

2015 Regular Session

HOUSE BILL NO. 786

BY REPRESENTATIVE LEGER

PUBLIC SERVICE COMN: Increases and provides for inspection and supervision fees

1 AN ACT

2 To amend and reenact R.S. 45:1177(A)(2) and (C), relative to the Public Service
3 Commission; to increase certain quarterly fees with respect to common and contract
4 motor carriers and public utilities; to provide for the rebate of excess funds; to
5 provide for an effective date; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 45:1177(A)(2) and (C) are hereby amended and reenacted to read as
8 follows:

9 §1177. Inspection and supervision fees; Utility and Carrier Inspection and
10 Supervision Fund

11 A.

12 * * *

13 (2) The fees for the first quarter gross receipts of each calendar year shall be
14 paid on or before June thirtieth; the fees for the second quarter gross receipts shall
15 be paid on or before September thirtieth; the fees for the third quarter gross receipts
16 shall be paid on or before December thirty-first; and the fees for the fourth quarter
17 gross receipts shall be paid on or before March thirty-first of the following calendar
18 year. The application of this schedule shall be based on and calculated according to
19 the cumulative gross receipts beginning with the first quarter of each calendar year.
20 In no event shall any utility or carrier pay less than twenty dollars each quarter. The

1 fee to be paid by each common carrier, contract carrier, and public utility shall be
2 paid quarterly as follows:

3 (a) ~~\$4.94~~ \$5.01 per \$1000 for the first \$100,000 or less of such gross
4 receipts.

5 (b) ~~\$4.16~~ \$4.23 per \$1000 of such gross receipts in excess of \$100,000 and
6 not more than \$250,000.

7 (c) ~~\$3.38~~ \$3.45 per \$1000 of such gross receipts in excess of \$250,000 and
8 not more than \$500,000.

9 (d) ~~\$2.61~~ \$2.68 per \$1000 of such gross receipts in excess of \$500,000 and
10 not more than \$750,000.

11 (e) ~~\$2.22~~ \$2.29 per \$1000 of such gross receipts in excess of \$750,000 and
12 not more than \$1,000,000.

13 (f) ~~\$1.83~~ \$1.90 per \$1000 of such gross receipts in excess of \$1,000,000 and
14 not more than \$2,000,000.

15 (g) ~~\$1.44~~ \$1.51 per \$1000 of such gross receipts in excess of \$2,000,000 and
16 not more than \$5,000,000.

17 (h) ~~\$1.06~~ \$1.13 per \$1000 of gross receipts in excess of \$5,000,000 and not
18 more than \$10,000,000.

19 (i) ~~\$.90~~ \$.97 per \$1000 of such gross receipts in excess of \$10,000,000 and
20 not more than \$25,000,000.

21 (j) ~~\$.75~~ \$.82 per \$1000 of such gross receipts in excess of \$25,000,000 and
22 not more than \$100,000,000.

23 (k) ~~\$.63 and one-half cents~~ \$.71 per \$1000 of such gross receipts in excess
24 of \$100,000,000.

25 * * *

26 C. If the amounts contained in the fund provided for in this Section are in
27 excess of that necessary to fund the operations of the commission, then that excess
28 shall be ~~retained in such funds subject to the requirements of Article VII, Section~~
29 ~~9(B) of the Constitution of Louisiana relative to the Bond Security and Redemption~~

1 ~~Fund and shall be subject to appropriations by the legislature in subsequent years~~
2 rebated by the state to the respective motor carrier or public utility, as described in
3 Subsection A of this Section, within ninety days of the end of each fiscal year. In the
4 event the Utility and Carrier Inspection and Supervision Fund ceases to exist for the
5 purpose of its creation, the assessments therefor likewise shall cease to exist.

6 * * *

7 Section 2. This Act shall become effective on July 1, 2015.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 786 Engrossed

2015 Regular Session

Leger

Abstract: Increases certain fees relative to motor carriers and public utilities in the state of La.

Present law requires certain motor carriers and public utilities subject to the control of the Public Service Commission (commission) to pay certain fees for the inspection, control, and supervision of their business service and rates.

Present law requires such fees to be paid quarterly and in a certain amount per \$1000 for gross receipts of carriers derived from activities subject to the control and jurisdiction of the commission.

Proposed law increases the fees of present law by \$.07 per \$1000 for gross receipts in amounts ranging from \$1000 to \$100,000,000.

Proposed law increases the fee of present law by \$.08 per \$1000 for gross receipts in excess of \$100,000,000.

Present law provides for an amount equal to the fees collected in present law to be deposited into the "Utility and Carrier Inspection and Supervision Fund", hereinafter "fund." Provides for amounts in the fund to be used for the operations of the La. Public Service Commission. Proposed law retains present law.

Amounts in the fund in excess of that necessary for the operations of the commission are subject to constitutional provisions of present law. Present law further subjects such amounts in excess to appropriations by the legislature. Proposed law changes these provisions of present law to require amounts in excess to be rebated to the motor carriers or public utilities within 90 days of the end of each fiscal year.

Effective July 1, 2015.

(Amends R.S. 45:1177(A)(2) and (C))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Commerce to the original bill:

1. Modify present law relative to amounts in excess contained in the Utility and Carrier Inspection and Supervision Fund (fund). Require amounts in the fund in excess of that necessary for the operations of the La. Public Service Commission to be rebated by the state to the motor carriers or public utilities within 90 days of the end of each fiscal year.