

OFFICES AND OFFICERS

CHAPTER 399

S. B. No. 52

(Christensen, Lips)

(Recommended by Legislative Audit and
Fiscal Review Committee)

EMPLOYEES' AND OFFICIALS' EXPENSE ALLOWANCE

AN ACT

To amend and reenact sections 44-08-04 and 54-06-09 of the North Dakota Century Code, relating to the expense accounts and mileage and travel expenses of state officers and employees.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

Section 1. Amendment.) Section 44-08-04 of the 1967 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

44-08-04. Expense Account—Amount Allowed—Verification.)

Each elective or appointive officer, employee, representative, or agent of this state, or of any of its subdivisions, agencies, bureaus, boards, or commissions, may make claim and shall upon approval of such claim be paid as an allowance for meals and lodging while engaged within this state in the discharge of a public duty away from his normal working and living residence for all or any part of any quarter of a day at the following rates for each quarter of any twenty-four hour period:

1. First quarter shall be from six o'clock a.m. to twelve o'clock noon and the sum shall not exceed one dollar and twenty-five cents;
2. Second quarter shall be from twelve o'clock noon to six o'clock p.m. and the sum shall not exceed one dollar and seventy-five cents;

3. Third quarter shall be from six o'clock p.m. to twelve o'clock midnight and the sum shall not exceed three dollars;
4. Fourth quarter shall be from twelve o'clock midnight to six o'clock a.m. and the sum shall not exceed nine dollars;
5. Provided, however, that the preceding four subsections shall not be applicable unless the person concerned has been out of the headquarters or normal place of employment for six hours or overnight.

Verifications of claims shall not be required for the first three quarters listed above and only a lodging receipt shall be required for the fourth quarter; provided, however, the amount paid for such lodging shall not be required to be listed.

Such persons engaged in travel without the state shall not claim a sum in excess of eight dollars a day for meals and in addition thereto actual lodging expenses. Verification by receipt for such out-of-state travel expense shall be required only for lodging expense claimed.

The head of any department, institution, or agency of this state may set a rate for such expenses less than those set forth in this section for any person or persons under his authority. Verification of any other type of expense not prescribed by this section shall be as prescribed by the state auditing board except no receipt shall be required for taxi or cab fares up to and including the sum of five dollars. The state auditing board shall disapprove any claim it shall determine to be in error or unlawful or not within the limits of legislative appropriations. The travel expenses of the governor, lieutenant governor, judges of the supreme court, district courts, and county courts of increased jurisdiction, and members of the legislative assembly shall not be limited by the expense allowance limitations prescribed by this section.

Section 2. Amendment.) Section 54-06-09 of the 1967 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-06-09. Mileage and Travel Expense of State Officers and Employees.) State officials, whether elective or appointive, and their deputies, assistants, and clerks, or other state employees, entitled by law to be reimbursed for mileage or travel expense, shall be allowed and paid for mileage and travel expense the following amounts:

1. The sum of nine cents per mile for each mile actually and necessarily traveled in the performance of official duty when such travel is by motor vehicle. The sum of eleven cents per mile for each mile actually and necessarily traveled in the performance of official duty when such travel is by private airplane. If only one person shall engage in such travel in a motor vehicle exceeding at any geographical point one hundred fifty miles beyond the borders of this state, reimbursement shall be limited to seven cents per mile for the out-of-state portion of the travel. When any such motor vehicle or airplane is owned by the state or by any department or political subdivision thereof, no allowance shall be made or paid for such mileage;
2. When travel is by rail or certificated air taxi commercial operator or other common carrier, including regularly scheduled flights by airlines, the amount actually and necessarily expended therefor in the performance of official duties.

Before any allowance for any such mileage or travel expenses shall be made, the official, deputy, assistant, clerk, or other employee shall file with the director of the department of accounts and purchases an itemized statement showing the mileage traveled, the days when and how traveled, the purpose thereof and such other information and documentation as may be prescribed by rule of the state auditing board or specifically requested by such board, verified by his certification. The statement shall be submitted to the state auditing board for approval and shall be paid only when approved by the auditing board.

Approved March 19, 1969.

CHAPTER 400

S. B. No. 422
(Decker, Coughlin)

**PURCHASE OF LIFE INSURANCE FOR
PEACE OFFICERS' SURVIVORS**

AN ACT

To authorize political subdivisions to purchase insurance to provide death benefits to certain survivors of law enforcement officers who are killed or die in the performance of duty.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

Section 1. Definitions.) As used in this Act:

1. "Law enforcement officer" means any sheriff, sheriff's deputy, police chief, policeman, fireman, and any investigator or detective employed by a political subdivision on a salaried basis to perform police duties.

Section 2. Political Subdivisions Authorized to Purchase Insurance on the Life of Law Enforcement Officers—Benefits Payable to Dependent Survivor.) Any political subdivision may purchase insurance on the life of a law enforcement officer employed by that political subdivision. Such insurance policy shall be purchased from an insurance company licensed to do business in this state. If the insurance is purchased, the officer insured thereunder may designate his dependent survivor or survivors to whom the death benefit provided under the policy shall be paid. The word "dependent" shall mean that the deceased officer provided some financial support within one year before his death to the survivor and shall be liberally construed for the purposes of this section. In the event the officer has not designated his dependent survivor or survivors, the death benefit payable shall be paid to his closest survivor in the following order:

1. Wife
2. Children
3. Parent

4. Brother or sister

except that if there be more than one qualifying survivor in categories 2, 3 or 4, the death benefit shall be paid in equal shares to the survivors in that category. The death benefit provided by an insurance policy purchased pursuant to this section shall not exceed the amount of ten thousand dollars on the life of one law enforcement officer. Any death benefit paid due to purchase of an insurance policy under the provisions of this section shall be in addition to any benefits paid due to the death of that officer under any other provisions of law.

Approved March 19, 1969.