### HOUSE BILL NO. 269

# 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.
Pebruary 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

Pebruary 15, 1983  Introduced and referr Committee on Legislat Administration.	
March 3, 1983	Committee recommend bill be concurred in. Report adopted.
March 5, 1983	Second reading, concurred in.
Harch 8, 1983	Third reading, concurred in. Aves. 48: Noes, 0.

# IN THE HOUSE

March 8, 1983	Returned to House.
March 9, 1983	Sent to enrolling.
	Reported correctly enrolled.

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AN EFFECTIVE DATE."

ι	House BILL NO. 268
2	INTRODUCED BY MiBride & Jacobian

A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING AN EMPLOYEE FROM RECEIVING A MEAL ALLOWANCE WHEN IN TRAVEL STATUS IF HE 6 7 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 10 SELECT OR INTERIM COMMITTEE TO RECEIVE A MIDDAY ALLOHANCE ON A DAY HE IS ATTENDING A MEETING REGARDLESS OF THE PROXIMITY 11 OF THE MEETING PLACE TO HIS RESIDENCE OR HEADQUARTERS; 12

AMENDING SECTIONS 2-18-502 AND 37-1-133. MCA; AND PROVIDING

BY REQUEST OF THE LEGISLATIVE AUDIT COMMITTEE

16 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.:

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(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 page and 12 midnight:

(d) only one of the three meal allowances provided, if 7 the travel was performed within the employee's assigned travel shift:

Q (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. 11

12 (2) "Travel shift" is that period of time beginning 1 13 hour before and terminating 1 hour after the employee's 14 normally assigned work shift.

131 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.

f3+(4) The department of administration shall prescribe rules necessary to effectively administer this section for state government."

INTRODUCED BILL

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Section 2. Section 37-1-133, MCA, is amended to read:

"37-1-133. Board members" compensation and expenses.

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 2-18-501y for each day in which 6 or more hours are spent on efficial board business 2-18-502. Ex officio board members may not receive compensation but shall receive travel expenses."

NEM SECTION. Section 3. Effective date. This act is effective July 1, 1983.

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#### STATE OF MONTANA

REQUEST NO. 314-83

#### FISCAL NOTE

Form BD-15

	y 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 a	vailable 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: \_

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48th Legislature

HB 0268/02

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HB 0268/02

Approved by Committee on State Administration

1	HOUSE BILL NO. 268
2	INTRODUCED BY MCBRIDE, J. JACOBSON
3	BY REQUEST OF THE LEGISLATIVE AUDIT COMMITTEE
4	
5	A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING-AN-EMPLOYEE
6	FROM-REGETVING-A-MEAL-ALLOWANCE-WHEN-IN-TRAVEL-STATUS-IFME
7	#SLESSTHAN#SMELESFROMHISHEADQUARTERSOR-HOME;
8	PERMITTING AN APPOINTED MEMBER OF A STATE BOARD, COMMISSION.
9	OR COUNCIL OR A MEMBER OF A LEGISLATIVE SUBCOMMITTEE OR A
10	SELECT OR INTERIM COMMITTEE TO RECEIVE A MIDDAY ALLOWANCE ON
11	A DAY HE IS ATTENDING A NEETING REGARDLESS OF THE PROXIMITY
12	OF THE MEETING PLACE TO HIS RESIDENCE OR HEADQUARTERS;
13	AMENDING SECTIONS 2-18-502 AND 37-1-133, MCA; AND PROVIDING
14	AN EFFECTIVE DATE."
15	
16	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
17	Section 1. Section 2-18-502, MCA, is amended to read:
18	<pre>"2-18-502. Computation of meal allowance. (1) For</pre>
19	EXCEPT AS PROVIDED IN SUBSECTION (3): IQ be eligible for the
20	meal allowance provided in 2-18-501, an employee must have
21	been in a travel status for more than 3 continuous hours
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23	ot== <del>le</del> ost==15==m <del>iles==from==bis==roside</del> nce==or=bendquarters*
24	whichaver-is-closer. If eligible, an employee receives:
25	(a) the morning meal allowance if in a travel status

3	between the hours of 10:01 a.m. and 3 p.m.; and
4	(c) the evening meal allowance if in a travel status
5	between the hours of 3:01 p.m. and 12 midnight;
6	(d) only one of the three meal allowances provided, if
7	the travel was performed within the employee's assigned
8	travel shift;
9	(e) a maximum of two meal allowances if the travel
10	begins before or was completed after the employee's assigned
11	travel shift and the travel did not exceed 24 hours.
12	(2) "Travel shift" is that period of time beginning 1
13	hour before and terminating 1 hour after the employee's
14	normally assigned work shift.
15	(3) An_appointed member of a state board, commission.
16	or council or a member of a legislative subcommittee or
17	select_or_interis_committee_is_entitled_to_a_midday_meal
18	allowance_on_a_day_be_is_attending_a_meeting_of_the_board.
19	commissioncouncilor_committeecegardless_of_proximity
20	of the meeting place to his residence or headquarters. This
21	subsection_does_not_applyto_a_member_of_a_legislative
22	committee_during_a_legislative_session.
23	†3}[4] The department of administration shall

prescribe rules necessary to effectively administer this

section for state government."

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

(b) the midday meal allowance if in a travel status

Section 2. Section 37-1-133, 4CA, is amended to read:

"37-1-133. Board members" compensation and expenses.

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 2-18-501y-for each-day-in-which-o-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."

NEW SECTION. Section 3. Effective date. This act is effective July 1, 1983.

1	HOUSE BILL NO. 268
2	INTRODUCED BY MCBRIDE, J. JACOBSON
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7	iseessThanisHilesFromHisHeadquarters
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10	SELECT OR INTERIM COMMITTEE TO RECEIVE A MIDDAY ALLOHANCE ON
11	A DAY HE IS ATTENDING A MEETING REGARDLESS OF THE PROXIMITY
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13	AMENDING SECTIONS 2-18-502 AND 37-1-133, MCA; AND PROVIDING
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ì	between the hours of 12:01 a.m. and 10 a.m.;
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5	between the hours of 3:01 p.m. and 12 midnight;
6	(d) only one of the three meal allowances provided, if
7	the travel was performed within the employee's assigned
8	travel shift;
9	(e) a maximum of two meal allowances if the travel
0	begins before or was completed after the employee's assigned
1	travel shift and the travel did not exceed 24 hours.
2	(2) "Travel shift" is that period of time beginning 1
3	hour before and terminating 1 hour after the employee's
4	normally assigned work shift.
5	(3) An appointed member of a state board, commission.
6	or council or a weather of a legislative subcommittee or
7	select or interim committee is entitled to a midday meal
В	allowance on a day be is attending a meeting of the board.
9	commission. council. or committee, regardless of proximity
0	of the meeting place to bis residence or headquarters. This
1	subsection does not apply to a member of a legislative
2	committee_during_a_legislative_session.
3	(3)(4) The department of administration shall
4	prescribe rules necessary to effectively administer this

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48th Legislature

HB 0268/02 HB 0268/02

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22	<u>and,-except-as-provided-in-subsection-121,-be-a-distanceof</u>
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