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ATTORNEY GENERAL

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DEPARTMENT OF JUSTICE
Justice Building
Salem, Oregon 97310
Telephone: (503) 378-4400

November 3, 1992

Deborah J. Loy
967 Summer Breeze North
Salem, Oregon 97303

Re: Petition for Public Records Disclosure Order:
Adult and Family Services (AFS) Records

Dear Ms. Loy:

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 October 29, 1992, asks the Attorney General to direct AFS to make available personnel position descriptions for program representatives 1 and 2. For the reasons that follow, we respectfully deny your petition.

In his initial response to you, John Heilman, Personnel Services Manager for AFS, asked you to refer your request to the Executive Department Personnel and Labor Relations Division. Mark Hunt, a labor relations manager at the Personnel and Labor Relations Division, has informed us that AFS is willing to make available to you copies of the requested position descriptions, absent any portion which is exempt from disclosure under the public records law. Mr. Hunt said that he attempted to contact you by telephone on October 30, 1992 to inform you of the agency's decision.

The agency may charge you a fee to reimburse itself for its actual costs in making such records available, including its photocopy costs and the time spent by agency personnel in reviewing the records. *See* ORS 192.440(3).

Because you have not been denied access to the records, the Attorney General lacks authority to order disclosure. *See* ORS 192.450(1). Accordingly, we respectfully deny your petition to compel disclosure.

Sincerely,

Amy Veranth
Opinions Coordinator
General Counsel Division

AV:cm
c: John Heilman, Manager, Personnel Services Section, AFS
Mark Hunt, Labor Relations Manager, Labor Relations, Executive Department
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