

828-00 MISSISSIPPI AUCTIONEER COMMISSION

FY 2023 – 2027

Comprehensive Mission Statement

The Mission of the Mississippi Auctioneer Commission includes regulatory authority and compliance with the Mississippi Code, Chapter 4, Title 73 and to form effective rules and regulations that protect the public while benefiting the auction industry in Mississippi. The Commission endeavors, through its actions, to continue a program of considerate and professional administration of duties and responsibilities mandated by the Mississippi Auctioneer Licensing Act.

Statement of Philosophy

The Mississippi Auctioneer Commission provides quality and appropriate regulatory services guided by the principles of:

- efficiency of board management operations;
- engaging auctioneer professionals and government bodies to insure understanding of the Act, Rules and Regulations and Standards of Practice; and
- inspecting, soliciting public input, and cooperating with law enforcement agencies and other governmental bodies to insure professional and ethical standards of conduct.

Statewide Goal 1

Primary responsibility is to protect the public by investigating any auctioneer or firm owner who has conducted him/herself in an unethical or unprofessional manner.

Benchmarks

- ✓ Inquiries for professional standards requested
- ✓ Availability and accessibility of information from website
- ✓ Number of complaints received
- ✓ Number of complaints resulting in a hearing
- ✓ Number of complaints resulting in loss of licensure

Statewide Goal 2

Provide for effective and efficient licensure process in a timely manner

Benchmarks

- ✓ Number of in-state auctioneer applications processed
- ✓ Number of in-state firm applications processed

- ✓ Number of out-of-state auctioneer applications processed from reciprocal states
- ✓ Number of out-of-state firm applications processed from non-reciprocal states
- ✓ Number of out-of-state auctioneer applications processed from non-reciprocal states
- ✓ Number of out-of-state firm applications processed from non-reciprocal states

Statewide Goal 3

To provide easy accessibility of online renewals upon expiration of auctioneer and firm licenses

Benchmarks

- ✓ Number of in-state auctioneer applications processed upon expiration
- ✓ Number of in-state firm applications processed upon expiration
- ✓ Number of out-of-state auctioneer applications processed from reciprocal states upon expiration
- ✓ Number of out-of-state firm applications processed from non-reciprocal states upon expiration
- ✓ Number of out-of-state auctioneer applications processed from non-reciprocal states upon expiration
- ✓ Number of out-of-state firm applications processed from non-reciprocal states upon expiration

Statewide Goal 4

To establish reciprocal agreements with all of the other license states to enable Mississippi auctioneers to participate in the auction industry throughout the U.S. in recognition of the Universal Recognition of Occupational Licenses enacted in 2021.

Benchmarks

- ✓ Number of existing reciprocal states maintained
- ✓ Number of new reciprocal agreements with other regulatory states

Statewide Goal 5

To enact the Military Family Freedom Act by providing a streamline entry to licensure in Mississippi.

Benchmarks

- ✓ Number of existing reciprocal states maintained
- ✓ Number of new reciprocal agreements with other regulatory states

Overview of the Commission's 5-Year Strategic Plan

The Mississippi Auctioneer Commission has the following four main functions:

1. To review applicant files for all requirements of licensure, and to issue licenses to qualified auctioneers who wish to practice in Mississippi.
2. To renew auctioneer and firm licenses in Mississippi; ensuring that all auctioneers and firms have maintained a current and valid bond in the amount of \$10,000.00
3. To protect the public by investigating complaints against auctioneers and firms and working with other governmental agencies to eliminate unlicensed practice
5. To implement in a timely manner new legislation provided through the Fresh Start Act of 2019, the Military Family Freedom Act and the Universal Recognition of Occupational Licenses to allow for licensure without undue restrictions.

To date the Mississippi Auctioneer Commission is successfully performing the above mentioned functions. Commission members plan to continue to seek new and improved ways to serve the population of the State of Mississippi in regard to ensuring the safe and ethical practice of auctioneers and auction firms in Mississippi.

Performance Effectiveness Objectives from fiscal year 2023 through fiscal year 2027

FY 2023

Licensure and Regulation

1. Continue to effectively promote compliance with the license Act, without undue restrictions
2. License all qualified individuals
3. Maintain awareness of the changes in the auction industry and inform the licensees of those changes
4. Increase the number of new licenses issued

Funding: Requested special funds for FY 2022: \$117,462.

FY 2024 to FY 2027

1. Continue to license resident and non-resident auctioneers and firm owners who are qualified for licensure in Mississippi without undue restrictions
2. Continue to establish reciprocal agreements with all licensed states to enable Mississippi auctioneers to participate in the auction industry nationwide to ensure Mississippi's success of the Military Family Freedom Act and the Universal Recognition of Occupational Licensure enacted in 2021
3. Continue to effectively and efficiently execute the responsibilities of the Commission without undue restrictions to applicants

Funding: Funds for FY 2023 - FY 2027 will be determined by anticipated increases and decreases in the cost of efficiently conducting Commission duties and business.

Significant External Factors Which May Affect Performance

- ✓ Number of auctioneers and firm owners renewing licenses
- ✓ Number of new in-state licenses issued
- ✓ Number of new out-of-state licenses issued
- ✓ Number of military related applications received
- ✓ Number of reciprocal agreements with other licensing states
- ✓ Number of new firm licenses issued
- ✓ Number of new licenses applying for the written Mississippi examination
- ✓ Number of valid complaints filed against licensed auctioneers and firm owners requiring investigation and/or hearing
- ✓ Changes in the standards of practice of auctioneering; and
- ✓ Changes in state statutes

Objective with Outcome Measure

- The Board will continue to work with ITS and Mississippi Interactive to continue on-line projects for FY2022. Priorities include: Implement an on-line process for initial licensing of auctioneers and auctioneer firms to reduce the number of paper applications handled; and
- Improve reporting requirements to provide more accountability of on-line process through ITS.

Agency's Internal Management System utilized to Evaluate its Performance

The Mississippi Auctioneer Commission is comprised of five (5) licensed auctioneers known as "Commissioners". The Commission meets approximately every six (6) weeks to conduct necessary business. Special measures are taken to ensure that the needs of the auctioneers, firm owners and public are met and protected. A representative of the Attorney General's Office is present at each meeting to offer assistance in open discussions of each agenda item.

Further, the Commission maintains a set of written policies and protocols to govern the internal actions of the Commission. Additionally the Board implements the following controls:

- The Commission complies with the Administrative Procedures Act as established by the Mississippi Secretary of State, including the SOS requirements under the Administrative Procedures Rules of July 1, 2011.
- The Commission complies with the Occupational Licensing Review Commission Rules as of July 1, 2017.
- The Board complies with the Mandatory Risk Assessment recommendations as required of all Mississippi State agencies.
- The Board complies with the Internal Control Section of the Mississippi Agency Accounting Policy and Procedures Manual and will conduct an annual evaluation of all internal controls including the organization and management, administration of accounting and budgeting, purchasing and contracting, personnel and payroll, revenues and receivables, expenditures, grant administration, and electronic data processing attachments. The

findings of the evaluation shall provide reasonable assurance that the assets of the agency have been preserved, the duties have been segregated by function, and the transactions executed are in accordance with the laws of the State of Mississippi. Material weaknesses in any of its functions must be identified and compliance efforts will be implemented.

- The Commission complies with the Affordable Care Act reporting requirements regarding agency participation in the DFA central process.

The Commission is required by law to meet four (4) times annually; however currently meets about every six (6) weeks to conduct necessary business. Special care is taken to ensure that the needs of the general public are met and protected. Commission members work to correct any problems or deficiencies that impair or prohibit performing their duties entrusted to them by the Governor, their peers and the citizens of the State of Mississippi. The Commission has all records computerized to reduce search times and to offer easier access to information pertaining to applicants, licenses, and complaints filed with the Commission. The Commission also has a regularly-updated web-site to provide the public with easy access to copies of the Rules and Regulations, complaint forms, applications for licensure, telephone and postal contact information.

The Mississippi Auctioneer Commission has legal representation from the Attorney General's Office, Leyser Q. Hayes, a managerial contract with Yvonne Laird, President of J-Bar and Associates, Inc., and an accounting services contract with Debbie Fyke.

Non-general funds are used for the operation of the Commission.

Respectfully submitted,

Yvonne Laird
Executive Director