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January 4, 1991

Douglas J.A. Houk
Oregon Administrative Law News
13660 S.W. Pacific Highway #52
Tigard, OR 97223

Re: **Petition for Public Records Disclosure Order; Secretary of State Records**

Dear Mr. Houk:

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 December 31, 1990, asks the Attorney General to direct the Secretary of State's office to make available for inspection and copying the names and addresses of all subscribers to the Oregon Bulletin and non-paid subscribers to the Oregon Administrative Rules. For the reasons that follow, we respectfully deny your petition.

The Secretary of State's office informs us that when you originally requested the subscriber list to the Oregon Bulletin, that office made that list available to you. You instead chose to obtain a copy of the replacement page subscriber list. At no time has the Secretary of State's office ever denied you access to the full subscriber list. You may obtain a copy of that list upon payment of the copying charge. Absent a denial, the Attorney General has no authority to issue an order compelling disclosure. See ORS 192.450(1).

The Secretary of State's office also informs us that there are no non-paid subscribers to the Oregon Administrative Rules. Therefore, the record you request does not exist.

For these reasons, we respectfully deny your petition to compel disclosure.

Sincerely,

Pamela L. Abernethy by Richard Wasserman

PAMELA L. ABERNETHY
Special Counsel to the
Attorney General

PLA:LR:bjs/6302G
c: Carole Irwin-Leal, Manager
Rules and Records Section
Office of the Secretary of State
Room 142, State Capitol
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