "2-18-501. Meals, lodging, and transportation of
 11 persons in state service. Every elected official, appointed
 12 members of boards, commissions, councils, department
 13 directors, and all other state employees shall be reimbursed
 14 for meals and lodging while away from the person's
 15 designated headquarters and engaged in official state
 16 business in accordance with the following provisions:

17 (1) For travel within the state of Montana, the
 18 following provisions apply:

19 (a) The governor shall be authorized actual and
 20 necessary expenses not to exceed \$40 per day.

21 (b) All other elected state officials, appointed
 22 members of boards, commissions, councils, department
 23 directors, and all other state employees shall be authorized
 24 ~~the actual cost of lodging not exceeding \$18 per day for~~
 25 lodging plus the actual cost of lodging in excess of \$15 per

1 ~~day when the claim is supported by an appropriate receipt,~~
 2 ~~plus \$2 11 for the morning meal, \$3 14.50 for the midday~~
 3 ~~meal, and \$5 17.50 for the evening meal. All claims for~~
 4 ~~lodging expense reimbursement allowed under this section~~
 5 ~~must be documented by an appropriate receipt.~~

6 (2) For travel out of the state of Montana, the
 7 following provisions apply:

8 (a) The governor shall be authorized actual and
 9 necessary travel expenses not to exceed \$70 per day.

10 (b) All other elected state officials, appointed
 11 members of boards, commissions, councils, department
 12 directors, and all other state employees shall be authorized
 13 the actual cost of lodging not exceeding ~~\$37~~ \$45 per day
 14 plus ~~\$3~~ \$11 for the morning meal, ~~\$4~~ \$14.50 for the midday
 15 meal, and ~~\$6~~ \$8.50 for the evening meal. All claims for the
 16 lodging expense reimbursement allowed under this subsection
 17 must be documented by an appropriate receipt.

18 (3) When other than commercial, nonreceiptable lodging
 19 facilities are utilized by a state employee while conducting
 20 official state business in a travel status, the amount of \$7
 21 will be authorized for lodging expenses for each day in
 22 which travel involves an overnight stay in lieu of the
 23 amount authorized in subsection (1)(b) or (2)(b) above.
 24 However, when overnight accommodations are provided at the
 25 expense of any government entity, no reimbursement may be

1 claimed for lodging.

2 (4) The actual cost of reasonable transportation
3 expenses and other necessary business expenses incurred by a
4 state official or employee while in an official travel
5 status shall be subject to reimbursement.

6 (5) The provisions of this section shall not be
7 construed as affecting the validity of 5-2-301.

8 (6) The department of administration shall prescribe
9 rules necessary to effectively administer this section for
10 state government.

11 (7) All commercial air travel shall be by the least
12 expensive class service available."

-End-

STATE OF MONTANA

REQUEST NO. 143-79

FISCAL NOTE

Form BD-15

In compliance with a written request received JAN 26, 19 79, there is hereby submitted a Fiscal Note for House Bill 386 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:

An act to amend the travel reimbursement rates providing increased meal allowances and a new ceiling on Out-of-State Lodging. Also provides for a minimum on In-State lodging reimbursements.

Assumptions:

1. The average In-State lodging rate reimbursed in FY 1978 was \$15/night. In FY 1980, it will be \$20, and in FY 1981 \$22. This also assumes that \$18 will be paid In-State lodging without a receipt rather than \$7.
2. The average Out-of-State lodging reimbursed in FY 1978 was \$35. In FY 1980, it will be \$40, and in FY 1981 \$45.
3. That the figures presented represent the maximum increases.

Expenditure Impact:

Operating Expenses:	FY 1980 Increase <u>\$1,494,000</u>	FY 1981 Increase <u>\$1,714,000</u>
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Technical Note:

For In-State Lodging reimbursement without a valid receipt, the new section 2-18-501 (1) (6) provides a minimum of \$18, whereas the old section 2-18-501 (3) provides \$7 under the same circumstances.

Comments:

It is important to note that the above fiscal impact is presented without regard to potential budgetary travel cut backs (both OBPP and Fiscal Analyst are recommending such). Therefore, the above figures represent the maximum impact, whereas the minimum impact would be something less depending on the amount budgets are cut.

Fund Information:	<u>FY80</u>	<u>FY81</u>
General Fund	\$ 985,000	\$1,131,000
Other Funds	509,000	583,000
	<u>\$1,494,000</u>	<u>\$1,714,000</u>

Richard L. Drayton
BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2/1/79

STATE OF MONTANA

REQUEST NO. 143-79

FISCAL NOTE

Amended

Form BD-15

In compliance with a written request received March 1, 19 79, there is hereby submitted a Fiscal Note for H.B. 386— Amended 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:

An act to amend the travel reimbursement rates providing increased meal and lodging rates for both IN-State and OUT-of-State travel.

Assumptions:

1. That the average IN-State lodging rate reimbursed in FY 1978 was \$15/night; and that the average reimbursement in the 1980-81 biennium will be \$20/night.
2. That the average OUT-of-State lodging rate reimbursed in FY 1978 was \$35/night; and the average reimbursement in the 1980-81 biennium will be \$50/night.
3. That the State employee will seek non-extravagant lodging facilities.

Expenditure Impact:

Travel categories effected:	Actual FY 1978	Estimated FY 1980	Estimated FY 1981
IN-State:			
Meals	\$1,855,000	\$2,226,000	\$2,226,000
Lodging	1,370,000	1,822,000	1,822,000
OUT-of-State			
Meals	191,000	242,000	242,000
Lodging	270,000	386,000	386,000
TOTAL	<u>\$3,686,000</u>	<u>\$4,676,000</u>	<u>\$4,676,000</u>
Increase		<u>\$ 990,000</u>	<u>\$ 990,000</u>

Fund Information:

	<u>FY 1980</u>	<u>FY 1981</u>
General Fund	\$653,000	\$653,000
Other Funds	<u>337,000</u>	<u>337,000</u>
	<u>\$990,000</u>	<u>\$990,000</u>

Richard V. Drang
BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 3/2/79

Approved by Committee
on State Administration

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

Section 1. Section 2-18-501, MCA, is amended to read:

"2-18-501. Meals, lodging, and transportation of persons in state service. Every elected official, appointed members of boards, commissions, councils, department directors, and all other state employees shall be reimbursed for meals and lodging while away from the person's designated headquarters and engaged in official state business in accordance with the following provisions:

(1) For travel within the state of Montana, the following provisions apply:

(a) The governor shall be authorized actual and necessary expenses not to exceed \$40 per day.

(b) All other elected state officials, appointed members of boards, commissions, councils, department directors, and all other state employees shall be authorized the actual cost of lodging not exceeding \$18 THE ACTUAL COST

~~OF LODGING NOT EXCEEDING \$21 per day for lodging plus the actual cost of lodging in excess of \$18 \$21 per day when the claim is supported by an appropriate receipt. EXCEPT AS PROVIDED IN SUBSECTION (2)(C), plus \$2 \$3 \$2 for the morning meal, \$3 \$4.50 \$3.50 for the midday meal, and \$5 \$7.50 \$6.50 for the evening meal. All claims for lodging expense reimbursement allowed under this section must be documented by an appropriate receipt. ALL CLAIMS FOR LODGING EXPENSE REIMBURSEMENT ALLOWED UNDER THIS SECTION MUST BE DOCUMENTED BY AN APPROPRIATE RECEIPT.~~

(2) For travel out of the state of Montana, the following provisions apply:

(a) The governor shall be authorized actual and necessary travel expenses not to exceed \$70 per day.

(b) All other elected state officials, appointed members of boards, commissions, councils, department directors, and all other state employees shall be authorized the actual cost of lodging not exceeding \$37 \$45 \$40 per day plus \$3 \$4 \$3 for the morning meal, \$4 \$5.50 \$5 for the midday meal, and \$6 \$8.50 for the evening meal. All claims for the lodging expense reimbursement allowed under this subsection must be documented by an appropriate receipt.

~~(C) ALL ELECTED STATE OFFICIALS, APPOINTED MEMBERS OF BOARDS, COMMISSIONERS, COUNCILS, DEPARTMENT DIRECTORS, AND ALL OTHER STATE EMPLOYEES SHALL BE AUTHORIZED THE ACTUAL~~

1 COST OF LODGING WHEN TRAVELING IN THE NORMAL COURSE OF THEIR
2 DUTIES TO CERTAIN DESIGNATED AREAS. THE DEPARTMENT OF
3 ADMINISTRATION SHALL DESIGNATE THOSE AREAS IN THE UNITED
4 STATES WHERE THE ACTUAL COST OF LODGING SHALL BE REIMBURSED.

5 (3) When other than commercial, nonreceiptable lodging
6 facilities are utilized by a state employee while conducting
7 official state business in a travel status, the amount of \$7
8 will be authorized for lodging expenses for each day in
9 which travel involves an overnight stay in lieu of the
10 amount authorized in subsection (1)(b) or (2)(b) above.
11 However, when overnight accommodations are provided at the
12 expense of any government entity, no reimbursement may be
13 claimed for lodging.

14 (4) The actual cost of reasonable transportation
15 expenses and other necessary business expenses incurred by a
16 state official or employee while in an official travel
17 status shall be subject to reimbursement.

18 (5) The provisions of this section shall not be
19 construed as affecting the validity of 5-2-301.

20 (6) The department of administration shall prescribe
21 rules necessary to effectively administer this section for
22 state government.

23 (7) All commercial air travel shall be by the least
24 expensive class service available."

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