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STATE OF  
WEST VIRGINIA

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1970

## ENROLLED

SENATE BILL NO. 19

(By Mr. Cassidy)

PASSED Feb. 3, 1970

In Effect from Passage



FILED IN THE OFFICE  
JOHN D. ROCKEFELLER, IV  
SECRETARY OF STATE

THIS DATE 2-10-70

19

**ENROLLED**  
**Senate Bill No. 19**  
**(By MR. CARRIGAN)**

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[Passed February 3, 1970; in effect from passage.]

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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  
2 chapter shall pay a special license fee in addition to

3 those now required by law. The amount of such fees shall  
4 be fixed by the auditor and levied by him upon each of  
5 such public utilities according to the value of its property  
6 as ascertained by the last assessment, and shall be ap-  
7 portioned among such public utilities upon the basis of  
8 such valuation, so as to produce a revenue of three  
9 hundred twenty thousand dollars per annum, which fees  
10 shall be paid on or before the twentieth day of January  
11 in each year. Such sum of three hundred twenty thousand  
12 dollars, together with that provided in subsection (b)  
13 hereof shall be paid into the state treasury and kept as  
14 a special fund, designated "public service commission  
15 fund," to be appropriated as provided by law for the pur-  
16 pose of paying the salaries of the commission, as fixed by  
17 this chapter, its expenses and salaries, compensations,  
18 costs and expenses of its employees.

19 (b) All public utilities subject to the provisions of this  
20 chapter shall pay a special license fee in addition to any  
21 and all fees now required by law. The amount of such  
22 fees shall be fixed by the auditor and levied by him upon  
23 each of such public utilities, in the proportion which the

24 total gross revenue derived from intrastate business done  
25 by each of such public utilities in the calendar year next  
26 preceding bears to the total gross revenue derived from  
27 intrastate business done in such year by all public utilities  
28 subject to regulation by the public service commission,  
29 so as to produce a revenue of six hundred forty thousand  
30 dollars per annum, in addition to such fees as may be  
31 fixed by the auditor under the provisions of subsection  
32 (a) hereof and which fees shall be paid on or before the  
33 first day of July in each year. Such sum of six hundred  
34 forty thousand dollars shall be paid into the state treasury  
35 and be kept, appropriated and used as provided in sub-  
36 section (a) hereof.

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

41 (d) With respect to the fiscal year which began on July  
42 one, one thousand nine hundred sixty-nine, it is hereby  
43 declared to be the intent of the Legislature that the provi-  
44 sions of subsection (b) hereof shall be applicable to said

45 fiscal year which began on July one, one thousand nine  
46 hundred sixty-nine, and the auditor shall fix such fees as  
47 provided for in said subsection at an amount so as to  
48 produce during said fiscal year a revenue of six hundred  
49 forty thousand dollars. Any additional amount levied upon  
50 public utilities as a result of said subsection (b) for said  
51 fiscal year which began on July one, one thousand nine  
52 hundred sixty-nine, shall be paid not later than April one,  
53 one thousand nine hundred seventy, and all such fees for  
54 each and every fiscal year thereafter shall be paid as speci-  
55 fied in said subsection (b).

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The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

William Tompkins  
Chairman Senate Committee

Clayton C. Davidson  
Chairman House Committee

Originated in the Senate.

To take effect from passage.

Thomas H. Myers  
Clerk of the Senate

W. A. Blankenship  
Clerk of the House of Delegates

W. H. Dwyer  
President of the Senate

Sam F. Bernier  
Speaker House of Delegates

The within approved this the 6<sup>th</sup>  
day of February, 1970.

Arthur A. Shaver, Jr.  
Governor



PRESENTED TO THE  
GOVERNOR

Date 2/6/70

Time 10:55 a.m.