

HOUSE BILL NO. 268

INTRODUCED BY McBRIDE, J. JACOBSON

BY REQUEST OF THE LEGISLATIVE AUDIT COMMITTEE

IN THE HOUSE

January 17, 1983	Introduced and referred to Committee on State Administration.
January 31, 1983	Committee recommend bill do pass as amended. Report adopted.
February 1, 1983	Bill printed and placed on members' desks.
February 2, 1983	Second reading, pass consideration.
February 3, 1983	On motion, consideration passed for the day. On motion, consideration passed until the 33rd Legislative Day.
February 9, 1983	On motion, consideration passed until the 35th Legislative Day.
February 11, 1983	Second reading, do pass.
February 12, 1983	Considered correctly engrossed.
February 14, 1983	Third reading, passed. Transmitted to Senate.

IN THE SENATE

February 15, 1983

Introduced and referred to
Committee on Legislative
Administration.

March 3, 1983

Committee recommend bill be
concurrent in. Report adopted.

March 5, 1983

Second reading, concurrent in.

March 8, 1983

Third reading, concurrent in.
Ayes, 48; Noes, 0.

IN THE HOUSE

March 8, 1983

Returned to House.

March 9, 1983

Sent to enrolling.

Reported correctly enrolled.

House BILL NO. 268

INTRODUCED BY McBride / Jacobson
BY REQUEST OF THE LEGISLATIVE AUDIT COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING AN EMPLOYEE FROM RECEIVING A MEAL ALLOWANCE WHEN IN TRAVEL STATUS IF HE IS LESS THAN 15 MILES FROM HIS HEADQUARTERS OR HOME; PERMITTING AN APPOINTED MEMBER OF A STATE BOARD, COMMISSION, OR COUNCIL OR A MEMBER OF A LEGISLATIVE SUBCOMMITTEE OR A SELECT OR INTERIM COMMITTEE TO RECEIVE A MIDDAY ALLOWANCE ON A DAY HE IS ATTENDING A MEETING REGARDLESS OF THE PROXIMITY OF THE MEETING PLACE TO HIS RESIDENCE OR HEADQUARTERS; AMENDING SECTIONS 2-18-502 AND 37-1-133, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Section 2-18-502, MCA, is amended to read:

"2-18-502. Computation of meal allowance. (1) To be eligible for the meal allowance provided in 2-18-501, an employee must have been in a travel status for more than 3 continuous hours and, except as provided in subsection (3), be a distance of at least 15 miles from his residence or headquarters, whichever is closer. If eligible, an employee receives:

(a) the morning meal allowance if in a travel status

between the hours of 12:01 a.m. and 10 a.m.;

(b) the midday meal allowance if in a travel status between the hours of 10:01 a.m. and 3 p.m.; and

(c) the evening meal allowance if in a travel status between the hours of 3:01 p.m. and 12 midnight;

(d) only one of the three meal allowances provided, if the travel was performed within the employee's assigned travel shift;

(e) a maximum of two meal allowances if the travel begins before or was completed after the employee's assigned travel shift and the travel did not exceed 24 hours.

(2) "Travel shift" is that period of time beginning 1 hour before and terminating 1 hour after the employee's normally assigned work shift.

(3) An appointed member of a state board, commission, or council or a member of a legislative subcommittee or select or interim committee is entitled to a midday meal allowance on a day he is attending a meeting of the board, commission, council, or committee, regardless of proximity of the meeting place to his residence or headquarters. This subsection does not apply to a member of a legislative committee during a legislative session.

~~(3)~~(4) The department of administration shall prescribe rules necessary to effectively administer this section for state government."

INTRODUCED BILL

1 Section 2. Section 37-1-133, MCA, is amended to read:
 2 "37-1-133. Board members' compensation and expenses.
 3 Unless otherwise provided by law, each member of a board
 4 allocated to the department is entitled to receive \$25 per
 5 day compensation and travel expenses, as provided for in
 6 2-18-501 through 2-18-503, for each day spent on official
 7 board business. Board members who conduct official board
 8 business in their city of residence are entitled to receive
 9 a midday meal allowance, as provided for in ~~2-18-501~~ for
 10 ~~each day in which 6 or more hours are spent on official~~
 11 ~~board business 2-18-502~~. Ex officio board members may not
 12 receive compensation but shall receive travel expenses."
 13 NEW SECTION. Section 3. Effective date. This act is
 14 effective July 1, 1983.

-End-

STATE OF MONTANA

REQUEST NO. 314-83

FISCAL NOTE

Form BD-15

In compliance with a written request received February 3, 19 83, there is hereby submitted a Fiscal Note for House Bill 268 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 268 is a bill prohibiting an employee from receiving a meal allowance when in travel status if he is less than 15 miles from his headquarters or home. It also permits an appointed member of a state board, commission, or council or a member of a legislative committee to receive a midday meal allowance.

COMMENTS:

The introduced bill and second reading for House Bill 268 would have no fiscal impact. The 15 mile clause is already included in the administrative rules (for the department) which are used to regulate travel expenses. Also, it is assumed that the appropriate agency involved could absorb the costs of the midday meal allowance described in Section 2-18-502 (3) MCA.

FISCAL NOTE 11/T/1


BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2-8-83

Approved by Committee
on State Administration

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(a) the morning meal allowance if in a travel status

between the hours of 12:01 a.m. and 10 a.m.;

(b) the midday meal allowance if in a travel status between the hours of 10:01 a.m. and 3 p.m.; and

(c) the evening meal allowance if in a travel status between the hours of 3:01 p.m. and 12 midnight;

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7 board business. Board members who conduct official board
8 business in their city of residence are entitled to receive
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(a) the morning meal allowance if in a travel status

between the hours of 12:01 a.m. and 10 a.m.;

(b) the midday meal allowance if in a travel status between the hours of 10:01 a.m. and 3 p.m.; and

(c) the evening meal allowance if in a travel status between the hours of 3:01 p.m. and 12 midnight;

(d) only one of the three meal allowances provided, if the travel was performed within the employee's assigned travel shift;

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Unless otherwise provided by law, each member of a board allocated to the department is entitled to receive \$25 per day compensation and travel expenses, as provided for in 2-18-501 through 2-18-503, for each day spent on official board business. Board members who conduct official board business in their city of residence are entitled to receive a midday meal allowance, as provided for in ~~2-18-501~~, for ~~each day in which 6 or more hours are spent on official board business~~ 2-18-502. Ex officio board members may not receive compensation but shall receive travel expenses."

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