

SENATE BILL NO. 257

INTRODUCED BY S. BROWN, BLAYLOCK

IN THE SENATE

January 23, 1981	Introduced and referred to Committee on State Administration.  Fiscal note requested.
January 29, 1981	Fiscal note returned.
February 4, 1981	Committee recommend bill do pass as amended. Report adopted.
February 5, 1981	Bill printed and placed on members' desks.
February 6, 1981	Second reading, do pass.
February 7, 1981	On motion taken from Committee on Bills and Journal and rereferred to Committee on Finance and Claims. Motion adopted.
February 12, 1981	Committee recommend bill do pass as amended. Report adopted.
February 13, 1981	Bill printed and placed on members' desks.
February 14, 1981	Second reading, do pass.
February 16, 1981	Correctly engrossed.
February 17, 1981	Third reading, passed. Ayes, 27; Noes, 23. Transmitted to House.

IN THE HOUSE

February 18, 1981	Introduced and referred to Committee on State Administration.
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March 5, 1981

Committee recommend bill be concurred in as amended. Report adopted.

March 9, 1981

Second reading, concurred in as amended.

March 11, 1981

On motion to take from third reading and rerefer to Committee on Appropriations. Motion adopted.

Rereferred to Committee on Appropriations.

April 2, 1981

Committee recommend bill be concurred in as amended. Report adopted.

April 6, 1981

Second reading, concurred in.

On motion rules suspended and bill placed on third reading this day.

Third reading, concurred in as amended. Ayes, 64; Noes, 30.

#### IN THE SENATE

April 7, 1981

Returned from House with amendments.

April 10, 1981

On motion, consideration be passed for the day.

April 11, 1981

Second reading, amendments not concurred in.

April 13, 1981

On motion Free Conference Committee requested and appointed.

April 17, 1981

Free Conference Committee reported.

April 20, 1981

Second reading, Free Conference Committee report adopted.

April 20, 1981

Third reading, Free Conference Committee report adopted. Ayes, 39; Noes, 8. Transmitted to House.

IN THE HOUSE

April 22, 1981

Free Conference Committee report adopted.

IN THE SENATE

April 23, 1981

Returned from House. Sent to enrolling.

Reported correctly enrolled.

1 *Senate* BILL NO. *257*  
 2 INTRODUCED BY *STEVE BROWN Blaylock*  
 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE THE AMOUNT  
 5 AUTHORIZED FOR TRAVEL EXPENSES AND MEAL REIMBURSEMENT FOR  
 6 PERSONS IN STATE SERVICE; AMENDING SECTION 2-18-501, MCA."

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 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 ~~\$52~~ 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 \$21 ~~\$27~~ per day  
 25 except as provided in subsection (2)(c), plus \$2 ~~\$3~~ for the

1 morning meal, \$3~~50~~ ~~\$4.50~~ for the midday meal, and \$6~~50~~ ~~\$8~~  
 2 for the evening meal. All claims for lodging expense  
 3 reimbursement allowed under this section must be documented  
 4 by an appropriate receipt.

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

7 (a) The governor shall be authorized actual and  
 8 necessary travel expenses not to exceed \$70 ~~\$92~~ per day.

9 (b) All other elected state officials, appointed  
 10 members of boards, commissions, councils, department  
 11 directors, and all other state employees shall be authorized  
 12 the actual cost of lodging not exceeding \$40 ~~\$50~~ per day  
 13 plus \$3 ~~\$4~~ for the morning meal, \$5 ~~\$6.50~~ for the midday  
 14 meal, and \$8~~50~~ ~~\$12~~ for the evening meal. All claims for  
 15 the lodging expense reimbursement allowed under this  
 16 subsection must be documented by an appropriate receipt.

17 (c) All elected state officials, appointed members of  
 18 boards, commissioners, council, department directors, and  
 19 all other state employees shall be authorized the actual  
 20 cost of lodging when traveling in the normal course of their  
 21 duties to certain designated areas. The department of  
 22 administration shall designate those areas in the United  
 23 States where the actual cost of lodging shall be reimbursed.

24 (3) When other than commercial, nonreceiptable lodging  
 25 facilities are utilized by a state employee while conducting

1 official state business in a travel status, the amount of \$7  
2 will be authorized for lodging expenses for each day in  
3 which travel involves an overnight stay in lieu of the  
4 amount authorized in subsection (1)(b) or (2)(b) above.  
5 However, when overnight accommodations are provided at the  
6 expense of any government entity, no reimbursement may be  
7 claimed for lodging.

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

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

14 (6) The department of administration shall prescribe  
15 rules necessary to effectively administer this section for  
16 state government.

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

-End-

## STATE OF MONTANA

REQUEST NO. 215-81

## FISCAL NOTE

Form BD-15

In compliance with a written request received January 27, 19 81, there is hereby submitted a Fiscal Note for Senate Bill No. 257 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA).

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 increase the amount authorized for travel expenses and meal reimbursement for persons in State services.

## Assumptions:

1. The average lodging reimbursement In-State in FY 1980 was \$22/night. Based on the January 1981 survey actual In-State costs are \$25/night. Both FY 1982 and FY 1983 will increase to the \$27/night limit.
2. The average lodging Out-of-State in January 1981, was \$40 (excluding high cost cities). They will increase to \$45 in FY 1982 and \$50 in FY 1983.
3. In-State meals constitute 60% and lodging 40% of non-transportation travel costs. Out-of-State meals constitute 40% and lodging 60% of non-transportation travel costs.
4. Non specific expense categories (i.e. In-State, and Out-of-State "other", and "Away-From-Home-Allowance" and "General") relative to University System expenditures can be attributed to meals and lodging based on the percentages in 3 above.

## Expenditure Impact:

	FY 1982 <u>increase</u>	FY 1983 <u>increase</u>
Operating Expenses:	\$2,216,171	\$2,395,090

Comments: It is important to note that the above fiscal impact is presented without regard to potential travel cut backs and therefore represent maximum potential impact.

It should also be noted that Montana's local governments (county, city, and school district) generally tend to follow the State rates even though they are not required by law to do so.



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1-29-81

Approved by Committee  
on State Administration

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A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE THE AMOUNT AUTHORIZED FOR TRAVEL EXPENSES AND MEAL REIMBURSEMENT FOR PERSONS IN STATE SERVICE; AMENDING SECTION 2-18-501, MCA."

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 ~~\$55~~ 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 ~~\$21~~ \$27 per day except as provided in subsection (2)(c), plus ~~\$2~~ \$3 for the

morning meal, ~~\$3.50~~ \$4.50 for the midday meal, and ~~\$6.50~~ \$8 for the evening meal. 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~~ \$95 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 ~~\$40~~ \$50 per day plus ~~\$3~~ \$4 for the morning meal, ~~\$5~~ \$6.50 for the midday meal, and ~~\$8.50~~ \$12 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, council, department directors, and all other state employees shall be authorized the actual cost of lodging when traveling in the normal course of their duties to certain designated areas. The department of administration shall designate those areas in the United States where the actual cost of lodging shall be reimbursed.

(3) when other than commercial, nonreceiptable lodging facilities are utilized by a state employee while conducting

1 official state business in a travel status, the amount of \$7  
2 \$10 will be authorized for lodging expenses for each day in  
3 which travel involves an overnight stay in lieu of the  
4 amount authorized in subsection (1)(b) or (2)(b) above.  
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12 (5) The provisions of this section shall not be  
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14 (6) The department of administration shall prescribe  
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Rereferred to Committee  
on Finance & Claims

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(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 \$21 \$27 \$24 per day except as provided in subsection (2)(c), plus \$2 \$3 for the

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

(a) The governor shall be authorized THE actual and necessary--travel--expenses COST OF LODGING IN ADDITION TO A MEAL ALLOWANCE not to exceed \$78 \$95 \$30 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 \$40 \$50 per day plus \$3 \$4 for the morning meal, \$5 \$6.50 for the midday meal, and \$8 \$50 \$12 for the evening meal. All claims for the lodging expense reimbursement allowed under this subsection must be documented by an appropriate receipt.

(c) All OTHER elected state officials, appointed members of boards, commissioners, council, department directors, and all other state employees shall be authorized the actual cost of lodging when traveling in the normal course of their duties to certain designated areas. The department of administration shall designate those areas in the--United-States where the actual cost of lodging shall be reimbursed.

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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 \$48 \$55 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 \$21 \$23 \$24 \$21 \$24 per day except as provided in subsection (2)(c), plus \$2 \$3

\$2 \$3 for the morning meal, \$3 \$50 \$4 \$50 \$3 \$50 for the midday meal, and \$6 \$50 \$8 \$6 \$50 \$7 for the evening meal. 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 ~~THE~~ actual and ~~necessary-travel-expenses~~ COST OF LODGING IN ADDITION TO A MEAL ALLOWANCE not to exceed \$70 \$95 \$30 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 \$40 \$50 per day plus \$3 \$4 for the morning meal, \$5 \$6 \$50 for the midday meal, and \$8 \$50 \$12 for the evening meal. All claims for the lodging expense reimbursement allowed under this subsection must be documented by an appropriate receipt.

(c) All ~~OTHER~~ elected state officials, appointed members of boards, commissioners, council, department directors, and all other state employees shall be authorized the actual cost of lodging when traveling in the normal course of their duties to certain designated areas. The department of administration shall designate those areas ~~in the United States~~ where the actual cost of lodging shall be reimbursed.

1           (3) When other than commercial, nonreceiptable lodging  
2 facilities are utilized by a state employee while conducting  
3 official state business in a travel status, the amount of ~~\$7~~  
4 ~~\$10~~ ~~\$7~~ will be authorized for lodging expenses for each day  
5 in which travel involves an overnight stay in lieu of the  
6 amount authorized in subsection (1)(b) or (2)(b) above.  
7 However, when overnight accommodations are provided at the  
8 expense of any government entity, no reimbursement may be  
9 claimed for lodging.

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

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

16           (6) The department of administration shall prescribe  
17 rules necessary to effectively administer this section for  
18 state government.

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

-End-

FREE CONFERENCE COMMITTEE  
ON SENATE BILL NO. 257

(Report No. 1, April 15, 1981)

MR. PRESIDENT AND SPEAKER OF THE HOUSE:

We, your Free Conference Committee on Senate Bill No. 257, met April 15, 1981, and considered;

House State Administration Committee Amendments to the third reading copy, dated March 5, 1981;

House Committee of the Whole Amendments to the third reading copy, dated March 9, 1981, and;

House Appropriation Committee Amendments to the third reading copy, dated March 31, 1981, and recommend as follows:

That the Senate accede to State Administration Committee amendment nos. 1 through 4, dated March 5, 1981;

That the Senate accede to Committee of the Whole amendment no. 1, dated March 9, 1981;

That the House recede from Appropriations Committee amendment nos. 1 and 2, dated March 31, 1981;

That the Senate accede to Appropriations Committee amendment nos. 3 through 5, dated March 31, 1981;

That Senate Bill No. 257 be further amended as specified in CLERICAL INSTRUCTION no. 3;

That the reference copy, second printing, of Senate Bill No. 257 read as specified in the CLERICAL INSTRUCTIONS;

And, that the Free Conference Committee Report to Senate Bill No. 257 be adopted.

CLERICAL INSTRUCTIONS:

1. Page 1, line 24.  
Following: "\$24"  
Strike: "\$21"  
Insert: "\$24"

2. Page 1, line 25.  
Following: "\$3"  
Strike: "\$2"  
Insert: "\$3"

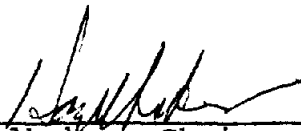
SB 257

FREE CONFERENCE COMMITTEE REPORT NO. 1

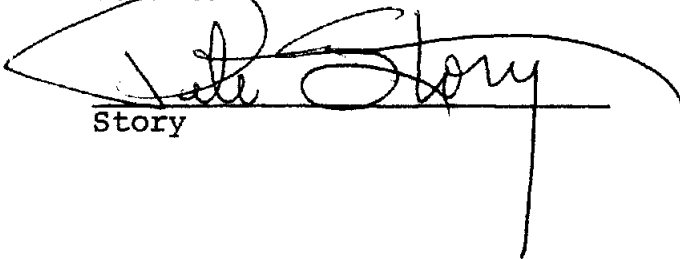
Page 2

3. Page 2, line 2.  
Following: "~~\$8~~"  
Strike: "\$6.50"  
Insert: "\$7"

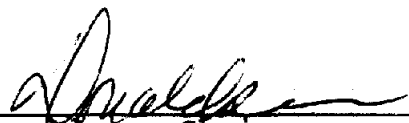
FOR THE SENATE:

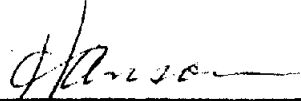
  
\_\_\_\_\_  
Hazelbaker, Chairman


  
\_\_\_\_\_  
S. Brown

  
\_\_\_\_\_  
Story

FOR THE HOUSE:

  
\_\_\_\_\_  
Donaldson, Chairman

  
\_\_\_\_\_  
Hanson

  
\_\_\_\_\_  
Kanduch

House amendments to Senate Bill 258:

1. Title, line 4 on page 2.

Following: "MCA;"

Insert: "AMENDING SECTIONS 75-10-203, 76-13-104, 76-13-106,  
76-13-109, AND 80-8-110, MCA;"

COMMITTEE OF THE WHOLE AMENDMENT

Mr. Chairman: I move to amend House amendments to Senate Bill 257

March 9, 1981  
2:45 pm  
Sales

1. Page 2, lines 22 and 23.  
Following: "areas" on line 22  
Strike: "in the United States"



HOUSE STATE ADMINISTRATION

AMENDMENTS-SENATE BILL 257

1. Page 2, line 7.

Following: "authorized"

Insert: "the"

2. Page 2, lines 7 and 8.

Following: "actual" on line 7

Strike: "and" through "expenses" on line 8

Insert: "cost of lodging in addition to a meal allowance"

3. Page 2, line 8.

Following: "\$70"

Strike: "\$95"

Insert: "\$30"

4. Page 2, line 17.

Following: "All"

Insert: "other"

MARCH 31, 1981

HOUSE APPROPRIATIONS COMMITTEE  
AMENDMENTS TO SENATE BILL NO. 257

1. Page 1, line 24  
Following: "exceeding ~~\$21~~ \$27"  
Strike: "\$24"  
Insert: "\$21"
2. Page 1, line 25  
Following: "plus \$2"  
Strike: "\$3"  
Insert: "\$2"
3. Page 2, line 1  
Following: "morning meal, ~~\$3-50~~"  
Strike: "\$4.50"  
Insert: "\$3.50"
4. Page 2, line 1  
Following: "midday meal, and ~~\$6-50~~"  
Strike: "\$8"  
Insert: "\$6.50"
5. Page 3, line 4  
Following: "amount of \$7", line 3  
Strike: "\$10" at beginning of line 4  
Insert: "\$7" at beginning of line 4