



# COMMONWEALTH of VIRGINIA

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## MEMORANDUM

**To:** Mark Haskins, Senior Policy Analyst  
Virginia Department of Taxation

**From:** Flora T. Hezel  
Assistant Attorney General

**Date:** June 29, 2006

**Subject:** Letter of Assurance for Repealing the Regulations Applicable to the Litter Tax

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I have reviewed the Department of Taxation's proposed repeal of regulations applicable to the Litter Tax administered by the Department of Taxation that was posted on the Virginia Regulatory Town Hall internet site on June 23, 2006. In my view, as counsel to the Department of Taxation, the Department may promulgate regulations pursuant to § 58.1-203 of the *Code of Virginia*. The repeal of these 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.

