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Referred: Oil & Gas, Resources
and Finance

6-0454A

1 IN THE SENATE

BY ADAMS

2

SENATE BILL NO. 97

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IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to the oil and gas properties pro-
7 duction tax; and providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 43.55.013(b) is repealed and reenacted to read:

10 (b) The economic limit factor for oil production of a lease or
11 property shall be computed according to the following formula:

12 $(1 - [PEL/TP]) \exp ([55,000,000 \times WD] / [PEL \times TP/Days])$

13 where: PEL = the monthly production rate at the economic limit;

14 TP = the total production during the month for which the tax
15 is to be paid;

16 WD = the total number of well days in the month for which
17 the tax is to be paid;

18 Days = the number of days in the month for which the tax is to
19 be paid; and

20 where "exp" indicates that the expression following it is an exponent.

21 * Sec. 2. AS 43.55.013(d) is amended to read:

22 (d) The monthly production rate at the economic limit for a
23 lease or property is [PRESUMED TO BE] 300 barrels times the number of
24 well days for the lease or property during the month for which the tax
25 is to be paid. [THE TAXPAYER MAY REBUT THIS PRESUMPTION AT A FORMAL
26 HEARING UNDER AS 43.05.240 BY PROVIDING CLEAR AND CONVINCING EVIDENCE
27 OF A DIFFERENT MONTHLY PRODUCTION RATE AT THE ECONOMIC LIMIT FOR THE
28 LEASE OR PROPERTY. THE HEARING SHALL BE HELD BEFORE FEBRUARY 15 OF
29 THE YEAR OR WITHIN SIX MONTHS AFTER COMMENCEMENT OF OIL PRODUCTION FOR

1 A LEASE OR PROPERTY. THE MONTHLY PRODUCTION RATE AT THE ECONOMIC
2 LIMIT FOR THE LEASE OR PROPERTY BASED UPON THE CLEAR AND CONVINCING
3 EVIDENCE OF THE TAXPAYER SHALL BE CALCULATED BY DIVIDING THE VALUE
4 DETERMINED UNDER (f) OF THIS SECTION INTO THE AVERAGE MONTHLY DIRECT
5 OPERATING COST DETERMINED UNDER (e) OF THIS SECTION AND SHALL BE USED
6 FOR PURPOSES OF THIS SECTION FOR ALL OIL PRODUCTION DURING THAT CALEN-
7 DAR YEAR FROM THE LEASE OR PROPERTY.]

8 * Sec. 3. AS 43.55.013(e) and (f) are repealed.

9 * Sec. 4. This Act is retroactive to January 1, 1989, and applies to
10 oil produced after December 31, 1988.

11 * Sec. 5. This Act takes effect immediately under AS 01.10.070(c).