



SEP 11 2009

COMMONWEALTH of VIRGINIA

Department of Planning and Budget

DANIEL S. TIMBERLAKE
Director

1111 E. Broad Street
Room 5040
Richmond, VA 23219-1922

September 9, 2009

Mr. Philip A. Leone, Director
Joint Legislative Audit and Review Commission
Suite 1100, General Assembly Building, Capitol Square
Richmond, Virginia 23219

Dear Mr. Leone:

I received a copy of the exposure draft for the JLARC report *Review of Exemptions to the Virginia Administrative Process Act* (JLARC draft report) on August 27, 2009. The Department of Planning and Budget's (DPB) Economic and Regulatory Analysis Division (ERAD) provided a list of technical corrections to the report on September 4, 2009. We hope that these corrections have been incorporated into the final report. This letter serves as our formal response to the report.

I would like to thank you and your staff for the work that went into compiling this report. Further, I hope that the project team was able to benefit from using the Virginia Regulatory Town Hall to study the regulatory process. The ERAD staff within DPB has put significant effort into creating and maintaining this site to facilitate and ensure the greatest level of transparency possible with regard to the regulatory review process.

DPB offers two comments in response to the report's findings:

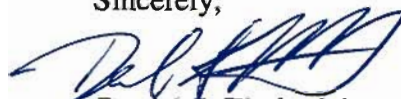
First, DPB follows the regulatory review process established by the Administrative Process Act and the Governor's Executive Order, currently Executive Order 36. In complying with the requirements of the review process, DPB has routinely completed its work within the established timelines for the majority of the regulations promulgated within the past ten years.

Second, DPB agrees that agencies and the regulated community would benefit from a shorter review process, so long as the quality of the analysis and information provided is not sacrificed. DPB has always and will continue to work with the Governor's office to improve the process, including suggesting any changes that could reduce the required time to promulgate a regulation.

Mr. Philip A. Leone, Director
September 9, 2009

Thank you for providing us with the opportunity to respond to this draft report. If you need any additional information, please do not hesitate to contact me at 786-7700 or Melanie West, ERAD Associate Director, at 786-8812.

Sincerely,



Daniel S. Timberlake

cc: The Honorable Richard D. Brown, Secretary of Finance
Brian Shepard, Policy Director to the Governor
Melanie West, Associate Director, Economic and Regulatory Analysis