

## HOUSE AMENDMENTS TO A-ENGROSSED HOUSE BILL 4079

By COMMITTEE ON REVENUE

February 17

- 1 On page 1 of the printed A-engrossed bill, line 2, after “184.484,” insert “192.502,”.
- 2 In line 3, after “469B.106,” insert “469B.109, 469B.148,” and after “469B.256,” insert  
3 “469B.276,”.
- 4 On page 2, line 29, delete “the end of any tax year that ends on or before the preceding” and  
5 after “31” insert “of any tax year”.
- 6 In line 30, delete “and”
- 7 On page 3, delete lines 38 through 44 and insert:
- 8 “(2) After a tax credit certificate has been sold as provided in ORS 315.326, the State Depart-  
9 ment of Energy may not revoke the certificate.”.
- 10 On page 6, line 5, delete “(a)”.
- 11 In line 6, delete “(A)” and insert “(a)”.
- 12 In line 9, delete “(B)” and insert “(b)”.
- 13 Delete lines 10 and 11.
- 14 On page 8, delete lines 13 through 21 and insert:
- 15 “**SECTION 10.** ORS 469B.344 is amended to read:
- 16 “469B.344. (1)(a) The total amount of potential tax credits for all transportation projects in this  
17 state may not, at the time of preliminary certification under ORS 469B.329, exceed \$20 million for  
18 any biennium.
- 19 “(b) **For each tax year, the Director of the State Department of Energy may allocate a**  
20 **percentage of the amount allowed in paragraph (a) of this subsection to alternative fuel ve-**  
21 **hicle infrastructure projects and a percentage to transit services.**
- 22 “(2) **Notwithstanding ORS 315.336, in the event that the director receives applications for**  
23 **preliminary certification with a total amount of potential tax credits in excess of the limits**  
24 **set by the director pursuant to subsection (1)(b) of this section, the director shall allocate**  
25 **the issuance of preliminary certifications among applicants as follows:**
- 26 “(a) **If an excess of applications for credits for transit services is received, the director**  
27 **shall allocate the issuance of preliminary certifications among applicants for credits for**  
28 **transit services and proportionately reduce the amount of allowed credit, with no applicant**  
29 **receiving more than 20 percent of the amount established under subsection (1)(b) of this**  
30 **section for transit services.**
- 31 “(b) **The director may allocate the issuance of preliminary certifications among appli-**  
32 **cants for credits for alternative fuel vehicle infrastructure projects and may award credits**  
33 **for less than the amount otherwise allowed applicants.**
- 34 “(c) **If, after making any reductions required under paragraph (a) of this subsection, an**  
35 **unallocated amount remains, the director shall allocate this additional amount among appli-**

1 **cants affected by the percentage restriction in paragraph (a) of this subsection.”.**

2 On page 13, after line 6, insert:

3 **“SECTION 13a.** ORS 469B.109 is amended to read:

4 “469B.109. (1) The owner of an alternative fuel vehicle as defined in ORS 469B.100 may transfer  
5 a tax credit otherwise allowed under ORS 316.116 for cost of the vehicle in exchange for a cash  
6 payment equal to the present value of the **potential** tax credit, **as determined at the time of the**  
7 **application for preliminary certification.**

8 “(2) The State Department of Energy may establish by rule uniform discount rates to be used  
9 in [*calculating the present value of a tax credit*] **the calculation required** under this section.”.

10 In line 7, delete “and 469B.106” and insert “, 469B.106 and 469B.109” and delete “and 13” and  
11 insert “, 13 and 13a”.

12 On page 14, delete lines 8 and 9 and insert:

13 “(d) A credit under this section may be claimed only once for each unit of biomass.”.

14 On page 15, line 10, after “facility” insert “, other than a renewable energy resource equipment  
15 manufacturing facility,” and after “469B.157” insert “that remains outstanding as of July 1, 2011,”.

16 On page 16, line 23, delete “State Department of Energy” and insert “Oregon Business Devel-  
17 opment Department”.

18 Delete lines 30 through 35 and insert:

19 **“SECTION 20.** ORS 469B.276 is amended to read:

20 “469B.276. (1) The owner of a project may transfer a tax credit for the project in exchange for  
21 a cash payment equal to the present value of the **potential** tax credit, **as determined at the time**  
22 **of the application for preliminary certification.**

23 “(2) The State Department of Energy shall establish by rule a formula to be employed in the  
24 determination of prices of credits transferred under this section. In establishing the formula the  
25 department shall incorporate inflation projections and market real rate of return.

26 “(3) The department shall recalculate credit transfer prices quarterly, employing the formula  
27 established under subsection (2) of this section.”.

28 On page 19, line 3, before “469B.285” insert “469B.276,” and delete “21 and 22” and insert “20  
29 to 22”.

30 After line 5, insert:

31 **“SECTION 23a.** ORS 469B.148 is amended to read:

32 “469B.148. (1) The owner of a facility may transfer a tax credit for the facility in exchange for  
33 a cash payment equal to the present value of the **potential** tax credit, **as determined at the time**  
34 **of the application for preliminary certification.**

35 “(2) The State Department of Energy shall establish by rule a formula to be employed in the  
36 determination of prices of credits transferred under this section. In establishing the formula the  
37 department shall incorporate inflation projections and market real rate of return.

38 “(3) The department shall recalculate credit transfer prices quarterly, employing the formula  
39 established under subsection (2) of this section.

40 “(4) Notwithstanding any other provision of law, a tax credit transferred pursuant to this section  
41 does not decrease the amount of taxes required to be reported by a public utility.”.

42 Delete lines 13 through 15 and insert:

43 “(2) This section applies to:

44 “(a) ORS 285C.175, 285C.309, 285C.362, 307.123, 307.455, 307.462, 315.141, 315.331, 315.336,  
45 315.341, 315.507, 315.514, 316.698, 316.778, 317.124, 317.391 and 317.394.

1 “(b) Grants awarded under ORS 469B.256 in any tax year in which certified renewable energy  
2 contributions are received as provided in ORS 315.326.

3 “(c) ORS 315.354 except as applicable in ORS 469B.145 (2)(a)(L) or (N).

4 “(d) ORS 316.116, if the allowed credit exceeds \$2,000.”.

5 In line 18, after “taxpayer” insert “or applicant” and after “expenditure” insert “or a grant  
6 award under ORS 469B.256”.

7 In line 19, after “taxpayer” insert “or applicant”.

8 In line 21, after “taxpayer” insert “or applicant”.

9 In line 23, after “taxpayer” insert “or applicant”.

10 In line 26, after “taxpayer” insert “or applicant”.

11 In line 27, after “taxpayer” insert “or applicant”.

12 On page 20, line 2, delete “315.326,”.

13 In line 3, delete “316.116,”.

14 After line 6, insert:

15 “(3) Applications for tax credits pursuant to ORS 316.116 that are allowed in tax years beginning  
16 on or after January 1, 2012.

17 “(4) Applications for grants under ORS 469B.256 that are awarded in fiscal years ending on or  
18 after June 30, 2012.”.

19 In line 7, delete “(3)” and insert “(5)”.

20 After line 9, insert:

21 “**SECTION 26.** ORS 192.502 is amended to read:

22 “192.502. The following public records are exempt from disclosure under ORS 192.410 to 192.505:

23 “(1) Communications within a public body or between public bodies of an advisory nature to the  
24 extent that they cover other than purely factual materials and are preliminary to any final agency  
25 determination of policy or action. This exemption shall not apply unless the public body shows that  
26 in the particular instance the public interest in encouraging frank communication between officials  
27 and employees of public bodies clearly outweighs the public interest in disclosure.

28 “(2) Information of a personal nature such as but not limited to that kept in a personal, medical  
29 or similar file, if public disclosure would constitute an unreasonable invasion of privacy, unless the  
30 public interest by clear and convincing evidence requires disclosure in the particular instance. The  
31 party seeking disclosure shall have the burden of showing that public disclosure would not consti-  
32 tute an unreasonable invasion of privacy.

33 “(3) Public body employee or volunteer addresses, Social Security numbers, dates of birth and  
34 telephone numbers contained in personnel records maintained by the public body that is the em-  
35 ployer or the recipient of volunteer services. This exemption:

36 “(a) Does not apply to the addresses, dates of birth and telephone numbers of employees or  
37 volunteers who are elected officials, except that a judge or district attorney subject to election may  
38 seek to exempt the judge’s or district attorney’s address or telephone number, or both, under the  
39 terms of ORS 192.445;

40 “(b) Does not apply to employees or volunteers to the extent that the party seeking disclosure  
41 shows by clear and convincing evidence that the public interest requires disclosure in a particular  
42 instance;

43 “(c) Does not apply to a substitute teacher as defined in ORS 342.815 when requested by a  
44 professional education association of which the substitute teacher may be a member; and

45 “(d) Does not relieve a public employer of any duty under ORS 243.650 to 243.782.

1           “(4) Information submitted to a public body in confidence and not otherwise required by law to  
2 be submitted, where such information should reasonably be considered confidential, the public body  
3 has obliged itself in good faith not to disclose the information, and when the public interest would  
4 suffer by the disclosure.

5           “(5) Information or records of the Department of Corrections, including the State Board of  
6 Parole and Post-Prison Supervision, to the extent that disclosure would interfere with the rehabili-  
7 tation of a person in custody of the department or substantially prejudice or prevent the carrying  
8 out of the functions of the department, if the public interest in confidentiality clearly outweighs the  
9 public interest in disclosure.

10           “(6) Records, reports and other information received or compiled by the Director of the De-  
11 partment of Consumer and Business Services in the administration of ORS chapters 723 and 725 not  
12 otherwise required by law to be made public, to the extent that the interests of lending institutions,  
13 their officers, employees and customers in preserving the confidentiality of such information out-  
14 weighs the public interest in disclosure.

15           “(7) Reports made to or filed with the court under ORS 137.077 or 137.530.

16           “(8) Any public records or information the disclosure of which is prohibited by federal law or  
17 regulations.

18           “(9)(a) Public records or information the disclosure of which is prohibited or restricted or oth-  
19 erwise made confidential or privileged under Oregon law.

20           “(b) Subject to ORS 192.423, paragraph (a) of this subsection does not apply to factual informa-  
21 tion compiled in a public record when:

22           “(A) The basis for the claim of exemption is ORS 40.225;

23           “(B) The factual information is not prohibited from disclosure under any applicable state or  
24 federal law, regulation or court order and is not otherwise exempt from disclosure under ORS  
25 192.410 to 192.505;

26           “(C) The factual information was compiled by or at the direction of an attorney as part of an  
27 investigation on behalf of the public body in response to information of possible wrongdoing by the  
28 public body;

29           “(D) The factual information was not compiled in preparation for litigation, arbitration or an  
30 administrative proceeding that was reasonably likely to be initiated or that has been initiated by  
31 or against the public body; and

32           “(E) The holder of the privilege under ORS 40.225 has made or authorized a public statement  
33 characterizing or partially disclosing the factual information compiled by or at the attorney’s di-  
34 rection.

35           “(10) Public records or information described in this section, furnished by the public body ori-  
36 ginally compiling, preparing or receiving them to any other public officer or public body in con-  
37 nection with performance of the duties of the recipient, if the considerations originally giving rise  
38 to the confidential or exempt nature of the public records or information remain applicable.

39           “(11) Records of the Energy Facility Siting Council concerning the review or approval of secu-  
40 rity programs pursuant to ORS 469.530.

41           “(12) Employee and retiree address, telephone number and other nonfinancial membership re-  
42 cords and employee financial records maintained by the Public Employees Retirement System pur-  
43 suant to ORS chapters 238 and 238A.

44           “(13) Records of or submitted to the State Treasurer, the Oregon Investment Council or the  
45 agents of the treasurer or the council relating to active or proposed publicly traded investments

1 under ORS chapter 293, including but not limited to records regarding the acquisition, exchange or  
2 liquidation of the investments. For the purposes of this subsection:

3 “(a) The exemption does not apply to:

4 “(A) Information in investment records solely related to the amount paid directly into an in-  
5 vestment by, or returned from the investment directly to, the treasurer or council; or

6 “(B) The identity of the entity to which the amount was paid directly or from which the amount  
7 was received directly.

8 “(b) An investment in a publicly traded investment is no longer active when acquisition, ex-  
9 change or liquidation of the investment has been concluded.

10 “(14)(a) Records of or submitted to the State Treasurer, the Oregon Investment Council, the  
11 Oregon Growth Account Board or the agents of the treasurer, council or board relating to actual  
12 or proposed investments under ORS chapter 293 or 348 in a privately placed investment fund or a  
13 private asset including but not limited to records regarding the solicitation, acquisition, deployment,  
14 exchange or liquidation of the investments including but not limited to:

15 “(A) Due diligence materials that are proprietary to an investment fund, to an asset ownership  
16 or to their respective investment vehicles.

17 “(B) Financial statements of an investment fund, an asset ownership or their respective invest-  
18 ment vehicles.

19 “(C) Meeting materials of an investment fund, an asset ownership or their respective investment  
20 vehicles.

21 “(D) Records containing information regarding the portfolio positions in which an investment  
22 fund, an asset ownership or their respective investment vehicles invest.

23 “(E) Capital call and distribution notices of an investment fund, an asset ownership or their  
24 respective investment vehicles.

25 “(F) Investment agreements and related documents.

26 “(b) The exemption under this subsection does not apply to:

27 “(A) The name, address and vintage year of each privately placed investment fund.

28 “(B) The dollar amount of the commitment made to each privately placed investment fund since  
29 inception of the fund.

30 “(C) The dollar amount of cash contributions made to each privately placed investment fund  
31 since inception of the fund.

32 “(D) The dollar amount, on a fiscal year-end basis, of cash distributions received by the State  
33 Treasurer, the Oregon Investment Council, the Oregon Growth Account Board or the agents of the  
34 treasurer, council or board from each privately placed investment fund.

35 “(E) The dollar amount, on a fiscal year-end basis, of the remaining value of assets in a privately  
36 placed investment fund attributable to an investment by the State Treasurer, the Oregon Investment  
37 Council, the Oregon Growth Account Board or the agents of the treasurer, council or board.

38 “(F) The net internal rate of return of each privately placed investment fund since inception of  
39 the fund.

40 “(G) The investment multiple of each privately placed investment fund since inception of the  
41 fund.

42 “(H) The dollar amount of the total management fees and costs paid on an annual fiscal year-end  
43 basis to each privately placed investment fund.

44 “(I) The dollar amount of cash profit received from each privately placed investment fund on a  
45 fiscal year-end basis.

1       “(15) The monthly reports prepared and submitted under ORS 293.761 and 293.766 concerning  
2 the Public Employees Retirement Fund and the Industrial Accident Fund may be uniformly treated  
3 as exempt from disclosure for a period of up to 90 days after the end of the calendar quarter.

4       “(16) Reports of unclaimed property filed by the holders of such property to the extent permitted  
5 by ORS 98.352.

6       “(17)(a) The following records, communications and information submitted to the Oregon Busi-  
7 ness Development Commission, the Oregon Business Development Department, the State Department  
8 of Agriculture, the Oregon Growth Account Board, the Port of Portland or other ports as defined  
9 in ORS 777.005, or a county or city governing body and any board, department, commission, council  
10 or agency thereof, by applicants for investment funds, grants, loans, services or economic develop-  
11 ment moneys, support or assistance including, but not limited to, those described in ORS 285A.224:

12       “(A) Personal financial statements.

13       “(B) Financial statements of applicants.

14       “(C) Customer lists.

15       “(D) Information of an applicant pertaining to litigation to which the applicant is a party if the  
16 complaint has been filed, or if the complaint has not been filed, if the applicant shows that such  
17 litigation is reasonably likely to occur; this exemption does not apply to litigation which has been  
18 concluded, and nothing in this subparagraph shall limit any right or opportunity granted by discov-  
19 ery or deposition statutes to a party to litigation or potential litigation.

20       “(E) Production, sales and cost data.

21       “(F) Marketing strategy information that relates to applicant’s plan to address specific markets  
22 and applicant’s strategy regarding specific competitors.

23       “(b) The following records, communications and information submitted to the State Department  
24 of Energy by applicants for tax credits **or for grants awarded under ORS 469B.256**:

25       “(A) Personal financial statements.

26       “(B) Financial statements of applicants.

27       “(C) Customer lists.

28       “(D) Information of an applicant pertaining to litigation to which the applicant is a party if the  
29 complaint has been filed, or if the complaint has not been filed, if the applicant shows that such  
30 litigation is reasonably likely to occur; this exemption does not apply to litigation which has been  
31 concluded, and nothing in this subparagraph shall limit any right or opportunity granted by discov-  
32 ery or deposition statutes to a party to litigation or potential litigation.

33       “(E) Production, sales and cost data.

34       “(F) Marketing strategy information that relates to applicant’s plan to address specific markets  
35 and applicant’s strategy regarding specific competitors.

36       “(18) Records, reports or returns submitted by private concerns or enterprises required by law  
37 to be submitted to or inspected by a governmental body to allow it to determine the amount of any  
38 transient lodging tax payable and the amounts of such tax payable or paid, to the extent that such  
39 information is in a form which would permit identification of the individual concern or enterprise.  
40 Nothing in this subsection shall limit the use which can be made of such information for regulatory  
41 purposes or its admissibility in any enforcement proceedings. The public body shall notify the tax-  
42 payer of the delinquency immediately by certified mail. However, in the event that the payment or  
43 delivery of transient lodging taxes otherwise due to a public body is delinquent by over 60 days, the  
44 public body shall disclose, upon the request of any person, the following information:

45       “(a) The identity of the individual concern or enterprise that is delinquent over 60 days in the

1 payment or delivery of the taxes.

2 “(b) The period for which the taxes are delinquent.

3 “(c) The actual, or estimated, amount of the delinquency.

4 “(19) All information supplied by a person under ORS 151.485 for the purpose of requesting ap-  
5 pointed counsel, and all information supplied to the court from whatever source for the purpose of  
6 verifying the financial eligibility of a person pursuant to ORS 151.485.

7 “(20) Workers’ compensation claim records of the Department of Consumer and Business Ser-  
8 vices, except in accordance with rules adopted by the Director of the Department of Consumer and  
9 Business Services, in any of the following circumstances:

10 “(a) When necessary for insurers, self-insured employers and third party claim administrators to  
11 process workers’ compensation claims.

12 “(b) When necessary for the director, other governmental agencies of this state or the United  
13 States to carry out their duties, functions or powers.

14 “(c) When the disclosure is made in such a manner that the disclosed information cannot be used  
15 to identify any worker who is the subject of a claim.

16 “(d) When a worker or the worker’s representative requests review of the worker’s claim record.

17 “(21) Sensitive business records or financial or commercial information of the Oregon Health  
18 and Science University that is not customarily provided to business competitors.

19 “(22) Records of Oregon Health and Science University regarding candidates for the position of  
20 president of the university.

21 “(23) The records of a library, including:

22 “(a) Circulation records, showing use of specific library material by a named person;

23 “(b) The name of a library patron together with the address or telephone number of the patron;  
24 and

25 “(c) The electronic mail address of a patron.

26 “(24) The following records, communications and information obtained by the Housing and  
27 Community Services Department in connection with the department’s monitoring or administration  
28 of financial assistance or of housing or other developments:

29 “(a) Personal and corporate financial statements and information, including tax returns.

30 “(b) Credit reports.

31 “(c) Project appraisals.

32 “(d) Market studies and analyses.

33 “(e) Articles of incorporation, partnership agreements and operating agreements.

34 “(f) Commitment letters.

35 “(g) Project pro forma statements.

36 “(h) Project cost certifications and cost data.

37 “(i) Audits.

38 “(j) Project tenant correspondence.

39 “(k) Personal information about a tenant.

40 “(L) Housing assistance payments.

41 “(25) Raster geographic information system (GIS) digital databases, provided by private  
42 forestland owners or their representatives, voluntarily and in confidence to the State Forestry De-  
43 partment, that is not otherwise required by law to be submitted.

44 “(26) Sensitive business, commercial or financial information furnished to or developed by a  
45 public body engaged in the business of providing electricity or electricity services, if the information

1 is directly related to a transaction described in ORS 261.348, or if the information is directly related  
2 to a bid, proposal or negotiations for the sale or purchase of electricity or electricity services, and  
3 disclosure of the information would cause a competitive disadvantage for the public body or its re-  
4 tail electricity customers. This subsection does not apply to cost-of-service studies used in the de-  
5 velopment or review of generally applicable rate schedules.

6 “(27) Sensitive business, commercial or financial information furnished to or developed by the  
7 City of Klamath Falls, acting solely in connection with the ownership and operation of the Klamath  
8 Cogeneration Project, if the information is directly related to a transaction described in ORS 225.085  
9 and disclosure of the information would cause a competitive disadvantage for the Klamath  
10 Cogeneration Project. This subsection does not apply to cost-of-service studies used in the develop-  
11 ment or review of generally applicable rate schedules.

12 “(28) Personally identifiable information about customers of a municipal electric utility or a  
13 people’s utility district or the names, dates of birth, driver license numbers, telephone numbers,  
14 electronic mail addresses or Social Security numbers of customers who receive water, sewer or  
15 storm drain services from a public body as defined in ORS 174.109. The utility or district may re-  
16 lease personally identifiable information about a customer, and a public body providing water, sewer  
17 or storm drain services may release the name, date of birth, driver license number, telephone num-  
18 ber, electronic mail address or Social Security number of a customer, if the customer consents in  
19 writing or electronically, if the disclosure is necessary for the utility, district or other public body  
20 to render services to the customer, if the disclosure is required pursuant to a court order or if the  
21 disclosure is otherwise required by federal or state law. The utility, district or other public body  
22 may charge as appropriate for the costs of providing such information. The utility, district or other  
23 public body may make customer records available to third party credit agencies on a regular basis  
24 in connection with the establishment and management of customer accounts or in the event such  
25 accounts are delinquent.

26 “(29) A record of the street and number of an employee’s address submitted to a special district  
27 to obtain assistance in promoting an alternative to single occupant motor vehicle transportation.

28 “(30) Sensitive business records, capital development plans or financial or commercial informa-  
29 tion of Oregon Corrections Enterprises that is not customarily provided to business competitors.

30 “(31) Documents, materials or other information submitted to the Director of the Department  
31 of Consumer and Business Services in confidence by a state, federal, foreign or international regu-  
32 latory or law enforcement agency or by the National Association of Insurance Commissioners, its  
33 affiliates or subsidiaries under ORS 86A.095 to 86A.198, 697.005 to 697.095, 697.602 to 697.842,  
34 705.137, 717.200 to 717.320, 717.900 or 717.905, ORS chapter 59, 723, 725 or 726, the Bank Act or the  
35 Insurance Code when:

36 “(a) The document, material or other information is received upon notice or with an under-  
37 standing that it is confidential or privileged under the laws of the jurisdiction that is the source of  
38 the document, material or other information; and

39 “(b) The director has obligated the Department of Consumer and Business Services not to dis-  
40 close the document, material or other information.

41 “(32) A county elections security plan developed and filed under ORS 254.074.

42 “(33) Information about review or approval of programs relating to the security of:

43 “(a) Generation, storage or conveyance of:

44 “(A) Electricity;

45 “(B) Gas in liquefied or gaseous form;



1 “(C) Hazardous substances as defined in ORS 453.005 (7)(a), (b) and (d);  
2 “(D) Petroleum products;  
3 “(E) Sewage; or  
4 “(F) Water.  
5 “(b) Telecommunication systems, including cellular, wireless or radio systems.  
6 “(c) Data transmissions by whatever means provided.  
7 “(34) The information specified in ORS 25.020 (8) if the Chief Justice of the Supreme Court  
8 designates the information as confidential by rule under ORS 1.002.  
9 “(35)(a) Employer account records of the State Accident Insurance Fund Corporation.  
10 “(b) As used in this subsection, ‘employer account records’ means all records maintained in any  
11 form that are specifically related to the account of any employer insured, previously insured or un-  
12 der consideration to be insured by the State Accident Insurance Fund Corporation and any infor-  
13 mation obtained or developed by the corporation in connection with providing, offering to provide  
14 or declining to provide insurance to a specific employer. ‘Employer account records’ includes, but  
15 is not limited to, an employer’s payroll records, premium payment history, payroll classifications,  
16 employee names and identification information, experience modification factors, loss experience and  
17 dividend payment history.  
18 “(c) The exemption provided by this subsection may not serve as the basis for opposition to the  
19 discovery documents in litigation pursuant to applicable rules of civil procedure.  
20 “(36)(a) Claimant files of the State Accident Insurance Fund Corporation.  
21 “(b) As used in this subsection, ‘claimant files’ includes, but is not limited to, all records held  
22 by the corporation pertaining to a person who has made a claim, as defined in ORS 656.005, and all  
23 records pertaining to such a claim.  
24 “(c) The exemption provided by this subsection may not serve as the basis for opposition to the  
25 discovery documents in litigation pursuant to applicable rules of civil procedure.  
26 “(37) Except as authorized by ORS 408.425, records that certify or verify an individual’s dis-  
27 charge or other separation from military service.  
28 “(38) Records of or submitted to a domestic violence service or resource center that relate to  
29 the name or personal information of an individual who visits a center for service, including the date  
30 of service, the type of service received, referrals or contact information or personal information of  
31 a family member of the individual. As used in this subsection, ‘domestic violence service or resource  
32 center’ means an entity, the primary purpose of which is to assist persons affected by domestic or  
33 sexual violence by providing referrals, resource information or other assistance specifically of ben-  
34 efit to domestic or sexual violence victims.”  
35 In line 10, delete “26” and insert “27”.  
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