

June 7, 2007

Dr. Daniel J. LaVista
Executive Director
State Council of Higher Education for Virginia
101 N. 14th Street
James Monroe Building
Richmond, VA 23219

RE: Virginia Vocational Incentive Scholarship Program for Shipyard Workers
Regulations 8 VAC 40-140

Dear Dr. LaVista:

I have reviewed the final version of the above-referenced regulations. In my view, the Council has the authority to promulgate these regulations, pursuant to Title 23 of the Code of Virginia.

The shipyard workers regulations are exempt from the APA process per Va. Code 2.2-4002 B (4), because the definition of scholarship in the regulation "means a grant from state funds".

Please contact me at (804) 786-7363 if you have any questions.

Sincerely,

Anthony P. Meredith

Anthony P. Meredith
Assistant Attorney General