

SENATE BILL NO. 2056

Introduced by

Senators C. Nelson, DeMers, Goetz

Representatives Aarsvold, Maragos, Nottestad

1 A BILL for an Act to amend and reenact subsection 1 of section 54-06-09 of the North Dakota
2 Century Code, relating to mileage and travel expense of state officers and employees.

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

4 **SECTION 1. AMENDMENT.** Subsection 1 of section 54-06-09 of the 1995 Supplement
5 to the North Dakota Century Code is amended and reenacted as follows:

- 6 1. The sum of twenty-five cents per mile [1.61 kilometers] for each mile [1.61
7 kilometers] actually and necessarily traveled in the performance of official duty
8 when ~~such~~ the travel is by motor vehicle or twenty-seven cents per mile [1.61
9 kilometers] if the travel is by truck, the use of which is required by the employing
10 ~~subdivision, agency, bureau, board, or commission~~ entity. The sum of thirty-five
11 cents per mile [1.61 kilometers] for each mile [1.61 kilometers] actually and
12 necessarily traveled in the performance of official duty when ~~such~~ the travel is by
13 private airplane. Mileage by private aircraft must be computed by actual air
14 mileage when only one state employee or official is traveling; if two or more state
15 employees or officials are traveling by private aircraft, the actual mileage must be
16 based on the road mileage between the geographical points. Reimbursement for
17 private airplane travel must be calculated as follows:
- 18 a. If reimbursement is for one properly authorized and reimbursable passenger,
19 reimbursement must be paid on a per-mile basis as provided in this
20 subsection.
- 21 b. If reimbursement is claimed for a chartered private aircraft, reimbursement
22 may not exceed the cost of regular coach fare on a commercial flight, if one is
23 scheduled between the point of departure, point of destination, and return, for
24 each properly authorized and reimbursable passenger on the charter flight; or,

1 where there is no such regularly scheduled commercial flight, the actual cost
2 of the charter.

3 No reimbursement may be paid for leased private aircraft, except for leased or
4 rented private aircraft from a recognized fixed base aviation operator who is in the
5 business of leasing and renting private aircraft and is located on an airport open for
6 public use. If only one person ~~shall engage~~ engages in such travel in a motor
7 vehicle exceeding at any geographical point one hundred fifty miles [241.40
8 kilometers] beyond the borders of this state, reimbursement ~~must be~~ is limited to
9 eighteen cents per mile [1.61 kilometers] for the out-of-state portion of the travel
10 beyond the first one hundred fifty miles [241.40 kilometers]. When official travel is
11 by motor vehicle or airplane owned by the state or by any department or political
12 subdivision ~~thereof of the state~~, no allowance may be made or paid for such
13 mileage, except that governmental entities may share expenses when officials or
14 employees of those entities travel in the same motor vehicle or aircraft.