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February 22, 1994

Jan M. Kubic
3213 NE Hoyt
Portland, OR 97232-2534

Re: ***Request for Public Records Disclosure Order***
City of Portland, Office of Finance and Administration

Dear Jan Kubic:

This letter is the Attorney General's order on your petition for disclosure of records under the Oregon Public Records Law. We respectfully must deny your petition.

Your petition, which we received on February 15, 1994, asks the Attorney General to direct the City of Portland to produce copies of certain records in its possession. Under the Public Records Law, the Attorney General has authority to issue a public records order only to " . . . any person denied the right to inspect or to receive a copy of any public records of a state agency . . . ." (Emphasis supplied.) ORS 192.450(1). The City of Portland is not a state agency. Therefore, under the Public Records Law, it is the Multnomah County District Attorney, not the Attorney General, who has the authority to review the denial of your request for the information in question.

Should the district attorney deny your petition, your recourse is then to file a lawsuit in Multnomah County.

Sincerely,

Elizabeth S. Harchenko

ELIZABETH S. HARCHENKO
Special Counsel to the Attorney General

ESH:AV:jpl/JAA0028E.W51
cc: Honorable Michael Schrunk, District Attorney, Multnomah County