WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1970

ENROLLED

SENATE BILL NO. 19

(By Mr. Cassagin)

PASSED Feb. 3, 1970

In Effect Passage

19
AN ACT to amend and reenact section six, article three, chapter twenty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the public service commission fund.

Be it enacted by the Legislature of West Virginia:

That section six, article three, chapter twenty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 3. DUTIES AND PRIVILEGES OF PUBLIC UTILITIES SUBJECT TO REGULATIONS OF COMMISSION.

§24-3-6. Special license fee; “public service commission fund.”

1 (a) All public utilities subject to the provisions of this chapter shall pay a special license fee in addition to
those now required by law. The amount of such fees shall
be fixed by the auditor and levied by him upon each of
such public utilities according to the value of its property
as ascertained by the last assessment, and shall be ap-
portioned among such public utilities upon the basis of
such valuation, so as to produce a revenue of three
hundred twenty thousand dollars per annum, which fees
shall be paid on or before the twentieth day of January
in each year. Such sum of three hundred twenty thousand
dollars, together with that provided in subsection (b)
hereof shall be paid into the state treasury and kept as
a special fund, designated "public service commission
fund," to be appropriated as provided by law for the pur-
pose of paying the salaries of the commission, as fixed by
this chapter, its expenses and salaries, compensations,
costs and expenses of its employees.

(b) All public utilities subject to the provisions of this
chapter shall pay a special license fee in addition to any
and all fees now required by law. The amount of such
fees shall be fixed by the auditor and levied by him upon
each of such public utilities, in the proportion which the
total gross revenue derived from intrastate business done by each of such public utilities in the calendar year next preceding bears to the total gross revenue derived from intrastate business done in such year by all public utilities subject to regulation by the public service commission, so as to produce a revenue of six hundred forty thousand dollars per annum, in addition to such fees as may be fixed by the auditor under the provisions of subsection (a) hereof and which fees shall be paid on or before the first day of July in each year. Such sum of six hundred forty thousand dollars shall be paid into the state treasury and be kept, appropriated and used as provided in subsection (a) hereof.

(c) Any balance in said fund at the end of any fiscal year shall not revert to the treasury but shall remain in said fund and may be appropriated and used as provided in subsection (a) hereof.

(d) With respect to the fiscal year which began on July one, one thousand nine hundred sixty-nine, it is hereby declared to be the intent of the Legislature that the provisions of subsection (b) hereof shall be applicable to said
fiscal year which began on July one, one thousand nine hundred sixty-nine, and the auditor shall fix such fees as provided for in said subsection at an amount so as to produce during said fiscal year a revenue of six hundred forty thousand dollars. Any additional amount levied upon public utilities as a result of said subsection (b) for said fiscal year which began on July one, one thousand nine hundred sixty-nine, shall be paid not later than April one, one thousand nine hundred seventy, and all such fees for each and every fiscal year thereafter shall be paid as specified in said subsection (b).
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

William Tonn
Chairman Senate Committee

Clayton C. Davidson
Chairman House Committee

Originated in the Senate.

To take effect from passage.

Josephine Rieger
Clerk of the Senate

O.K. Lankership
Clerk of the House of Delegates

N. Clyde Black
President of the Senate

J. J. Burks
Speaker House of Delegates

The within approved this the 6th day of February, 1970.

Arch A. Stearns
Governor
PRESENTED TO THE
GOVERNOR

Date 2/6/70
Time 10:55 a.m.