

HOUSE BILL NO. 259

Introduced: 01/15/83

Referred to Committee on State Administration: 01/15/83

Hearing: 1/26/83

Report: 01/28/83, Do Pass

2nd Reading: 01/31/83, Do Pass

3rd Reading: 02/02/83, Do Pass

Transmitted to Senate: 2/2/83

Referred to Committee on State Administration: 02/03/83

Hearing: 3/2/83

Report: 3/2/83, Be Concurred In

2nd Reading: 03/05/83

3rd Reading: 03/08/83

Returned to House With Amendments: 3/08/83

2nd Reading: 03/10/83, Be Not Concurred In

Free Conference Committee Appointed: 3/11/83

Died in Conference Committee

1 House BILL NO. 259
2 INTRODUCED BY Ramsey Vincent
3 BY REQUEST OF THE LEGISLATIVE COUNCIL
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR THE
6 PAYMENT OF COMPENSATION AND EXPENSES TO ANY LEGISLATOR
7 ATTENDING PRESESSION MEETINGS OF ANY COMMITTEE ALTHOUGH NOT
8 A MEMBER THEREOF; CHANGING THE NUMBER OF ROUND TRIPS DURING
9 A SESSION FOR WHICH A LEGISLATOR MUST SUBMIT A MILEAGE CLAIM
10 IN ORDER TO BE REIMBURSED; AMENDING SECTIONS 5-2-301 AND
11 5-2-302, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

12
13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

14 Section 1. Section 5-2-302, MCA, is amended to read:

15 "5-2-302. Compensation and expenses when legislature
16 not in session. When the legislature is not in session,
17 members of the legislative council, legislative
18 subcommittees, and select and interim committees, and
19 presession legislative committees, while engaged in
20 authorized committee business, and members of the
21 legislature while attending, for official business, a
22 meeting of a presession legislative committee of which they
23 are not members are entitled to:

- 24 (1) a mileage allowance as provided in 2-18-503;
25 (2) expenses as provided in 2-18-501 and 2-18-502; and

1 (3) a salary equal to one full day's pay at the rate
2 of a classified state employee, described in 5-2-301 for
3 each 24-hour period of time (from midnight to midnight), or
4 portion thereof, spent away from home on authorized
5 committee business. However, if time spent for business
6 other than authorized committee business results in
7 lengthening a legislator's stay away from home into an
8 additional 24-hour period, he may not be compensated for the
9 additional day."

10 Section 2. Section 5-2-301, MCA, is amended to read:

11 "5-2-301. Compensation and expenses for members while
12 in session. (1) Legislators are entitled to a salary
13 commensurate to that of the daily rate of a grade 8, step 2,
14 classified state employee for those days during which the
15 legislature is in session. The president of the senate and
16 the speaker of the house shall receive an additional \$5 a
17 day in salary for those days during which the legislature is
18 in session.

19 (2) Legislators are entitled to \$45 a day, 7 days a
20 week, during a legislative session, as reimbursement for
21 expenses incurred in attending a session. Expense payments
22 shall stop when the legislature recesses for more than 3
23 days and shall resume when the legislature reconvenes.

24 (3) Legislators are entitled to a mileage allowance as
25 provided in 2-18-503 for each mile of travel.

INTRODUCED BILL

(a) to the place of the holding of the session and to return to their place of residence at the conclusion of the session; and

~~(b) for one additional round trip to their place of residence during each session.~~

(4) In addition to the mileage allowance provided for in subsection (3), legislators, upon submittal of appropriate claims to the legislative council for mileage reimbursement, are entitled to:

~~(a) two three additional round trips to their place of residence during each regular session upon submittal of an appropriate claim for such mileage reimbursement to the office of legislative council; and~~

~~(b) one additional round trip to their place of residence during each special session.~~

(5) Legislators are not entitled to any additional mileage allowance under subsection (3)(a) or (3)(b) (4)(b) for a special session if it is convened within 7 days of a regular session."

NEW SECTION. Section 3. Effective date. This act is effective on passage and approval.

-End-

STATE OF MONTANA

REQUEST NO. 131-83

FISCAL NOTE

Form BD-15

In compliance with a written request received January 17, , 19 83 , there is hereby submitted a Fiscal Note for House Bill 259 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:

House Bill 259 would extend authority for payment of legislative salary and expenses for attendance at presession committee meetings to all members of the legislature. The bill also establishes an entitlement for an additional round trip home during a special session and provides that all additional round trips be reimbursed only upon presentation of a claim.

ASSUMPTIONS:

- 1) Average salary for one legislator to attend one committee meeting for one day is \$58.92.
- 2) Average cost of one round-trip ticket for one legislator is \$149.25.

FISCAL IMPACT:

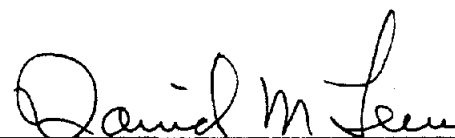
The fiscal impact of House Bill 259 is subject to many intangibles including:

- 1) The number of special sessions.
- 2) The number of presession legislative committee meetings.
- 3) The number of legislators who are not committee members who choose to attend the meetings, and
- 4) The number of members who claim additional round trips.

However, if all 150 legislators attended a meeting, the costs would be:

150 x \$58.92	=	\$ 8,838.00
150 x \$149.25	=	<u>22,387.50</u>
TOTAL		<u>\$31,225.50</u>

FISCAL NOTE 4:FF/1



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1-20-83

Approved by Committee
on State Administration

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2 INTRODUCED BY *Ramsey, Vincent*
3 BY REQUEST OF THE LEGISLATIVE COUNCIL
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16 not in session. When the legislature is not in session,
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18 subcommittees, and select and interim committees, and
19 pre-session legislative committees, while engaged in
20 authorized committee business, and members of the
21 legislature while attending for official business, or
22 meeting of a pre-session legislative committee of which they
23 are not members are entitled to:
24 (1) a mileage allowance as provided in 2-18-503;
25 (c) expenses as provided in 2-18-501 and 2-16-502; and

1 (3) a salary equal to one full day's pay at the rate
2 of a classified state employee, described in 5-2-301 for
3 each 24-hour period of time (from midnight to midnight), or
4 portion thereof, spent away from home on authorized
5 committee business. However, if time spent for business
6 other than authorized committee business results in
7 lengthening a legislator's stay away from home into an
8 additional 24-hour period, he may not be compensated for the
9 additional day."

10 Section 2. Section 5-2-301, MCA, is amended to read:
11 "5-2-301. Compensation and expenses for members while
12 in session. (1) Legislators are entitled to a salary
13 commensurate to that of the daily rate of a grade 3, step 2,
14 classified state employee for those days during which the
15 legislature is in session. The president of the senate and
16 the speaker of the house shall receive an additional \$5 a
17 day in salary for those days during which the legislature is
18 in session.

19 (2) Legislators are entitled to \$45 a day, 7 days a
20 week, during a legislative session, as reimbursement for
21 expenses incurred in attending a session. Expense payments
22 shall stop when the legislature recesses for more than 3
23 days and shall resume when the legislature reconvenes.

24 (3) Legislators are entitled to a mileage allowance as
25 provided in 2-18-503 for each mile of travel.

1 ~~(a)~~ to the place of the holding of the session and to
 2 return to their place of residence at the conclusion of the
 3 session~~and~~

4 ~~(b) for one additional round trip to their place of~~
 5 ~~residence during each session.~~

6 (4) In addition to the mileage allowance provided for
 7 in subsection (3), legislators, upon submittal of
 8 appropriate claims to the legislative council for mileage
 9 reimbursement, are entitled to:

10 ~~(a) two three~~ additional round trips to their place of
 11 residence during each regular session ~~upon submittal of an~~
 12 ~~appropriate claim for such mileage reimbursement to the~~
 13 ~~office of legislative council; and~~

14 (b) one additional round trip to their place of
 15 residence during each special session.

16 (5) Legislators are not entitled to any additional
 17 mileage allowance under subsection (3)~~(a)~~ or ~~(3)(b)~~ (4)(b)
 18 for a special session if it is convened within 7 days of a
 19 regular session."

20 NEW SECTION. Section 3. Effective date. This act is
 21 effective on passage and approval.

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3 each 24-hour period of time (from midnight to midnight), or
4 portion thereof, spent away from home on authorized
5 committee business. However, if time spent for business
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15 legislature is in session. The president of the senate and
16 the speaker of the house shall receive an additional \$5 a
17 day in salary for those days during which the legislature is
18 in session.

19 (2) Legislators are entitled to \$45 a day, 7 days a
20 week, during a legislative session, as reimbursement for
21 expenses incurred in attending a session. Expense payments
22 shall stop when the legislature recesses for more than 3
23 days and shall resume when the legislature reconvenes.

24 (3) Legislators are entitled to a mileage allowance as
25 provided in 2-18-503 for each mile of travel.

1 ~~(a)~~ to the place of the holding of the session and to
2 return to their place of residence at the conclusion of the
3 session; and

4 ~~(b) for one additional round trip to their place of~~
5 ~~residence during each session.~~

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7 in subsection (3), legislators, upon submittal of
8 appropriate claims to the legislative council for mileage
9 reimbursement, are entitled to:

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11 residence during each regular session ~~upon submittal of an~~
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13 ~~office of legislative council; and~~

14 ~~(b) one additional round trip to their place of~~
15 ~~residence during each special session.~~

16 (5) Legislators are not entitled to any additional
17 mileage allowance under subsection (3)~~(a)~~ or ~~(3)(b)~~ (4)(b)
18 for a special session if it is convened within 7 days of a
19 regular session."

20 NEW SECTION. Section 3. Effective date. This act is
21 effective on passage and approval.

-End-

March 5, 1983

SENATE COMMITTEE OF THE WHOLE AMENDMENT

That House Bill No. 259 be amended as follows:

1. Title, line 5.

Following: "ENTITLED: "AN ACT"

Strike: Remainder of line 5 through "THEREOF;" on line 8

2. Title, line 10.

Strike: "SECTIONS"

Insert: "SECTION"

Strike: "AND"

3. Title, line 11.

Strike: "5-2-302"

4. Page 1, line 14.

Strike: Section 1 in its entirety

Renumber: subsequent sections

5. Page 3, line 2.

Following: "residence"

Insert: "in Montana"

6. Page 3, line 11.

Following: "residence"

Insert: "in Montana"

7. Page 3, line 15.

Following: "residence"

Insert: "in Montana"

HOUSE BILL NO. 259

INTRODUCED BY RAMIREZ, VINCENT

BY REQUEST OF THE LEGISLATIVE COUNCIL

A BILL FOR AN ACT ENTITLED: "AN ACT ~~TO~~ PROVIDE FOR THE PAYMENT OF COMPENSATION AND EXPENSES TO ANY LEGISLATOR ATTENDING PRESESSION MEETINGS OF ANY COMMITTEE ALTHOUGH NOT A MEMBER THEREOF; CHANGING THE NUMBER OF ROUND TRIPS DURING A SESSION FOR WHICH A LEGISLATOR MUST SUBMIT A MILEAGE CLAIM IN ORDER TO BE REIMBURSED; AMENDING SECTIONS SECTION 5-2-301 AND 5-2-302, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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~~(1) a mileage allowance as provided in 2-18-503;~~

~~(2) expenses as provided in 2-18-501 and 2-18-502; and~~
~~(3) a salary equal to one full day's pay at the rate of a classified state employee described in 5-2-301 for each 24-hour period of time (from midnight to midnight) or portion thereof spent away from home on authorized committee business. However, if time spent for business other than authorized committee business results in lengthening a legislator's stay away from home into an additional 24-hour period, he may not be compensated for the additional days."~~

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"5-2-301. Compensation and expenses for members while in session. (1) Legislators are entitled to a salary commensurate to that of the daily rate of a grade 8, step 2, classified state employee for those days during which the legislature is in session. The president of the senate and the speaker of the house shall receive an additional \$5 a day in salary for those days during which the legislature is in session.

(2) Legislators are entitled to \$45 a day, 7 days a week, during a legislative session, as reimbursement for expenses incurred in attending a session. Expense payments shall stop when the legislature recesses for more than 3 days and shall resume when the legislature reconvenes.

(3) Legislators are entitled to a mileage allowance as

1 provided in 2-10-503 for each mile of travel*
 2 ~~{a}~~ to the place of the holding of the session and to
 3 return to their place of residence IN MONTANA at the
 4 conclusion of the session; and
 5 ~~{b}--for--one--additional--round-trip--to--their--place--of~~
 6 ~~residence--during--each--session.~~
 7 (4) In addition to the mileage allowance provided for
 8 in subsection (3), legislators, upon submittal of
 9 appropriate claims to the legislative council for mileage
 10 reimbursement, are entitled to:
 11 (a) ~~two three~~ additional round trips to their place of
 12 residence IN MONTANA during each regular session upon
 13 ~~submitted--of--an--appropriate--claim--for--such--mileage~~
 14 ~~reimbursement--to--the--office--of--legislative--council; and~~
 15 (b) one additional round trip to their place of
 16 residence IN MONTANA during each special session.
 17 (5) Legislators are not entitled to any additional
 18 mileage allowance under subsection (3) ~~{a}~~ or ~~{b}~~ {a}{b} {4}{b}
 19 for a special session if it is convened within 7 days of a
 20 regular session."
 21 NEW SECTION. Section 2. Effective date. This act is
 22 effective on passage and approval.

-End-

1 the plant, or is self-employed.

2 (2) A license is valid on the date issued through
3 December 31 of that year unless suspended or revoked by the
4 department. A license must be renewed by the first January
5 31 following the expiration date of December 31. A license
6 renewal application form may be supplied by the department.
7 When the license renewal application form is returned to the
8 department, it shall be accompanied by the correct license
9 fee. A license shall be posted in conspicuous view at the
10 place of business. A license is not transferable from place
11 to place or from person to person. A penalty of ~~\$5-per~~
12 ~~month, or fraction of a month, after January 31~~ fee in an
13 amount established by A RULE OF the department may be
14 imposed by the department ~~it~~ on a person who fails to apply
15 for renewal of his license if under the part that person is
16 required to be licensed.

17 (3) All license fees collected shall be deposited in
18 the general fund."

19 NEW SECTION. Section 29. Repealer. Sections 81-3-216
20 and 81-8-257, MCA, are repealed.

21 NEW SECTION. Section 30. Effective date. This act is
22 effective on passage and approval.

-End-

DUE TO COMPUTER ERROR (3) LINE 17, PAGE 34 WAS
INADVERTENTLY DROPPED FROM S B 259. THIS IS A
CORRECTION TO THAT PAGE ONLY.