



COMMONWEALTH of VIRGINIA

Office of the Attorney General

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Raymond E. Hopkins
Commissioner
Virginia Department for the Blind and Vision Impaired
397 Azalea Avenue
Richmond, Virginia 23227

Re: Periodic Review and Small Business Impact Review
Public Participation Guidelines
22 VAC 45-12

Dear Commissioner Hopkins:

The Public Participation Guidelines in 22 VAC 45-12 are undergoing a periodic review and a small business impact review. In accordance with Code of Virginia §§ 2.2-4007.1 and 2.2-4017 and Executive Order 17 (2014), as counsel to the Department for the Blind and Vision Impaired (DBVI), I have reviewed the Public Participation Guidelines, 22 VAC 45-12. In my opinion, the DBVI Commissioner had the authority under Virginia Code § 51.5-65 to adopt the current regulations, and the DBVI Commissioner has the authority to amend the regulations if the Commissioner so chooses.

This memorandum addresses legal matters only and is not intended to serve as, nor should it be construed to be, a comment for or against the merits of the regulations.

Very truly yours,

A handwritten signature in blue ink that reads "Pamela B. Beckner".

Pamela B. Beckner
Assistant Attorney General III