

HOUSE BILL NO. 139

INTRODUCED BY SIMON

BY REQUEST OF THE DEPARTMENT OF COMMERCE

IN THE HOUSE

JANUARY 12, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON STATE ADMINISTRATION.
JANUARY 13, 1989	FIRST READING.
JANUARY 25, 1989	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
JANUARY 26, 1989	PRINTING REPORT.
JANUARY 28, 1989	SECOND READING, DO PASS.
JANUARY 30, 1989	ENGROSSING REPORT.
JANUARY 31, 1989	THIRD READING, PASSED. AYES, 79; NOES, 18.
	TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 2, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON STATE ADMINISTRATION.
	FIRST READING.
MARCH 7, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 8, 1989	SECOND READING, CONCURRED IN.
MARCH 10, 1989	THIRD READING, CONCURRED IN. AYES, 42; NOES, 6.
	RETURNED TO HOUSE.

MARCH 11, 1989

IN THE HOUSE

RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 *HOUSE* BILL NO. 139
2 INTRODUCED BY *[Signature]*
3 BY REQUEST OF THE DEPARTMENT OF COMMERCE
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING REIMBURSEMENT
6 FOR MEALS, LODGING, AND MISCELLANEOUS EXPENSES OF PERSONS IN
7 STATE SERVICE TRAVELING TO JAPAN AND TAIWAN; USING RATES
8 ESTABLISHED BY THE UNITED STATES DEPARTMENT OF STATE FOR
9 TRAVEL TO FOREIGN AREAS; AMENDING SECTION 2-18-501, MCA; AND
10 PROVIDING AN IMMEDIATE EFFECTIVE DATE."
11

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

13 **Section 1.** Section 2-18-501, MCA, is amended to read:

14 "2-18-501. Meals, lodging, and transportation of
15 persons in state service. Every elected official, appointed
16 members of boards, commissions, councils, department
17 directors, and all other state employees shall be reimbursed
18 for meals and lodging while away from the person's
19 designated headquarters and engaged in official state
20 business in accordance with the following provisions:

21 (1) For travel within the state of Montana, the
22 following provisions apply:

23 (a) The governor shall be authorized actual and
24 necessary expenses not to exceed \$55 per day.

25 (b) All other elected state officials, appointed

1 members of boards, commissions, councils, department
2 directors, and all other state employees shall be authorized
3 the actual cost of lodging, not exceeding \$24 per day, and
4 taxes on the allowable cost of lodging, except as provided
5 in subsection (3), plus \$3 for the morning meal, \$3.50 for
6 the midday meal, and \$8 for the evening meal. All claims
7 for lodging expense reimbursement allowed under this section
8 must be documented by an appropriate receipt.

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

11 (a) The governor shall be authorized the actual cost
12 of lodging in addition to a meal allowance not to exceed \$30
13 per day.

14 (b) All other elected state officials, appointed
15 members of boards, commissions, councils, department
16 directors, and all other state employees shall be authorized
17 the actual cost of lodging not exceeding \$50 per day, except
18 as provided in subsection (3), plus \$4 for the morning meal,
19 \$6.50 for the midday meal, and \$12 for the evening meal.
20 All claims for the lodging expense reimbursement allowed
21 under this subsection must be documented by an appropriate
22 receipt.

23 (3) All other elected state officials, appointed
24 members of boards, commissioners, councils, department
25 directors, and all other state employees shall be authorized

1 the actual cost of lodging when traveling in the normal
2 course of their duties to certain designated areas. The
3 department of administration shall designate those areas
4 where the actual cost of lodging shall be reimbursed.

5 (4) For travel to Japan and Taiwan, the following
6 provisions apply:

7 (a) All elected state officials, appointed members of
8 boards, commissions, councils, department directors, and all
9 other state employees shall be reimbursed for the cost of
10 meals, lodging, and miscellaneous expenses within the rates
11 established by the department of administration when
12 traveling in the normal course of their duties to designated
13 areas. The department shall use the United States department
14 of state maximum travel per diem allowances for foreign
15 areas in establishing the rates.

16 (b) All claims for meals, lodging, and miscellaneous
17 expenses reimbursement allowed under this subsection (4)
18 must be documented by an appropriate receipt.

19 {4}(5) When other than commercial, nonreceiptable
20 lodging facilities are utilized by a state employee while
21 conducting official state business in a travel status, the
22 amount of \$7 will be authorized for lodging expenses for
23 each day in which travel involves an overnight stay in lieu
24 of the amount authorized in subsection (1)(b) or (2)(b)
25 above. However, when overnight accommodations are provided

1 at the expense of any government entity, no reimbursement
2 may be claimed for lodging.

3 {5}(6) The actual cost of reasonable transportation
4 expenses and other necessary business expenses incurred by a
5 state official or employee while in an official travel
6 status shall be subject to reimbursement.

7 {6}(7) The provisions of this section shall not be
8 construed as affecting the validity of 5-2-301.

9 {7}(8) The department of administration shall
10 prescribe rules necessary to effectively administer this
11 section for state government.

12 {8}(9) All commercial air travel shall be by the least
13 expensive class service available."

14 NEW SECTION. Section 2. Extension of authority. Any
15 existing authority to make rules on the subject of the
16 provisions of [this act] is extended to the provisions of
17 [this act].

18 NEW SECTION. Section 3. Effective date. [This act] is
19 effective on passage and approval.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15


In compliance with a written request, there is hereby submitted a Fiscal Note for HB139, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

HB139 would allow reimbursement for meals, lodging and miscellaneous expenses of persons in state service traveling to Japan and Taiwan using rates established by the U.S. Department of State.

ASSUMPTIONS:

1. State costs for travel to Japan would increase by about \$27.50 per day using FY88 average U.S. Department of State rates.
2. State costs for travel to Taiwan would decrease by about \$79.50 per day using current U.S. Department of State rates.
3. The state Department of Commerce projects a slight increase in operating expenses as a result of this bill and the Governor's Office projects a slight decrease.
4. There will be no adjustments to budgets during the 1989 Legislative Session as a result of this bill.


RAY SHACKLEFORD, BUDGET DIRECTOR 1/18/89
OFFICE OF BUDGET AND PROGRAM PLANNING DATE


BRUCE T. SIMON, PRIMARY SPONSOR 1/19/89
DATE

Fiscal Note for HB139, as introduced

HB 139

APPROVED BY COMMITTEE
ON STATE ADMINISTRATION

HOUSE BILL NO. 139

INTRODUCED BY SIMON

BY REQUEST OF THE DEPARTMENT OF COMMERCE

A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING PROVISIONS REGARDING TRAVEL EXPENSES FOR PERSONS IN STATE SERVICE; ALLOWING REIMBURSEMENT FOR MEALS, AND LODGING,--AND MISCELLANEOUS-EXPENSES OF PERSONS IN STATE SERVICE TRAVELING TO JAPAN---AND--TAIWAN A FOREIGN COUNTRY; USING RATES ESTABLISHED BY THE UNITED STATES DEPARTMENT OF STATE FOR TRAVEL TO FOREIGN AREAS; INCREASING THE REIMBURSEMENT RATE FOR LODGING AT CERTAIN FACILITIES; AMENDING SECTION 2-18-501, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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 per day, and taxes on the allowable cost of lodging, except as provided in subsection (3), plus \$3 for the morning meal, \$3.50 for the midday meal, and \$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 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, councils, 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 where the actual cost of lodging shall be reimbursed.

(4) For travel to ~~Japan and Taiwan~~ A FOREIGN COUNTRY, the following provisions apply:

(a) All elected state officials, appointed members of boards, commissions, councils, department directors, and all other state employees ~~shall~~ MUST be reimbursed for the cost of meals, AND lodging, ~~and miscellaneous expenses~~ within the rates established by the department of administration when traveling in the normal course of their duties to designated areas. The department shall use the United States department of state maximum travel per diem allowances for foreign areas in establishing the rates.

(b) All claims for meals, AND lodging, ~~and miscellaneous expenses~~ reimbursement allowed under this subsection (4) must be documented by an appropriate receipt.

(4)(5) When other than commercial, nonreceiptable lodging facilities are utilized by a state employee while conducting official state business in a travel status, the amount of \$7 ~~\$12~~ will be authorized for lodging expenses for

each day in which travel involves an overnight stay in lieu of the amount authorized in subsection (1)(b) or (2)(b) above. However, when overnight accommodations are provided at the expense of any government entity, no reimbursement may be claimed for lodging.

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

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

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

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

NEW SECTION. Section 2. Extension of authority. Any existing authority to make rules on the subject of the provisions of [this act] is extended to the provisions of [this act].

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

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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 cost of lodging in addition to a meal allowance not to exceed \$30 per day.

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(3) All other elected state officials, appointed members of boards, commissioners, councils, 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 where the actual cost of lodging shall be reimbursed.

(4) For travel to Japan-and-Taiwan A FOREIGN COUNTRY, the following provisions apply:

(a) All elected state officials, appointed members of boards, commissions, councils, department directors, and all other state employees shall MUST be reimbursed for the cost of meals, AND lodging, and miscellaneous expenses within the rates established by the department of administration when traveling in the normal course of their duties to designated areas. The department shall use the United States department of state maximum travel per diem allowances for foreign areas in establishing the rates.

(b) All claims for meals, AND lodging---and miscellaneous--expenses reimbursement allowed under this subsection (4) must be documented by an appropriate receipt.

(5) When other than commercial, nonreceiptable lodging facilities are utilized by a state employee while conducting official state business in a travel status, the amount of \$7 \$12 will be authorized for lodging expenses for

each day in which travel involves an overnight stay in lieu of the amount authorized in subsection (1)(b) or (2)(b) above. However, when overnight accommodations are provided at the expense of any government entity, no reimbursement may be claimed for lodging.

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

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

(8) The department of administration shall prescribe rules necessary to effectively administer this section for state government.

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

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RAY SHACKLEFORD, BUDGET DIRECTOR 1/31/89
OFFICE OF BUDGET AND PROGRAM PLANNING DATE


BRUCE T. SIMON, PRIMARY SPONSOR 1/31/89
DATE

Fiscal Note for HB139, second reading

HB 139. Second
Reading

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the following provisions apply:

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each day in which travel involves an overnight stay in lieu of the amount authorized in subsection (1)(b) or (2)(b) above. However, when overnight accommodations are provided at the expense of any government entity, no reimbursement may be claimed for lodging.

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

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

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

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

NEW SECTION. Section 2. Extension of authority. Any existing authority to make rules on the subject of the provisions of [this act] is extended to the provisions of [this act].

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