

House Bill 2943

Sponsored by Representative MORGAN, Senator GORSEK; Representative WRIGHT (at the request of OSPOA)
(Presession filed.)

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**.

Directs Governor, when vacancy occurs in office of Superintendent of State Police, to establish advisory committee for appointment of new superintendent. Requires Governor to consider recommendations of advisory committee in appointing superintendent.

Provides that information submitted by Governor to committee about candidates is exempt from disclosure as public record.

A BILL FOR AN ACT

1
2 Relating to appointment of the Superintendent of State Police; creating new provisions; and amend-
3 ing ORS 181A.030 and 192.355.

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

5 **SECTION 1.** ORS 181A.030 is amended to read:

6 181A.030. (1) The Superintendent of State Police shall be the executive and administrative head
7 of the Department of State Police. Subject to confirmation by the Senate in the manner provided in
8 ORS 171.562 and 171.565, the Governor shall appoint the superintendent for a term of four years.

9 **(2) The Governor may appoint the superintendent only after written recommendations**
10 **have been provided to the Governor by the advisory committee established under section 3**
11 **of this 2023 Act, or after the 30-day period for making recommendations under section 3 of**
12 **this 2023 Act has passed if the advisory committee fails to provide recommendations. The**
13 **Governor must consider the recommendations of the committee but is not required to adopt**
14 **them.**

15 (3) The Governor may remove the superintendent for inefficiency or malfeasance in office after
16 charges have been preferred and a hearing granted.

17 **SECTION 2.** Section 3 of this 2023 Act is added to and made a part of ORS 181A.010 to
18 **181A.350.**

19 **SECTION 3.** (1) **When a vacancy occurs for any reason in the office of the Superintendent**
20 **of the State Police, the Governor shall appoint an advisory committee to make hiring rec-**
21 **ommendations for filling the position. The committee must consist of 14 members as follows:**

22 (a) **A sworn member of a statewide association of police officers**

23 (b) **A nonsworn member of a statewide association of police officers.**

24 (c) **A representative of the sworn executive leadership team of the Department of State**
25 **Police.**

26 (d) **A representative of the nonsworn professional management of the department.**

27 (e) **A representative of the nonsworn professional staff of the department.**

28 (f) **A local police chief or the chief's representative.**

29 (g) **A county sheriff or the sheriff's representative.**

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 (h) A representative of an Oregon tribal police organization.

2 (i) Six members of the public, including at least one from each congressional district.
3 No more than three of the members appointed under this paragraph may be of the same
4 political party.

5 (2) The term of office of a member is 90 days, but a member serves at the pleasure of
6 the Governor. A member may be reappointed.

7 (3) If there is a vacancy on the committee for any reason, the Governor shall appoint a
8 new member, effective immediately, for the remainder of the term.

9 (4) The committee shall select one committee member to act as chairperson of the
10 committee, subject to approval by the Governor.

11 (5) A majority of the members of the committee constitutes a quorum for the transaction
12 of business.

13 (6) The committee may meet at a time and place determined by the committee. The
14 committee may also meet at other times and places specified by the call of the chairperson
15 or by a majority of the members of the committee.

16 (7) Members of the committee are not entitled to compensation, but at the discretion of
17 the Governor may be reimbursed from funds available to the Department of State Police for
18 actual or necessary travel and other expenses incurred by them in the performance of their
19 official duties, in the manner and amount provided in ORS 292.495. The department shall pay
20 the expenses out of funds appropriated to the department for the committee.

21 (8) The office of the Governor shall provide staff support for the committee.

22 (9) The advisory committee:

23 (a) Shall review the candidate or candidates for the position of Superintendent of State
24 Police provided by the Governor for consideration.

25 (b) May interview the candidate or candidates provided by the Governor for consider-
26 ation.

27 (c) May request additional information from the candidate or candidates provided by the
28 Governor for consideration, if that information is necessary for the committee to make a
29 well-vetted hiring recommendation.

30 (d) Shall meet at least once to discuss recommendations of the committee.

31 (e) Shall provide written recommendations regarding the committee's candidate prefer-
32 ences to the Governor no later than 30 days after the Governor provides the candidate or
33 candidates for consideration. The advisory committee may recommend candidates not pro-
34 vided for consideration by the Governor.

35 **SECTION 4.** ORS 192.355, as amended by section 5, chapter 60, Oregon Laws 2022, is amended
36 to read:

37 192.355. The following public records are exempt from disclosure under ORS 192.311 to 192.478:

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

43 (2)(a) Information of a personal nature such as but not limited to that kept in a personal, med-
44 ical or similar file, if public disclosure would constitute an unreasonable invasion of privacy, unless
45 the public interest by clear and convincing evidence requires disclosure in the particular instance.

1 The party seeking disclosure shall have the burden of showing that public disclosure would not
 2 constitute an unreasonable invasion of privacy.

3 (b) Images of a dead body, or parts of a dead body, that are part of a law enforcement agency
 4 investigation, if public disclosure would create an unreasonable invasion of privacy of the family of
 5 the deceased person, unless the public interest by clear and convincing evidence requires disclosure
 6 in the particular instance. The party seeking disclosure shall have the burden of showing that public
 7 disclosure would not constitute an unreasonable invasion of privacy.

8 (3) Upon compliance with ORS 192.363, public body employee or volunteer residential addresses,
 9 residential telephone numbers, personal cellular telephone numbers, personal electronic mail ad-
 10 dresses, driver license numbers, employer-issued identification card numbers, emergency contact in-
 11 formation, Social Security numbers, dates of birth and other telephone numbers contained in
 12 personnel records maintained by the public body that is the employer or the recipient of volunteer
 13 services. This exemption:

14 (a) Does not apply to the addresses, dates of birth and telephone numbers of employees or vol-
 15 unteers who are elected officials, except that a judge or district attorney subject to election may
 16 seek to exempt the judge's or district attorney's address or telephone number, or both, under the
 17 terms of ORS 192.368;

18 (b) Does not apply to employees or volunteers to the extent that the party seeking disclosure
 19 shows by clear and convincing evidence that the public interest requires disclosure in a particular
 20 instance pursuant to ORS 192.363;

21 (c) Does not apply to a substitute teacher as defined in ORS 342.815 when requested by a pro-
 22 fessional education association of which the substitute teacher may be a member; and

23 (d) Does not relieve a public employer of any duty under ORS 243.650 to 243.809.

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

28 (5) Information or records of the Department of Corrections, including the State Board of Parole
 29 and Post-Prison Supervision, to the extent that disclosure would interfere with the rehabilitation of
 30 a person in custody of the department or substantially prejudice or prevent the carrying out of the
 31 functions of the department, if the public interest in confidentiality clearly outweighs the public in-
 32 terest in disclosure.

33 (6) Records, reports and other information received or compiled by the Director of the Depart-
 34 ment of Consumer and Business Services in the administration of ORS chapters 723 and 725 not
 35 otherwise required by law to be made public, to the extent that the interests of lending institutions,
 36 their officers, employees and customers in preserving the confidentiality of such information out-
 37 weighs the public interest in disclosure.

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

39 (8) Any public records or information the disclosure of which is prohibited by federal law or
 40 regulations.

41 (9)(a) Public records or information the disclosure of which is prohibited or restricted or other-
 42 wise made confidential or privileged under Oregon law.

43 (b) Subject to ORS 192.360, paragraph (a) of this subsection does not apply to factual information
 44 compiled in a public record when:

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

1 (B) The factual information is not prohibited from disclosure under any applicable state or fed-
 2 eral law, regulation or court order and is not otherwise exempt from disclosure under ORS 192.311
 3 to 192.478;

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

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

10 (E) The holder of the privilege under ORS 40.225 has made or authorized a public statement
 11 characterizing or partially disclosing the factual information compiled by or at the attorney's di-
 12 rection.

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

17 (11) Records of the Energy Facility Siting Council concerning the review or approval of security
 18 programs pursuant to ORS 469.530.

19 (12) Employee and retiree address, telephone number and other nonfinancial membership records
 20 and employee financial records maintained by the Public Employees Retirement System pursuant to
 21 ORS chapters 238 and 238A.

22 (13) Records of or submitted to the State Treasurer, the Oregon Investment Council or the
 23 agents of the treasurer or the council relating to active or proposed publicly traded investments
 24 under ORS chapter 293, including but not limited to records regarding the acquisition, exchange or
 25 liquidation of the investments. For the purposes of this subsection:

26 (a) The exemption does not apply to:

27 (A) Information in investment records solely related to the amount paid directly into an invest-
 28 ment by, or returned from the investment directly to, the treasurer or council; or

29 (B) The identity of the entity to which the amount was paid directly or from which the amount
 30 was received directly.

31 (b) An investment in a publicly traded investment is no longer active when acquisition, exchange
 32 or liquidation of the investment has been concluded.

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

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

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

42 (C) Meeting materials of an investment fund, an asset ownership or their respective investment
 43 vehicles.

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

1 (E) Capital call and distribution notices of an investment fund, an asset ownership or their re-
 2 spective investment vehicles.

3 (F) Investment agreements and related documents.

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

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

6 (B) The dollar amount of the commitment made to each privately placed investment fund since
 7 inception of the fund.

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

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

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

16 (F) The net internal rate of return of each privately placed investment fund since inception of
 17 the fund.

18 (G) The investment multiple of each privately placed investment fund since inception of the fund.

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

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

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

26 (16) Reports of unclaimed property filed by the holders of such property to the extent permitted
 27 by ORS 98.352.

28 (17)(a) The following records, communications and information submitted to the Oregon Business
 29 Development Commission, the Oregon Business Development Department, the State Department of
 30 Agriculture, the Oregon Growth Board, the Port of Portland or other ports as defined in ORS
 31 777.005, or a county or city governing body and any board, department, commission, council or
 32 agency thereof, by applicants for investment funds, grants, loans, services or economic development
 33 moneys, support or assistance including, but not limited to, those described in ORS 285A.224:

34 (A) Personal financial statements.

35 (B) Financial statements of applicants.

36 (C) Customer lists.

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

42 (E) Production, sales and cost data.

43 (F) Marketing strategy information that relates to applicant's plan to address specific markets
 44 and applicant's strategy regarding specific competitors.

45 (b) The following records, communications and information submitted to the State Department

1 of Energy by applicants for tax credits or for grants awarded under ORS 469B.256:

2 (A) Personal financial statements.

3 (B) Financial statements of applicants.

4 (C) Customer lists.

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

10 (E) Production, sales and cost data.

11 (F) Marketing strategy information that relates to applicant's plan to address specific markets
12 and applicant's strategy regarding specific competitors.

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

22 (a) The identity of the individual concern or enterprise that is delinquent over 60 days in the
23 payment or delivery of the taxes.

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

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

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

29 (20) Workers' compensation claim records of the Department of Consumer and Business Services,
30 except in accordance with rules adopted by the Director of the Department of Consumer and Busi-
31 ness Services, in any of the following circumstances:

32 (a) When necessary for insurers, self-insured employers and third party claim administrators to
33 process workers' compensation claims.

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

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

38 (d) When a worker or the worker's representative requests review of the worker's claim record.

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

41 (22) Records of Oregon Health and Science University regarding candidates for the position of
42 president of the university.

43 (23) The records of a library, including:

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

45 (b) The name of a library patron together with the address or telephone number of the patron;

1 and

2 (c) The electronic mail address of a patron.

3 (24) The following records, communications and information obtained by the Housing and Com-
 4 munity Services Department in connection with the department's monitoring or administration of
 5 financial assistance or of housing or other developments:

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

7 (b) Credit reports.

8 (c) Project appraisals, excluding appraisals obtained in the course of transactions involving an
 9 interest in real estate that is acquired, leased, rented, exchanged, transferred or otherwise disposed
 10 of as part of the project, but only after the transactions have closed and are concluded.

11 (d) Market studies and analyses.

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

13 (f) Commitment letters.

14 (g) Project pro forma statements.

15 (h) Project cost certifications and cost data.

16 (i) Audits.

17 (j) Project tenant correspondence.

18 (k) Personal information about a tenant.

19 (L) Housing assistance payments.

20 (25) Raster geographic information system (GIS) digital databases, provided by private forestland
 21 owners or their representatives, voluntarily and in confidence to the State Forestry Department,
 22 that is not otherwise required by law to be submitted.

23 (26) Sensitive business, commercial or financial information furnished to or developed by a
 24 public body engaged in the business of providing electricity or electricity services, if the information
 25 is directly related to a transaction described in ORS 261.348, or if the information is directly related
 26 to a bid, proposal or negotiations for the sale or purchase of electricity or electricity services, and
 27 disclosure of the information would cause a competitive disadvantage for the public body or its re-
 28 tail electricity customers. This subsection does not apply to cost-of-service studies used in the de-
 29 velopment or review of generally applicable rate schedules.

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

36 (28) Personally identifiable information about customers of a municipal electric utility or a
 37 people's utility district or the names, dates of birth, driver license numbers, telephone numbers,
 38 electronic mail addresses or Social Security numbers of customers who receive water, sewer or
 39 storm drain services from a public body as defined in ORS 174.109. The utility or district may re-
 40 lease personally identifiable information about a customer, and a public body providing water, sewer
 41 or storm drain services may release the name, date of birth, driver license number, telephone num-
 42 ber, electronic mail address or Social Security number of a customer, if the customer consents in
 43 writing or electronically, if the disclosure is necessary for the utility, district or other public body
 44 to render services to the customer, if the disclosure is required pursuant to a court order or if the
 45 disclosure is otherwise required by federal or state law. The utility, district or other public body

1 may charge as appropriate for the costs of providing such information. The utility, district or other
 2 public body may make customer records available to third party credit agencies on a regular basis
 3 in connection with the establishment and management of customer accounts or in the event such
 4 accounts are delinquent.

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

7 (30) Sensitive business records, capital development plans or financial or commercial information
 8 of Oregon Corrections Enterprises that is not customarily provided to business competitors.

9 (31) Documents, materials or other information submitted to the Director of the Department of
 10 Consumer and Business Services in confidence by a state, federal, foreign or international regulatory
 11 or law enforcement agency or by the National Association of Insurance Commissioners, its affiliates
 12 or subsidiaries under ORS 86A.095 to 86A.198, 697.005 to 697.095, 697.602 to 697.842, 705.137, 717.200
 13 to 717.320, 717.900 or 717.905, ORS chapter 59, 723, 725 or 726, the Bank Act or the Insurance Code
 14 when:

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

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

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

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

22 (a) Generation, storage or conveyance of:

23 (A) Electricity;

24 (B) Gas in liquefied or gaseous form;

25 (C) Hazardous substances as defined in ORS 453.005 (7)(a), (b) and (d);

26 (D) Petroleum products;

27 (E) Sewage; or

28 (F) Water.

29 (b) Telecommunication systems, including cellular, wireless or radio systems.

30 (c) Data transmissions by whatever means provided.

31 (34) The information specified in ORS 25.020 (8) if the Chief Justice of the Supreme Court des-
 32 ignates the information as confidential by rule under ORS 1.002.

33 (35)(a) Employer account records of the State Accident Insurance Fund Corporation.

34 (b) As used in this subsection, "employer account records" means all records maintained in any
 35 form that are specifically related to the account of any employer insured, previously insured or un-
 36 der consideration to be insured by the State Accident Insurance Fund Corporation and any infor-
 37 mation obtained or developed by the corporation in connection with providing, offering to provide
 38 or declining to provide insurance to a specific employer. "Employer account records" includes, but
 39 is not limited to, an employer's payroll records, premium payment history, payroll classifications,
 40 employee names and identification information, experience modification factors, loss experience and
 41 dividend payment history.

42 (c) The exemption provided by this subsection may not serve as the basis for opposition to the
 43 discovery documents in litigation pursuant to applicable rules of civil procedure.

44 (36)(a) Claimant files of the State Accident Insurance Fund Corporation.

45 (b) As used in this subsection, "claimant files" includes, but is not limited to, all records held

1 by the corporation pertaining to a person who has made a claim, as defined in ORS 656.005, and all
2 records pertaining to such a claim.

3 (c) The exemption provided by this subsection may not serve as the basis for opposition to the
4 discovery documents in litigation pursuant to applicable rules of civil procedure.

5 (37) Except as authorized by ORS 408.425, records that certify or verify an individual's discharge
6 or other separation from military service.

7 (38) Records of or submitted to a domestic violence service or resource center that relate to the
8 name or personal information of an individual who visits a center for service, including the date of
9 service, the type of service received, referrals or contact information or personal information of a
10 family member of the individual. As used in this subsection, "domestic violence service or resource
11 center" means an entity, the primary purpose of which is to assist persons affected by domestic or
12 sexual violence by providing referrals, resource information or other assistance specifically of ben-
13 efit to domestic or sexual violence victims.

14 (39) Information reported to the Oregon Health Authority under ORS 431A.860, except as pro-
15 vided in ORS 431A.865 (3)(b), information disclosed by the authority under ORS 431A.865 and any
16 information related to disclosures made by the authority under ORS 431A.865, including information
17 identifying the recipient of the information.

18 (40)(a) Electronic mail addresses in the possession or custody of an agency or subdivision of the
19 executive department, as defined in ORS 174.112, the legislative department, as defined in ORS
20 174.114, a local government or local service district, as defined in ORS 174.116, or a special gov-
21 ernment body, as defined in ORS 174.117.

22 (b) This subsection does not apply to electronic mail addresses assigned by a public body to
23 public employees for use by the employees in the ordinary course of their employment.

24 (c) This subsection and ORS 244.040 do not prohibit the campaign office of the current
25 officeholder or current candidates who have filed to run for that elective office from receiving upon
26 request the electronic mail addresses used by the current officeholder's legislative office for news-
27 letter distribution, except that a campaign office that receives electronic mail addresses under this
28 paragraph may not make a further disclosure of those electronic mail addresses to any other person.

29 (41) Residential addresses, residential telephone numbers, personal cellular telephone numbers,
30 personal electronic mail addresses, driver license numbers, emergency contact information, Social
31 Security numbers, dates of birth and other telephone numbers of individuals currently or previously
32 certified or licensed by the Department of Public Safety Standards and Training contained in the
33 records maintained by the department.

34 (42) Personally identifiable information and contact information of veterans as defined in ORS
35 408.225 and of persons serving on active duty or as reserve members with the Armed Forces of the
36 United States, National Guard or other reserve component that was obtained by the Department of
37 Veterans' Affairs in the course of performing its duties and functions, including but not limited to
38 names, residential and employment addresses, dates of birth, driver license numbers, telephone
39 numbers, electronic mail addresses, Social Security numbers, marital status, dependents, the char-
40 acter of discharge from military service, military rating or rank, that the person is a veteran or has
41 provided military service, information relating to an application for or receipt of federal or state
42 benefits, information relating to the basis for receipt or denial of federal or state benefits and in-
43 formation relating to a home loan or grant application, including but not limited to financial infor-
44 mation provided in connection with the application.

45 (43) Business, commercial, financial, operational and research data and information, including

1 but not limited to pricing, intellectual property and customer records, furnished to, developed by or
2 generated in connection with the ownership and operation of an unmanned aerial system test range,
3 if disclosure of the information would cause a competitive disadvantage to the test range or its us-
4 ers.

5 (44) Personally identifiable information about a child under the age of 16 years that is submitted
6 to the State Fish and Wildlife Commission or an agent of the commission to obtain a license, tag
7 or permit under the wildlife laws.

8 (45) Proprietary information subject to a nondisclosure agreement that is provided to the Oregon
9 Broadband Office pursuant to section 4, chapter 60, Oregon Laws 2022.

10 **(46) Information submitted by the Governor to an advisory committee established under**
11 **section 3 of this 2023 Act regarding candidates for the office of Superintendent of State Po-**
12 **lice.**

13
