

Introduced: 6/11/81
Referred: Judiciary

1 IN THE SENATE

BY THE TRANSPORTATION COMMITTEE

2

SENATE RESOLUTION NO. 15

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

TWELFTH LEGISLATURE - FIRST SESSION

5

Relating to litigation involving the
6 challenge to the constitutionality
7 of AS 43.21, the oil and gas corpor-
8 ate income tax, and directing the
9 Legislative Council to seek status
10 as amicus curiae in the litigation.

11

BE IT RESOLVED BY THE SENATE:

12

WHEREAS the legislature has enacted AS 43.21, a law establishing an oil
13 and gas corporate income tax; and

14

WHEREAS litigation has been filed challenging the constitutionality of
15 the oil and gas corporate income tax in the superior court for the State of
16 Alaska at Anchorage; and

17

WHEREAS the litigation is still pending in the court and trial on the
18 merits of the case is not anticipated for a number of months; and

19

WHEREAS the issues presented by the case are extremely significant to
20 the future financial condition of the state; and

21

WHEREAS the disposition of the issues presented by the case presently
22 involves the gain or loss to the state of hundreds of millions of dollars;
23 and

24

WHEREAS it has been established that the resolution of the litigation
25 in 1985 could, if the case were lost by the state, require the state to
26 return as much as \$9 billion to the oil and gas company taxpayers; and

27

WHEREAS the Senate believes that the state's existing taxation and
28 leasing policies provide significant incentives for petroleum exploration
29 and development in the state; and