

**HOUSE BILL NO. 144**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - FIRST SESSION

**BY REPRESENTATIVE GARA**

**Introduced: 3/11/15**

**Referred: Transportation, Resources, Finance**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to fees based on certain capital expenditures for oil and gas production**  
2 **and exploration, and fees based on the use of the James Dalton Highway by owners of**  
3 **the Trans Alaska Pipeline System, to offset the cost of maintenance of the James Dalton**  
4 **Highway; and providing for an effective date."**

5 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

6 \* **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section  
7 to read:

8 SHORT TITLE. This Act may be known as the Oil and Gas Company Road Subsidy  
9 Reduction Act.

10 \* **Sec. 2.** AS 19.40 is amended by adding new sections to read:

11 **Article 2. James Dalton Highway Use Fee.**

12 **Sec. 19.40.215. James Dalton Highway use fee.** (a) A fee is levied each year  
13 in an amount set under (c) of this section that is a percentage of the capital  
14 expenditures of an explorer or producer of oil or gas interests or reserves north of 68

1 degrees North latitude that uses the James Dalton Highway to explore for the reserves  
2 or access the oil or gas interests.

3 (b) A fee is levied each year on the owners of the Trans Alaska Pipeline  
4 System who use the James Dalton Highway to access the Trans Alaska Pipeline  
5 System. The Department of Revenue shall apportion the fee among the owners based  
6 on the department's calculation of each owner's use of the James Dalton Highway.

7 (c) The department shall determine the cost to the state during the preceding  
8 fiscal year for maintenance and operation of the James Dalton Highway and for  
9 maintenance and operation of state-owned facilities that are adjacent to the James  
10 Dalton Highway, except for recreational facilities. The department shall inform the  
11 Department of Revenue of the amount equal to 60 percent of this cost, and the  
12 Department of Revenue shall set the rate of the fees in (a) and (b) of this section at a  
13 level sufficient to generate revenue approximately equal to this amount.

14 (d) The legislature may annually appropriate an amount equal to the revenue  
15 collected from the fees under this section for maintenance of the James Dalton  
16 Highway or for any other public purpose.

17 **Sec. 19.40.220. Collection.** (a) The Department of Revenue shall collect and  
18 enforce the fees imposed under AS 19.40.215 - 19.40.290.

19 (b) A fee levied under AS 49.40.215 is payable to the Department of Revenue  
20 on or before June 30 each year.

21 (c) The provisions of AS 43.05 and AS 43.10 apply to the enforcement and  
22 collection of a fee levied under AS 19.40.215 - 19.40.290.

23 **Sec. 19.40.225. Returns.** The Department of Revenue may require an  
24 explorer, producer, or Trans Alaska Pipeline System owner to furnish information that  
25 the department considers necessary to calculate the amount of a fee or penalty under  
26 AS 19.40.215 - 19.40.290.

27 **Sec. 19.40.230. Regulations.** The department and the Department of Revenue  
28 shall adopt regulations to implement AS 19.40.215 - 19.40.290, including regulations  
29 providing for notification to explorers, producers, and Trans Alaska Pipeline System  
30 owners of the fee amount due and the date that the fee is due each year.

31 \* **Sec. 3.** AS 19.40.290 is amended to read:

1                   **Sec. 19.40.290. Definitions [DEFINITION].**

2           In this chapter,

3                           **(1) "explorer" has the meaning given in AS 43.55.900;**

4                           **(2) "highway" means the secondary highway from the Yukon River to**  
5           the Arctic Ocean;

6                           **(3) "producer" has the meaning given in AS 43.55.900.**

7           \* **Sec. 4.** This Act takes effect January 1, 2017.