



COMMONWEALTH of VIRGINIA

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MEMORANDUM

To: Marian H. Brooks, Regulatory Board Administrator
Auctioneers Board
Department of Professional and Occupational Regulation

From: Elizabeth B. Peay
Assistant Attorney General
Counsel to the Auctioneers Board

Date: August 9, 2006

Subject: Letter of Assurance for Exempt Action Final Regulation

I have reviewed the Exempt Action Final Regulations issued by the Auctioneers Board that were posted on Virginia Regulatory Town Hall on August 8, 2006. In my view, as counsel to the Auctioneers Board, the Board may promulgate these regulations, pursuant to § 54.1-113 of the *Code of Virginia*. The regulations do not appear, on their face, to conflict with the Constitution of the United States or the Constitution of the Commonwealth of Virginia, nor do they appear to conflict with federal or state law currently in effect.

This memorandum addresses legal matters only, is not intended to serve, nor should it be construed, as a comment for or against the merits of the proposed, regulations, and does not address, or express a position on, matters of public policy.

