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June 24, 1996

Paul B. Meadowbrook
Attorney at Law
388 State Street, Suite 555
Salem, OR 97308

Re: ***Petition for Public Records Order: Department of Human Resources Records***

Dear Mr. Meadowbrook:

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 18, 1996, asks the Attorney General to direct the Oregon Department of Human Resources (DHR) to produce copies of the following:

1. Personnel action forms or other documents showing Doug Hunter's salary as Coos Bay Branch Manager and his salary upon return to a classified position following the managerial position and

2. Records, both before and after, showing the salaries of other management service employees who were demoted incident to removal from management service.

For the reasons that follow, we respectfully deny your petition as premature.

The Attorney General may order a state agency to disclose records only where the agency first has denied a request for public records. ORS 192.450(1). Your request for records was directed to Stephanie Franklin, DHR Personnel Manager. Ms. Franklin informs us that DHR has not denied your request for records, and that the agency expects to respond to your request by June 28.

Because DHR has not denied your request, the Attorney General has no authority to order disclosure. Accordingly, your petition is denied as premature.

Sincerely,

Elizabeth S. Harchenko

ELIZABETH S. HARCHENKO
Special Counsel to the Attorney General

ESH:jpl/MEADOW
c: Stephanie Franklin, DHR Personnel Manager