

**OFFICE OF LEGISLATIVE LEGAL SERVICES**

**COLORADO GENERAL ASSEMBLY**

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May 2, 2017

Mr. David Sirota  
International Business Times/Newsweek

E-mail address: 36979-68634696@requests.muckrock.com

**Re: April 28, 2017, Colorado Open Records Act request regarding oil and gas correspondence.**

Dear Mr. Sirota:

I am responding to your Colorado Open Records Act ("CORA") request dated April 28, 2017, and received that same day by Patti Dahlberg, an employee of this office. You specified your request covers the following members of the Senate: Senator Jerry Sonnenberg, Senator Randy Baumgardner, Senator John Cooke, Senator Vicki Marble, Senator Ray Scott, Senator Kevin Grantham, and Senator Chris Holbert. The request seeks the following records:

- Specific emails to or from the identified legislators to or from the Colorado Oil and Gas Association, including emails to or from email addresses at the domain name "@coga.org."
- Specific emails to or from the identified legislators to or from employees or lobbyists from Anadarko Petroleum, including emails to or from email addresses at the domain name "@anadarko.com."
- Specific emails to or from the identified legislators that include any of the following keywords: "setback," "set back," "fracking," "HB 1256," "1256," "HB17-1256," "forced pooling," "HB 1336," "1336," or "HB17-1336."

You further specified you were seeking emails from the dates of December 1, 2016, to the present.

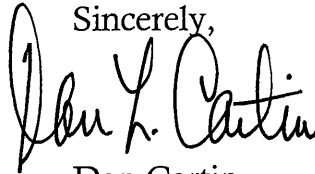
For the purpose of this response and assisting you in making any future requests, I refer you to the policies of the Colorado General Assembly regarding public records requests. The policies are included in the "Legislative Policies Related to Public Records and E Mail", dated November 2013 ("the Policies") and are available through the "Open Records Request & Policy" link at the bottom of the Colorado General Assembly website: [www.leg.colorado.gov](http://www.leg.colorado.gov).

Pursuant to the definition of "custodian" set forth in section II. B. 1. b. of the Policies, each legislator is the official custodian of the public records under his or her

custody and control. The Office of Legislative Legal Services is not the custodian of any of the records sought in your request and therefore has no records to produce in response to the request.

To make a records request for public records in the custody of a member of the Colorado General Assembly, you will need to submit the request directly to the applicable legislator.<sup>1</sup> To help assure the legislator's receipt of any such request, section II. C. 2. of the Policies directs that CORA requests for inspection of a legislative member's records must be submitted to both the legislative member and to this office. In addition, please be aware that pursuant to section II. E. 2. of the Policies, if responding to a CORA request requires more than one hour of staff time for search and retrieval, the requestor is responsible for remitting an administrative search and retrieval charge of \$30 per hour in connection with the time spent by the party from whom the records are requested to produce the records for inspection.<sup>2</sup>

Sincerely,



Dan Cartin  
Director

cc: Senator Kevin Grantham  
Senator Chris Holbert  
Senator Jerry Sonnenberg  
Senator Randy Baumgardner  
Senator John Cooke  
Senator Vicki Marble  
Senator Ray Scott

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<sup>1</sup> A directory, including contact information, of the members of the General Assembly can be found through the "LEGISLATORS" tab at the top of the General Assembly's website.

<sup>2</sup> Section 24-72-205.5 (6) (a), C.R.S., provides that the first hour of time expended in connection with the research and retrieval is not subject to charge.