



# **COMMONWEALTH of VIRGINIA**

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## **MEMORANDUM** *VIA Electronic Mail*

**To:** Mark N. Courtney, Executive Director  
Auctioneers Board  
Department of Professional and Occupational Regulation

**From:** Thomas W. Nesbitt  
Assistant Attorney General-I

**Date:** March 28, 2008

**Subject:** General review to amend existing regulations

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I have reviewed the Auctioneers Board's proposed amendments to its regulations appearing at 18 Virginia Administrative Code §§ 51-21-20 to -185. In my view, as counsel to the Auctioneers Board, the Board may promulgate these amendments to its regulations pursuant to §§ 54.1-201(5) and 54.1-602(B)(1) of the *Code of Virginia*, and the proposed regulations do not appear to conflict with the Constitutions of the United States or the Commonwealth of Virginia, nor do they appear to conflict with current federal or state law.

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