

CHAPTER NO. 622

SENATE BILL NO. 370

INTRODUCED BY ETCHART, MATHERS, McCALLUM, ANDERSON,  
CONOVER, E. SMITH, THIESSEN, HAZELBAKER

IN THE SENATE

February 5, 1979	Introduced and referred to Committee on State Adminis- tration.
February 6, 1979	Fiscal note requested.
February 9, 1979	Fiscal note returned.
February 17, 1979	Committee recommend bill do pass. Report adopted.  Statement of Intent adopted.
February 19, 1979	Printed and placed on members' desks.
February 20, 1979	Second reading, do pass.
February 21, 1979	Considered correctly engrossed.
February 22, 1979	Third reading, passed. Transmitted to second house.

IN THE HOUSE

February 23, 1979	Introduced and referred to Committee on State Adminis- tration.
March 13, 1979	Committee recommend bill be concurred in as amended. Report adopted.
March 14, 1979	Second reading, concurred in.
March 15, 1979	On motion, referred to Committee on Appropriations.
April 4, 1979	Committee recommend bill be concurred in as amended. Report adopted.

April 5, 1979                      Second reading, concurred in.  
April 9, 1979                      Third reading, concurred in  
   as amended.

IN THE SENATE

April 10, 1979                      Returned from second house.  
   Concurred in as amended.  
  
   On motion, rules temporarily  
   suspended to accept House  
   amendments for consideration  
   on second reading. Motion  
   adopted.  
  
April 11, 1979                      Second reading, pass con-  
   sideration.  
  
April 12, 1979                      Second reading, amendments  
   adopted.  
  
April 13, 1979                      Third reading, amendments  
   adopted. Sent to enrolling.  
  
   Reported correctly enrolled.

1 *Seast* BILL NO. 370  
 2 INTRODUCED BY *Robert Madsen MacCallister*  
 3 *Anderson Consoer E. Smith Theresa Hatcher*

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE MILEAGE  
 5 ALLOWANCE FOR NONCOMMERCIAL AIRPLANE TRAVEL FOR STATE  
 6 BUSINESS; AMENDING SECTION 2-18-503, MCA."

7  
 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Section 2-18-503, MCA, is amended to read:

10 "2-18-503. Mileage -- allowance. (1) Members of the  
 11 legislature, state officers and employees, jurors,  
 12 witnesses, county agents, and all other persons who may be  
 13 entitled to mileage paid from public funds, when using their  
 14 own automobiles in the performance of official duties, are  
 15 entitled to collect mileage for the distance actually  
 16 traveled by automobile and no more unless otherwise  
 17 specifically provided by law.

18 (2) When the individual is authorized to operate a  
 19 privately owned vehicle even though a government-owned or  
 20 leased vehicle is available, a rate of 3 cents less per mile  
 21 than the mileage rate allowed by the United States internal  
 22 revenue service for the preceding year shall be paid.

23 (3) When a privately owned vehicle is used because a  
 24 government-owned or leased vehicle is not available or  
 25 because such use is in the best interest of the governmental

1 entity, a rate equal to the mileage allotment allowed by  
 2 the United States internal revenue service for the preceding  
 3 year shall be paid for the first 1,000 miles and 3 cents per  
 4 mile less for all miles thereafter traveled within a given  
 5 calendar month.

6 (4) Members of the legislature, state officers and  
 7 employees, jurors, witnesses, county agents, and all other  
 8 persons who may be entitled to mileage paid from public  
 9 funds, when using their own airplanes in the performance of  
 10 official duties, are entitled to collect mileage for the  
 11 distance air miles actually traveled at a rate of ~~20 cents~~  
 12 ~~per statute title~~ twice the mileage allotment for automobile  
 13 travel and no more unless specifically provided by law.

14 (5) This section does not alter 5-2-301.

15 (6) The department of administration shall prescribe  
 16 rules necessary for the effective administration of this  
 17 section for state government."

-End-

-2- SE 370  
 INTRODUCED BILL

## STATE OF MONTANA

Request No. 240-79

## FISCAL NOTE

Form BD-15

In compliance with a written request received February 6, 1979, there is hereby submitted a Fiscal Note for Senate Bill 370 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 travel reimbursement rates providing increased reimbursement for personal aircraft use.

## ASSUMPTIONS:

1. The number of air miles flown by personal aircraft in FY 1978 was approximately 31,000 miles.
2. There is no reason to believe a major increase will occur in FY 1980 or FY 1981.
3. There will be no increase in the 17¢/mile allowed for personal cars.

## EXPENDITURE IMPACT:

Personal aircraft reimbursements	<u>FY 80</u>	<u>FY 81</u>
Under current law	\$ 6,200	\$ 6,200
Under proposed law	10,500	10,500
Increased cost of proposed legislation	<u>\$ 4,300</u>	<u>\$ 4,300</u>
Funding Information		
General Fund	\$ 2,868	\$ 2,868
Other funds	1,432	1,432
	<u>\$ 4,300</u>	<u>\$ 4,300</u>

*Richard L. Drury*  
 BUDGET DIRECTOR  
 Office of Budget and Program Planning  
 Date: 2/9/79

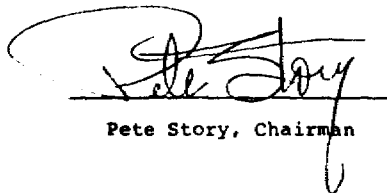
STATEMENT OF INTENT REGARDING SENATE BILL No. 370

A statement of intent is included with this Bill because the Committee wished to clarify the reasons for and conditions under which increased compensation is granted to owners of private aircraft when used for state business.

(1) The intent of this increase is to permit adequate compensation for the use of private aircraft when used for state business.

(2) It is also the intent of this Bill that the Department of Administration provide rules to insure the necessary computation and documentation of the savings effected by, or the necessity for, the use of private aircraft rather than the use of state motor vehicles for state business. This cost-efficiency documentation pertains to Section 1, subsection (6) of Senate Bill No. 370..

Adopted by the Committee on State Administration on the 17th day of February, 1979.

  
Pete Story, Chairman

SB 370

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 2 INTRODUCED BY *Robert Mather MacCallum*  
 3 *Anderson Connor E. Smith Theresa Hault*

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6 (4) Members of the legislature, state officers and  
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 10 official duties, are entitled to collect mileage for the  
 11 distance air miles actually traveled at a rate of 20-cents  
 12 per-statute-mile twice the mileage allotment for automobile  
 13 travel and no more unless specifically provided by law.

14 (5) This section does not alter 5-2-301.

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First adopted by the SENATE COMMITTEE ON STATE ADMINISTRATION on February 17, 1979.

SB 370

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12 distance air miles actually traveled at a rate of 20-cents  
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because such use is in the best interest of the governmental entity, a rate equal to the mileage allotment allowed by the United States internal revenue service for the preceding year shall be paid for the first 1,000 miles and 3 cents per mile less for all miles thereafter traveled within a given calendar month.

(4) Members of the legislature, state officers and employees, jurors, witnesses, county agents, and all other persons who may be entitled to mileage paid from public funds, when using their own airplanes in the performance of official duties, are entitled to collect mileage for the distance NAUTICAL air miles actually traveled at a rate of ~~20-cents-per-statute-mile twice ONE-AND-ONE-HALF-TIMES TWICE~~ the mileage allotment for automobile travel and no more unless specifically provided by law.

(5) This section does not alter 5-2-301.

(6) The department of administration shall prescribe rules necessary for the effective administration of this section for state government."

-End-

HOUSE OF REPRESENTATIVES

March 13, 1979

State Administration Committee amendments to Senate Bill No. 370, 3rd reading copy, as follows:

1. Page 2, line 12.

Following: "~~mile~~"

Strike: "twice"

Insert: "one and one-half times"

AND AS AMENDED  
BE CONCURRED IN

HOUSE OF REPRESENTATIVES  
April 4, 1979

Committee on Appropriations Amendments to Senate Bill No. 370,  
reference bill, as follows:

1. Page 2, line 12.

Following: "~~distance~~"

Insert: "nautical"

2. Page 2, line 13.

Following: "~~twice~~"

Strike: "ONE AND ONE-HALF TIMES"

Insert: "twice"

AND AS AMENDED  
BE CONCURRED IN