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ATTORNEY GENERAL

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June 21, 1994

Michael F. Gordon
Attorney at Law
6501 S.W. Macadam Ave.
Portland, OR 97201

Re: Petition for Public Records Disclosure Order:
Oregon Board of Dentistry

Dear Mr. Gordon:

This letter is the Attorney General's order on your petition for disclosure of records under the Oregon Public Records Law, ORS 192.410 to 192.505. Your petition, which we received on June 1, 1994[1], asks the Attorney General to direct the Oregon Board of Dentistry to make available for inspection and produce copies of the following records:

1. A list of the name(s) and addresses(es) of each current Board member.

2. Records listing the name of all current Board committees, the name of each committee member, the current schedule for all future committee meetings.

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[1] We appreciate your extending the time within which the law would have otherwise obligated us to respond.

3. All policies, policy statements, procedures, standards, criteria, protocols, directives, rulings, and regulations currently in effect or under consideration by the Board or its committees (excluding those already published as Oregon Administrative Rules or Oregon Revised Statutes), which implement, interpret, prescribe, describe or otherwise relate to the operation of the Board, the licensing and discipline of licensees, the investigation and prosecution of alleged violations of the Dental Practice Act, or the regulation of the practice of dentistry or dental hygiene.

4. Minutes of the following Board meetings:

January 25-27, 1990
November 9, 1991
December 20, 1991
January 25, 1992
December 11, 1992
January 15, 1993
February 5, 1993

5. Minutes of all meetings of all Board committees from January 1, 1990, to date.

For the reasons that follow, we respectfully deny your petition because it is moot.

We have been advised by the Executive Director of the Oregon Board of Dentistry, Betty Reynolds, in regard to your request numbers 1 and 4 that copies of the records sought will be provided to you promptly upon receipt by the Board of your prepayment in an amount "reasonably calculated to reimburse it for its actual cost in making [copies of the public records] available." ORS 192.440(3). We have been advised by Ms. Reynolds that she is preparing a letter to you to advise you of the Board's estimated costs for making these records available.

We have been advised further by Ms. Reynolds in regard to your request numbers 2, 3, and 5 that copies of the records sought will be provided to you and that in regard to each of these requests, the Board will advise you of the amount it has calculated its likely actual costs will be in making these records available, the time within which you may expect to receive the requested records upon prepayment of the Board's costs and the basis upon which these calculations rest. We are advised by Ms. Reynolds that she is preparing such a letter to you.

Since the Board has agreed to your requests for disclosure of public records, your petition is respectfully denied as moot.

Sincerely,

Elizabeth S. Harchenko

ELIZABETH S. HARCHENKO
Special Counsel to the Attorney General

ESH:jpl/

c: Betty Reynolds
Executive Director
Oregon Board of Dentistry