



COMMONWEALTH of VIRGINIA

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MEMORANDUM

To: Troy Smith, Chairman
Board for Contractors
Department of Professional and Occupational Regulation

Eric Olson, Executive Director
Board for Contractors
Department of Professional and Occupational Regulation

From: Steven P. Jack
Assistant Attorney General

Date: June 10, 2011

Subject: Letter of Assurance for Amendments to Board for Contractors Licensing Regulations, 18 VAC 50-22-10 *et seq.*

I have reviewed the Board for Contractors' proposed amendments to its Licensing Regulations, 18 VAC 50-22-10 *et seq.*, that were posted on the Virginia Regulatory Town Hall internet site on June 8, 2011. In my view, as counsel to the Board for Contractors, these regulations may be promulgated pursuant to §§ 54.1-201.1, 54.1-1102 and 54.1-1145 of the *Code of Virginia*. Further, these regulations are exempt from the requirements of the Virginia Administrative Process Act as emergency regulations necessary to comply with a change in Virginia law, pursuant to § 2.2-4006(A)(4)(a) 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.

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.