

Sixty-third
Legislative Assembly
of North Dakota

REENGROSSED HOUSE BILL NO. 1368

Introduced by

Representatives Boehning, Beadle, Dockter, Maragos, Delmore

Senators Carlisle, Krebsbach, Sorvaag

1 A BILL for an Act to amend and reenact section 44-08-04 of the North Dakota Century Code,
2 relating to travel expenses for state employees.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 44-08-04 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **44-08-04. Expense account - Amount allowed - Verification.**

7 1. Except as provided in section 44-08-04.1, each elective or appointive officer,
8 employee, representative, or agent of this state, or of any of its subdivisions, agencies,
9 bureaus, boards, or commissions, may make claim for meals and lodging while
10 engaged in the discharge of a public duty away from the claimant's normal working
11 and living residence for all or any part of any quarter of a day. Claims may also be
12 made for meals that are included as part of a registration fee for a conference,
13 seminar, or other meeting and for meals attended at the request of and on behalf of
14 the state or any of its subdivisions, agencies, bureaus, boards, or commissions;
15 however, if a meal is included in a registration fee, the applicable quarter allowance
16 cannot be claimed for that meal. Claims for meals specifically included in a registration
17 fee for a conference, seminar, or other meeting must be allowed even if the city at
18 which the conference, seminar, or meeting is held or the meal is provided is the
19 claimant's normal working and living residence. If a higher education athletic team or
20 other organized institution organization group meal is attended at the request of and
21 on behalf of the institution, actual expenses for the entire group, including coaches,
22 trainers, and other employees, may be paid or submitted for payment on a team or
23 group travel expense report; subsection 2 does not apply; and officers and employees
24 are not required to document individual expenses or submit individual travel

1 reimbursement vouchers. Reimbursement is allowed only for overnight travel or other
2 travel, away from the normal place of employment, for four hours or more. Verification
3 of expenses by receipt is required only for lodging expenses.

4 2. For travel within the state, the following rates for each quarter of any twenty-four-hour
5 period must be used:

6 a. First quarter is from six a.m. to twelve noon and the sum ~~must be six~~ seven
7 dollars ~~may not exceed an amount equal to eighty percent of the rate established~~
8 ~~by the United States general services administration for meals and incidental~~
9 ~~expenses in the "breakfast" category in this state.~~ First quarter reimbursement
10 may not be made if travel began after seven a.m.

11 b. Second quarter is from twelve noon to six p.m. and the sum ~~must be nine~~ ten
12 dollars ~~may not exceed an amount equal to eighty percent of the rate established~~
13 ~~by the United States general services administration for meals and incidental~~
14 ~~expenses in the "lunch" category in this state~~ and fifty cents.

15 c. Third quarter is from six p.m. to twelve midnight and the sum ~~must be~~
16 ~~fifteen~~ seventeen dollars ~~may not exceed an amount equal to eighty percent of the~~
17 ~~rate established by the United States general services administration for meals~~
18 ~~and incidental expenses in the "dinner" category in this state~~ and fifty cents.

19 d. Fourth quarter is from twelve midnight to six a.m. and the sum must be the actual
20 lodging expenses not to exceed an amount established by policy by the director
21 of the office of management and budget plus any additional applicable state or
22 local taxes. The director shall establish a policy to set the lodging reimbursement
23 at an amount equal to ninety percent of the rate established by the United States
24 general services administration for lodging reimbursement in this state. A political
25 subdivision may reimburse an elective or appointive officer, employee,
26 representative, or agent for actual lodging expenses.

27 3. The allowance for out-of-state meals, within the continental United States, is equal to
28 eighty percent of the per diem meals rate in the city for which a claim is made on that
29 day as established by rule for federal employees by the United States general services
30 administration and must be allocated twenty percent to the first quarter, thirty percent
31 to the second quarter, and fifty percent to the third quarter.

- 1 4. The allowance for meals in noncontinental United States and overseas nonforeign
2 areas, including Alaska, Hawaii, and Guam, is equal to ~~eighty percent of~~ the per diem
3 meals rate in the city for which a claim is made on that day as established by rule for
4 federal employees established by the United States per diem committee.
- 5 5. The allowance for meals outside the United States is equal to ~~eighty percent of~~ the per
6 diem meals rate in the city for which a claim is made on that day as established by rule
7 for federal employees established by the United States department of state.
- 8 6. The allowance for lodging outside the state must be the actual lodging expense.
- 9 7. A department, institution, or agency of this state may set a rate for travel expenses
10 outside the state less than those set forth in this section. Verification of any other type
11 of expense not prescribed by this section must be as prescribed by the office of the
12 budget except no receipt may be required for taxi or cab fares of ten dollars or less.
13 The office of management and budget shall disapprove any claim it determines to be
14 in error or unlawful or not within the limits of legislative appropriations.