



COMMONWEALTH of VIRGINIA

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MEMORANDUM

To: Eric Olson
Executive Director
Virginia Department Professional and Occupational Regulation – Board for Contractors

From: Joshua E. Laws
Assistant Attorney General

Date: August 15, 2019

Subject: Letter of Assurance for Proposed Regulations – Amendments to Board for Contractors Regulations - Amendment to responsible management and designated employee requirements found at 18 VAC 50-22-260

I have reviewed the Department of Professional and Occupational Regulation’s (“the Department”) proposed Amendments to Board for Contractors Regulations - Amendment to responsible management and designated employee requirements found at 18 VAC 50-22-260 that was posted on the Virginia Regulatory Town Hall on August 8, 2019. In my view, as counsel to the Department of Professional and Occupational Regulation and the Board for Contractors, these regulations may be promulgated pursuant to Title 54.1 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, I certify that the proposed changes are exempt from the Administrative Process Act

under Code of Virginia § 2.2-4006(A)(4)(a) because they are necessary to conform to changes in Virginia statutory law or the appropriation act where no agency discretion is involved.

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.