

Executive Summary
Florida Board of Auctioneers
Telephone Conference Call
January 25, 2005, 10:00 a.m.

Board Members Present

Fred Dietrich, Chair
Michael Moecker
Craig Accardo
JoAnn Hill

Board Members Absent

Annette Elms, Resigned

Staff Present

Julie Malone Garofalo, Ex. Director
Jerry Wilson, Deputy Director, DBPR
Donna Salters, Government Analyst I
Robyn Barineau, Government Analyst II
Daniel Biggins, Asst Attorney General
Michael Martinez, Spec. Counsel to the Secretary

MAJOR ISSUES

- The meeting was called to order at 10:15 a.m. and a quorum was established with a roll call.
- Ms. Annette Elms has submitted a letter of resignation to the Governor's Appointment Office
- The minutes were approved from the December 7, 2004 meeting
- There was a discussion regarding a memo concerning consignment shops and if what they do constitutes unlicensed activity including if the business is using the word "auction" in the name and is not licensed.
- There was a discussion on changing the definition of "auction" to include internet and media technology. It was explained that this effort could open up the practice act to be challenged.
- There was a discussion regarding Rule 61G2-8.010, F.A.C and that it seems to define "auctions" and it implies that internet auctions would be regulated as part of the definition. It was noted that the definition provided was pre-internet.
- Mr. Wilson explained that the department could issue a cease and desist to those businesses using the word "auction" in their names.
- There was a discussion regarding the definition in Chapter 468.382, F.S. by Mr. Dietrich who stated that according to this rule it seems as if a company uses the word "auction" in the name and advertise as an auction business then they should have a license. It was explained that if a business holds itself out to the public as an auction business, then the board has a role in protecting the public by making sure that they are legitimate.

Next Meeting

- The next meeting is scheduled for March 22, 2005 in Orlando, Florida at 10:00 a.m.
- The meeting was adjourned at 11:15 a.m.

Submitted by