

HOUSE BILL NO. 370
INTRODUCED BY COCCHIARELLA, O'KEEFE

IN THE HOUSE

JANUARY 24, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON STATE ADMINISTRATION.
JANUARY 25, 1989	FIRST READING.
FEBRUARY 1, 1989	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
FEBRUARY 2, 1989	PRINTING REPORT.
FEBRUARY 3, 1989	SECOND READING, DO PASS.
FEBRUARY 4, 1989	ENGROSSING REPORT.
FEBRUARY 7, 1989	ON MOTION, REREFERRED TO COMMITTEE ON APPROPRIATIONS.
MARCH 16, 1989	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
MARCH 17, 1989	PRINTING REPORT.
MARCH 18, 1989	SECOND READING, DO PASS.
MARCH 19, 1989	ENGROSSING REPORT.
MARCH 21, 1989	THIRD READING, PASSED. AYES, 73; NOES, 22.
	TRANSMITTED TO SENATE.

IN THE SENATE

MARCH 21, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON STATE ADMINISTRATION.
	FIRST READING.
MARCH 29, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN AS AMENDED. REPORT

ADOPTED.

MARCH 31, 1989

SECOND READING, CONCURRED IN.

APRIL 3, 1989

THIRD READING, CONCURRED IN.
AYES, 35; NOES, 15.

RETURNED TO HOUSE WITH AMENDMENTS.

IN THE HOUSE

APRIL 4, 1989

RECEIVED FROM SENATE.

SECOND READING, AMENDMENTS
CONCURRED IN.

APRIL 5, 1989

THIRD READING, AMENDMENTS
CONCURRED IN.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 *House* BILL NO. 370
2 INTRODUCED BY *Paulianella*
3 *O'Keefe*
4 A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE AMOUNT
5 AUTHORIZED FOR MEAL REIMBURSEMENT FOR STATE EMPLOYEES AND
6 CERTAIN OFFICIALS ENGAGED IN STATE BUSINESS WHILE AWAY FROM
7 THEIR DESIGNATED HEADQUARTERS BUT WITHIN THE STATE; AND
8 AMENDING SECTION 2-18-501, MCA."

9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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

12 "2-18-501. Meals, lodging, and transportation of
13 persons in state service. Every elected official, appointed
14 members of boards, commissions, councils, department
15 directors, and all other state employees ~~shall~~ must be
16 reimbursed for meals and lodging while away from the
17 person's designated headquarters and engaged in official
18 state business in accordance with the following provisions:

19 (1) For travel within the state of Montana, the
20 following provisions apply:

21 (a) The governor ~~shall--be~~ is authorized actual and
22 necessary expenses not to exceed \$55 per day.

23 (b) All other elected state officials, appointed
24 members of boards, commissions, councils, department
25 directors, and all other state employees ~~shall--be~~ are

1 authorized the actual cost of lodging, not exceeding \$24 per
2 day, and taxes on the allowable cost of lodging, except as
3 provided in subsection (3), plus ~~\$3~~ \$4 for the morning meal,
4 ~~\$3.50~~ \$4 for the midday meal, and ~~\$8~~ \$9 for the evening
5 meal. All claims for lodging expense reimbursement allowed
6 under this section must be documented by an appropriate
7 receipt.

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

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

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

22 (3) All other elected state officials, appointed
23 members of boards, commissioners, councils, department
24 directors, and all other state employees ~~shall--be~~ are
25 authorized the actual cost of lodging when traveling in the

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

4 (4) When other than commercial, nonreceiptable lodging
 5 facilities are utilized by a state employee while conducting
 6 official state business in a travel status, the amount of \$7
 7 ~~will--be~~ is authorized for lodging expenses for each day in
 8 which travel involves an overnight stay in lieu of the
 9 amount authorized in subsection (1)(b) or (2)(b) above.
 10 However, when overnight accommodations are provided at the
 11 expense of any government entity, no reimbursement may not
 12 be claimed for lodging.

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

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

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

22 (8) All commercial air travel ~~shall~~ must be by the
 23 least expensive class service available."

24 NEW SECTION. **Section 2.** Extension of authority. Any
 25 existing authority to make rules on the subject of the

1 provisions of [this act] is extended to the provisions of
 2 [this act].

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB370, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An Act increasing the amount authorized for meal reimbursement for state employees and certain officials engaged in state business while away from their designated headquarters but within the state; and amending Section 2-18-501, MCA.

ASSUMPTIONS:

1. The amount of in-state meals (object 2407) and in-state meals overnight (object 2410) for elected officials, appointed members of boards, commissions, councils, department directors, and all other state employees will equal FY88 actual for each year of the biennium.
2. The University System in-state meal costs will not be included in the projections.
3. The bill provides for an increase in the daily allowance for in-state meal costs from \$14.50 to \$17; \$4 for morning meal, \$4 for the midday meal, and \$9 for evening meal.
4. No additional appropriation authority is being requested. Agencies will absorb the costs within current level budgets.

FISCAL IMPACT:

	Current	FY90 Proposed		Current	FY91 Proposed	
<u>Expenditures:</u>	<u>Law</u>	<u>Law</u>	<u>Difference</u>	<u>Law</u>	<u>Law</u>	<u>Difference</u>
Operating Expenses	\$1,754,980	\$2,057,539	\$ 302,559	\$1,754,980	\$2,057,539	\$ 302,559
<u>Funding:</u>						
Based on FY88						
Total Deductions by Fund		General Fund	\$ 75,912			\$ 75,912
		State Special	98,120			98,120
		Federal & Other	85,503			85,503
		Proprietary	43,024			43,024
			\$ 302,559			\$ 302,559

Ray Shackelford 2/1/89
RAY SHACKLEFORD, BUDGET DIRECTOR DATE
OFFICE OF BUDGET AND PROGRAM PLANNING

Vicki Cocchiarella 2/1/89
VICKI COCCHIARELLA, PRIMARY SPONSOR DATE

Fiscal Note for HB370, as introduced

HB 370

APPROVED BY COMMITTEE
ON STATE ADMINISTRATION

HOUSE BILL NO. 370

INTRODUCED BY COCCHIARELLA, O'KEEFE

A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE AMOUNT AUTHORIZED FOR MEAL REIMBURSEMENT FOR STATE EMPLOYEES AND CERTAIN OFFICIALS ENGAGED IN STATE BUSINESS WHILE AWAY FROM THEIR DESIGNATED HEADQUARTERS BUT WITHIN THE STATE; AND 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~~ must 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~~ is 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~~ are

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 ~~\$4~~ for the morning meal, \$3.50 ~~\$4~~ \$4.50 for the midday meal, and \$8 ~~\$9~~ 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~~ is 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~~ are 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~~ are authorized the actual cost of lodging when traveling in the

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

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 9 amount authorized in subsection (1)(b) or (2)(b) ~~above~~.
 10 However, when overnight accommodations are provided at the
 11 expense of any government entity, no reimbursement may not
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 14 expenses and other necessary business expenses incurred by a
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 18 construed as affecting the validity of 5-2-301.

19 (7) The department of administration shall prescribe
 20 rules necessary to effectively administer this section for
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22 (8) All commercial air travel ~~shall~~ must be by the
 23 least expensive class service available."

24 NEW SECTION. **Section 2. Extension of authority.** Any
 25 existing authority to make rules on the subject of the

1 provisions of [this act] is extended to the provisions of
 2 [this act].

-End-

HB 0370/03
RE-REFERRED AND
APPROVED BY COMMITTEE
ON APPROPRIATIONS
AS AMENDED

HOUSE BILL NO. 370

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 2 [this act].

-End-

SENATE STANDING COMMITTEE REPORT

March 29, 1989

MR. PRESIDENT:

We, your committee on State Administration, having had under consideration HB 370 (third reading copy -- blue), respectfully report that HB 370 be amended and as so amended be concurred in:

Sponsor: Cocchiarella (Rasmussen)

1. Page 2, line 4.
Following: "~~\$4.50~~"
Strike: "~~\$3.50~~"
Insert: "\$4.50"
Following: "~~\$9~~"
Strike: "~~\$8.50~~"
Insert: "\$9"

AND AS AMENDED BE CONCURRED IN

Signed: 
William E. Farrell, Chairman

SENATE
HB 370

HOUSE BILL NO. 370

INTRODUCED BY COCCHIARELLA, O'KEEFE

A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE AMOUNT AUTHORIZED FOR MEAL REIMBURSEMENT FOR STATE EMPLOYEES AND CERTAIN OFFICIALS ENGAGED IN STATE BUSINESS WHILE AWAY FROM THEIR DESIGNATED HEADQUARTERS BUT WITHIN THE STATE; AND AMENDING SECTION 2-18-501, MCA."

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 2 [this act].

-End-



State of Montana
Office of the Governor
Helena, Montana 59620
406-444-3111

STAN STEPHENS
GOVERNOR

April 13, 1989

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, MT 59620

The Honorable Jack Galt
President of the Senate
State Capitol
Helena, MT 59620

Dear Representative Vincent and Senator Galt:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby veto the adoption of House Bill 370, "AN ACT INCREASING THE AMOUNT AUTHORIZED FOR MEAL REIMBURSEMENT FOR STATE EMPLOYEES AND CERTAIN OFFICIALS ENGAGED IN STATE BUSINESS WHILE AWAY FROM THEIR DESIGNATED HEADQUARTERS BUT WITHIN THE STATE; AND AMENDING SECTION 2-18-501, MCA." for the following reasons.

House Bill 370 increases meal reimbursements for in-state meals for State employees, elected officials and members of boards, commissions, etc. The projected fiscal impact of additional spending increases the cost to State government by approximately \$300,000 each year of the coming biennium.

I do not exercise this veto lightly and realize that costs of meals for employees require consideration. However, the present fiscal condition of our state and my responsibilities to contain the growth of government spending requires that I must veto legislation that does not demonstrate a compelling state or public policy interest for additional costs.

Sincerely

A handwritten signature in cursive script, appearing to read "Stan Stephens".

STAN STEPHENS
Governor