

# EXECUTIVE SUMMARY

## Florida Board of Auctioneers

### Telephone Conference Call

**Date:** Wednesday, June 16, 2004, 10:00 a.m.

**Location:** Telephone Conference Call

**Board Members:** Fred Dietrich – Chair; Michael Moecker - Vice Chair; Craig Accardo; JoAnn Hill; Annette Elms – excused absence

**Staff Present:** Julie Malone, Executive Director  
Donna Salters Thomas, Government Analyst  
Robyn Barineau, Government Analyst  
Brian Higgins, Prosecuting Attorney  
Mary Ellen Clark, Assistant Attorney General  
Mark Whitten, Division Director  
Mark Reddinger, Unlicensed Activity Program

**Others Present:** William Rowley, Applicant

The meeting was called to order by Mr. Dietrich, Chair at 10:05 a.m. and a quorum was established.

#### **Major Issues**

- The minutes from the April 5, 2004 meeting were approved.
- William Allen Rowley application #139 for auctioneer apprentice license was approved
- James Giannuzzi application # 3116 for auctioneer from null & void was tabled until the September meeting until Mr. Giannuzzi appears at the September meeting.
- The following licenses were ratified
  - 9 auctioneer by endorsement
  - 2 license from null & void
  - 30 license by examination
  - 5 auctioneer apprentice
  - 30 auction business
- Mr. Dietrich and Ms. Elms were approved to attend the July 2004 NALLOA Conference in Madison Wisconsin.
- The Board approved the following language changes to Section 468.385 Licenses required; qualifications; examination; bond:
  - (4) *Any person seeking a license as an auctioneer must pass a written examination approved by the board which tests his or her general knowledge of the laws of this state relating to provisions of the Uniform Commercial Code that are relevant to auctions, the laws of agency, and the provisions of this act. Each applicant must file a complete set of fingerprints that have been taken by an authorized law enforcement officer, which set of fingerprints shall be submitted to the Department of Law Enforcement for state processing and to the Federal Bureau of Investigation for federal processing. The cost of processing shall be borne by the applicant.*
- Ms. Malone suggested that the board take this language to their associations as this change will require legislative approval. The Board voted to submit it as part of the department's 2006 legislative package.

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- Rule Reports were provided on:  
Rule 61G2-2.0035, F.A.C. Exemptions from Licensure Renewal Provision (for members of military spouses) took affect of March 24, 2004.  
Rule 61G2-3.002, F.A.C. finger print application fee was withdraw on March 15, 2004; and  
Rule 61G2-3.003 F.A.C, Examination Fee changes became affective April 26, 2006.
- There was a discussion of the \$495,801 cash sweep and concerns of having collected this amount of money from licensees to have it swept by the legislature.
- The department requested permission to move money from the unlicensed activity account to the general operating account after the closeout of FY 2003-2004 if the operating account is in the red. The board postponed providing a response until this actually occurs.
- Mr. Dietrich commended Ms. Malone & Mrs. Salters-Thomas on their work at the Board office.
- There was a discussion on doing a public service announcement for the auctioneer board. Ms. Malone and Mr. Reddinger will research the cost of different types of PSAs and present them to the board at the September meeting.

### **Old Business**

- The board recommended that Mr. Dietrich & Ms. Elms attend the NALLOA conference.
- There was a discussion on the easiness of obtaining an auction business license (which requires more fiduciary responsibility) over auctioneer license. This issue will be discussed in detail after a review of North Carolina statutes and will be discussed at the September meeting.

### **New Business**

- The next meeting will be held Wednesday, September 29, 2004 at 9:00 a.m. in Tallahassee.
- The meeting was adjourned at 12:00 p.m.

Submitted by

Julie Malone, Executive Director  
Donna Salters Thomas, Government Analyst