



OFFICE OF THE
ATTORNEY GENERAL
STATE OF WYOMING
CHEYENNE

JOHN F. RAPER
ATTORNEY GENERAL

June 20, 1966

MEMORANDUM

FILE COPY

TO: Mr. O. Henry Engendorff
Commissioner of Agriculture

FROM: Sterling A. Case
Assistant Attorney General

Subject: Plans for Conservation as developed by Soil and Water
Conservation Committee, Public Records under Sec. 11-245,
Wyoming Statutes, 1957, as amended 1959.

Your letter of May 18, 1966, discloses that some of the above districts do not feel that they should make plans and information, having been developed under the Soil Conservation Districts Act, available to certain groups who seek such information for a commercial purpose.

Subsection (i) of the above-cited act specifically states that the supervisors of the districts shall "make public such plans and information." If the records are "public" then they cannot be confidential at the same time and everyone must be allowed access to them (even salesmen and real estate brokers). It is not within the authority of the districts to "hand pick" those persons to whom they believe the act should apply.

If the privilege of public inspection of the records is being abused, then the remedy must lie in legislative amendment.

As a practical approach, the districts need not copy and furnish any lists but may insist on the records being examined by the interested persons themselves and only at a time convenient to the district in the regular course of its conduct of office affairs.


STERLING A. CASE
Assistant Attorney General