



COMMONWEALTH of VIRGINIA
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MEMORANDUM

TO: Dr. Denise Toney, Director
Division of Consolidated Laboratory Services, DGS

FROM: Matthew L. Gooch
Assistant Attorney General

DATE: October 18, 2018

RE: Amendments to 1VAC30-41-55, Incorporation by Reference.

Pursuant to Va. Code § 2.2-4017 and Executive Order 14 (2018), I have reviewed the above-referenced final regulations of the Department of General Services, Division of Consolidated Laboratory Services. It is my opinion that the Department has statutory authority for the regulations, including sections 2.2-1102 and 2.2-1105 of Chapter 11 of Title 2.2 of the Code of Virginia, and has not exceeded its rulemaking authority. It is further my opinion that this action is exempt from Article 2 of the Administrative Process Act, pursuant to Code § 2.2-4006(A)(4)(c) because the regulations are necessary to meet the requirements of federal law or regulations and do not differ materially from those required by federal law or regulation.

If I may be of any further assistance to you relating to this matter, please do not hesitate to contact me.