

Senate Bill 27

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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**.

Requires interest on moneys in General Fund to be deposited into Oregon Rainy Day Fund. Modifies amount transferred to Oregon Rainy Day Fund each biennium to one percent of amount of General Fund appropriations, less amount of interest deposited during biennium.

A BILL FOR AN ACT

1
2 Relating to Oregon Rainy Day Fund; creating new provisions; and amending ORS 293.140, 293.144,
3 293.146 and 293.148.

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

5 **SECTION 1.** ORS 293.140 is amended to read:

6 293.140. Except as otherwise provided by law, all interest received on deposits of state funds
7 shall accrue to and become a part of the [*General Fund*] **Oregon Rainy Day Fund established by**
8 **ORS 293.144.**

9 **SECTION 2.** ORS 293.144 is amended to read:

10 293.144. (1) The Oregon Rainy Day Fund is established as an account in the General Fund.

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

14 (a) That the last quarterly economic and revenue forecast for a biennium indicates that moneys
15 available to the General Fund for the next biennium will be at least three percent less than appro-
16 priations from the General Fund for the current biennium;

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

19 (c) That a quarterly economic and revenue forecast projects that revenues in the General Fund
20 in the current biennium will be at least two percent below what the revenues were projected to be
21 in the revenue forecast on which the legislatively adopted budget for the current biennium was
22 based.

23 [(3) *Once each month, the Oregon Department of Administrative Services shall calculate the amount*
24 *of General Fund interest that is attributable to moneys in the Oregon Rainy Day Fund. Except as*
25 *otherwise provided in ORS 293.148, the department shall transfer the amount calculated under this*
26 *subsection to the Oregon Rainy Day Fund.*]

27 [(4)] (3) The Legislative Assembly may not appropriate for any one biennium more than two-
28 thirds of the amount that is in the Oregon Rainy Day Fund at the beginning of that biennium. If the
29 appropriation is for a biennium that has not yet begun, the Legislative Assembly may use as the
30 base the most recent estimate of the amount that will be in the Oregon Rainy Day Fund at the be-

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 ginning of the biennium for which the appropriation is made.

2 [(5)] (4) As used in this section, “legislatively adopted budget” has the meaning given that term
 3 in ORS 291.002.

4 **SECTION 3.** ORS 293.146 is amended to read:

5 293.146. (1) As used in this section:

6 (a) “Ending balance” means the difference between the amount of General Fund revenues col-
 7 lected during a biennium and the amount of General Fund appropriations for the biennium.

8 (b) “General Fund appropriations” means the amount of moneys appropriated from the General
 9 Fund for a biennium in the legislatively approved budget for the biennium, minus the amount of any
 10 General Fund appropriation balances for that biennium that revert to the General Fund under ORS
 11 293.190.

12 (c) “Legislatively approved budget” has the meaning given that term in ORS 291.002.

13 (2) Except as provided in ORS 293.148, as soon as possible after the ending balance for a
 14 biennium is determined, an amount equal to one percent of the amount of General Fund appropri-
 15 ations for that biennium, **less the amount of interest deposited in the Oregon Rainy Day Fund**
 16 **during the biennium under ORS 293.140**, shall be transferred to the Oregon Rainy Day Fund es-
 17 tablished by ORS 293.144. If the ending balance does not equal or exceed one percent of the amount
 18 of General Fund appropriations, **less the amount of interest deposited in the Oregon Rainy Day**
 19 **Fund during the biennium under ORS 293.140**, an amount equal to the ending balance shall be
 20 transferred to the Oregon Rainy Day Fund.

21 **SECTION 4.** ORS 293.148 is amended to read:

22 293.148. (1) If the moneys in the Oregon Rainy Day Fund established by ORS 293.144 just prior
 23 to the time of a transfer scheduled under ORS [293.144 (3) or] 293.146 equal at least 7-1/2 percent
 24 of the amount of General Fund revenues collected during the prior biennium, moneys that would
 25 otherwise be transferred to the Oregon Rainy Day Fund shall be deposited in the General Fund.

26 (2) If the moneys in the Oregon Rainy Day Fund just prior to the time of a transfer scheduled
 27 under ORS [293.144 (3) or] 293.146 do not equal at least 7-1/2 percent of the amount of General Fund
 28 revenues collected during the prior biennium, the transfer to the Oregon Rainy Day Fund shall be
 29 made regardless of whether that transfer increases the amount in the Oregon Rainy Day Fund to
 30 at least 7-1/2 percent of the amount of General Fund revenues collected during the prior biennium.

31 **SECTION 5. The amendments to ORS 293.140, 293.144, 293.146 and 293.148 by sections 1**
 32 **to 4 of this 2009 Act first apply to the biennium beginning July 1, 2011.**