

VEDP Legislative Initiatives FOIA Process

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Potential Legislation

- **Old Favorite:**
 - **Clean Energy Manufacturing Incentive Grant**
- **New Initiatives:**
 - **GOF: Changes to Qualifying Criteria**
 - **Significant Funding Program for Emerging Technologies**
- **Blocking and Tackling**

Old Favorite

- **CEMIG**
 - **Get Rid of By-Right Production-Based Solar and Bio-Fuels Programs**
 - **Expand to Cover Clean Energy, Including Renewables and Nuclear, Based on ROI and Subject to Performance Criteria**

New Initiatives

- **GOF Adjustments**
 - **Move from Population as Primary Factor for Performance Criteria**
 - **Lower Top Tier Criteria for All (to \$5MM / 50 jobs from \$10MM / 100 jobs)**
 - **Permit Lower Criteria (\$2.5MM / 25 jobs or \$1.5MM / 15 jobs) based on high unemployment and/or poverty rates**
- **Technology Funding Program**
 - **Commercialization of Emerging Tech, Matching Funds for Research, and Upgrading R&D Capabilities**

Blocking & Tackling

- **Watch a Host of Other Legislative and Budget Items:**
 - **Protect Existing Incentives in Budget**
 - **Be a Cheerleader for Bills that Support our Mission**
 - **Agitate Against “Bad” Bills**
 - **Monitor Other Business-Related Legislation**

FOIA

- Often Receive Requests for Documents / Information in our Possession
- What Do We Do?
 - Analyze the Request
 - Gather Documents Responsive to the Request
 - If Applicable, Work with the Locality on a Common Front
 - If Applicable, Work with the Company to Comfort Them and Provide a Common Front

FOIA, CONT.

- **Supply All Requested Public Records, Except Those Protected by an Exemption**
- **Most Common Exemption:**
 - Confidential proprietary records ... provided by private business ... used by the public body for business, trade and tourism development or retention; and ... other records related to businesses that are considering locating or expanding in Virginia, prepared by a public body, where competition or bargaining is involved and where, if such records are made public, the financial interest of the public body would be adversely affected.

Other Exemptions

- Executive Working Papers
 - Materials for Personal or Deliberative Use
 - Grant Pre-Approval Memos and Applications
- Negotiation of Contracts
 - Relating to the Negotiation or Award of a Contract
 - Disclose After the Decision to Award or Not Award Contract
- Documents Prepared for Closed Meeting
 - Disposition of Public Property
 - Prospective Business Location or Expansion