

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

As Engrossed: S3/26/99

A Bill

SENATE BILL 884

5 By: Senator Fitch
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For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE 26-26-1603 TO PROVIDE
10 THAT THE TAX DIVISION OF THE PUBLIC SERVICE COMMISSION
11 SHALL ONLY REQUIRE TELEPHONE COMPANIES TO PROVIDE
12 INFORMATION NECESSARY FOR THE TAX DIVISION TO PERFORM
13 ITS DUTIES REGARDING TELEPHONE COMPANIES; AND FOR
14 OTHER PURPOSES. "

Subtitle

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16 "AN ACT TO PROVIDE THAT THE TAX DIVISION
17 OF THE PUBLIC SERVICE COMMISSION SHALL
18 ONLY REQUIRE TELEPHONE COMPANIES TO
19 PROVIDE INFORMATION NECESSARY FOR THE
20 TAX DIVISION TO PERFORM ITS DUTIES
21 REGARDING TELEPHONE COMPANIES. "
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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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27 SECTION 1. *Arkansas Code 26-26-1603 is amended to read as follows:*

28 *"26-26-1603. Information to be furnished.*

29 *(a) Each company, as defined in § 26-26-1601, except telephone*
30 *companies, as defined in § 26-26-1601, shall annually on or before March 1,*
31 *make and deliver to the Tax Division of the Arkansas Public Service*
32 *Commission, in such form as the division may prescribe, a statement of the*
33 *proper official, agent, or person of the company, showing in detail the*
34 *following facts:*

35 *(1) Name of company;*

36 *(2) The status of the company, whether person, firm, company,*

1 copartnership, association, or corporation, and under the laws of what state
2 or country organized or incorporated;

3 (3) Location of its principal office within or without Arkansas;

4 (4) Name and post office address of the owner, president,
5 secretary, general manager, and agent having control of the company's affairs
6 in this state;

7 (5) The par value of all outstanding capital stock and funded
8 debt of every kind, the market and, if no market, the actual value on January
9 1 next preceding;

10 (6) The total gross revenues, expenses, net revenues, and net
11 income, separately, from utility operation, nonutility operation, and
12 nonoperating properties, for the next preceding calendar year, both for the
13 State of Arkansas and all states if the company operates in states other than
14 Arkansas, in which latter case Arkansas' stated proportion of the total
15 revenues, expenses, and income must include not only revenues, expenses, and
16 income arising from intrastate business but also the state's due proportion of
17 the revenues, expenses, and income from interstate business;

18 (7) The total value of all real and personal property owned or
19 controlled by the company and situated outside of Arkansas on January 1 next
20 preceding showing separately that part used in connection with the daily
21 operations of the company and that part used otherwise, if there is any;

22 (8) A detailed statement of all real and personal property owned
23 or controlled by the company and situated in Arkansas on January 1 next
24 preceding, giving the description, location, and value thereof, and showing
25 separately that part used in connection with the daily operations of the
26 company and that part used otherwise, if there is any;

27 (9) Such other and additional information as to ownership,
28 amount, kind, location, operation, and value of property owned or controlled
29 as the division may require.

30 (b) The official, agent, or person of the company submitting the
31 ~~required~~ statement required in subsections (a) and (c), shall make and sign,
32 on the face of the required statement, the following declaration:

33 'I declare, under the penalties of perjury, that the foregoing statements
34 are true to the best of my knowledge and belief.'

35 (c) Each telephone company, as defined in § 26-26-1601, shall annually
36 on or before March 1, make and deliver to the Tax Division of the Arkansas

1 Public Service Commission, in such form as the division may prescribe, a
2 statement of the proper official, agent, or person of the telephone company,
3 showing in detail the following facts:

4 (1) Name of telephone company;

5 (2) The status of the telephone company, whether person, firm,
6 company, copartnership, association, or corporation, and under the laws of
7 what state or country organized or incorporated;

8 (3) Location of its principal office within or without Arkansas;

9 (4) Name and post office address of the owner, president,
10 secretary, general manager, and agent having control of the telephone
11 company's affairs in this state; and

12 (5) A detailed statement of all real and personal property owned
13 or controlled by the telephone company and situated in Arkansas on January 1
14 next preceding, giving the description, location, and original cost and net
15 book value after depreciation and showing separately that part used in
16 connection with the daily operations of the telephone company and that part
17 used otherwise, if there is any."

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19 SECTION 2. All provisions of this act of a general and permanent nature
20 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
21 Revision Commission shall incorporate the same in the Code.

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23 SECTION 3. If any provision of this act or the application thereof to
24 any person or circumstance is held invalid, such invalidity shall not affect
25 other provisions or applications of the act which can be given effect without
26 the invalid provision or application, and to this end the provisions of this
27 act are declared to be severable.

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29 SECTION 4. All laws and parts of laws in conflict with this act are
30 hereby repealed.

31 /s/ Fitch
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