DAVE FROHNMAYER
ATTORNEY GENERAL
STATE OF OREGON

JACK L. LANDAU
DEPUTY ATTORNEY GENERAL

DEPARTMENT OF JUSTICE

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

April 22, 1991

Timothy Dunn
Engineering Section
Oregon Department of Fish and Wildlife
2501 S.W. First Street
P.O. Box 59
Portland, OR 97207

Re: **Petition for Public Records Disclosure Order; Department of Fish and Wildlife Records**

Dear Mr. Dunn:

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 April 15, asks the Attorney General to direct the Oregon Department of Fish and Wildlife (ODFW) to make available for inspection and copying records that contain your name or refer to you in any manner. For the reasons that follow, we respectfully deny your petition.

Your petition appears to be based on a misunderstanding of ODFW's position. Contrary to your apparent impression, ODFW is willing not only to allow you to view the records you seek, but also to provide copies to you. The agency is, however, entitled to charge you for its photocopy costs. See ORS 192.440(2); OAR 635-01-050; Attorney General's Public Records and Meetings Manual 6-7 (1989).

Because ODFW has not denied your request for records, there is no basis for the Attorney General to order disclosure. See ORS 192.450(1).

Sincerely,

Richard Wasserman
Assistant Attorney General
Public Records Coordinator

RDW:CC/bjs/0850G
c: Dorothy Hoover, Personnel Officer
Oregon Department of Fish and Wildlife
2501 S.W. First Street
P.O. Box 59
Portland, OR 97207