

AMENDMENT

#18

OFFERED IN THE HOUSE

BY REPRESENTATIVE SEATON

TO: HCS CSSB 21(RES), Draft Version "K"

1 Page 1, line 11, following "properties;":

2 Insert "allowing the Alaska Industrial Development and Export Authority to issue
3 bonds for an oil processing facility; creating a fund to finance construction or
4 improvement of an oil or gas processing facility"

5

6 Page 28, following line 29:

7 Insert new bill sections to read:

8 "* Sec. 37. AS 44.88.140(a) is amended to read:

9 (a) Except as provided in AS 29.45.030(a)(1) **and AS 44.88.168**, the real and
10 personal property of the authority and its assets, income, and receipts are declared to
11 be the property of a political subdivision of the state and, together with any project or
12 development project financed under AS 44.88.155 - 44.88.159 or 44.88.172 -
13 44.88.177, and a leasehold interest created in a project or development project
14 financed under AS 44.88.155 - 44.88.159 or 44.88.172 - 44.88.177, devoted to an
15 essential public and governmental function and purpose, and the property, assets,
16 income, receipts, project, development project, and leasehold interests shall be exempt
17 from all taxes and special assessments of the state or a political subdivision of the
18 state, including, without limitation, all boroughs, cities, municipalities, school
19 districts, public utility districts, and other taxing units. All bonds of the authority are
20 declared to be issued by a political subdivision of the state and for an essential public
21 and governmental purpose and to be a public instrumentality, and the bonds, and the
22 interest on them, the income from them and the transfer of the bonds, and all assets,
23 income, and receipts pledged to pay or secure the payments of the bonds, or interest on

1 them, shall at all times be exempt from taxation by or under the authority of the state,
 2 except for inheritance and estate taxes and taxes on transfers by or in contemplation of
 3 death. Nothing in this section affects or limits an exemption from license fees,
 4 property taxes, or excise, income, or any other taxes, provided under any other law,
 5 nor does it create a tax exemption with respect to the interest of any business
 6 enterprise or other person, other than the authority, in any property, assets, income,
 7 receipts, project, development project, or lease whether or not financed under this
 8 chapter. By January 10 of each year, the authority shall submit to the governor a report
 9 describing the nature and extent of the tax exemption of the property, assets, income,
 10 receipts, project, development project, and leasehold interests of the authority under
 11 this section. The authority shall notify the legislature that the report is available.

12 * **Sec. 38.** AS 44.88 is amended by adding a new section to read:

13 **Sec. 44.88.168. Oil and gas infrastructure fund.** (a) The oil and gas
 14 infrastructure fund is established in the authority. The oil and gas infrastructure fund
 15 consists of money appropriated to the authority for deposit in the fund, and money
 16 deposited in the fund by the authority. The fund is not an account in the revolving loan
 17 fund established in AS 44.88.060, and the authority shall account for the fund
 18 separately from the revolving fund. Money in the fund may be used to finance the
 19 construction and improvement of an oil or gas processing facility on the North Slope
 20 and flow lines and other surface infrastructure for the facility.

21 (b) Notwithstanding AS 44.88.140, the state or a political subdivision of the
 22 state may levy a tax or special assessment on an oil or gas processing facility, flow
 23 lines, and other surface infrastructure for the facility financed by the oil and gas
 24 infrastructure fund.

25 (c) In this section, "North Slope" means that area of the state lying north of 68
 26 degrees North latitude."

27
 28 Renumber the following bill sections accordingly.

29
 30 Page 29, following line 21:

31 Insert a new bill section to read:

1 **"* Sec. 44.** The uncodified law of the State of Alaska is amended by adding a new section to
2 read:

3 LEGISLATIVE APPROVAL; NORTH SLOPE OIL OR GAS PROCESSING
4 FACILITY. (a) The Alaska Industrial Development and Export Authority may issue bonds to
5 finance the construction and improvement of an oil or gas processing facility on the Alaska
6 North Slope and flow lines and other surface infrastructure for the facility. The processing
7 facility, flow lines, and other surface infrastructure for the facility shall be used to secure
8 bonds issued under this section. The principal amount of the bonds provided by the authority
9 for the facility, flow lines, and other surface infrastructure may not exceed \$200,000,000 and
10 may include the costs of funding reserves and other costs of issuing the bonds that the
11 authority considers reasonable and appropriate. Notwithstanding AS 44.88.140, an oil or gas
12 processing facility, flow lines, and other surface infrastructure for the facility constructed or
13 financed by the oil and gas infrastructure fund are subject to taxes and special assessments of
14 the state or a political subdivision of the state.

15 (b) This section constitutes the legislative approval required by AS 44.88.095(g) and
16 44.88.690.

17 (c) The prohibition on the issuance of bonds in an amount exceeding \$400,000,000
18 under AS 44.88.095 does not apply to bonds issued under this section, and the principal
19 amount of bonds issued under this section may not be considered in determining whether the
20 limit in AS 44.88.095 has been reached."

21
22 Renumber the following bill section accordingly.

23
24 Page 29, line 24:

25 Delete "37"

26 Insert "39"

AMENDMENT

#19

OFFERED IN THE HOUSE

BY REPRESENTATIVE SEATON

TO: HCS CSSB 21(RES), Draft Version "K"

- 1 Page 1, lines 2 - 4:
2 Delete "providing a tax credit against the corporation income tax for qualified oil
3 and gas service industry expenditures;"
4
5 Page 4, line 5, through page 5, line 11:
6 Delete all material.
7
8 Renumber the following bill sections accordingly.
9
10 Page 29, line 5:
11 Delete "Section 13"
12 Insert "Section 12"
13
14 Page 29, line 6:
15 Delete "sec. 31"
16 Insert "sec. 30"
17
18 Page 29, line 7:
19 Delete "Sections 18 and 20 - 23"
20 Insert "Sections 17 and 19 - 22"
21 Delete "sec. 18"
22 Insert "sec. 17"
23

1 Page 29, line 9:

2 Delete "Section 19"

3 Insert "Section 18"

4

5 Page 29, line 20:

6 Delete "sec. 36"

7 Insert "sec. 35"

8

9 Page 29, line 24:

10 Delete "Sections 13, 20 - 23, 28, and 37"

11 Insert "Sections 12, 19 - 22, 27, and 36"

12

13 Page 29, line 25:

14 Delete "sec. 18"

15 Insert "sec. 17"

16 Delete "sec. 31"

17 Insert "sec. 30"

AMENDMENT

#20

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TO: HCS CSSB 21(RES), Draft Version "K"

1 Page 1, line 11, following "**properties**";:

2 Insert "**relating to the additional conservation surcharge on oil**;"

3

4 Page 25, following line 20:

5 Insert a new bill section to read:

6 "*** Sec. 33.** AS 43.55.300(a) is amended to read:

7 (a) Every producer of oil shall pay a surcharge of **\$.07 for each** [\$.04 PER]
8 barrel of oil produced from each lease or property in the state, less any oil the
9 ownership or right to which is exempt from taxation."

10

11 Renumber the following bill sections accordingly.

12

13 Page 29, line 20:

14 Delete "sec. 36"

15 Insert "sec. 37"

16

17 Page 29, line 24:

18 Delete "37"

19 Insert "38"

AMENDMENT

21

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TO: HCS CSSB 21(RES), Draft Version "K"

- 1 Page 24, line 13, following "section,":
- 2 Insert "for the first five years immediately following the commencement of production
- 3 subject to tax under AS 43.55.011(e),"

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#22

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TO: HCS CSSB 21(RES), Draft Version "K"

1 Page 11, line 10, following "AS 43.55.160(f)":

2 Insert "or (g)"

3

4 Page 24, following line 27:

5 Insert a new subsection to read:

6 "(g) In the calculation of an annual production tax value of a producer under
7 (a)(1) of this section, the gross value at the point of production of oil or gas produced
8 from a shale formation from a lease or property in the state is reduced by 20 percent
9 for the first three years immediately following the commencement of production
10 subject to tax under AS 43.55.011(e). A reduction under this subsection may not
11 reduce the gross value at the point of production below zero."

12

13 Reletter the following subsection accordingly.

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TO: HCS CSSB 21(RES), Draft Version "K"

1 Page 11, line 10, following "AS 43.55.160(f)":

2 Insert "or (g)"

3

4 Page 24, following line 27:

5 Insert a new subsection to read:

6 "(g) In the calculation of an annual production tax value of a producer under

7 (a)(1) of this section, the gross value at the point of production of oil or gas produced

8 from a shale formation from a lease or property in the state is reduced by 10 percent.

9 A reduction under this subsection may not reduce the gross value at the point of

10 production below zero."

11

12 Reletter the following subsection accordingly.

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#24

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TO: HCS CSSB 21(RES), Draft Version "K"

1 Page 1, line 5, following "state;":

2 Insert "**relating to the taxation of certain natural gas that is reinjected;**"

3

4 Page 12, following line 31:

5 Insert a new bill section to read:

6 "**Sec. 16.** AS 43.55.020(f) is amended to read:

7 (f) If oil or gas is produced but not sold, gas is produced but is stored in a gas
8 storage facility, or oil or gas is produced and sold under circumstances where the sale
9 price does not represent the prevailing value for oil or gas of like kind, character, or
10 quality in the field or area from which the product is produced, the department may
11 require the tax to be paid upon the basis of the value of oil or gas of the same kind,
12 quality, and character prevailing for that field or area during the calendar month of
13 production or sale. If an economic sale is available for gas and the producer
14 determines it is in the best interest of the producer to reinject rather than sell the
15 gas, the producer shall pay the tax on the volume of gas reinjected."

16

17 Renumber the following bill sections accordingly.

18

19 Page 29, line 6:

20 Delete "sec. 31"

21 Insert "sec. 32"

22

23 Page 29, line 7: