



Renewal and Newsletter

April 2010

Kentucky Board of
Auctioneers
9112 Leesgate Rd., #5
Louisville, KY 40222

Phone:
(502) 429-7145

Fax:
(502) 429-7147

E-mail:
auctioneers@ky.gov

We're on the Web!
<http://auctioneers.ky.gov>

Auctioneer

Address

City, State Zip

of hours you need for 2010 renewal:

Renewal Time In 2 Months-Renewal Form included

Continuing education credit must be earned between July 1, 2009 and June 30, 2010. If you have completed CE, fax the certificate or proof of attendance to the Board.

The completed renewal (form, fee and if applicable, proof of CE) is due in the Board office on or before Wednesday, June 30th.

Remaining Board-Sponsored Seminars

5/18/2010

**JENNY WILEY STATE PARK
75 THEATRE COURT
PRESTONSBURG, KY 41653**

9:00 AM through 12:00 Noon, ET
Darron Meares "Intro to Technology, Social networking"

1:00 PM through 4:00 PM, ET
Darren Meares "Estates at Auction"

5/25/2010

**GENERAL BUTLER STATE PARK
1608 Hwy 227
CARROLLTON, KY 41008**

9:00 AM through 12:00 Noon, ET

Larry Garner "To Be Announced"

1:00 PM through 4:00 PM, ET
Larry Garner "To Be Announced"

IF YOU NEED A CERTIFICATE FOR ANOTHER STATE, PLEASE INDICATE THAT ON YOUR SIGN-IN SHEET DURING THE SEMINAR.

YOUR HOURS WILL BE ENTERED INTO OUR DATABASE AFTER THE SEMINARS. NO OTHER DOCUMENTATION WILL BE NEEDED.

THE REGISTRATION FORM IS INCLUDED IN THIS ISSUE.

REMEMBER, AN APPRENTICE NEEDS 3 HOURS OF CONTINUING EDUCATION, AND AUCTION HOUSE OPERATOR NEEDS 3 HOURS AND A PRINCIPAL AUCTIONEER NEEDS 6 HOURS OF CONTINUING EDUCATION.

EVERYONE IS WELCOME TO STAY THE ENTIRE SESSION EVEN IF THEY ONLY NEED 3 HOURS.

RECENT ISSUES OF CONCERN

ISSUE 1: We have received several calls regarding auctioning mounted deer head. The Dept. of Fish and Wildlife states; KRS 150.4111 (1); Any person may purchase from or sell to a licensed taxidermist any legally mounted specimen.

ISSUE 2: The question of selling nursery stock came up at the KAA convention and according to Nurseries and Dealers to be licensed--Fees; KRS 249.060 (d); Class B dealer; businesses whose primary business is not the sale of nursery stock shall pay an annual fee of twenty-five (\$25).

ISSUE 3: The Kentucky Board of Auctioneers has had many complaints in the last 1 $\frac{1}{2}$ years from sellers who have not settled within 30 days of the auction. KRS 330.110 (5), states that the board may suspend for a period up to five (5) years or revoke the license of any licensee, or levy fines or place any licensee on probation for a period of up to five (5) years for "Failing to account for or remit, within a reasonable time, any money belonging to others that comes into the licensee's possession, commingling funds of others with the licensee's own funds, or failing to keep the funds of others in an escrow or trustee account" and according to 201 KAR 3:040, settlement with the seller must occur within 30 days after the conclusion of the auction, unless there is a legal requirement that funds held in escrow be held longer than 30 days. An escrow account is a necessity for any auctioneer or auction house operator who signs an auction listing contract.

ISSUE 4: Please make sure to familiarize yourselves with our new laws that went into effect June 25, 2009. You were sent a copy in the 10/2009 newsletter.



For Office Use

Rec'd date: _____

Amount: _____

Cash ___ Check ___ MO ___

2010 SEMINAR REGISTRATION FORM

Place a check mark (✓) beside the date of attendance.

_____ Monday February 15 Bowling Green (CT)-Scott Musser
Holiday Inn
1021 Wilkinson Trace, Bowling Green KY 42103

_____ Tuesday April 20 Southern KY (CT)-Ken Byrd
Barren River Lake State Resort Park
1149 State Park Rd., Lucas KY 42156

_____ Tuesday April 27 Western KY (CT)-Steve Cherry & Steve Henry
Kentucky Dam Village State Resort Park
166 Upper Village, Highway 641, Gilbertsville KY 42044

_____ Tuesday May 18 Eastern KY (ET)-Darren Meares
Jenny Wiley State Resort Park
75 Theatre Court, Prestonburg KY 41653

_____ Tuesday May 25 Northern KY (ET)-Larry Garner
General Butler State Resort Park
1608 Highway 227, Carrollton KY 41008

NAME

LICENSE NUMBER

Make check or money order payable to the KY Board of Auctioneers

Mail to: KY Board of Auctioneers, 9112 Leesgate Rd, Suite 5, Louisville, KY 40222

DISCOUNTED EARLY REGISTRATION: \$25

LATE REGISTRATION AT SITE: \$35

A.M. session 9:00-12:00 P.M. session 1:00-4:00 local time.

Registration fee includes both sessions. Registration fees are non-refundable.

LAWS THAT GO INTO EFFECT 7/1/2010

According to KRS 330.060 (1)

(c): Effective July 1, 2010, an applicant for an apprentice auctioneer license shall have successfully completed at least eighty (80) hours of approved classroom instruction from a board-approved auction education provider.

(d) The board may waive the eighty (80) hours of approved classroom instruction requirement if the applicant demonstrates sufficient previous auction experience and competency by affidavit or other evidence as required by the board.

According to KRS 330.070 (2)

An apprentice auctioneer with an original license issued prior to June 30, 2010, shall be required to successfully complete the auctioneer examination.

(3) Effective July 1, 2010, an applicant for an apprentice auctioneer license shall be required to successfully complete the auctioneer examination prior to being issued an apprentice license. No further examination shall be required prior to applying for an auctioneer license.

(a) An apprentice auctioneer shall apply for an auctioneer license after completing the two (2) year apprenticeship and within five (5) years of being issued an apprentice license.

(b) If a licensed apprentice auctioneer does not apply for an auctioneer license within five (5) years of receiving an apprentice license, the apprentice license shall not be renewed.

(c) This subsection shall not apply to an apprentice auctioneer licensed prior to June 30, 2010.

Please refer to <http://auctioneers.ky.gov> for the full text of the current statutes.

AS OF APRIL 2010 THESE ARE THE KENTUCKY BOARD OF AUCTIONEERS PRE-APPROVED CONTINUING EDUCATION PROVIDERS. AS OF 7/1/10 EVERY AUCTIONEER WILL HAVE TO RECEIVE THEIR CE FROM A KBA APPROVED PROVIDER OR ONE OF KBA'S SEMINARS.

1. Professional Ringmen's Institute - Rogersville, MO
2. Kentucky Auction Academy - Bowling Green, KY
3. World Wide College of Auctioneering - Mason City, IA
4. NAA Conference & Show 2010 - Greensboro, NC
5. Ohio Auction School - Groveport, OH
6. Indiana College of Auctioneers - Scipio, IN
7. Nashville Auction School - Tullahoma, TN



DOING BUSINESS IN KENTUCKY

The office has had several requests to reprint this list from our Auctioneers.

The employees of the Kentucky Board of Auctioneers can only respond to questions regarding KRS 330 or related regulations. The Board recommends that the licensee ask the SOURCE for all other clarifications. Listed below are relevant telephone numbers. Most websites of the following state and federal agencies are linked at <http://auctioneers.ky.gov/relinks.html>

Kentucky Sales Tax Dept of Revenue (502) 564-5170	Corporations in Kentucky Secretary of State (502) 564-2848
Motor Vehicles, County Clerk or KY Dept of Revenue, Motor Vehicle Usage Tax Section (502) 564-4455	Alcohol ATF (800) 688-9889 and KY Dept of Alcoholic Beverage Control (502) 564-4850
Firearms ATF (800) 688-9889 and Kentucky State Police (502) 227-8700	Food Products Cabinet for Health Services, Food Safety Branch (502) 564-7181
Mobile/Manufactured Homes KY Dept of Housing, Buildings and Construction Division of Fire Prevention (502) 573-0382	Meth Cleanup, Underground Storage Tanks KY Division of Waste Management (502) 564-6716 and US Environmental Protection Agency Region 4, (800) 241-1754
Protected Wildlife, Mussels & Fishes, Raw Fur or Processed Wildlife KY Dept. of Fish & Wildlife (800) 858-1549	Nursery Stock State Entomologist (859) 257-5838
Car Dealer License Motor Vehicle Commission (502) 564-1000	Kentucky Real Estate Commission (502) 429-7250
Dept. of Charitable Gaming Public Protection & Regulation Cabinet (502)573-5528	Kentucky Auctioneers Association 270-782-2773
Mattresses Environmental Management Branch (502)564-4856 x3724	NAA / Continuing Education in KY (888)541-8084 x28



Commonwealth of Kentucky

Kentucky Board of Auctioneers

9112 LEESGATE ROAD, SUITE 5
LOUISVILLE, KENTUCKY 40222
(502) 429-7145
Fax (502) 429-7147
<http://auctioneers.ky.gov>

July 7, 2010

Home/Mailing Address:

Pco g
Cfftguu
Ek{."Ucvg." kr"

License Number: Daytime phone number:

Home county (if reside in Kentucky):

Business address: Cwckqpggt ICJ Q

Cfftguu
Ek{."Ucvg." kr

Business phone number:

Business county (if business is in Kentucky):

Answer the following questions. If all questions are not answered, the renewal form will be returned.

1. Do you conduct regularly scheduled consignment auctions? Yes [] No []
If yes: Address _____
Day(s) and Time(s) of Auction _____
2. Has disciplinary action been taken or is there a current investigation against your auctioneer license or any other professional license in any state or jurisdiction? Yes [] No [] If yes, attach a copy of the Order and letter of explanation. (If previously reported to the KY Board of Auctioneers, please note here. _____)
3. KRS 164.772 requires submission of the following information by individuals holding a professional license in the Commonwealth. Do you have an outstanding student loan or other repayment obligation with the Kentucky Higher Education Assistance Authority: Yes [] No []
If yes, are you: current [] or in default [] of this obligation.
If you are in default, your license to practice in the Commonwealth of Kentucky may not be renewed.

of hours you need for 2010 renewal:

I certify this information is true and correct.

Signature

Date

INSTRUCTIONS

Please review the preprinted information. All correspondence from the Kentucky Board of Auctioneers is mailed to the home/ mailing address. Licenses are mailed to the business address. **Make any corrections by crossing out the incorrect information and printing the correct information out on the same line.** The Business telephone number and the Business Address are published in the Directory and on the Board’s website.

The renewal fee and reinstatement fee are based on dates that the Kentucky Board of Auctioneers receives the material. It is not a postmark date! The fee is remitted by check or money order payable to the KY Board of Auctioneers. License renewals not received by July 1st are canceled until reinstated or reissued.

IF CONTINUING EDUCATION HOURS ARE COMPLETED BY JUNE 30, 2010 OR LICENSEE IS EXEMPT FROM REPORTING CONTINUING EDUCATION HOURS

Submit completed 2010 renewal form, the renewal fee, applicable proof of completed CE (earned from July 1, 2009 through June 30, 2010, if not previously reported), and if applicable the \$10 address change fee

- If received in the Board Office on or before Thursday, July 1, 2010
 Renewal Fee \$130
 If you have any address changes, include: \$10

OR

- If received in the Board office on or after July 2, 2010 through December 31, 2010
 Reinstatement Fee \$230
 If you have any address changes, include: \$10

IF CONTINUING EDUCATION HOURS ARE NOT COMPLETED BY JUNE 30, 2010

- Your Kentucky license is canceled. Continuing education reporting exemptions are canceled. Submit the completed examination application (examination information and application available at <http://auctioneers.ky.gov>) and applicable exam fee (\$75 or \$100). When the exam is successfully completed and remittance of the \$130 license fee, your license will be issued.

OR

- Remit the applicable renewal fee of \$130 (if received in the Board office on or before 7/1/10) or \$230 (if received in the Board office on 7/2/10 through 12/31/10), the completed 2010 renewal form, a \$300 CE penalty fee, and if applicable the \$10 address change fee. Your continuing education requirement for the 2011 renewal is doubled.

TO ESCROW LICENSE, REQUEST MUST BE IN BOARD OFFICE BY JUNE 30th

If the renewal form and fee is received in the Board office on or before June 30th, you may place your license in escrow. Submit the 2010 completed renewal form with the business address marked out, write “I want to put my license in escrow” on the form and remit the renewal fee of \$100. If mailing/home address is changed, include \$10. NOTE: Escrow renewal fee is \$100 every year (\$150 if late). To reactivate an escrowed license, proof of completed CE hours and a reactivation fee of \$130 are required.

llllllllllllllllllll