RE: LEGISLATIVE OPEN RECORDS ACT REQUEST PERTAINING TO CAPITOL PARK SAFETY AND SECURITY IMPROVEMENTS PROJECT

Dear Mr. Tennis:

We are in receipt of your request pursuant to the California Public Records Act dated July 13, 2005, for “all documents associated with Mr. [Keith] Felte’s directive to require an all-union workforce, including any written and electronic correspondence to or from Mr. Felte regarding this requirement . . . . any written policies of the Senate Committee on Rules concerning the requirement for a union-only workforce on the Capitol Park Safety and Security Improvements Project, and . . . . the dates and results of the votes on such policies in the Senate Committee on Rules.” The State Legislature is not subject to the requirements of the Public Records Act (see subd. (f), Sec. 6252, Gov. C.), but we have construed your request as one made pursuant to the Legislative Open Records Act (see Art. 3.5 (commencing with Sec. 9070); Ch. 1.5, Pt. 1, Div. 2, Title 2, Gov. C.).

The Legislative Open Records Act exempts from mandatory production records that constitute preliminary drafts, notes, or memoranda, as well as correspondence of and to individual Members of the Legislature and their staff (see subd. (a) and (b), Sec. 9075, Gov. C.). Upon reviewing our records, we find that we are not in possession of any documents as described in your request, or the documents we do have fall within the above exemptions. Accordingly, we have no documents to provide you in response to your request.

Sincerely,

[Signature]
Gregory Schmidt
Secretary of the Senate

cc: Aaron Silva, Office of Legislative Counsel