

AMENDMENT

#15

Tuck & Tarr

OFFERED IN THE HOUSE

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

1 Page 1, line 4:

2 Delete "rate"

3 Insert "rates"

4

5 Page 1, line 12:

6 Delete the second occurrence of "and"

7

8 Page 1, line 12, following "amendments":

9 Insert "; and providing for an effective date"

10

11 Page 2, following line 13:

12 Insert a new bill section to read:

13 "\* Sec. 3. AS 29.60.850(b), as amended by sec. 2 of this Act, is amended to read:

14 (b) Each fiscal year, the legislature may appropriate to the community revenue  
15 sharing fund an amount equal to 20 percent of the money received by the state  
16 during the previous calendar year under AS 43.55.011(g) [AS 43.20.030(c)]. The  
17 amount may not exceed

18 (1) \$60,000,000; or

19 (2) the amount that, when added to the fund balance on June 30 of the  
20 previous fiscal year, equals \$180,000,000."

21

22 Renumber the following bill sections accordingly.

23

Page 6, following line 9:

Insert a new bill section to read:

**\*\* Sec. 13.** AS 43.55.011(e), as amended by sec. 12 of this Act, is repealed and reenacted to read:

(e) There is levied on the producer of oil or gas a tax for all oil and gas produced each calendar year from each lease or property in the state, less any oil and gas the ownership or right to which is exempt from taxation or constitutes a landowner's royalty interest. Except as otherwise provided under (f), (j), (k), (o), and (p) of this section, the tax is equal to the sum of

(1) the annual production tax value of the taxable oil and gas as calculated under AS 43.55.160(a)(1) multiplied by 25 percent; and

(2) the sum, over all months of the calendar year, of the tax amounts determined under (q) of this section."

Renumber the following bill sections accordingly.

Page 7, following line 1:

Insert new bill sections to read:

**\*\* Sec. 16.** AS 43.55.011(o), as amended by sec. 15 of this Act, is amended to read:

(o) Notwithstanding other provisions of this section, for a calendar year before 2022, the tax levied under (e) of this section for each 1,000 cubic feet of gas for gas produced from a lease or property outside the Cook Inlet sedimentary basin and used in the state [, OTHER THAN GAS SUBJECT TO (p) OF THIS SECTION,] may not exceed the amount of tax for each 1,000 cubic feet of gas that is determined under (j)(2) of this section.

**\* Sec. 17.** AS 43.55.011 is amended by adding a new subsection to read:

(q) For each month of the calendar year for which the producer's average monthly production tax value under AS 43.55.160(a)(2) of a BTU equivalent barrel of the taxable oil and gas is more than \$30, the amount of tax for purposes of (e)(2) of this section is determined by multiplying the monthly production tax value of the taxable oil and gas produced during the month by the tax rate calculated as follows:

(1) if the producer's average monthly production tax value of a BTU equivalent barrel of the taxable oil and gas for the month is not more than \$92.50, the tax rate is 0.4 percent multiplied by the number that represents the difference between that average monthly production tax value of a BTU equivalent barrel and \$30; or

(2) if the producer's average monthly production tax value of a BTU equivalent barrel of the taxable oil and gas for the month is more than \$92.50, the tax rate is the sum of 25 percent and the product of 0.1 percent multiplied by the number that represents the difference between the average monthly production tax value of a BTU equivalent barrel and \$92.50, except that the sum determined under this paragraph may not exceed 50 percent."

Renumber the following bill sections accordingly.

Page 12, following line 12:

Insert a new bill section to read:

"\* Sec. 19. AS 43.55.020(a), as amended by sec. 18 of this Act, is repealed and reenacted to read:

(a) For a calendar year, a producer subject to tax under AS 43.55.011(e), (f), (h), (i), (p), or (q) shall pay the tax as follows:

(1) an installment payment of the estimated tax levied by AS 43.55.011(e), net of any tax credits applied as allowed by law, is due for each month of the calendar year on the last day of the following month; except as otherwise provided under (2) of this subsection, the amount of the installment payment is the sum of the following amounts, less 1/12 of the tax credits that are allowed by law to be applied against the tax levied by AS 43.55.011(e) for the calendar year, but the amount of the installment payment may not be less than zero:

(A) for oil and gas produced from leases or properties in the state outside the Cook Inlet sedimentary basin but not subject to AS 43.55.011(o) or (p), other than leases or properties subject to AS 43.55.011(f), the greater of

(i) zero; or

1 (ii) the sum of 25 percent and the tax rate calculated for  
2 the month under AS 43.55.011(q) multiplied by the remainder obtained  
3 by subtracting 1/12 of the producer's adjusted lease expenditures for the  
4 calendar year of production under AS 43.55.165 and 43.55.170 that are  
5 deductible for the leases or properties under AS 43.55.160 from the  
6 gross value at the point of production of the oil and gas produced from  
7 the leases or properties during the month for which the installment  
8 payment is calculated;

9 (B) for oil and gas produced from leases or properties subject  
10 to AS 43.55.011(f), the greatest of

11 (i) zero;

12 (ii) zero percent, one percent, two percent, three  
13 percent, or four percent, as applicable, of the gross value at the point of  
14 production of the oil and gas produced from all leases or properties  
15 during the month for which the installment payment is calculated; or

16 (iii) the sum of 25 percent and the tax rate calculated for  
17 the month under AS 43.55.011(q) multiplied by the remainder obtained  
18 by subtracting 1/12 of the producer's adjusted lease expenditures for the  
19 calendar year of production under AS 43.55.165 and 43.55.170 that are  
20 deductible for those leases or properties under AS 43.55.160 from the  
21 gross value at the point of production of the oil and gas produced from  
22 those leases or properties during the month for which the installment  
23 payment is calculated;

24 (C) for oil and gas produced from each lease or property  
25 subject to AS 43.55.011(j), (k), (o), or (p), the greater of

26 (i) zero; or

27 (ii) the sum of 25 percent and the tax rate calculated for  
28 the month under AS 43.55.011(q) multiplied by the remainder obtained  
29 by subtracting 1/12 of the producer's adjusted lease expenditures for the  
30 calendar year of production under AS 43.55.165 and 43.55.170 that are  
31 deductible under AS 43.55.160 for oil or gas, respectively, produced

1 from the lease or property from the gross value at the point of  
2 production of the oil or gas, respectively, produced from the lease or  
3 property during the month for which the installment payment is  
4 calculated;

5 (2) an amount calculated under (1)(C) of this subsection for oil or gas  
6 produced from a lease or property

7 (A) subject to AS 43.55.011(j), (k), or (o) may not exceed the  
8 product obtained by carrying out the calculation set out in AS 43.55.011(j)(1)  
9 or (2) or 43.55.011(o), as applicable, for gas or set out in AS 43.55.011(k)(1)  
10 or (2), as applicable, for oil, but substituting in AS 43.55.011(j)(1)(A) or (2)(A)  
11 or 43.55.011(o), as applicable, the amount of taxable gas produced during the  
12 month for the amount of taxable gas produced during the calendar year and  
13 substituting in AS 43.55.011(k)(1)(A) or (2)(A), as applicable, the amount of  
14 taxable oil produced during the month for the amount of taxable oil produced  
15 during the calendar year;

16 (B) subject to AS 43.55.011(p) may not exceed four percent of  
17 the gross value at the point of production of the oil or gas;

18 (3) an installment payment of the estimated tax levied by  
19 AS 43.55.011(i) for each lease or property is due for each month of the calendar year  
20 on the last day of the following month; the amount of the installment payment is the  
21 sum of

22 (A) the applicable tax rate for oil provided under  
23 AS 43.55.011(i), multiplied by the gross value at the point of production of the  
24 oil taxable under AS 43.55.011(i) and produced from the lease or property  
25 during the month; and

26 (B) the applicable tax rate for gas provided under  
27 AS 43.55.011(i), multiplied by the gross value at the point of production of the  
28 gas taxable under AS 43.55.011(i) and produced from the lease or property  
29 during the month;

30 (4) any amount of tax levied by AS 43.55.011(e) or (i), net of any  
31 credits applied as allowed by law, that exceeds the total of the amounts due as

1 installment payments of estimated tax is due on March 31 of the year following the  
2 calendar year of production."

3  
4 Renumber the following bill sections accordingly.

5  
6 Page 12, following line 31:

7 Insert a new bill section to read:

8 **"\* Sec. 21.** AS 43.55.020(d), as amended by sec. 20 of this Act, is repealed and reenacted to  
9 read:

10 (d) In making settlement with the royalty owner for oil and gas that is taxable  
11 under AS 43.55.011, the producer may deduct the amount of the tax paid on taxable  
12 royalty oil and gas, or may deduct taxable royalty oil or gas equivalent in value at the  
13 time the tax becomes due to the amount of the tax paid. If the total deductions of  
14 installment payments of estimated tax for a calendar year exceed the actual tax for that  
15 calendar year, the producer shall, before April 1 of the following year, refund the  
16 excess to the royalty owner. Unless otherwise agreed between the producer and the  
17 royalty owner, the amount of the tax paid under AS 43.55.011(e), (f), and (q) on  
18 taxable royalty oil and gas for a calendar year, other than oil and gas the ownership or  
19 right to which constitutes a landowner's royalty interest, is considered to be the gross  
20 value at the point of production of the taxable royalty oil and gas produced during the  
21 calendar year multiplied by a figure that is a quotient, in which

22 (1) the numerator is the producer's total tax liability under  
23 AS 43.55.011(e), (f), and (q) for the calendar year of production; and

24 (2) the denominator is the total gross value at the point of production  
25 of the oil and gas taxable under AS 43.55.011(e), (f), and (q) produced by the producer  
26 from all leases and properties in the state during the calendar year."

27  
28 Renumber the following bill sections accordingly.

29  
30 Page 15, following line 2:

31 Insert a new bill section to read:

1   **\*\* Sec. 25.** AS 43.55.023(a), as amended by sec. 24 of this Act, is amended to read:

2           (a) A producer or explorer may take a tax credit for a qualified capital  
3           expenditure as follows:

4                   (1) notwithstanding that a qualified capital expenditure may be a  
5           deductible lease expenditure for purposes of calculating the production tax value of oil  
6           and gas under AS 43.55.160(a), unless a credit for that expenditure is taken under  
7           AS 38.05.180(i), AS 41.09.010, AS 43.20.043, or AS 43.55.025, a producer or  
8           explorer that incurs a qualified capital expenditure may also elect to apply a tax credit  
9           against a tax levied by AS 43.55.011(e) in the amount of 20 percent of that  
10          expenditure; **however, not more than half of the tax credit may be applied for a**  
11          **single calendar year;**

12                   (2) a producer or explorer may take a credit for a qualified capital  
13          expenditure incurred in connection with geological or geophysical exploration or in  
14          connection with an exploration well only if the producer or explorer

15                           (A) agrees, in writing, to the applicable provisions of  
16                   AS 43.55.025(f)(2); and

17                           (B) submits to the Department of Natural Resources all data  
18                   that would be required to be submitted under AS 43.55.025(f)(2) [;

19                   (3) A CREDIT FOR A QUALIFIED CAPITAL EXPENDITURE  
20          INCURRED TO EXPLORE FOR, DEVELOP, OR PRODUCE OIL OR GAS  
21          DEPOSITS LOCATED NORTH OF 68 DEGREES NORTH LATITUDE MAY BE  
22          TAKEN ONLY IF THE EXPENDITURE IS INCURRED BEFORE JANUARY 1,  
23          2014]."

24  
25   Renumber the following bill sections accordingly.

26  
27   Page 15, following line 15:

28           Insert a new bill section to read:

29   **\*\* Sec. 27.** AS 43.55.023(b), as amended by sec. 26 of this Act, is amended to read:

30           (b) A [FOR LEASE EXPENDITURES INCURRED TO EXPLORE FOR,  
31          DEVELOP, OR PRODUCE OIL OR GAS DEPOSITS LOCATED SOUTH OF 68

1 DEGREES NORTH LATITUDE, A] producer or explorer may elect to take a tax  
 2 credit in the amount of 25 percent of a carried-forward annual loss. [FOR LEASE  
 3 EXPENDITURES INCURRED AFTER DECEMBER 31, 2013, TO EXPLORE FOR,  
 4 DEVELOP, OR PRODUCE OIL OR GAS DEPOSITS LOCATED NORTH OF 68  
 5 DEGREES NORTH LATITUDE, A PRODUCER OR EXPLORER MAY ELECT TO  
 6 TAKE A TAX CREDIT IN THE AMOUNT OF 35 PERCENT OF A CARRIED-  
 7 FORWARD ANNUAL LOSS.] A credit under this subsection may be applied against  
 8 a tax levied by AS 43.55.011(e). For purposes of this subsection, a carried-forward  
 9 annual loss is the amount of a producer's or explorer's adjusted lease expenditures  
 10 under AS 43.55.165 and 43.55.170 for a previous calendar year that was not  
 11 deductible in calculating production tax values for that calendar year under  
 12 AS 43.55.160."

13  
 14 Renumber the following bill sections accordingly.

15  
 16 Page 16, following line 9:

17 Insert a new bill section to read:

18 **"\* Sec. 29.** AS 43.55.023(d), as amended by sec. 28 of this Act, is repealed and reenacted to  
 19 read:

20 (d) A person that is entitled to take a tax credit under this section that wishes  
 21 to transfer the unused credit to another person or obtain a cash payment under  
 22 AS 43.55.028 may apply to the department for transferable tax credit certificates. An  
 23 application under this subsection must be in a form prescribed by the department and  
 24 must include supporting information and documentation that the department  
 25 reasonably requires. The department shall grant or deny an application, or grant an  
 26 application as to a lesser amount than that claimed and deny it as to the excess, not  
 27 later than 120 days after the latest of the following: March 31 of the year following the  
 28 calendar year in which the qualified capital expenditure or carried-forward annual loss  
 29 for which the credit is claimed was incurred; the date the statement required under  
 30 AS 43.55.030(a) or (e) was filed for the calendar year in which the qualified capital  
 31 expenditure or carried-forward annual loss for which the credit is claimed was



1 incurred; or the date the application was received by the department. If, based on the  
 2 information then available to it, the department is reasonably satisfied that the  
 3 applicant is entitled to a credit, the department shall issue the applicant two  
 4 transferable tax credit certificates, each for half of the amount of the credit. The credit  
 5 shown on one of the two certificates is available for immediate use. The credit shown  
 6 on the second of the two certificates may not be applied against a tax for a calendar  
 7 year earlier than the calendar year following the calendar year in which the certificate  
 8 is issued, and the certificate must contain a conspicuous statement to that effect. A  
 9 certificate issued under this subsection does not expire."

10  
 11 Renumber the following bill sections accordingly.

12  
 13 Page 16, following line 25:

14 Insert a new bill section to read:

15 **"\* Sec. 31.** AS 43.55.023(g), as amended by sec. 30 of this Act, is amended to read:

16 (g) The issuance of a transferable tax credit certificate under (d) or (p) of this  
 17 section or former (m) of this section or the purchase of a certificate under  
 18 AS 43.55.028 does not limit the department's ability to later audit a tax credit claim to  
 19 which the certificate relates or to adjust the claim if the department determines, as a  
 20 result of the audit, that the applicant was not entitled to the amount of the credit for  
 21 which the certificate was issued. The tax liability of the applicant under  
 22 AS 43.55.011(e) and 43.55.017 - 43.55.180 is increased by the amount of the credit  
 23 that exceeds that to which the applicant was entitled, or the applicant's available valid  
 24 outstanding credits applicable against the tax levied by AS 43.55.011(e) are reduced  
 25 by that amount. If the applicant's tax liability is increased under this subsection, the  
 26 increase bears interest under [AS 43.05.225(a) BEFORE JANUARY 1, 2014, OR  
 27 UNDER] AS 43.05.225(b)(1) [ON AND AFTER JANUARY 1, 2014,] from the date  
 28 the transferable tax credit certificate was issued. For purposes of this subsection, an  
 29 applicant that is an explorer is considered a producer subject to the tax levied by  
 30 AS 43.55.011(e)."  
 31

1 Renumber the following bill sections accordingly.

2  
3 Page 17, following line 8:

4 Insert new bill sections to read:

5 **"\* Sec. 33.** AS 43.55.023(n), as amended by sec. 32 of this Act, is amended to read:

6 (n) For the purposes of (l) and (p) of this section, a well lease expenditure  
7 incurred in the state south of 68 degrees North latitude is a lease expenditure that is

8 (1) directly related to an exploration well, a stratigraphic test well, a  
9 producing well, or an injection well other than a disposal well, located in the state  
10 south of 68 degrees North latitude, if the expenditure is a qualified capital expenditure  
11 and an intangible drilling and development cost authorized under 26 U.S.C. (Internal  
12 Revenue Code), as amended, and 26 C.F.R. 1.612-4, regardless of the elections made  
13 under 26 U.S.C. 263(c); in this paragraph, an expenditure directly related to a well  
14 includes an expenditure for well sidetracking, well deepening, well completion or  
15 recompletion, or well workover, regardless of whether the well is or has been a  
16 producing well; or

17 (2) an expense for seismic work conducted within the boundaries of a  
18 production or exploration unit.

19 **\* Sec. 34.** AS 43.55.023 is amended by adding a new subsection to read:

20 (p) For a lease expenditure incurred in the state south of 68 degrees North  
21 latitude after December 31, 2018, that qualifies for tax credits under (a) and (b) of this  
22 section, and for a well lease expenditure incurred in the state south of 68 degrees  
23 North latitude that qualifies for a tax credit under (l) of this section, the department  
24 shall issue transferable tax credit certificates to the person entitled to the credit for the  
25 full amount of the credit. The transferable tax credit certificates do not expire."  
26

27 Renumber the following bill sections accordingly.

28  
29 Page 21, following line 13:

30 Insert a new bill section to read:

31 **"\* Sec. 41.** AS 43.55.028(e), as amended by sec. 40 of this Act, is amended to read:

(e) The department, on the written application of a person to whom a transferable tax credit certificate has been issued under AS 43.55.023(d) or (p) or former AS 43.55.023(m) or to whom a production tax credit certificate has been issued under AS 43.55.025(f), may use available money in the oil and gas tax credit fund to purchase, in whole or in part, the certificate if the department finds that

(1) the calendar year of the purchase is not earlier than the first calendar year for which the credit shown on the certificate would otherwise be allowed to be applied against a tax;

(2) the applicant does not have an outstanding liability to the state for unpaid delinquent taxes under this title;

(3) the applicant's total tax liability under AS 43.55.011(e), after application of all available tax credits, for the calendar year in which the application is made is zero;

(4) the applicant's average daily production of oil and gas taxable under AS 43.55.011(e) during the calendar year preceding the calendar year in which the application is made was not more than 50,000 BTU equivalent barrels; and

(5) the purchase is consistent with this section and regulations adopted under this section."

Renumber the following bill sections accordingly.

Page 21, following line 23:

Insert a new bill section to read:

**\*\* Sec. 43.** AS 43.55.028(g), as amended by sec. 42 of this Act, is amended to read:

(g) The department may adopt regulations to carry out the purposes of this section, including standards and procedures to allocate available money among applications for purchases under this chapter and claims for refunds and payments under AS 43.20.046 or 43.20.047 when the total amount of the applications for purchase and claims for refund exceed the amount of available money in the fund. The regulations adopted by the department may not, when allocating available money in the fund under this section, distinguish an application for the purchase of a credit

1 certificate issued under AS 43.55.023(p) or former AS 43.55.023(m), or a claim for a  
 2 refund or payment under AS 43.20.046 or 43.20.047."

3  
 4 Renumber the following bill sections accordingly.

5  
 6 Page 22, following line 5:

7 Insert a new bill section to read:

8 **"\* Sec. 45.** AS 43.55.030(e), as amended by sec. 44 of this Act, is amended to read:

9 (e) An explorer or producer that incurs a lease expenditure under  
 10 AS 43.55.165 or receives a payment or credit under AS 43.55.170 during a calendar  
 11 year but does not produce oil or gas from a lease or property in the state during the  
 12 calendar year shall file with the department, on March 31 of the following year, a  
 13 statement, under oath, in a form prescribed by the department, giving, with other  
 14 information required, the following:

15 (1) the [EXPLORER'S OR] producer's qualified capital expenditures,  
 16 as defined in AS 43.55.023, other lease expenditures under AS 43.55.165, and  
 17 adjustments or other payments or credits under AS 43.55.170; and

18 (2) if the explorer or producer receives a payment or credit under  
 19 AS 43.55.170, calculations showing whether the explorer or producer is liable for a  
 20 tax under AS 43.55.160(d) or 43.55.170(b) and, if so, the amount."

21  
 22 Renumber the following bill sections accordingly.

23  
 24 Page 24, following line 10:

25 Insert a new bill section to read:

26 **"\* Sec. 47.** AS 43.55.160(a), as amended by sec. 46 of this Act, is repealed and reenacted to  
 27 read:

28 (a) Except as provided in (b) of this section, for the purposes of

29 (1) AS 43.55.011(e), the annual production tax value of the taxable oil,  
 30 gas, or oil and gas subject to this paragraph produced during a calendar year is the  
 31 gross value at the point of production of the oil, gas, or oil and gas taxable under

1 AS 43.55.011(e), less the producer's lease expenditures under AS 43.55.165 for the  
2 calendar year applicable to the oil, gas, or oil and gas, as applicable, produced by the  
3 producer from leases or properties, as adjusted under AS 43.55.170; this paragraph  
4 applies to

5 (A) oil and gas produced from leases or properties in the state  
6 that include land north of 68 degrees North latitude, other than gas produced  
7 before 2022 and used in the state;

8 (B) oil and gas produced from leases or properties in the state  
9 outside the Cook Inlet sedimentary basin, no part of which is north of 68  
10 degrees North latitude; this subparagraph does not apply to

11 (i) gas produced before 2022 and used in the state; or

12 (ii) oil and gas subject to AS 43.55.011(p);

13 (C) oil produced before 2022 from a lease or property in the  
14 Cook Inlet sedimentary basin;

15 (D) gas produced before 2022 from a lease or property in the  
16 Cook Inlet sedimentary basin;

17 (E) gas produced before 2022 from a lease or property in the  
18 state outside the Cook Inlet sedimentary basin and used in the state;

19 (F) oil and gas subject to AS 43.55.011(p) produced from  
20 leases or properties in the state;

21 (G) oil and gas produced from a lease or property no part of  
22 which is north of 68 degrees North latitude, other than oil or gas described in  
23 (B), (C), (D), (E), or (F) of this paragraph;

24 (2) AS 43.55.011(q), the monthly production tax value of the taxable

25 (A) oil and gas produced during a month from leases or  
26 properties in the state that include land north of 68 degrees North latitude is the  
27 gross value at the point of production of the oil and gas taxable under  
28 AS 43.55.011(e) and produced by the producer from those leases or properties,  
29 less 1/12 of the producer's lease expenditures under AS 43.55.165 for the  
30 calendar year applicable to the oil and gas produced by the producer from  
31 those leases or properties, as adjusted under AS 43.55.170; this subparagraph

1 does not apply to gas subject to AS 43.55.011(o);

2 (B) oil and gas produced during a month from leases or  
3 properties in the state outside the Cook Inlet sedimentary basin, no part of  
4 which is north of 68 degrees North latitude, is the gross value at the point of  
5 production of the oil and gas taxable under AS 43.55.011(e) and produced by  
6 the producer from those leases or properties, less 1/12 of the producer's lease  
7 expenditures under AS 43.55.165 for the calendar year applicable to the oil and  
8 gas produced by the producer from those leases or properties, as adjusted under  
9 AS 43.55.170; this subparagraph does not apply to gas subject to  
10 AS 43.55.011(o);

11 (C) oil produced during a month from a lease or property in the  
12 Cook Inlet sedimentary basin is the gross value at the point of production of  
13 the oil taxable under AS 43.55.011(e) and produced by the producer from that  
14 lease or property, less 1/12 of the producer's lease expenditures under  
15 AS 43.55.165 for the calendar year applicable to the oil produced by the  
16 producer from that lease or property, as adjusted under AS 43.55.170;

17 (D) gas produced during a month from a lease or property in  
18 the Cook Inlet sedimentary basin is the gross value at the point of production  
19 of the gas taxable under AS 43.55.011(e) and produced by the producer from  
20 that lease or property, less 1/12 of the producer's lease expenditures under  
21 AS 43.55.165 for the calendar year applicable to the gas produced by the  
22 producer from that lease or property, as adjusted under AS 43.55.170;

23 (E) gas produced during a month from a lease or property  
24 outside the Cook Inlet sedimentary basin and used in the state is the gross  
25 value at the point of production of that gas taxable under AS 43.55.011(e) and  
26 produced by the producer from that lease or property, less 1/12 of the  
27 producer's lease expenditures under AS 43.55.165 for the calendar year  
28 applicable to that gas produced by the producer from that lease or property, as  
29 adjusted under AS 43.55.170."

30  
31 Renumber the following bill sections accordingly.

1

2 Page 25, following line 20:

3 Insert a new subsection to read:

4 "(h) Notwithstanding any contrary provision of AS 43.55.150, for purposes of  
 5 calculating a monthly production tax value under (a)(2) of this section, the gross value  
 6 at the point of production of the oil and gas is calculated under regulations adopted by  
 7 the department that provide for using an appropriate monthly share of the producer's  
 8 costs of transportation for the calendar year."

9

10 Page 29, following line 2:

11 Insert a new bill section to read:

12 "\*\* Sec. 55. AS 43.55.020(*l*), 43.55.024(i), 43.55.024(j), 43.55.160(f), and 43.55.160(g) are  
 13 repealed."

14

15 Page 29, line 5:

16 Delete "Section 13 of this Act and AS 43.55.160(a)(1)(E), as amended by sec. 31"

17 Insert "Section 15 of this Act, AS 43.55.160(a)(1)(E), as amended by sec. 46 of this  
 18 Act, and AS 43.55.160(f) and (g) as enacted by sec. 48"

19

20 Page 29, line 7:

21 Delete "Sections 18 and 20 - 23"

22 Insert "Sections 24, 28, 30, 32, and 35"

23 Delete "sec. 18"

24 Insert "sec. 24"

25

26 Page 29, line 9:

27 Delete "Section 19"

28 Insert "Section 26"

29

30 Page 29, following line 10:

31 Insert a new subsection to read:

1       "(d) AS 43.55.160(h), enacted by sec. 48 of this Act, applies to the transportation of  
2 oil and gas produced on and after the effective date of sec. 13 of this Act."

3  
4 Page 29, line 20:

5       Delete "sec. 36"

6       Insert "sec. 52"

7  
8 Page 29, line 24:

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

10       Insert "Sections 15, 28, 30, 32, and 53"

11  
12 Page 29, following line 26:

13       Insert new bill sections to read:

14       **"\* Sec. 60.** The uncoded law of the State of Alaska is amended by adding a new section to  
15 read:

16       **CONDITIONAL EFFECT.** Sections 3, 13, 16, 17, 19, 21, 25, 27, 29, 31, 33, 34, 41,  
17 43, 45, 47, and 55 of this Act, and AS 43.55.160(h) in sec. 48 of this Act take effect only if  
18 the volume of oil production for the calendar year 2017 does not exceed the volume of oil  
19 produced for the 2012 calendar year by more than 10 percent. The commissioner of natural  
20 resources shall notify the lieutenant governor and the revisor of statutes before January 1,  
21 2018, or as soon as practicable thereafter, if the volume of oil production for the calendar year  
22 2017 is greater than the volume of oil produced during the 2012 calendar year.

23       **\* Sec. 61.** If secs. 3, 13, 16, 17, 19, 21, 25, 27, 29, 31, 33, 34, 41, 43, 45, 47, and 55 of this  
24 Act, and AS 43.55.160(h) in sec. 48 of this Act take effect under sec. 59 of this Act, they take  
25 effect January 1, 2018."



*Tucker & Tarr*

**AMENDMENT**

*#16*

OFFERED IN THE HOUSE

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

1 Page 1, line 4:

2 Delete "rate"

3 Insert "rates"

4

5 Page 6, following line 9:

6 Insert a new bill section to read:

7 **\*\* Sec. 11. AS 43.55.011(f) is repealed and reenacted to read:**

8 (f) Except for oil and gas subject to (i) of this section and gas subject to (o) of  
9 this section, the provisions of this subsection apply to oil and gas produced after  
10 December 31, 2013, from each lease or property within a unit or nonunitized reservoir  
11 that has cumulatively produced 1,000,000,000 BTU equivalent barrels of oil or gas by  
12 the close of the most recent calendar year and from which the average daily oil and  
13 gas production from the unit or nonunitized reservoir during the most recent calendar  
14 year exceeded 100,000 BTU equivalent barrels. Notwithstanding any contrary  
15 provision of law, a producer may not apply tax credits to reduce its total tax liability  
16 under (e) of this section for oil and gas produced from all leases or properties within  
17 the unit or nonunitized reservoir below 10 percent of the total gross value at the point  
18 of production of that oil and gas. If the amount of tax calculated by multiplying the tax  
19 rates in (e) of this section by the total production tax value of the oil and gas taxable  
20 under (e) of this section produced from all of the producer's leases or properties within  
21 the unit or nonunitized reservoir is less than 10 percent of the total gross value at the  
22 point of production of that oil and gas, the tax levied by (e) of this section for that oil  
23 and gas is equal to 10 percent of the total gross value at the point of production of that

1 oil and gas."

2

3 Renumber the following bill sections accordingly.

4

5 Page 10, lines 27 - 31:

6 Delete all material and insert:

7

8 "(ii) 10 percent of the gross value at the point of  
production of the oil and gas produced from the leases or  
properties during the month for which the installment payment is  
calculated; or"

10

11

12 Page 11, line 8:

13 Delete "a 20 percent"

14 Insert "an"

15

16 Page 29, line 5:

17 Delete "Section 13"

18 Insert "Section 14"

19

20 Page 29, line 6:

21 Delete "sec. 31"

22 Insert "sec. 32"

23

24 Page 29, line 7:

25 Delete "Sections 18 and 20 - 23"

26 Insert "Sections 19 and 21 - 24"

27 Delete "sec. 18"

28 Insert "sec. 19"

29

30 Page 29, line 9:

31 Delete "Section 19"

1           Insert "Section 20"

2

3   Page 29, line 20:

4           Delete "sec. 36"

5           Insert "sec. 37"

6

7   Page 29, line 24:

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

9           Insert "Sections 14, 21 - 24, 29, and 38"

10

11   Page 29, line 25:

12          Delete "sec. 18"

13          Insert "sec. 19"

14          Delete "sec. 31"

15          Insert "sec. 32"

**AMENDMENT**

#17

*Tuelix Tarr*

OFFERED IN THE HOUSE

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

- 1 Page 24, line 22:
- 2 Delete "2014"
- 3 Insert "2017"