

House Bill 2784

Sponsored by Representative SHIELDS; Representatives BUCKLEY, GALIZIO, GARRARD, HARKER, RILEY, G SMITH, Senators BOQUIST, GEORGE, MORRISSETTE, WHITSETT

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Creates Task Force on Oversight of Financial Institutions Receiving Funds from the Troubled Asset Relief Program. Provides that task force shall evaluate need for regulation of operations of financial institutions licensed, certified or chartered in this state that receive funds from program.

Sunsets task force on date of convening of next regular biennial legislative session.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to Oregon financial institutions that receive funds from the Troubled Asset Relief Program;
3 and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. (1) There is created the Task Force on Oversight of Financial Institutions**
6 **Receiving Funds from the Troubled Asset Relief Program, consisting of seven members ap-**
7 **pointed as follows:**

8 (a) **The President of the Senate shall appoint:**

9 (A) **Two members from among members of the Senate; and**

10 (B) **A member who represents financial institutions, as defined in ORS 706.008, that are**
11 **licensed, certified or chartered in this state.**

12 (b) **The Speaker of the House of Representatives shall appoint:**

13 (A) **Two members from among members of the House of Representatives; and**

14 (B) **A member who represents financial institutions, as defined in ORS 706.008, that are**
15 **licensed, certified or chartered in this state.**

16 (c) **The Director of the Department of Consumer and Business Services shall appoint a**
17 **member who represents the department.**

18 (2) **The task force shall evaluate the need for and extent of regulation that will apply to**
19 **the operations of financial institutions, as defined in ORS 706.008, that are licensed, certified**
20 **or chartered in this state and that receive funds from the Troubled Asset Relief Program**
21 **created under the Emergency Economic Stabilization Act of 2008, P.L. 110-343, in order to**
22 **ensure that the financial institutions meet the goals of the Troubled Asset Relief Program**
23 **and the obligations set forth under the provisions of the program. As part of the task force's**
24 **evaluation, the task force shall receive quarterly reports from financial institutions de-**
25 **scribed in this section. The quarterly reports must be in a form and with contents prescribed**
26 **by the Director of the Department of Consumer and Business Services and shall at a mini-**
27 **imum:**

28 (a) **Disclose the amount of funds the financial institution received under the Troubled**
29 **Asset Relief Program during the previous quarter;**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 (b) Identify the purposes for which the financial institution requested funds from the
 2 Troubled Asset Relief Program;

3 (c) Describe the uses to which the financial institution put the funds received in the
 4 previous quarter; and

5 (d) Identify the financial institution's plans for the use or disposition of the funds in fu-
 6 ture quarters and the financial institution's plans, if any, to request additional funds under
 7 the Troubled Asset Relief Program.

8 (3) The task force may administer oaths and affirmations, subpoena witnesses, compel
 9 the attendance of the witnesses, take evidence and require the production of books, papers,
 10 correspondence, memoranda, agreements and other documents or records that the task
 11 force considers relevant or material to the purposes described in subsection (2) of this sec-
 12 tion. Unless otherwise required by law, the task force shall treat documents and other evi-
 13 dence the task force receives as information received in confidence, as described in ORS
 14 192.502 (4), and as information that is not subject to disclosure under ORS 192.410 to 192.505.

15 (4) A majority of the members of the task force constitutes a quorum for the transaction
 16 of business.

17 (5) Official action by the task force requires the approval of a majority of the members
 18 of the task force.

19 (6) The Director of the Department of Consumer and Business Services, or the director's
 20 designee, shall serve as the task force's chairperson.

21 (7) If there is a vacancy for any cause, the appointing authority shall make an appoint-
 22 ment to become immediately effective.

23 (8) The task force shall meet at times and places specified by the call of the chairperson
 24 or of a majority of the members of the task force.

25 (9) The task force may adopt rules necessary for the operation of the task force.

26 (10) The task force shall submit a report, and may include recommendations for legis-
 27 lation, to an interim committee of the Legislative Assembly related to banking and finance
 28 no later than October 1, 2010.

29 (11) The Department of Consumer and Business Services shall provide staff support to
 30 the task force.

31 (12) Members of the task force who are not members of the Legislative Assembly are not
 32 entitled to compensation, but may be reimbursed for actual and necessary travel and other
 33 expenses incurred by them in the performance of their official duties in the manner and
 34 amounts provided for in ORS 292.495. Claims for expenses incurred in performing functions
 35 of the task force shall be paid out of funds appropriated to the Department of Consumer and
 36 Business Services for purposes of the task force.

37 (13) All agencies of state government, as defined in ORS 174.111, are directed to assist
 38 the task force in the performance of the task force's duties and, to the extent permitted by
 39 laws relating to confidentiality, to furnish such information and advice as the members of
 40 the task force consider necessary to perform the members' duties.

41 **SECTION 2.** Section 1 of this 2009 Act is repealed on the date of the convening of the next
 42 regular biennial legislative session.

43 **SECTION 3.** This 2009 Act being necessary for the immediate preservation of the public
 44 peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect
 45 on its passage.

