



COMMONWEALTH of VIRGINIA

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MEMORANDUM

To: Betty Bennett, Chairman
Auctioneers Board
Department of Professional and Occupational Regulation

Kate Nosbisch, Executive Director
Auctioneers Board
Department of Professional and Occupational Regulation

From: Steven P. Jack
Assistant Attorney General

Date: July 26, 2010

Subject: Letter of Assurance for Amendments to Auctioneers Board Licensing Regulations, 18 VAC 25-21-10 *et seq.*

I have reviewed the Auctioneers Board's proposed amendments to its Licensing Regulations, 18 VAC 25-21-10 *et seq.*, that were posted on the Virginia Regulatory Town Hall internet site on July 26, 2010. In my view, as counsel to the Auctioneers Board, these regulations may be promulgated pursuant to §§ 54.1-201.1 and 54.1-602 of the *Code of Virginia*. The regulations do not appear to conflict with the Constitution of the United States or the Constitution of the Commonwealth of Virginia, nor do they appear to conflict with any federal or state law currently in effect. Further, these regulations may be promulgated as emergency regulations, pursuant to Chapters 260 and 280 of the Acts of the 2010 General Assembly, which require regulations to be effective within 280 days of enactment.

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.