Petroleum Release Remedial Action Fee

The petroleum release remedial action fee is imposed upon the importer, refiner, or distributor who first sells, offers for sale, or uses petroleum in Nebraska. The fee is three-tenths of one cent (.003) per gallon on motor vehicle fuels such as gasoline and gasohol and one-tenth of one cent (.001) on all other petroleum products.

Revenue from the fee is placed in the Petroleum Release Remedial Action Cash Fund. If the unobligated balance of the fund falls below $2 million, an additional fee of three-tenths of one cent per gallon on motor vehicle fuels and one-tenth of one cent per gallon on all other petroleum products will be collected until the cash balance of the fund reaches $4 million. If the unobligated balance of the fund reaches $5 million, the Department of Revenue will stop collecting the fee until the unobligated fund balance falls below $3 million. (Currently, the fee is six-tenths of one cent (.006) per gallon on gasoline and two-tenths of one cent (.002) per gallon on all other petroleum products.)

Table 20

Petroleum Release Remedial Action Fee

Month	Gallons Subject to the Fee		1997 Total Gallons	1996 Total Gallons	1997 Total Fee
	Motor Vehicle Fuels	Other Petroleum Products			
January	63,494,876	58,404,721	121,899,597	120,352,657	$ 497,779
February	56,550,184	54,842,065	111,392,249	109,502,619	448,985
March	66,517,877	74,092,487	140,610,364	134,759,988	547,292
April	65,752,341	72,003,367	137,755,708	140,976,455	538,521
May	71,700,631	83,809,798	155,510,429	140,054,678	597,823
June	71,563,057	77,432,434	148,995,491	145,241,705	584,243
July	79,936,528	96,714,181	176,650,709	165,813,537	673,048
August	74,868,762	83,348,158	158,216,920	144,048,014	615,909
September	70,098,881	69,527,094	139,625,975	127,275,033	559,648
October	74,370,692	86,058,191	160,428,883	155,461,862	618,341
November	66,834,869	66,191,537	133,026,406	133,773,135	533,392
December	70,574,360	68,866,818	139,441,178	130,855,763	561,180
Total	**832,263,058**	**891,290,851**	**1,723,553,909**	**1,648,115,446**	**$6,776,161**

Motor Fuels Tax Rates

For 1997 the quarterly motor fuels tax rates are as follows: January through March, 25.3 cents; April through June, 24.9 cents; July through September, 24.5 cents; and October through December 24.6 cents. The tax rate consists of a fixed portion of 12.5 cents per gallon and a variable portion which is set each calendar quarter. The variable portion of the rate is determined by multiplying the average statewide cost of motor fuels purchased by the State of Nebraska by the variable excise tax percent rate which is set by the State Board of Equalization and Assessment. The motor fuels tax rate is also adjusted each quarter to offset the amount of tax not collected in the previous calendar quarter due to the ethanol producer credit. Ethanol producers located in Nebraska are entitled to a 20-cent per gallon ethanol production tax credit in the form of transferable motor fuels tax credit certificates. When the amount of tax credits issued meets or exceeds a certain percentage of the total amount of motor fuels tax collected during the calendar quarter, the motor fuels tax rate is increased by a proportional amount to compensate for the lost revenue.

The quarterly motor fuels tax rate applies to the motor vehicle fuels, diesel fuel, and interstate motor carrier's tax programs.

Two cents of the fixed portion of the motor fuels tax rate is credited to the Highway Allocation Fund. The remaining 10.5 cents of the fixed portion is credited to the Highway Trust Fund. Revenue generated by the variable portion of the tax rate is credited to Highway Cash Fund. Motor fuels tax revenue credited to the Highway Trust Fund is combined with other sources of highway user revenue and distributed to the Highway Cash Fund (53 1/3 percent) and the Highway Allocation Fund (46 2/3 percent). Highway Allocation Fund revenue is distributed 50 percent to cities and 50 percent to counties.

Chronology of Motor Fuels Tax Rates

	Aircraft Fuel		Petroleum Release Fee				Variable Excise Tax		Total Tax	
Effective Date	Gas ¢/Gall.	Jet ¢/Gall.	M.V. Fuels ¢/Gallon	Other Prod. ¢/Gallon	Gasohol ¢/Gallon	Motor Fuel & Diesel Fuel ¢/Gallon	Percent	¢/Gallon	Gasohol ¢/Gallon	M.F. & D.F. ¢/Gallon
Jan. 1, 1989	5	3	—	—	9.5	12.5	10.4	5.7	15.2	18.2
April 1, 1989	5	3	—	—	9.5	12.5	10.4	6.0	15.5	18.5
July 1, 1989	5	3	—	—	9.5	12.5	12.9	9.8	19.3	22.3
Oct. 1, 1989	5	3	0.003	0.001	9.5	12.5	14.2	9.5	19.0	22.0
Dec. 1, 1989	5	3	0.003	0.001	9.5	12.5	14.2	9.5	19.0	22.0
April 1, 1990	5	3	0.003	0.001	9.5	12.5	14.2	10.3	19.8	22.8
July 1, 1990	5	3	0.003	0.001	9.5	12.5	13.8	9.4	18.9	21.9
July 10, 1990	5	3	0.003	0.001	10.5	12.5	13.8	9.4	19.9	21.9
Oct. 1, 1990	5	3	0.003	0.001	10.5	12.5	13.8	8.9	19.4	21.4
Jan. 1, 1991	5	3	0.003	0.001	10.5	12.5	13.8	14.0	24.5	26.5
April 1, 1991	5	3	0.003	0.001	10.5	12.5	13.8	11.4	21.9	23.9
July 1, 1991	5	3	0.003	0.001	10.5	12.5	15.4	11.2	21.7	23.7
Oct. 1, 1991	5	3	0.003	0.001	10.5	12.5	15.4	10.9	21.4	23.4
Jan. 1, 1992	5	3	0.003	0.001	10.5	12.5	15.4	11.3	21.8	23.8
April 1, 1992	5	3	0.003	0.001	10.5	12.5	15.4	9.2	19.7	21.7
July 1, 1992	5	3	0.003	0.001	10.5	12.5	16.4	11.1	21.6	23.6
Oct. 1, 1992	5	3	0.006	0.002	10.5	12.5	16.4	11.5	22.0	24.0
Jan. 1, 1993	5	3	0.006	0.002	12.5	12.5	16.4	12.1	24.6	24.6
April 1, 1993	5	3	0.006	0.002	12.5	12.5	16.4	10.2	22.7	22.7
July 1, 1993	5	3	0.006	0.002	12.5	12.5	15.6	11.8	24.3	24.3
Oct. 1, 1993	5	3	0.006	0.002	12.5	12.5	17.6	11.3	23.8	23.8
Jan. 1, 1994	5	3	0.006	0.002	12.5	12.5	17.6	13.5	26.0	26.0
April 1, 1994	5	3	0.006	0.002	12.5	12.5	17.6	10.9	23.4	23.4
July 1, 1994	5	3	0.006	0.002	12.5	12.5	17.2	11.4	23.9	23.9
Oct. 1, 1994	5	3	0.006	0.002	12.5	12.5	17.2	12.3	24.8	24.8
Jan. 1, 1995	5	3	0.006	0.002	12.5	12.5	17.2	11.7	24.2	24.2
April 1, 1995	5	3	0.006	0.002	12.5	12.5	17.2	11.5	24.0	24.0
June 1, 1995	5	3	0.006	0.002	12.5	12.5	18.7	13.2	25.7	25.7
Oct. 1, 1995	5	3	0.006	0.002	12.5	12.5	18.7	12.3	24.8	24.8
Jan. 1, 1996	5	3	0.006	0.002	12.5	12.5	18.7	12.6	25.1	25.1
April 1, 1996	5	3	0.006	0.002	12.5	12.5	18.7	13.2	25.7	25.7
July 1, 1996	5	3	0.006	0.002	12.5	12.5	16.6	13.9	26.4	26.4
Oct. 1, 1996	5	3	0.006	0.002	12.5	12.5	16.6	12.8	25.3	25.3
Jan. 1, 1997	5	3			12.5	12.5	14.5	12.8	25.3	25.3
April 1, 1997	5	3			12.5	12.5	14.5	12.4	24.9	24.9
July 1, 1997	5	3			12.5	12.5	16.2	12.3	24.8	24.8
Oct. 1, 1997	5	3			12.5	12.5	16.2	12.0	24.5	24.5