



VIRGINIA FREEDOM OF INFORMATION ADVISORY COUNCIL
COMMONWEALTH OF VIRGINIA

Delegate Salvatore R. Iaquinto, Vice Chair
Senator Richard H. Stuart

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May 23, 2012



***VIRGINIA FREEDOM OF INFORMATION
ADVISORY COUNCIL***

**Wednesday, May 23, 2012 - 1:30 p.m.
House Room 1, State Capitol**

**SUGGESTED AGENDA
ANNOTATED**

- 1. Call to Order, and Introduction of members.**
- 2. Recap of FOIA and Related Access Bills from 2012 Session of General Assembly.**
- 3. Bills referred to Council for study by 2012 Session of General Assembly:¹**
 - A. HB 397 (Hope)--FOIA; guidance documents of the Virginia Parole Board.
 - B. HB 1105 (Greason)--FOIA; electronic communication meetings.
 - C. HB 1149 (Dudenhefer)--FOIA; electronic communication meeting by local and regional bodies.
- 4. Appointment of Subcommittees.**

¹ Summaries of each of the bills referenced below appear as Appendix A to this agenda.

5. Other Business.

The Criminal Investigative Records stakeholders group will continue to meet. It has been suggested that the release of adult arrestee photographs ("mug shots") and access to criminal history records be added as topics to be considered.

6. Public Comment.

7. Set future meetings. (Reminder: Meetings may only be scheduled on Monday, Tuesday, and Wednesday of the first and third full weeks of the month.)

8. Adjournment.

Council Members

Delegate Sal Iaquinto, Vice Chair	Senator Richard H. Stuart
Sandra G. Treadway	Craig T. Fifer
Forrest M. "Frosty" Landon	George T. Whitehurst
John G. Selph	Ed Jones
James Schliessmann	Robert L. Tavenner
Kathleen Dooley	Stephanie Hamlett

Staff

Maria J.K. Everett, Executive Director
Alan Gernhardt, Staff Attorney

The FOIA Council's web site is: <http://dls.state.va.us/foiacouncil.htm>. To assist us in providing Internet dissemination of materials, presenters are requested to submit written comments and handouts in electronic format by (i) e-mail to staff prior to meetings or (ii) diskette furnished to staff at meetings. Presenters are also requested to bring 20 copies of their remarks or handouts to meetings. These copies will be provided to FOIA Council members and the public.
E-mail: foiacouncil@dls.virginia.gov.

APPENDIX A

BILLS REFERRED TO COUNCIL FOR STUDY BY 2012 SESSION OF GENERAL ASSEMBLY

1. **Virginia Parole Board; exceptions to the Freedom of Information Act.** Requires guidance documents of the Board to be available as public records under the Freedom of Information Act. The bill has a delayed effective date to give the Freedom of Information Advisory Council an opportunity to review the legislation and report on its implementation.

2. **Freedom of Information Act; electronic communication meetings.** Revises the rules for which meetings of state public bodies may be conducted by audio or video means. The bill provides that (i) at least one member of the public body must be physically assembled at the principal meeting location, (ii) the quorum of the public body is determined by members participating in person or by electronic means in the meeting, (iii) a member of the public shall pay for the documented marginal cost that a public body may incur in expanding public participation to the meeting, and (iv) the number of meetings a public body may conduct through electronic communications means is limited to 50 percent of its regular meetings in any calendar year. The bill contains technical amendments.

3. **Freedom of Information Act; electronic communication meetings by local and regional public bodies.** Expands the authority for the conduct of electronic communication meetings to all public bodies. Currently, local public bodies are prohibited from conducting public meetings in this manner, except when the Governor declares a state of emergency. The bill contains technical amendments.