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September 17, 1991

Keith C. Olsen
1772 N.W. Dogwood
Roseburg, OR 97470

Re: **Petition for Public Records Disclosure Order; Employment Division Records**

Dear Mr. Olsen:

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 September 10, asks the Attorney General to direct the Employment Division to make available for inspection the yearly amount of unemployment taxes contributed by the Roseburg School District No. 4 for the school years 1984-85 through 1989-90. For the reasons that follow, we respectfully deny your petition.

The Public Records law confers the right to inspect public records of a public body in Oregon, subject to certain exceptions. ORS 192.420. The relevant exception here is ORS 192.502(8), which exempts from disclosure "[p]ublic records or information the disclosure of which is prohibited or restricted or otherwise made confidential or privileged under Oregon law." This exemption incorporates statutory disclosure prohibitions that appear outside the Public Records Law.

As you recognize in the cover letter accompanying your petition, ORS 657.665 bars the Employment Division from disclosing the information you seek. That statutory prohibition is not inconsistent with the Public Records Law,

but rather is incorporated into that law through ORS 192.502(8), quoted above. Accordingly, the Employment Division correctly denied your records request, and we must respectfully deny your petition.

Sincerely,

PAMELA L. ABERNETHY
Special Counsel to the
Attorney General

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