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October 10, 2016

VIA EMAIL ONLY: csheketoff@ocpp.org

Charles Sheketoff
Executive Director
Oregon Center for Public Policy
PO Box 69127
Portland OR 97239-0127

Re: Petition for Public Records Disclosure Order
Legislative Revenue Office Records
DOJ File No.: 144001-GA0120-16

Dear Mr. Sheketoff:

This letter is the Attorney General's order responding to your October 3, 2016, petition for disclosure under the Oregon Public Records Law, ORS 192.410 to 192.505. Your petition asks the Attorney General to order the Legislative Revenue Office (LRO) to produce various records related to the LRO's report on Measure 97.

Your petition shows you requested "the names of the people who reviewed the report and copies of the comments [] received." Paul Warner, the Legislative Revenue Officer, denied this request citing ORS 192.502(1) and ORS 192.502(4). Mr. Warner was appointed by, and serves under the direction of, the House Revenue Committee and the Senate Revenue Committee. ORS 173.800. Representative Phil Barnhart and Senator Mark Hass, who respectively chair those committees, have directed Mr. Warner to withhold the disputed records from disclosure.

Because the Attorney General does not have the authority to review denials where an elected official has claimed the right to withhold disclosure, we must respectfully dismiss your petition. ORS 192.480.

Sincerely,

Frederick M. Boss
Deputy Attorney General

NE2:pjn/DM7764292
c via email only: Paul Warner, LRO