

HOUSE BILL NO. 761

2/11 Introduced
2/11 Referred to State Administration
2/11 Fiscal Note Requested
2/13 Hearing
2/13 Committee Report-Bill Pass As Amended
2/15 Fiscal Note Received
2/16 2nd Reading Pass
2/16 Rereferred to Appropriations
Died in Committee

HOUSE BILL NO. 761

INTRODUCED BY *C. Smith James Ch Campbell Gordon*

BY REQUEST OF THE HOUSE STATE ADMINISTRATION COMMITTEE
James Moore

A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE AMOUNTS THAT A PERSON IN STATE SERVICE MAY BE REIMBURSED FOR LODGING AND MEALS WHILE TRAVELING WITHIN THE STATE; PERMITTING A PERSON IN STATE SERVICE TO BE REIMBURSED THE ACTUAL COST OF LODGING IF HE CHOOSES LODGING AT THE SAME LOCATION WHERE HE IS ATTENDING A CONFERENCE, SEMINAR, TRAINING SESSION, OR OTHER AUTHORIZED MEETING; 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 \$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 \$24 \$35 per day except as provided in subsection (3), plus \$3 \$6.50 for the morning meal, \$3-50 \$4 for the midday meal, and \$8 \$12 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 cost of lodging in addition to a meal allowance not to exceed \$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 \$50 per day, except as provided in subsection (3), plus \$4 for the morning meal, \$6.50 for the midday meal, and \$12 for the evening meal. All claims for the lodging expense reimbursement allowed under this subsection must be documented by an appropriate receipt.

(3) All other elected state officials, appointed members of boards, commissioners, commissions, council

1 councils, department directors, and all other state
2 employees shall be authorized the actual cost of lodging;

3 (a) if they choose lodging at the same location where
4 they are attending a conference, seminar, training session,
5 or other authorized meeting; and

6 (b) when traveling in the normal course of their
7 duties to certain designated areas. The department of
8 administration shall designate those areas where the actual
9 cost of lodging shall be reimbursed.

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

19 (5) The actual cost of reasonable transportation
20 expenses and other necessary business expenses incurred by a
21 state official or employee while in an official travel
22 status shall be subject to reimbursement.

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

25 (7) The department of administration shall prescribe

1 rules necessary to effectively administer this section for
2 state government.

3 (8) All commercial air travel shall be by the least
4 expensive class service available."

5 NEW SECTION. Section 2. Extension of authority. Any
6 existing authority of the department of administration to
7 make rules on the subject of the provisions of this act is
8 extended to the provisions of this act.

-End-

STATE OF MONTANA
FISCAL NOTE

REQUEST NO. FNN 401-85

Form BD-15

In compliance with a written request received February 11, 19 85, there is hereby submitted a Fiscal Note for H.B. 761 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:

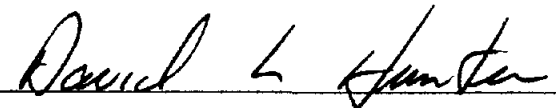
An act to increase reimbursement for in-state travel expenses of persons in state service and providing actual cost reimbursement for in-state lodging when the lodging is at the same location where he is attending a conference, seminar, training session, or other authorized meeting.

ASSUMPTIONS:

1. Travel budgets for in-state meals and lodging will be approved as presented in the Governor's Budget, and adjusted for the anticipated cost increase.
2. Based on these budgets - in-state meal days equal 118,586 in 86 and 118,659 in 87
- in-state lodging days equal 64,147 in 86 and 64,286 in 87.
3. Out-of-state meal and lodging rates will not increase.
4. Average lodging expense in-state will be \$35 per night.
5. Travel expenditures by fund will be the same percentage as experienced in FY 1984.

FISCAL IMPACT:

Expenditures:	<u>FY 86</u>	<u>FY 87</u>
Travel		
Under Current Law	\$ 3,259,037	\$ 3,263,416
Under Proposed Law	4,913,330	4,919,838
Estimated Cost Increase	<u>1,654,293</u>	<u>1,656,422</u>
Funding of Increased Cost:		
General Fund	\$ 534,337	\$ 535,024
Other	1,119,956	1,121,398
Total	\$ <u>1,654,293</u>	\$ <u>1,656,422</u>



BUDGET DIRECTOR
Office of Budget and Program Planning

Date: Feb 15, 1985
HB 761

Request No. FNN 401-85
Form BD-15 page 2

LONG-RANGE EFFECTS OF PROPOSED LEGISLATION:

This bill authorizes reimbursement for the actual cost of lodging for in-state travel if the lodging is at the same location as the primary reason for the trip. Over time, this may lead to higher costs than the \$35 assumed per night rate.

TECHNICAL NOTE:

The new language authorizing actual lodging cost reimbursement is unclear. It is uncertain whether the term "location" means the community in which the authorized meeting occurs or whether it means the facility in which the meeting occurs.

Also, we do not know if the intent of the bill is to raise the morning meal higher (\$6.50) than the noon meal (\$4) or if the dollar figures as presented in the bill are reversed.

APPROVED BY COMMITTEE
ON STATE ADMINISTRATION

HOUSE BILL NO. 761

INTRODUCED BY C. SMITH, JONES, COHEN,

CAMPBELL, HARBIN, JANET MOORE

BY REQUEST OF THE HOUSE STATE ADMINISTRATION COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE AMOUNTS
AMOUNT THAT A PERSON IN STATE SERVICE MAY BE REIMBURSED FOR
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ACTUAL COST OF LODGING IF HE CHOOSES LODGING AT THE SAME
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following provisions apply:

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except as provided in subsection (3), plus \$3 \$6.50 \$3 for
the morning meal, \$3.50 \$4 \$3.50 for the midday meal, and \$0
\$12 \$8 for the evening meal. All claims for lodging expense
reimbursement allowed under this section must be documented
by an appropriate receipt.

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1 (3) All other elected state officials, appointed
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8 (b) when traveling in the normal course of their duties
 9 to certain designated areas. The department of
 10 administration shall designate those areas where the actual
 11 cost of lodging shall be reimbursed.

12 (4) When other than commercial, nonreceiptable lodging
 13 facilities are utilized by a state employee while conducting
 14 official state business in a travel status, the amount of \$7
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 16 which travel involves an overnight stay in lieu of the
 17 amount authorized in subsection (1)(b) or (2)(b) above.
 18 However, when overnight accommodations are provided at the
 19 expense of any government entity, no reimbursement may be
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 22 expenses and other necessary business expenses incurred by a
 23 state official or employee while in an official travel
 24 status shall be subject to reimbursement.

25 (6) The provisions of this section shall not be

1 construed as affecting the validity of 5-2-301.

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

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 6 expensive class service available."

7 NEW SECTION. Section 2. Extension of authority. Any
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