

Commonwealth of Virginia		
Thomas A. Lisk, Chair <hr/> Andrew Kubincanek, Program Coordinator		General Assembly Building 201 North 9th St., Second Floor Richmond, Virginia 23219 (Phone) 804-786-3591 (Fax) 804-692-0625 akubincanek@dls.virginia.gov http://codecommission.dls.virginia.gov/alac/alac.shtml
Administrative Law Advisory Committee		

SUMMARY
Administrative Law Advisory Committee
August 26, 2016
12 Noon
House Room 2
The Capitol, Richmond

MEMBERS PRESENT: Tom Lisk (chair), Elizabeth Andrews (by telephone), Eric Page, Karen Perrine, Alex Skirpan, Kristi Wright, Roger Chaffe

MEMBERS ABSENT: Kristina Alexander, Brooks Smith, Edward Mullen, Mike Quinan, Jeff Gore

STAFF PRESENT: Andrew Kubincanek

Welcome and call to order: Tom Lisk called the meeting to order at 12:00 p.m.

MSAPA Judicial/Hearing Officer Deskbook Work Group Update: Eric Page reviewed the updates to the Hearing Officer Deskbook. The committee had no additional changes or recommendations and voted unanimously to present the draft to the Code Commission and the Office of the Executive Secretary.

Mr. Page presented a statutory change to § 2.2-4020 to allow presiding officers to protect confidential information or trade secrets by holding a closed hearing, issuing protective orders, or sealing all or part of a hearing record. Where the draft language referenced § 2.2-4023, Karen Perrine suggested changing “comply with” to “implement” as nothing in § 2.2-4023 is mandatory. The group voted unanimously to present the language to the Code Commission with Ms. Perrine’s amendment. Kristi Wright abstained.

Guidance Document Filing Requirements Work Group Update: Ms. Perrine presented the draft of language on guidance documents, which would include agencies without rulemaking authority in the requirement to file a list of guidance documents with the Registrar’s office. Mr. Page asked if the work group considered a clause requiring agencies to file an updated list of guidance documents with the Registrar within a reasonable period of time after promulgation. Ms. Perrine stated that this would’ve gone beyond the scope of the work group, but is a good

Thomas A. Lisk, Chair
 Elizabeth Andrews
 Roger L. Chaffe
 Jeffrey S. Gore

Edward A. Mullen
 Eric M. Page
 Karen Perrine
 Mike Quinan

Alexander F. Skirpan, Jr.
 Brooks Smith
 Kristina Alexander
 Kristi Wright

topic of discussion for 2017. The group voted unanimously to approve the draft for presentation to the Code Commission. Ms. Wright abstained.

Executive Review Process Work Group Update: The work group was scheduled to meet on October 24, 2016, and had no new updates.

Public Comment and Adjournment: Mr. Lisk opened the floor for public comment. There being none, the meeting was adjourned at 12:25 p.m.

Thomas A. Lisk, Chair
Elizabeth Andrews
Roger L. Chaffe
Jeffrey S. Gore

Edward A. Mullen
Eric M. Page
Karen Perrine
Mike Quinan

Alexander F. Skirpan, Jr.
Brooks Smith
Kristina Alexander
Kristi Wright