

Requested by Representative GOMBERG

**PROPOSED AMENDMENTS TO
A-ENGROSSED HOUSE BILL 2841**

1 On page 1 of the printed A-engrossed bill, line 13, after “data” delete the
2 rest of the line and line 14 and insert “described in subsection (3) of this
3 section if.”.

4 In line 20, after “for” insert “illegally”.

5 On page 2, delete lines 11 through 19 and insert:

6 “(4)(a) The department may disclose data withheld under subsections (1)
7 to (3) of this section to a requester that is one or more of the following:

8 “(A) The federal government, a tribal government, a public body as de-
9 fined in ORS 174.109, a public utility or an accredited college or university;

10 “(B) Owners of, lessees of rights-of-way in or holders of easements on
11 private land to which the data pertain;

12 “(C) Holders of public grazing permits for the land to which the data
13 pertain;

14 “(D) Owners of agricultural land or forestland, if the disclosure might
15 prevent loss to an agricultural or forest operation; and

16 “(E) Resource management partners and stakeholders.

17 “(b) If the department refuses disclosure because disclosure could harm
18 a species or member of a species, the department shall issue a proposed order
19 refusing the disclosure request and provide the requester with notice of
20 rights and remedies as provided in ORS 183.415.”.

21 In line 21, after the period insert “The agreement may include, but need

1 not be limited to, a proposed protective order for use, if necessary, in a legal
2 proceeding to maintain confidentiality of the information. If the department
3 is prohibited under subsection (8) of this section from withholding the in-
4 formation, the agreement may prohibit the recipient from disclosing the in-
5 formation, except to further the protection or conservation of a species in a
6 manner described in subsection (8) of this section.”.

7 After line 26, insert:

8 “(8) The department may not withhold information under subsection (3)
9 of this section if the information is relevant to:

10 “(a) An ongoing petition, litigation or other administrative or legal action
11 in furtherance of the protection or conservation of a species; or

12 “(b) The preparation of a petition, or for a litigation or other adminis-
13 trative or legal action, in furtherance of the protection or conservation of
14 a species.”.

15 In line 27, delete “(8)” and insert “(9)”.

16 On page 8, line 41, delete “(8)” and insert “(9)”.

17
