



NC EXECUTIVE ORDER No. 151

Governor Roy Cooper recently signed Executive Order No. 151, regarding COVID-19. Executive Order 151 becomes effective on Friday, July 17 at 5 p.m., and remains in effect until 5 p.m. on August 7, unless replaced or rescinded by a subsequent Executive Order. Please review the Order carefully, as it **includes mandates involving Mass Gathering Limits, Social Distancing, Face Coverings, and other issues relevant to auction activity**. Executive Order No. 151 can be viewed at this link:

<https://files.nc.gov/governor/documents/files/EO151-Phase-2-Extension-1.pdf>

Click this link to view a Frequently Asked Questions for Executive Order No. 147, which has carried over to Executive Order No 151: <https://www.nc.gov/covid-19/staying-ahead-curve/phase-2-extension-faqs>

READOPTED NC AUCTIONEERING RULES

Pursuant to N.C.G.S. § 150B-21.3A, each state agency is required to review all of its active rules codified in the NC Administrative Code every 10 years, and adopt, readopt, and repeal rules as deemed necessary following the periodic review process. In addition to providing public notice on www.ncalb.org and through the NC Office of Administrative Hearings, NCALB twice notified licensees and other interested parties by email of the rules review process and solicited comments. Thank you to those who provided input.

NCALB proposed rules for 21 NCAC 4B, which were published on November 15, 2019 in the North Carolina Register, Volume 34, Issue 10, pp. 839-856.

Following consideration of all comments received and thorough review of each rule, NCALB formally adopted the rules that collectively make up 21 NCAC 4B on February 27, 2020. NCALB then interacted with NC Rules Review Commission Legal Counsel and re-submitted the full of rules with adjustments made for technical corrections. During its June 18, 2020 meeting, the NC Rules Review Commission unanimously approved the rules within 21 NCAC 4B as submitted by NCALB, with an effective date for each of July 1, 2020.

The full set of rules within 21 NCAC 4B as they now appear in the North Carolina Administrative Code officially became available **today** and may be viewed at this link:

<http://reports.oah.state.nc.us/ncac/title%2021%20-%20occupational%20licensing%20boards%20and%20commissions/chapter%2004%20-%20auctioneers/subchapter%20b/subchapter%20b%20rules.pdf>

Auctioneers and Auction Firm Designated Persons are encouraged to review these readopted rules. There are technical changes, re-wordings for clarity, and statutorily required changes, but there are no substantive changes creating any new requirements for Auctioneers or Auction Firms. As a specific FYI item, please note that 21 NCAC 4B .0604 was amended to clarify that any buyer's premium collected in a consignment auction must have been authorized by the seller in the written contract.

Unlike Auctioneers and Auction Firms, Auctioneering Schools and Continuing Education Sponsors do have some operational changes that became effective July 1, 2020. Anyone with questions about the rules as readopted is encouraged to contact NCALB staff at (919)567-2844.

Again, thank you to all who participated in the rules readoption process.

NC AUCTIONEER LICENSING BOARD

Congratulations to NCALB Chairman Lisa York and Vice Chairman Buck Lattimore. On July 13, 2020, the Board unanimously voted to re-elect Chairman York and Vice Chairman Lattimore to continue service in those positions through Fiscal Year Ending June 30, 2021.

Congratulations also to Daniel H. DeVane of Garner, who has been appointed by Governor Roy Cooper to serve a three-year term on the Board ending June 30, 2023. Mr. DeVane serves with Chairman York, Vice Chairman Lattimore, Willie Johnson, and Public Member Allison Pant.