



# VIRGINIA FREEDOM OF INFORMATION ADVISORY COUNCIL

## COMMONWEALTH OF VIRGINIA

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August 25, 2014

### Meeting of the RECORDS Subcommittee of the FOIA Council

#### *Proposed Agenda*

1. Call to order and introduction of subcommittee members.
2. Consideration of draft legislation. *At its meeting on July 8, 2014, the Subcommittee began its work by studying the exemptions of general application and exceptions thereto found in §§ 2.2-3705.1 and 2.2-3705.8. As you will recall, the Subcommittee requested that new drafts be prepared for the exemptions applicable to the following types of records:*
  - *Personnel exemption (§ 2.2-3705.1(1));*
  - *Written advice of legal counsel (§ 2.2-3705.1(1));*
  - *Personal identifiers used to receive email (§ 2.2-3705.1(10)).*
3. Continue implementation of subcommittee work plan. *Following its work plan, the Subcommittee will continue by studying § 2.2-3705.7, records of specific public bodies and certain other limited exemptions. The Subcommittee will consider the first twelve exemptions in that section. As several of these exemptions concern specific agencies, agency representatives have been invited to attend this meeting. For agencies that have additional exemptions later in this section, the Subcommittee will also consider those exemptions. The specific exemptions to be considered include the following:*
  - *Tax records exemption referencing § 58.1-3 tax records prohibition (§ 2.2-3705.7(1));*
  - *Working papers and correspondence of certain officials (§ 2.2-3705.7(2))*
  - *Library records (§ 2.2-3705.7(3));*
  - *Certain contract cost estimates and other records of the Department of Transportation (§ 2.2-3705.7(4));*
  - *Lists of owners of bonds issued by a political subdivision (§ 2.2-3705.7(5));*
  - *Records relating to financial disclosures by members of the General Assembly (§ 2.2-3705.7(6));*
  - *Public utility customer account information (§ 2.2-3705.7(7));*
  - *Personal information filed with the Virginia Housing Development Authority or a local housing and redevelopment authority (§ 2.2-3705.7(8));*
  - *Hazardous waste facility siting records (§ 2.2-3705.7(9));*

- *Records regarding certain plant and animal species, natural communities, caves, and significant historic and archaeological sites (§ 2.2-3705.7(10));*
- *Certain game-related records of the Virginia Lottery (§ 2.2-3705.7(11));*
- *Certain investment-related records of the Virginia Retirement System, University of Virginia, and Virginia College Savings Plan (§ 2.2-3705.7(12));*
- *Certain records of the Department of Environmental Quality, the State Water Control Board, State Air Pollution Control Board or the Virginia Waste Management Board relating to enforcement actions (§ 2.2-3705.7(16));*
- *Certain records of the Virginia Lottery concerning retailers and individual game winners (§ 2.2-3705.7(18));*
- *Certain records of the Virginia Retirement System, a local retirement system, or the Virginia College Savings Plan relating to certain investment strategies, investment managers, or trade secrets (§ 2.2-3705.7(25)).*

4. Public Comment.
5. Discussion.
6. Set future meeting dates.
7. Adjournment.

**Subcommittee Members**

**Bob Tavenner, Chair**  
**Christopher Ashby, Vice-Chair**  
**Stephanie Hamlett**

**Ed Jones**  
**Tim Oksman**

The FOIA Council's web site is: <http://foiacouncil.dls.virginia.gov/>. 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 Subcommittee members and the public.

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