



STATE OF WEST VIRGINIA  
DEPARTMENT OF AGRICULTURE  
CHARLESTON 25305

GUS R. DOUGLASS  
COMMISSIONER

WILLIAM H. GILLESPIE  
ADMINISTRATIVE ASSISTANT

August 3, 1983

Honorable A. James Manchin  
Secretary of State  
Building #1, Room W-157  
Charleston, WV 25305

Dear Secretary Manchin:

I am attaching two copies of amended West Virginia Regulations for the State Department of Agriculture which implement procedures for the licensing of auctioneers. These regulations are promulgated and issued under authority of Chapter 19, Article 2C, Code of West Virginia, 1931, as amended. These are Legislative Regulations.

I hereby certify that these are the original regulations to be filed in the office of the Secretary of State on August 3, 1983.

With best regards, I am

Very truly yours,

Gus R. Douglass  
Agriculture Commissioner

GRD/G/d

FILED IN THE OFFICE OF  
A. JAMES MANCHIN  
SECRETARY OF STATE

THIS DATE AUG 3, 1983  
Administrative Law Division



STATE OF WEST VIRGINIA  
OFFICE OF THE SECRETARY OF STATE  
CHARLESTON 25305

A. JAMES MANCHIN  
SECRETARY OF STATE

STATE REGISTER FILING

I, Gus R. Douglass, Agriculture Commissioner,  
Title or Position

West Virginia Department of Agriculture, hereby submit to record in  
Department or Division

the State Register on 8 1/2 x 11" paper two (2) copies of

- ( ) proposed rules and regulations concerning topics of material not covered by existing rules and regulations;
- (xx) proposed rules and regulations superseding rules and regulations already on file;
- ( ) notice of hearing;
- ( ) findings and determinations;
- ( ) rules and regulations; or
- ( ) other - specify ( )).

This filing pertains to

Chapter 19  
Article 2C  
Series XI  
Section \_\_\_\_\_  
Page No. 1 through 7 (XIf)

FILED IN THE OFFICE OF  
A. JAMES MANCHIN  
SECRETARY OF STATE

THIS DATE AUG 3, 1983  
Administrative Law Division

- (xx) proposed rules and regulations are required to go to Legislative Rule Making Committee;
- ( ) proposed rules and regulations are excluded from Legislative Rule Making Committee;

August 3, 1983  
Date Submitted

William H. Gillespie  
Signature of Person Authorizing  
this Filing  
William H. Gillespie  
Assistant Commissioner

LEGISLATIVE

WEST VIRGINIA ADMINISTRATIVE REGULATIONS  
STATE DEPARTMENT OF AGRICULTURE

Chapter 19-2C  
1983

GENERAL INDEX  
FOR  
SERIES XI

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WEST VIRGINIA AUCTIONEER'S LAW

Section 1 - GENERAL

PAGE NUMBER

1

Scope  
Authority  
Effective Date  
Filing Date

Section 2 - DECLARATION OF POLICY

1

Declaration of Policy

Section 3 - REGULATIONS

1, 2, 3

Applications  
Bond Requirements  
License  
Receipts  
Examination of Applicants  
Accredited Auctioneering Schools  
Suspension, Revocation, Expiration or Termination  
of Supervising Auctioneer's License  
Reciprocity  
Advertising

FILED IN THE OFFICE OF  
A. JAMES MANCHIN  
SECRETARY OF STATE

THIS DATE 8/3/83  
Administrative Law Division

WEST VIRGINIA ADMINISTRATION REGULATIONS

STATE DEPARTMENT OF AGRICULTURE

Chapter 19-2C

Series XI  
1983

FILED IN THE OFFICE OF  
A. JAMES MANCHIN  
SECRETARY OF STATE  
THIS DATE 8/3/83  
Administrative Law Division

SUBJECT: Regulations Governing Auctioneers

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Section 1 - General

1.01 Scope. These regulations establish general procedures for the licensing of auctioneers. These are Legislative Regulations.

1.02 Authority. These regulations are issued under authority of Chapter 19, Article 2C of the Official Code of West Virginia, 1931, as amended.

1.03 Effective Date. These regulations are promulgated and become effective on January 1, 1984.

1.04 Filing Date. These regulations were filed in the Office of the Secretary of State on August 3, 1983.

Section 2 - Declaration of Policy

2.01 These regulations are for the purpose of implementing Article 2C, Chapter 19 of the State Code of West Virginia pertaining to the licensing of auctioneers.

Section 3 - Regulations

3.01 Applications. The thirty (30) day period for action by the commissioner shall not commence until all necessary information has been submitted by the applicant.

3.02 Bond Requirements. All property bonds shall be accompanied by a justification of surety showing that said real estate has an unencumbered assessed value of at least ten thousand dollars (\$10,000) for an auctioneer's license and five thousand dollars (\$5,000) for an apprentice auctioneer's license. Said property shall be located within the State of West Virginia and said bond shall be recorded in the Office of the Clerk of the County Commission of the county wherein the property is located. All corporate surety bonds shall be executed by a company authorized to do business in West Virginia.

3.03 License. The license numbers issued under this Act shall be permanent, subject to annual renewal.

3.04 Receipts. Upon demand, each auctioneer shall provide a buyer or purchaser with a receipt that includes:

- (a) the date on which the purchase was made;
- (b) a description of the item or lot;
- (c) the price paid for the item or lot purchased; and
- (d) the name, license number and permanent address of the auctioneer.

The auctioneer shall retain a copy of receipts so issued for his records.

3.05 Examination of Applicants. The written examination shall test the applicant's knowledge of the West Virginia Auctioneer Law, rules and regulations promulgated thereunder, and other fundamentals of the auctioneering profession. The oral examination shall test the auctioneer's competency in conducting an auction.

3.06 Accredited Auctioneering Schools. The commissioner shall annually issue a list of accredited schools.

3.07 Suspension, Revocation, Expiration or Termination of Supervising Auctioneer's License. The suspension, revocation, expiration or termination of a supervising auctioneer's license shall automatically suspend the license of any apprentice auctioneer sponsored or employed by the suspended auctioneer. However, apprentice auctioneers may retain apprentice licenses by transferring to the employment or sponsorship of another licensed auctioneer, providing the request for the transfer is made in writing.

3.08 Reciprocity. Any out-of-state resident who holds a valid auctioneer's license in another state may be granted a West Virginia license, PROVIDED that the state in which he is licensed provides similar recognition to a licensee of this state, and that the licensing requirements of the other state are at least equal to those of the State of West Virginia. The commissioner shall annually issue a list of states with whom reciprocity has been formally approved.

3.09 Advertising. Any circular or other printed material advertising a sale shall contain the name and license number of the auctioneer conducting the sale, and the date, place and exact time of the auction.

WEST VIRGINIA ADMINISTRATIVE REGULATIONS  
STATE DEPARTMENT OF AGRICULTURE

Chapter 19-2C  
1983

GENERAL INDEX  
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SECRETARY OF STATE

THIS DATE 8/3/83  
Administrative Law Division



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DEPARTMENT OF AGRICULTURE  
CHARLESTON 25305

GUS R. DOUGLASS  
COMMISSIONER

WILLIAM H. GILLESPIE  
ADMINISTRATIVE ASSISTANT

August 3, 1983

Honorable A. James Manchin  
Secretary of State  
Building #1, Room W-157  
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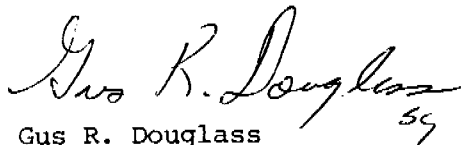
Dear Secretary Manchin:

I am attaching two copies of amended West Virginia Administrative Regulations for the State Department of Agriculture which implement procedures for the licensing of auctioneers. These regulations are being filed as Emergency Regulations. The regulations were promulgated and issued under authority of Chapter 19, Article 2C, Code of West Virginia, 1931, as amended. These are Legislative Regulations.

I hereby certify that these are the original regulations to be filed in the office of the Secretary of State on August 3, 1983.

With best regards, I am

Very truly yours,

  
Gus R. Douglass  
Agriculture Commissioner

GRD/G/d  
Enc.

FILED IN THE OFFICE OF  
A. JAMES MANCHIN  
SECRETARY OF STATE

THIS DATE Aug. 3, 1983  
Administrative Law Division





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OFFICE OF THE SECRETARY OF STATE  
CHARLESTON 25305

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- ( ) proposed rules and regulations concerning topics of material not covered by existing rules and regulations;
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August 3, 1983  
Date Submitted

William H. Gillespie  
Signature of Person Authorizing  
this Filing

WEST VIRGINIA ADMINISTRATIVE REGULATIONS

STATE DEPARTMENT OF AGRICULTURE

Chapter 19-2C

Series XI  
1983

EMERGENCY REGULATIONS

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