

STATEMENT OF CONSTITUENT SERVICES EXPENSE FOR MONTANA LEGISLATORS

Meeting Description: _____ --COMPLETE THIS COLUMN ONLY--	Meeting Date: _____ Meeting Location: _____	
--COMPLETE THIS COLUMN ONLY--	--DO NOT WRITE IN THESE COLUMNS--	
EXPENSES: MEALS (insert number of meals claimed) Breakfast _____ Lunch _____ Dinner _____ LODGING (insert number of nights claimed) Most locations - \$91.00/day plus applicable taxes Helena - \$92.00/day plus applicable taxes (Receipt required) _____ \$12.00/day non-receiptable facility _____ MILEAGE (insert number of miles claimed) Round trip miles – \$0.535/mile _____ AIR TRANSPORTATION Commercial (Receipt required) _____ Private plane \$1.12/nautical mile _____ MISCELLANEOUS (Registrations/Taxi) (Receipt required if \$25 or more)	<u>IN-STATE</u> 5.00 _____ 6.00 _____ 12.00 _____ \$ _____ 62407/62410 \$ _____ 62406/62408 \$ _____ 62401 \$ _____ 62402 \$ _____ 62405/62809	<u>OUT-OF-STATE</u> 11.00 _____ 12.00 _____ 23.00 _____ \$ _____ 62417/62430 \$ _____ 62416/62418 \$ _____ 62411 \$ _____ 62412 \$ _____ 62415/62809
I CERTIFY THAT EACH EXPENSE DESCRIBED ABOVE, HAVE NOT YET NOR WILL BE AGAIN SUBMITTED TO ANY OTHER ENTITY FOR REIMBURSEMENT. THE ITEM(S) LISTED ABOVE ARE FOR LEGISLATIVE BUSINESS. I UNDERSTAND APPROVAL OF REIMBURSEMENT IS SUBJECT TO A DETERMINATION OF THE REASONALBENESS OF AMOUNTS REQUESTED. Circle One: Senator / Representative Printed Name: _____ Signature (use ink) : _____ Address: _____ _____	Expense Total: _____ Voucher Number: _____ Org #: _____ <hr/> Total Claim: _____ Approval: _____	

SPACES LEFT BLANK WILL NOT BE REIMBURSED. ATTACH REQUIRED RECEIPTS.

OTHER INFORMATION: A copy of this claim will be returned to you for your tax records. You may be eligible for income tax deductions for expenses not reimbursed by the state. Information on this claim is subject to public disclosure.

1. **Determination of Eligibility:** The 2015 Legislature passed Senate Bill No. 283 (Ch. 452) providing for a stipend for legislators and allowing for reimbursement of constituent services expenses not paid from a constituent services account or otherwise reimbursed. The effective date is July 1, 2017.
2. **Amount of Allowance:** The legislation provides a primary \$3,000 stipend for each legislator and a secondary amount of between \$1,000 and \$4,000 depending on the square mileage of a legislator's district, for districts over 100 square miles. If the district is under 100 square miles, the secondary amount is \$0.
3. **Tax Information:** For the secondary amount, the legislator may submit a claim form for reimbursement at any time. Depending on the type of claim, certain reimbursements may be taxable, for instance:
 - Reimbursed meals for meetings that do not require an overnight stay
4. **Qualifying Reimbursements:** The law specifies that legislators must apply for reimbursement to the Legislative Services Division by submitting written documentation that satisfies applicable requirements of Title 2, chapter 18, part 5, which applies to otherwise unreimbursed expenses related to the legislator's expenses incurred for providing constituent services:
 - Meals
 - Lodging
 - Transportation

Summary of Statutes Governing Travel Reimbursement

Section **2-18-501** governs the reimbursement to persons in state service for the cost of meals, lodging and transportation. It establishes the limits listed on the front of the form and authorizes reimbursement of reasonable transportation costs and other necessary business expenses subject to proper documentation. All commercial air travel must be by the least expensive class service available. Tips are not reimbursable expenses.

Section **2-18-502** governs computation of meal allowance. Meal reimbursements are limited to the amounts shown on the form. Members should be in a travel status to claim meals.

Section **2-18-503** governs the mileage allowance. Reimbursement is made for miles traveled in the performance of official duties. The rate is based on the current mileage allotment, as allowed by the IRS, for the first 1,000 miles and 3 cents per mile less for all miles thereafter traveled within a given calendar month. Members who use their own airplanes in the performance of official duties are entitled to collect mileage only for the nautical air miles actually traveled, at a rate of twice the mileage allotment for automobile travel.

The statutes discussed above authorize the Department of Administration to adopt rules governing travel expenses. Those rules are found in Title 2, Chapter 4, Sub-Chapter 1, Administrative Rules of Montana. Travel policy is found in the Montana Operations Manuals, Volume 1, Chapter 0300.

Claims may be reviewed by appropriate Legislative Services Division

Guidelines for Evaluating Reasonableness of Claims Adopted by the Legislative Council

The following guidelines are used to determine if time spent away from home reasonably falls within the context of authorized legislative business:

1. Overnight lodging is reasonable when the member would be required to leave home earlier than 6:30 a.m. or arrive home later than 6:30 p.m. in order to have attended all of the meeting or have conducted all of the authorized legislative business. To compute whether this would be required, an average travel speed (overall, including incidental stops) of 50 miles an hour is used. The one-half hour immediately preceding and immediately following a meeting or activity is an in-town travel shift and considered to be part of the total meeting schedule for the purposes of the reasonableness computation.
2. Subject to statute, a meal falling within reasonable travel times may be claimed.

Special circumstances are considered in determining reasonableness. Such circumstances may include inclement weather, a legislator's health, variables related to flying instead of driving, and schedule conflicts which require a member to choose a more expensive mode of travel in order to participate in the legislative activity. Special circumstances should be clearly presented on the claim form.

Requirements: The law specifies that legislators must apply for reimbursement to the Legislative Services Division by submitting written documentation that satisfies applicable requirements of Title 2, chapter 18, part 5, which applies to otherwise unreimbursed expenses related to the legislator's expenses incurred for providing constituent services.