

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SIXTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 609**

Introduced by La Grone, 49.

Read first time January 23, 2019

Committee: Government, Military and Veterans Affairs

1 A BILL FOR AN ACT relating to county and local government; to amend  
2 sections 23-1112 and 23-1112.01, Reissue Revised Statutes of  
3 Nebraska, and section 13-2203, Revised Statutes Cumulative  
4 Supplement, 2018; to change provisions relating to reimbursement of  
5 mileage and travel expenses; to harmonize provisions; and to repeal  
6 the original sections.

7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 13-2203, Revised Statutes Cumulative Supplement,  
2 2018, is amended to read:

3 13-2203 In addition to other expenditures authorized by law, each  
4 governing body may approve:

5 (1)(a) The expenditure of public funds for the payment or  
6 reimbursement of actual and necessary expenses incurred by elected and  
7 appointed officials, employees, or volunteers at educational workshops,  
8 conferences, training programs, official functions, hearings, or  
9 meetings, whether incurred within or outside the boundaries of the local  
10 government, if the governing body gave prior approval for participation  
11 or attendance at the event and for payment or reimbursement either by the  
12 formal adoption of a uniform policy or by a formal vote of the governing  
13 body. Authorized expenses may include:

14 (i) Registration costs, tuition costs, fees, or charges;

15 (ii) Mileage at the rate allowed by section 81-1176 for travel by  
16 personal automobile, but if travel by rental vehicle or commercial or  
17 charter means is economical and practical, then authorized expenses shall  
18 include only the actual cost of the rental vehicle or commercial or  
19 charter means. The governing body may establish different mileage rates  
20 based on whether the personal automobile usage is at the convenience of  
21 the local government or at the convenience of the local government's  
22 elected or appointed official, employee, or volunteer ~~or actual travel~~  
23 ~~expense if travel is authorized by commercial or charter means;~~ and

24 (iii) Meals and lodging at a rate not exceeding the applicable  
25 federal rate unless a fully itemized claim is submitted substantiating  
26 the costs actually incurred in excess of such rate and such additional  
27 expenses are expressly approved by the governing body; and

28 (b) Authorized expenditures shall not include expenditures for meals  
29 of paid members of a governing body provided while such members are  
30 attending a public meeting of the governing body unless such meeting is a  
31 joint public meeting with one or more other governing bodies;

1 (2) The expenditure of public funds for:

2 (a) Nonalcoholic beverages provided to individuals attending public  
3 meetings of the governing body; and

4 (b) Nonalcoholic beverages and meals:

5 (i) Provided for any individuals while performing or immediately  
6 after performing relief, assistance, or support activities in emergency  
7 situations, including, but not limited to, tornado, severe storm, fire,  
8 or accident;

9 (ii) Provided for any volunteers during or immediately following  
10 their participation in any activity approved by the governing body,  
11 including, but not limited to, mowing parks, picking up litter, removing  
12 graffiti, or snow removal; or

13 (iii) Provided at one recognition dinner each year held for elected  
14 and appointed officials, employees, or volunteers of the local  
15 government. The maximum cost per person for such dinner shall be  
16 established by formal action of the governing body, but shall not exceed  
17 fifty dollars. An annual recognition dinner may be held separately for  
18 employees of each department or separately for volunteers, or any of them  
19 in combination, if authorized by the governing body; and

20 (3) The expenditure of public funds for plaques, certificates of  
21 achievement, or items of value awarded to elected or appointed officials,  
22 employees, or volunteers, including persons serving on local government  
23 boards or commissions. Before making any such expenditure, the governing  
24 body shall, by official action after a public hearing, establish a  
25 uniform policy which sets a dollar limit on the value of any plaque,  
26 certificate of achievement, or item of value to be awarded. Such policy,  
27 following its initial adoption, shall not be amended or altered more than  
28 once in any twelve-month period.

29 Sec. 2. Section 23-1112, Reissue Revised Statutes of Nebraska, is  
30 amended to read:

31 23-1112 When it is necessary for any county officer or his or her

1 deputy or assistants, except any county sheriff or his or her deputy, to  
2 travel on business of the county, he or she shall be allowed mileage at  
3 the rate per mile allowed by section 81-1176 for travel by personal  
4 automobile upon the presentation of his or her bill for the same  
5 accompanied by a proper voucher to the county board of his or her county  
6 in like manner as is provided for all other claims against the county,  
7 but if travel by rental vehicle or commercial or charter means is  
8 economical and practical, then he or she shall be allowed only the actual  
9 cost of the rental vehicle or commercial or charter means. The county  
10 board may establish different mileage rates based on whether the personal  
11 automobile usage is at the convenience of the county or at the  
12 convenience of the county officer or his or her deputy or assistant for  
13 each mile actually and necessarily traveled by the most direct route if  
14 the trip or trips are made by automobile. If travel by rail or bus is  
15 economical and practical, he or she shall be allowed only the actual cost  
16 of rail or bus transportation upon the presentation of his or her bill  
17 for the same accompanied by a proper voucher to the county board of his  
18 or her county in like manner as is provided for as to all other claims  
19 against the county.

20 Sec. 3. Section 23-1112.01, Reissue Revised Statutes of Nebraska, is  
21 amended to read:

22 23-1112.01 If a trip or trips included in an expense claim filed by  
23 any county officer or employee for mileage are made by personal  
24 automobile or otherwise, only one ~~mileage~~ claim shall be allowed pursuant  
25 to section 23-1112 ~~at the rate established in section 81-1176,~~ for each  
26 ~~mile actually and necessarily traveled by the most direct route,~~  
27 regardless of the fact that one or more persons are transported in the  
28 motor vehicle. No charge for mileage shall be allowed when such mileage  
29 accrues while using any motor vehicle owned by the State of Nebraska or  
30 by a county.

31 Sec. 4. Original sections 23-1112 and 23-1112.01, Reissue Revised

- 1 Statutes of Nebraska, and section 13-2203, Revised Statutes Cumulative
- 2 Supplement, 2018, are repealed.