

Good Morning –

On behalf of VML and VACo, we want to thank all of the subcommittee members and FOIA Council Staff for their time and effort in the drafts presented to the Council. Delegate Roem has been very generous with her time and we have engaged with her office on several occasions to try and find some language that VML and VACo can support. Unfortunately, we are not able to support the draft of HB2000 coming from the records subcommittee. Localities are unique in size and capability and it would be very difficult to manage 4 free 2 hour requests per person per month. To comply with this draft would require extra staff without a funding stream. The time deadlines included in FOIA would also become problematic with the 8 free hours of requests per month per person. In addition, as the Arlington Public Schools point out staff costs are often higher than the proposed \$33/hour. While we are very concerned about being reasonable and fair to records requests, however, this bill presents a very drastic policy change from the current statute based on a very small sample of situations.

We very much appreciate the inclusive and collaborative approach the FOIA council and staff has fostered over the years so that we can all work together to find good solutions to open government issues and we strive to reach consensus on these issues when possible.

Please let us know if you have any questions or would like to discuss further.

Phyllis Errico, General Counsel VACo – perrico@vaco.org
Michelle Gowdy, Executive Director, VML – mgowdy@vml.org