

1 S.230

2 Senator Bray moves that the bill be amended as follows:

3 First: After Sec. 26, by inserting a reader guide and Secs. 26a and 26b to  
4 read:

5 \* \* \* Funding Regional Commission Energy Planning;

6 Gross Receipts Tax \* \* \*

7 Sec. 26a. 30 V.S.A. § 22 is amended to read:

8 § 22. TAX TO FINANCE DEPARTMENT OF PUBLIC SERVICE AND  
9 PUBLIC SERVICE BOARD

10 (a) For the purpose of maintaining the Department of Public Service and  
11 Public Service Board, including expenses related to maintaining an adequate  
12 engineering, legal, and administrative force in the Department of Public  
13 Service and paying all the expenses incident thereof, including rents, each  
14 person, partnership, association, or private or municipal corporation  
15 conducting a business subject to the supervision of the Department of Public  
16 Service and Public Service Board, including electric cooperatives, shall pay  
17 into the State Treasury on or before April 15 annually, in addition to the taxes  
18 now required by law to be paid, a tax, at the rate hereinafter named, according  
19 to the nature of the public service business engaged in by such person,  
20 partnership, association, or private or municipal corporation, based on the  
21 gross operating revenue received by such person, partnership, association, or

1 private or municipal corporation in the conduct of such business in the State  
2 during the year next preceding, as shown by the annual report filed on or  
3 before such date with the Department of Public Service on the form prescribed  
4 by it and containing such information as may be necessary to enable the  
5 Department to determine the amount of the tax payable. The rate of tax for  
6 each type of public service company shall be the following:

7 (1) ~~for~~ For companies, cooperative, municipal or privately owned,  
8 generating, distributing, selling or transmitting electric energy, 0.0050 of gross  
9 operating revenue; For the three fiscal years beginning on July 1, 2016, there  
10 shall be an increment added to this tax of 0.0003 of gross operating revenue so  
11 that the total tax rate under this subdivision (1) is 0.0053 during each of those  
12 three fiscal years. Notwithstanding any contrary provision of subsection (c) or  
13 (d) of this section or any other provision of law, the amounts raised by this  
14 additional increment shall be allocated to the Department for the sole purpose  
15 of disbursement to each regional planning commission established under  
16 24 V.S.A. chapter 117, on a pro rata basis, to be used to adopt or amend an  
17 energy element of the regional plan that is consistent with the goals of  
18 24 V.S.A. § 4302(c)(7) and that implements 24 V.S.A. § 4348a(a)(3) and to  
19 seek certification of energy compliance under 24 V.S.A. § 4352.

20 (2) ~~for~~ For telephone companies, 0.0050 of gross operating revenue or  
21 \$500.00 whichever is greater;\_

1           (3) ~~for~~ For gas companies, 0.0030 of gross operating revenue;\_

2           (4) ~~for~~ For water companies, 0.001 of gross operating revenue or \$5.00,  
3 whichever is greater;\_

4           (5) ~~for~~ For companies owning or operating a cable television system,  
5 0.005 of gross operating revenue or \$25.00, whichever is greater, \$25,000.00  
6 of which shall be used each year by the Department for special planning  
7 functions relating to cable television systems;\_

8           (6) ~~for~~ For companies whose sole telephone business consists of owning  
9 customer-owned, coin-operated telephones with total annual revenues of less  
10 than \$5,000.00, the choice of either 0.0050 of gross operating revenue from  
11 telephone revenues or the amount of \$20.00; ~~and~~ \_

12           (7) ~~for~~ For all other companies named in section 203 of this title, 0.001  
13 of gross operating revenues.

14           (b) The tax levied under this section shall not apply to sales of electrical  
15 power for resale.

16           (c) Of the revenue deposited into the special fund for the maintenance of  
17 engineering and accounting forces, 40 percent shall be allocated to the Public  
18 Service Board and 60 percent shall be allocated to the Department of Public  
19 Service.

20           (d)(1) On June 30 of each year, any balance in the amount allocated to the  
21 Public Service Board from the special fund for the maintenance of engineering

1 and accounting forces, after accounting for expenditures and encumbrances, in  
2 excess of 20 percent of the Board's allocation for that year shall be used in the  
3 manner provided by subdivision (3) of this subsection.

4 (2) On June 30 of each year, any balance in the amount allocated to the  
5 Department of Public Service from the special fund for the maintenance of  
6 engineering and accounting forces, after accounting for expenditures and  
7 encumbrances, in excess of 20 percent of the Department's allocation for that  
8 year shall be used in the manner provided by subdivision (3) of this subsection.

9 (3) The excess balances determined under subdivisions (1) and (2) of  
10 this subsection shall be used in the next succeeding year to directly reduce the  
11 rates otherwise collected from the ratepayers of this State for the costs of the  
12 telephone lifeline program authorized by subsection 218(c) of this title.

13 Sec. 26b. 30 V.S.A. § 22(a)(1) is amended to read:

14 (1) For companies, cooperative, municipal or privately owned,  
15 generating, distributing, selling or transmitting electric energy, 0.0050 of gross  
16 operating revenue. ~~For the three fiscal years beginning July 1, 2016, there~~  
17 ~~shall be an increment added to this tax of 0.0003 of gross operating revenue so~~  
18 ~~that the total tax rate under this subdivision (1) is 0.0050 during each of those~~  
19 ~~three fiscal years. Notwithstanding any contrary provision of subsections (e)~~  
20 ~~and (d) of this section or any other provision of law, the amounts raised by this~~  
21 ~~additional increment shall be allocated to the Department for the sole purpose~~

1 ~~of disbursement to each regional planning commission established under~~  
2 ~~24 V.S.A. chapter 117 on a pro rata basis to be used to adopt or amend an~~  
3 ~~energy element of the regional plan that is consistent with the goals of~~  
4 ~~24 V.S.A. § 4302(c)(7) and that implements 24 V.S.A. § 4348a(a)(3) and to~~  
5 ~~seek certification of energy compliance under 24 V.S.A. § 4352.~~

6 Second: In Sec. 27 (effective dates), by inserting a subdivision (3) to read:

7 (3) Sec. 26b, amending 30 V.S.A. § 22(a)(1), shall take effect on July 1,  
8 2019.