



COMMONWEALTH of VIRGINIA

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Memorandum

TO: MARK R. HERRING
Attorney General

FROM: DONALD R. FERGUSON *D. Ferguson*
Senior Assistant Attorney General

DATE: February 24, 2015

SUBJECT: Letter of Assurance for Amendments to 1 VAC 45-5: Adoption of
Public Participation Guidelines

I have reviewed the Office of the Attorney General's proposal to adopt Public Participation Guidelines that were posted on the Virginia Regulatory Town Hall Internet site on February 11, 2015. In my view, these guidelines may be promulgated pursuant to the Administrative Process Act, Section 2.2-4000, *et seq.* of the *Code of Virginia*, as well as Section 2.2-520(B)(2) relating to the Division of Human Rights within the Department of Law. The guidelines 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.

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 guidelines.