



COMMONWEALTH of VIRGINIA

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To: Mr. Mark N. Courtney, Executive Director
Board for Professional Soil Scientists and Wetland Professionals
Virginia Department of Professional and Occupational Regulation
3600 W. Broad Street
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From: Elizabeth B. Peay
Assistant Attorney General

Date: May 10, 2007

Subject: Letter of Assurance for 18 VAC 145-30-40, Amendment to conform the regulations with HB 2839 (2007 General Assembly)

I have reviewed the Board for Professional Soil Scientists and Wetland Professionals' conforming 18 VAC 145-30-40 to comply with HB 2839(2007 General Assembly). In my view, as counsel to the Board, the Board may promulgate these regulations pursuant to its authority to regulate qualifications for examination of wetland professionals. The regulation does not appear to conflict with the Constitution of the United States or the Constitution of the Commonwealth of Virginia, nor does it appear to conflict with any federal or state law currently in effect. This memorandum addresses legal matters only and is not intended to serve, nor should it be construed, as a comment for or against the merits of the proposed regulations.
