

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

**Act 530 of the Regular Session**

1 State of Arkansas  
2 86th General Assembly  
3 Regular Session, 2007  
4

*As Engrossed: H3/2/07*

**A Bill**

HOUSE BILL 1306

5 By: Joint Budget Committee  
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**For An Act To Be Entitled**

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL  
10 SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS  
11 MOTOR VEHICLE COMMISSION FOR THE BIENNIAL PERIOD  
12 ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.  
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14

**Subtitle**

15 AN ACT FOR THE ARKANSAS MOTOR VEHICLE  
16 COMMISSION APPROPRIATION FOR THE  
17 2007-2009 BIENNIUM.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. REGULAR SALARIES. There is hereby established for the Arkansas  
24 Motor Vehicle Commission for the 2007-2009 biennium, the following maximum  
25 number of regular employees whose salaries shall be governed by the  
26 provisions of the Uniform Classification and Compensation Act (Arkansas Code  
27 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.  
28 Provided, however, that any position to which a specific maximum annual  
29 salary is set out herein in dollars, shall be exempt from the provisions of  
30 said Uniform Classification and Compensation Act. All persons occupying  
31 positions authorized herein are hereby governed by the provisions of the  
32 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),  
33 or its successor.  
34

35 Maximum Annual



Item No.	Class Code	Title	Maximum No. of Employees	Salary Rate Fiscal Years 2007-2008	Salary Rate Fiscal Years 2008-2009
4	(1) 7136	MOTOR VEHICLE COMM DIRECTOR	1	\$65,706	\$67,020
5	(2) 9026	MOTOR VEHICLE COMMUN/FISCAL MGR	1	\$39,153	\$39,936
6	(3) 9320	MOTOR VEHICLE LICENSE SUPERVISOR	1	\$38,346	\$39,112
7	(4) 7138	MOTOR VEHICLE COMM SECRETARY	1	\$36,461	\$37,190
8	(5) 9353	MOTOR VEHICLE INVESTIGATOR	2	\$31,518	\$32,148
9	(6) 7239	MOTOR VEHICLE LICENSING AGENT	<u>1</u>	\$25,468	\$25,977
10	MAX. NO. OF EMPLOYEES		7		

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12 SECTION 2. APPROPRIATION. There is hereby appropriated, to the Arkansas  
 13 Motor Vehicle Commission, to be payable from the Motor Vehicle Commission  
 14 Fund, for personal services and operating expenses of the Arkansas Motor  
 15 Vehicle Commission for the biennial period ending June 30, 2009, the  
 16 following:

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ITEM NO.		FISCAL YEARS	
		2007-2008	2008-2009
20	(01) REGULAR SALARIES	\$ 275,970	\$ 281,331
21	(02) PERSONAL SERVICES MATCHING	92,266	93,511
22	(03) MAINT. & GEN. OPERATION		
23	(A) OPER. EXPENSE	181,197	181,197
24	(B) CONF. & TRAVEL	5,000	5,000
25	(C) PROF. FEES	5,000	5,000
26	(D) CAP. OUTLAY	0	13,760
27	(E) DATA PROC.	<u>0</u>	<u>0</u>
28	TOTAL AMOUNT APPROPRIATED	<u>\$ 559,433</u>	<u>\$ 579,799</u>

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30 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. Executive  
 32 Director - Employees - Office.

33 (a)(1)(A) The Arkansas Motor Vehicle Commission shall appoint a qualified  
 34 person to serve as executive director of the commission, shall fix his or her  
 35 salary, and shall define and prescribe the duties.

36 (b)(1) The commission shall not dismiss the executive director if the

1 only basis for the dismissal is verbal or written statements or comments made  
2 by the executive director before a legislative committee or subcommittee with  
3 which one (1) or more members of the commission disagree.

4 (2) The Executive Director of the Arkansas Motor Vehicle Commission  
5 shall be in charge of the commission's office and shall devote such time to  
6 the duties thereof as may be necessary.

7 (3) The duties shall include, but shall not be limited to, the  
8 collection of all fees and charges under the provisions of this chapter,  
9 keeping a record of all proceedings of the commission, and keeping an  
10 accurate account of all moneys received and disbursed by the commission, all  
11 of which records shall be considered as public records.

12 (a) The commission may employ such clerical and professional help and  
13 incur such expenses as may be reasonably necessary for the proper discharge  
14 of its duties under this chapter.

15 (b) Except as provided in this chapter, the commission shall maintain its  
16 office and transact its business at Little Rock.

17 (c) The provisions of this section shall be in effect only upon passage  
18 and approval of this bill through June 30, ~~2007~~ 2009.

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20 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CONSUMER  
22 PROTECTION. Protecting the consumer is a critical purpose of the Arkansas  
23 Motor Vehicle Commission. Therefore, of the total amount appropriated under  
24 Section 2 of this Act for the operating expenses of the Arkansas Motor  
25 Vehicle Commission, seventeen thousand five hundred dollars (\$17,500) each  
26 fiscal year shall be allocated to consumer protection efforts. The Arkansas  
27 Motor Vehicle Commission will submit quarterly a written report to Arkansas  
28 Legislative Council on their Consumer Protection efforts.

29 The Arkansas Motor Vehicle Commission will continue to develop additional  
30 programs and procedures that will expand consumer protection efforts.

31 The provisions of this section shall be in effect only from July 1, 2007  
32 through June 30, 2009.

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34 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND  
36 TRANSFER - MOTOR VEHICLE EDUCATION AND TRAINING. For the fiscal year ending

1 June 30, 2008, and for each fiscal year thereafter, the Director of the  
2 Arkansas Motor Vehicle Commission may, from time to time as needed, certify  
3 to the Chief Fiscal Officer of the State the amount of funds necessary to  
4 transfer on his or her books and those of the State Treasurer and the Auditor  
5 of State, from the Motor Vehicle Commission Fund to the Department of  
6 Workforce Education Fund Account, to provide funds for expenses related to  
7 motor vehicle education and training. In no event shall the amount of funds  
8 transferred under the provisions of this section exceed one hundred fifty  
9 thousand dollars (\$150,000) in any one fiscal year.

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12 SECTION 6. Arkansas Code 23-112-205 regarding the Disposition of Arkansas  
13 Motor Vehicle Commission Funds is amended:

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15 23-112-205. Disposition of funds.

16 (a) All funds received by the Arkansas Motor Vehicle Commission shall be  
17 deposited in the State Treasury as special revenues to the credit of a  
18 special fund to be known as the "Motor Vehicle Commission Fund".

19 (b) All expenses incurred in the organization, maintenance, ~~and~~  
20 operation, and motor vehicle education and training of the commission shall  
21 be paid from the special fund, and the expenditure of all funds shall be  
22 subject to the General Accounting and Budgetary Procedures Law, § 19-4-101 et  
23 seq., the Arkansas Procurement Law, § 19-11-201 et seq., and other applicable  
24 fiscal laws.

25 (c) The receipts and disbursements of the commission shall be audited  
26 annually by the Legislative Auditor.

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29 SECTION 7. Arkansas Code 19-6-424 regarding the Motor Vehicle Commission  
30 Fund is amended:

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32 The Motor Vehicle Commission Fund shall consist of those special revenues  
33 as specified in subdivision (99) of § 19-6-301, there to be used for the  
34 operation, maintenance, ~~and~~ improvement, and motor vehicle education and  
35 training required by the Arkansas Motor Vehicle Commission in exercising the  
36 powers, functions, and duties as set out in § 23-112-101 et seq.

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2 SECTION 8. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
3 by this act shall be limited to the appropriation for such agency and funds  
4 made available by law for the support of such appropriations; and the  
5 restrictions of the State Procurement Law, the General Accounting and  
6 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
7 Procedures and Restrictions Act, or their successors, and other fiscal  
8 control laws of this State, where applicable, and regulations promulgated by  
9 the Department of Finance and Administration, as authorized by law, shall be  
10 strictly complied with in disbursement of said funds.

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12 SECTION 9. LEGISLATIVE INTENT. It is the intent of the General Assembly  
13 that any funds disbursed under the authority of the appropriations contained  
14 in this act shall be in compliance with the stated reasons for which this act  
15 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
16 and Legislative Recommendations contained in the budget manuals prepared by  
17 the Department of Finance and Administration, letters, or summarized oral  
18 testimony in the official minutes of the Arkansas Legislative Council or  
19 Joint Budget Committee which relate to its passage and adoption.

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21 SECTION 10. EMERGENCY CLAUSE. It is found and determined by the General  
22 Assembly, that the Constitution of the State of Arkansas prohibits the  
23 appropriation of funds for more than a two (2) year period; that the  
24 effectiveness of this Act on July 1, 2007 is essential to the operation of  
25 the agency for which the appropriations in this Act are provided, and that in  
26 the event of an extension of the Regular Session, the delay in the effective  
27 date of this Act beyond July 1, 2007 could work irreparable harm upon the  
28 proper administration and provision of essential governmental programs.  
29 Therefore, an emergency is hereby declared to exist and this Act being  
30 necessary for the immediate preservation of the public peace, health and  
31 safety shall be in full force and effect from and after July 1, 2007.

32  
33 /s/ Joint Budget Committee

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35 APPROVED: 3/28/2007