May 14, 1987

Edward B. Teachout, Reporter
KDRV 12
Sunshine Television Inc.
1090 Knutson Avenue
Medford, Oregon 97504

RE: Public Records Disclosure Petition

Dear Mr. Teachout:

This letter responds to your petition for an Attorney General's order. You ask us to direct the Oregon Department of Revenue (DOR) to produce a copy of Forest Product Harvest Tax returns or Western Oregon Severance Tax returns of the Medco Corporation for 1983 through 1986, pursuant to the Public Records Law. Your petition, dated May 11, 1987, was received by the Department of Justice on May 12, 1987. For reasons explained below, your petition is denied, but DOR may be able to offer you further assistance.

You seek copies of Timber Tax returns of the "Medco Corporation." Rick Main, Supervisor of the Timber Section, Oregon Department of Revenue, has advised our office that DOR does not have Forest Product Harvest Tax returns or Western Oregon Severance Tax returns filed in the name of "Medco Corporation." We cannot order DOR to provide a copy of a document it does not have.

We are informed that DOR has in its possession timber tax returns for corporations related to Medco. We have discussed the matter with DOR and have advised that agency that Forest Product Harvest Tax returns and Western Oregon Severance Tax returns are subject to disclosure under the Public Records Law. It is our understanding that DOR is willing to make available to you those returns if you will contact Mr. Main again. At this time,

however, as DOR has no records in the name of "Medco Corporation" we decline your request that we order DOR to furnish you with a copy of such records.

Very truly yours,

James E. Mountain, Jr.
Special Counsel to the
Attorney General

JEM/ESS:jjt35/tea.1-.2
cc: Rick Main, Supervisor
Timber Section
Oregon Department of Revenue

Elizabeth S. Stockdale
Assistant Attorney General