



COMMONWEALTH of VIRGINIA

Office of the Attorney General

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MEMORANDUM

To: David Conmy
Local Government Policy Administrator
Commission on Local Government

From: Justin I. Bell
Assistant Attorney General

Date: November 14, 2017

Subject: Letter of Assurance for Update to Public Participation Guidelines, 1 VAC 50 – 11

I have reviewed the Commission on Local Government's proposed Update to Public Participation Guidelines found at 1 VAC 50 – 11 and 1 VAC 50 – 20 that was posted on the Virginia Regulatory Town Hall on October 25, 2017. In my view, as counsel to the Commission on Local Government, these regulations may be promulgated pursuant to §§ 2.2-4007.02 and 15.2-2903 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. The regulations also appear to qualify for the fast-track rulemaking process under § 2.2-4012.1 of the Code of Virginia because they are noncontroversial.

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.