

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1099

Introduced by Krist, 10.

Read first time January 20, 2016

Committee: Government, Military and Veterans Affairs

- 1 A BILL FOR AN ACT relating to the Department of Administrative Services;
- 2 to amend sections 81-1174, 81-1175, 81-1176, and 81-1180, Reissue
- 3 Revised Statutes of Nebraska; to change provisions relating to
- 4 expense reimbursement; to harmonize provisions; and to repeal the
- 5 original sections.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 81-1174, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 81-1174 Whenever any state officer, state employee, or member of any
4 commission, council, committee, or board of the state is seeking
5 reimbursement for ~~actual~~ expenses incurred by him or her in the line of
6 duty, he or she shall be required to present a request for payment or
7 reimbursement to the Director of Administrative Services not later than
8 sixty days after the final day on which expenses were incurred for which
9 reimbursement is sought. Each request for reimbursement of meals, travel,
10 and lodging shall be made pursuant to the federal General Services
11 Administration per diem and mileage reimbursement rates and shall include
12 ~~shall be fully itemized, including~~ the amount, date, place, and essential
13 character of the expense incurred.

14 When reimbursement is requested for ~~mileage by~~ automobile, air
15 travel by commercial carrier, air travel in airplanes chartered by the
16 department or agency, or air travel by personally rented airplane, the
17 points between which such travel occurred, the times of arrival and
18 departure, and the necessity and purpose of such travel shall be stated
19 on such request. When reimbursement is requested for mileage by
20 automobile, ~~the motor vehicle license plate number,~~ the total miles
21 traveled, ~~and the rate per mile being requested~~ shall also be shown on
22 each request.

23 The Accounting Administrator may require less supporting detail for
24 requests covered in this section but shall not impose reporting
25 requirements which exceed those listed unless specifically authorized by
26 other provisions of law. No request shall be submitted by an individual
27 for an expense when such expense has been paid by the agency or
28 department concerned.

29 When reimbursement for expenses incurred in air travel by privately
30 owned airplane is requested, the cost of operating the airplane at rates
31 per mile as established by the Department of Administrative Services

1 shall be shown on such request. Travel by privately owned airplane or
2 personally rented airplane shall only be authorized when it is more
3 economical than surface transportation or will result in a substantial
4 savings of expense or productive time.

5 The statement of expenses shall be duly verified and supported by
6 receipts for all of such expenditures, except immaterial items identified
7 by the director, for which reimbursement is requested.

8 No reimbursement charge for mileage shall be allowed when such
9 mileage accrues while using an automobile owned by the State of Nebraska.

10 No personal maintenance expenses shall be allowed to any state
11 officer, state employee, or member of any commission, council, committee,
12 or board of the state when such expenses are incurred in the city or town
13 in which the residence or primary work location of such individual is
14 located, except that individuals required to attend official functions,
15 conferences, or hearings within such location, not to include normal day-
16 to-day operations of the department, agency, commission, council,
17 committee, or board, may be paid or reimbursed in accordance with
18 policies established by the Director of Administrative Services. The
19 approval to attend a function, conference, or hearing shall be obtained
20 from the director of the department, agency, commission, council,
21 committee, or board prior to an individual's attendance at such function,
22 conference, or hearing.

23 Nothing in this section shall be construed to prohibit the
24 furnishing of coffee, tea, and any similar beverage by the Legislature or
25 the Legislative Council to its employees or guests.

26 Sec. 2. Section 81-1175, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 81-1175 In examining the ~~vouchers, bills, and~~ requests for payment
29 or reimbursement as provided for in section 81-1174, no such ~~voucher,~~
30 ~~bill, or~~ request for travel expenses shall be approved unless written
31 authorization for the same has been given by the (1) director, deputy

1 director, or other titular head of the several state administrative
2 departments, (2) elective or appointive state officer, (3) chairperson of
3 a state commission, council, committee, or board, or (4) titular head or
4 proper disbursing officer of any other state expending agency, including
5 the University of Nebraska, state colleges, and state institutions,
6 before such traveling expenses are incurred, except that such prior
7 authority need not be obtained by peace officers of the State of
8 Nebraska.

9 Sec. 3. Section 81-1176, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 81-1176 (1) If a trip or trips included in a request for payment or
12 reimbursement filed under sections 81-1174 and 81-1175 are made by
13 personal automobile or otherwise, only one ~~mileage~~ request shall be
14 allowed for each mile actually and necessarily traveled in each calendar
15 month by the most direct route regardless of the fact that one or more
16 persons are transported in the same motor vehicle. Reimbursement on such
17 requests shall be computed based on the rate established by the federal
18 General Services Administration ~~Department of Administrative Services.~~
19 ~~The department may establish different rates based on whether the~~
20 ~~personal automobile usage is at the convenience of the agency involved or~~
21 ~~at the convenience of the state officer or employee, as previously agreed~~
22 ~~upon by the officer or employee and the agency involved.~~ Funds expended
23 for parking may be requested in addition to mileage.

24 (2) The payment of mileage shall be limited to the ~~actual~~ cost of
25 travel at the rates established in subsection (1) of this section or the
26 cost of commercial transportation, whichever is less. Savings of
27 productive time shall be taken into consideration when making the
28 comparison. No additional rate of mileage shall be allowed to state
29 inspectors or others who carry state equipment by motor vehicle
30 regardless of the weight thereof.

31 (3) Any future adjustments made to the reimbursement rate provided

1 in subsection (1) of this section shall be deemed to apply to all
2 provisions of law which refer to this section for the computation of
3 mileage.

4 Sec. 4. Section 81-1180, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 81-1180 Any member of any state commission, council, committee, or
7 board who is not entitled to reimbursement under the provisions of
8 section 81-1178 or 81-1179 shall be entitled to be reimbursed for his or
9 her ~~necessary and actual~~ expenses as provided in sections 81-1174 to
10 81-1177 if an appropriation is made for such purpose and if the
11 reimbursement is approved by the Governor or, in cases in which the
12 commission, council, committee, or board has been created to assist the
13 Legislature in the performance of its duties, by the Executive Board of
14 the Legislative Council.

15 Sec. 5. Original sections 81-1174, 81-1175, 81-1176, and 81-1180,
16 Reissue Revised Statutes of Nebraska, are repealed.