

HOUSE AMENDMENTS TO A-ENGROSSED HOUSE BILL 2707

By COMMITTEE ON REVENUE

March 6

1 On page 1 of the printed A-engrossed bill, delete lines 5 through 23 and delete pages 2 and 3
2 and insert:

3 **“SECTION 1. (1) The Oregon Rainy Day Fund is established as an account in the General**
4 **Fund.**

5 **“(2) The Legislative Assembly may appropriate moneys from the Oregon Rainy Day Fund**
6 **only if the appropriation is approved by three-fifths of the members serving in each house**
7 **of the Legislative Assembly and the Legislative Assembly finds one of the following:**

8 **“(a) That the last quarterly economic and revenue forecast for a biennium indicates that**
9 **moneys available to the General Fund for the next biennium will be at least three percent**
10 **less than appropriations from the General Fund for the current biennium;**

11 **“(b) That there has been a decline for two or more consecutive quarters in the last 12**
12 **months in seasonally adjusted nonfarm payroll employment; or**

13 **“(c) That a quarterly economic and revenue forecast projects that revenues in the Gen-**
14 **eral Fund in the current biennium will be at least two percent below what the revenues were**
15 **projected to be in the revenue forecast on which the legislatively adopted budget for the**
16 **current biennium was based.**

17 **“(3) Once each month, the Oregon Department of Administrative Services shall calculate**
18 **the amount of General Fund interest that is attributable to moneys in the Oregon Rainy Day**
19 **Fund. Except as otherwise provided in section 6 of this 2007 Act, the department shall**
20 **transfer the amount calculated under this subsection to the Oregon Rainy Day Fund.**

21 **“(4) The Legislative Assembly may not appropriate for any one biennium more than**
22 **two-thirds of the amount that is in the Oregon Rainy Day Fund at the beginning of that**
23 **biennium. If the appropriation is for a biennium that has not yet begun, the Legislative As-**
24 **sembly may use as the base the most recent estimate of the amount that will be in the**
25 **Oregon Rainy Day Fund at the beginning of the biennium for which the appropriation is**
26 **made.**

27 **“(5) As used in this section, ‘legislatively adopted budget’ has the meaning given that**
28 **term in ORS 291.002.**

29 **“SECTION 2. Pursuant to section 14 (6)(a), Article IX of the Oregon Constitution, the**
30 **Legislative Assembly increases the amount of the estimate of revenues that will be received**
31 **from corporate income and excise taxes for the biennium beginning July 1, 2005, to \$975**
32 **million.**

33 **“SECTION 3. (1) Except as provided in subsection (2) of this section, any positive differ-**
34 **ence between the actual amount of revenues collected from corporate income and excise**
35 **taxpayers for the biennium beginning July 1, 2005, and the estimate made for that biennium**

1 pursuant to section 14 (1), Article IX of the Oregon Constitution, shall be distributed as fol-
2 lows:

3 “(a) The amount of \$24.8 million shall be deposited in the General Fund; and

4 “(b) The remainder shall be deposited in the Oregon Rainy Day Fund established by sec-
5 tion 1 of this 2007 Act.

6 “(2) If the actual amount of revenues collected from corporate income and excise tax-
7 payers for the biennium beginning July 1, 2005, exceeds the amount of the estimate made in
8 section 2 of this 2007 Act by two percent or more:

9 “(a) The difference between the actual amount of revenues and the estimate made in
10 section 2 of this 2007 Act shall be returned to corporate income and excise taxpayers in the
11 manner provided in ORS 291.349; and

12 “(b) The difference between the estimate of revenues made in section 2 of this 2007 Act
13 and the estimate made for the biennium beginning July 1, 2005, pursuant to section 14 (1),
14 Article IX of the Oregon Constitution, shall be distributed as follows:

15 “(A) The amount of \$24.8 million shall be deposited in the General Fund; and

16 “(B) The remainder shall be deposited in the Oregon Rainy Day Fund established by
17 section 1 of this 2007 Act.

18 “SECTION 4. (1) As used in this section:

19 “(a) ‘Ending balance’ means the difference between the amount of General Fund revenues
20 collected during a biennium and the amount of General Fund appropriations for the
21 biennium.

22 “(b) ‘General Fund appropriations’ means the amount of moneys appropriated from the
23 General Fund for a biennium in the legislatively approved budget for the biennium, minus
24 the amount of any General Fund appropriation balances for that biennium that revert to the
25 General Fund under ORS 293.190.

26 “(c) ‘Legislatively approved budget’ has the meaning given that term in ORS 291.002.

27 “(2) Except as provided in section 6 of this 2007 Act, as soon as possible after the ending
28 balance for a biennium is determined, an amount equal to one percent of the amount of
29 General Fund appropriations for that biennium shall be transferred to the Oregon Rainy Day
30 Fund established by section 1 of this 2007 Act. If the ending balance does not equal or exceed
31 one percent of the amount of General Fund appropriations, an amount equal to the ending
32 balance shall be transferred to the Oregon Rainy Day Fund.

33 “SECTION 5. Section 4 of this 2007 Act applies to ending balances for biennia beginning
34 on or after July 1, 2007.

35 “SECTION 6. (1) If the moneys in the Oregon Rainy Day Fund established by section 1
36 of this 2007 Act just prior to the time of a transfer scheduled under section 1 (3) or 4 of this
37 2007 Act equal at least 7-1/2 percent of the amount of General Fund revenues collected dur-
38 ing the prior biennium, moneys that would otherwise be transferred to the Oregon Rainy
39 Day Fund shall be deposited in the General Fund.

40 “(2) If the moneys in the Oregon Rainy Day Fund just prior to the time of a transfer
41 scheduled under section 1 (3) or 4 of this 2007 Act do not equal at least 7-1/2 percent of the
42 amount of General Fund revenues collected during the prior biennium, the transfer to the
43 Oregon Rainy Day Fund shall be made regardless of whether that transfer increases the
44 amount in the Oregon Rainy Day Fund to at least 7-1/2 percent of the amount of General
45 Fund revenues collected during the prior biennium.

1 **“SECTION 7. This 2007 Act being necessary for the immediate preservation of the public**
2 **peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect**
3 **on its passage.”.**

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