



COMMONWEALTH of VIRGINIA
Office of the Attorney General
Richmond 23219

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MEMORANDUM

TO: June W. Jennings
State Inspector General
Office of the State Inspector General

FROM: Charles A. Quagliato
Assistant Attorney General

DATE: October 19, 2015

SUBJECT: Regulations Relating to Public Participation Guidelines – 1 VAC 42-5-10, *et seq.*

In response to a request from the Office of the State Inspector General, I have reviewed the proposed regulations, 1 VAC 42-5-10 *et seq.*, relating to the promulgation of public participation guidelines. Chapter 321 of the 2008 Acts of Assembly (effective July 1, 2008) mandates that state agencies either adopt model public participation guidelines issued by the Department of Planning and Budget or if significant changes are proposed, to promulgate new public participation guidelines. Upon review of the aforesaid regulations, the Office of the State Inspector General has adopted the model public participation guidelines issued by the Department of Planning and Budget, and I find the proposed regulations to be constitutional, consistent with the statutory authority granted by Chapter 321 of the 2008 Acts of Assembly, and in conformity with existing statutory provisions.

Please note that this memorandum is intended to provide legal interpretations and legal advice, not policy advice. To the extent that this communication may advise you that a certain action is lawful, the decision whether to take such action remains a policy decision within the discretion of your agency and this communication should not be construed as a comment for or against the merits of such action.