

NOTICE OF INTENT TO AMEND RULE
55-5-.02 "ESCROW ACCOUNTS" OF
CHAPTER 55-5 "CONDUCT OF AUCTIONS,"
OF THE GEORGIA AUCTIONEERS COMMISSION RULES,
AND NOTICE OF PUBLIC HEARING

TO ALL INTERESTED PERSONS AND PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the Georgia Auctioneers Commission (hereinafter "Board") proposes an amendment to the Georgia Auctioneers Commission rules, Chapter 55-5, Rule 55-5-.02 (hereinafter "proposed rule amendment"). The Board voted to post this notice and hearing at its board meeting on March 7, 2005.

The proposed rule amendment adds a time limit for auctioneers to deposit auction proceeds into an escrow or trust account.

This notice, together with an exact copy of the proposed amendment and a synopsis of the proposed amendment, is being mailed to all persons who have requested, in writing, that they be placed on a mailing list. A copy of this notice, an exact copy of the proposed amendment, and a synopsis of the proposed rule amendment may be reviewed during normal business hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. These documents will also be available for review on the Georgia Auctioneer Commission's web page at <http://www.sos.state.ga.us/plb/auctioneer/>. Copies may also be requested by contacting the Georgia Auctioneers Commission office at 478-207-1460.

A public hearing will be held at 10:30 a.m. on April 18, 2005 at the office of the Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia to provide the public an opportunity to comment upon and provide input into the proposed rule repeal. At the public hearing anyone may present data, make a statement, comment or offer a viewpoint or argument whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for the official record. Oral statements should be concise and will be limited to 5 minutes per person. Additional comments should be presented in writing. Written comments are welcome. Such written comments must be legible and signed, should contain contact information for the maker (address, telephone number and/or facsimile number, etc.) and be actually received in the office prior to the close of business (5:00 p.m.) on April 11, 2005. Written comments should be addressed to Mollie L. Fleeman, Division Director, Secretary of State, Professional Licensing Boards Division, Georgia Auctioneers Commission, 237 Coliseum Drive, Macon, Georgia 31217. FAX: 478-207-1468.

The proposed rule amendment will be considered by the Georgia Auctioneers Commission at its meeting on April 18, 2005 scheduled to begin at 10:40 a.m. at the office of the Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia. The Georgia Auctioneers Commission has the authority to amend Rule 55-1-.01 pursuant to authority contained in O.C.G.A. §§ 43-1-19, 43-1-24, 43-1-25, 43-6-7, 43-6-11.2, and 43-6-18.

The formulation and adoption of this proposed rule amendment as considered by the Board on March 7, 2005 does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule repeal cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-1-19, 43-1-24, 43-1-25, 43-6-7, 43-6-11.2, and 43-6-18.

Additionally, as considered by the Board at its meeting on March 7, 2005 it is not legal or feasible to meet the objectives of O.C.G.A. §§ 43-1-19, 43-1-24, 43-1-25, 43-6-7, 43-6-11.2, and 43-6-18 to adopt or implement differing actions for businesses as listed at O.C.G.A. § 50-13-4(a)(3)(A), (B), (C) and (D). The formulation and adoption of this rule amendment will impact every licensee in the same manner and each licensee is independently licensed, owned and operated and dominant in the field of auctioneering.

For further information, contact the Board office at 478-207-1460.

This notice is given in compliance with O.C.G.A. § 50-13-4.

This _____ day of _____, 2005.

Mollie Fleeman
Division Director
Professional Licensing Boards

Posted: _____