



Goodhue County
Finance & Taxpayer Services
509 W 5th St
Red Wing, MN 55066
(651) 385-3040

Application for Auctioneer License

Pursuant to Minnesota Statutes Chapter 330

Resident ☐ **Non-Resident** ☐

To the Goodhue County Auditor of the State of Minnesota:

The undersigned hereby applies for a license to conduct the business of an auctioneer in the State of Minnesota for the period of one year and in support of issuance of the license the Applicant states the following to be true:

1. That the applicant's date of birth is _____ and is 18 years of age or over; and
2. That the applicant is now and has been a resident of _____ County for the State of _____ at least six months immediately preceding the date of application; and
3. That the applicant has paid the required fee of \$20.00

Dated this _____ day of _____, 20____

Signature of Applicant

Print: Full Name

Address

City State Zip

MAIL IN APPLICATION – NOTARY MUST COMPLETE

Wherefore, applicant requests that an Auctioneer License be issued to the undersigned in conformity with the laws, which this license is granted.

Applicant

Date

Subscribed and sworn to before me this _____ day of _____,
20____.

OFFICE USE ONLY

Lic #25-_____ Exp Date:

D/L State: _____

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Minnesota Statutes pertaining to Auctioneers
Chapter 330
See section 330.11 for Reciprocity Information

330.01 AUCTIONEERS' LICENSES, TO WHOM GRANTED.

Subdivision 1. **Generally.** (a) The county auditor may license any person having the qualifications specified in clause (b) of this subdivision as an auctioneer. The license shall be issued by the auditor and shall authorize the licensee to conduct the business of an auctioneer in the state of Minnesota for the period of one year. It shall be recorded by the auditor in a book kept for that purpose. The license must specify the county issuing the license and must contain a number that individually identifies the auctioneer holding the license. Before the license is issued the applicant shall pay into the county treasury a fee of \$20. (b) A natural person is qualified to be licensed as an auctioneer if 18 years of age or over and a resident of the county of application for at least six months immediately preceding the date of application. No copartnership, association or corporation may be licensed as an auctioneer. However, nothing in this subdivision shall be construed as preventing auctioneers who are duly licensed in accordance with the provisions of this chapter, from combining in associations, copartnerships, or corporations, provided that each and every member of these associations or copartnerships and each and every person or agent conducting auction sales on behalf of these corporations is a duly licensed auctioneer as provided in this chapter. Nothing herein shall be construed to apply to the owner of property for at least six months selling it at an auction. Subd. 2.[Repealed, 1965 c 874 s 10]

330.02 BOND. Every auctioneer, before making sales, shall give a corporate surety bond to the county in a penal sum of not less than \$1,000 nor more than \$3,000 to be fixed by the treasurer and with sureties approved by the treasurer, conditioned that the auctioneer will pay all sums required by law and in all things conform to the laws relating to auctioneers. The treasurer, for approval, shall endorse the bond, and file it in the treasurer's office.

330.025 CITY OR TOWN LICENSES. Notwithstanding sections 412.221, subdivision 19, and 368.01, subdivision 11, or other law or provision of home rule charter to the contrary, a statutory or home rule charter city or town may not require a person licensed as an auctioneer by a county and bonded under this chapter to obtain an additional license or give an additional bond in order to act as an auctioneer in the city or town. A statutory or home rule charter city or town may require an auctioneer who intends to conduct an auction in the city or town to submit proof of licensure and compliance with the bond requirements of this chapter at least 14 days before the date of the auction.

330.03 ACCOUNT OF SALES. Every auctioneer shall keep an accurate account of all property sold, the names of the persons from whom the same was received and of those to whom it was sold, and the price.

330.04 FORFEITURE FOR RECEIVING GOODS FROM MINORS OR SERVANTS. Any licensed auctioneer who shall receive property for sale from any minor or servant, knowing the person to be a minor or servant, shall forfeit to any person injured a sum not exceeding \$200.

330.05 SALES IN UNAUTHORIZED PLACES; PENALTY. Any person occupying or having control of any building, who knowingly permits the sale of property at public auction in such building, or in any apartment or yard appertaining thereto, contrary to the provisions of this chapter, shall be guilty of a misdemeanor.

330.06 UNLICENSED SALES. Any person who shall sell or attempt to sell, either directly or indirectly, or as the agent of a duly licensed auctioneer, any property at auction without being licensed as an auctioneer, as herein provided, shall be guilty of a misdemeanor; but the provisions of this chapter shall not extend to sales made by sheriffs, coroners, collectors of taxes or sales of personal property under chattel mortgage or other lien.

330.08 ADVERTISEMENTS. All advertisements of auction sales shall carry the name or names, address or addresses, and the license number or numbers of the auctioneer or auctioneers conducting said sales.

330.09 NOTIFICATION OF CHANGE OF ADDRESS. Notice in writing shall be given to the auditor of the county where licensed by each licensee of any change of address, whereupon the auditor shall issue a duplicate license showing the licensee's new address for which a fee of \$3 shall be paid into the county

treasury. A change of address, without notification to the auditor, shall result in the automatic cancellation of any license theretofore issued after the expiration of 30 days from the date of such change of address.

330.10 WRITTEN CONTRACT WITH OWNER OR CONSIGNEE OF PROPERTY OR MERCHANDISE FROM TRANSIENT MERCHANTS.

Subdivision 1. **Written contract.** Prior to sale at public auction every auctioneer shall enter into a written contract with the owner or consignee of any property to be sold, containing the terms and conditions upon which the sale will be conducted.

Subd. 2. **Property from transient merchant.** Prior to sale at public auction of any property received or acquired, directly or indirectly, from a transient merchant as defined in section 329.099, the auctioneer shall require proof that section 329.11 has been complied with by the transient merchant with respect to such property; and the auctioneer shall retain such proof for one year.

Reciprocity Information

330.11 APPLICATION BY NONRESIDENT.

Subdivision 1. **Reciprocity.** A resident of another state which issues auctioneers' licenses to citizens of the state of Minnesota on the same or similar basis as to citizens of such state may be licensed as an auctioneer in the state of Minnesota upon compliance with the laws of the state of Minnesota relating to auctioneers' licenses. Eligibility of a nonresident applicant shall be tested by reference to the law of the resident state, and in no case shall it be tested by reference to the law of some other state having reciprocity with the state of Minnesota in which the nonresident may qualify.

Subd. 2. **License and other state's laws.** A nonresident applicant must submit to the county auditor with the application a duly certified copy of the applicant's auctioneer's license, if one was issued by the resident state, and a copy of the state auction laws such as exist in the resident state, certified by the secretary of state or other authorized state official of such state, that the submitted copy is a true copy of the auction laws of such state, as they exist at the date of application, in order that the attorney general of the state of Minnesota may determine whether reciprocity exists. If, subsequent to the issuance of a nonresident license, the laws of the state of such nonresident shall not be reciprocal with the state of Minnesota, it shall result in the automatic revocation of the nonresident auctioneer's license issued to any resident of such state under the provisions of this chapter.

Subd. 3. **Consent to suits and actions.** Every nonresident applicant shall file an irrevocable consent that suits and actions may be commenced against such applicant in any court of competent jurisdiction in this state by the service on the secretary of state of any summons, process, or pleadings authorized by the laws of the state of Minnesota. This consent shall stipulate that the service of such process or pleadings on the secretary of state shall be taken and held in all courts to be as valid and binding as if due service had been made upon the applicant in the state of Minnesota. In case any summons, process, or pleadings are served upon the secretary of state, it shall be according to section 5.25.

330.12 PENALTIES. Any person who violates the provisions of this chapter is guilty of a misdemeanor.

330.13 EXCEPTIONS. The provisions of this chapter shall not apply to auction sales of registered or purebred livestock or auction sales conducted under the auspices of the Future Farmers of America, 4-H clubs, county agricultural societies, national, state or district shows and breed associations, except that the auctioneer conducting such auction shall be required to have a license as provided in this chapter.

Pursuant to Minnesota Statutes 270C.72, the agency issuing you this license is required to provide to the Minnesota Commissioner of Revenue your Minnesota business tax identification number and the Social Security number of each license applicant.

Under the Minnesota Government Data Practices Act and the Federal Privacy Act of 1974, we must advise you that:

This information may be used to deny the issuance, renewal or transfer of your license if you owe the Minnesota Department of Revenue Delinquent taxes, penalties or interest:
and

The licensing agency will supply it only to the Minnesota Department of Revenue. However, under the Federal Exchange of Information Act, the Department of Revenue is allowed to supply this information to the Internal Revenue service; and

Failure to supply this information may jeopardize or delay the issuance of you licensing or processing your renewal application.

Please fill in the following information and return this form along with your application to the agency issuing the license. **Do not return this form to the Department of Revenue.**

Licensing Authority: Goodhue County

License Information

Name of license being applied for: _____

License renewal date: _____

Personal Information

Applicant's Name (Last, first, middle initial): _____

Applicant's Address (city, state, zip): _____

Social Security Number: _____

Business Information

Business Name: _____

Business Address (city, state, zip): _____

Minnesota Tax Identification Number: _____

☐ I do not conduct any business as a business entity and therefore do not have a Minnesota business identification number.

Additional explanation, if necessary: _____

Signature: _____ Date: _____

- CERTIFICATION OF COMPLIANCE - MINNESOTA WORKERS' COMPENSATION LAW

Minnesota Statute, Section 176.182 requires every state and local licensing agency to withhold the issuance or renewal of a license or permit to operate a business or engage in an activity in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement of MSS Chapter 176. The information required is: the name of the insurance company, the policy number, and dates of coverage or the permit to self-insure. This information will be collected by the licensing agency and retained in their files.

This information is required by law, and licenses and permits to operate a business may not be issued or renewed if it is not provided and/or is falsely reported. Furthermore, if this information is not provided or falsely stated, it may result in a \$1,000 penalty assessed against the applicant by the Commissioner of the Department of Labor and Industry.

Insurance Company Name: _____
(NOT the insurance agent)

Policy Number: _____

Dates of Coverage: _____ to _____

(or)

I am not required to have workers' compensation liability coverage because:

- ☐ I have no employees
- ☐ I am self insured (include permit to self-insure)
- ☐ I have no employees who are covered by the workers' compensation law
(these include: Spouse, Parents, Children and certain farm employees)

I certify that the information provided above is accurate and complete and that a valid workers' compensation policy will be kept in effect at all times as required by law.

Name: _____

Doing Business As: _____
Business name if different than your name

Business Address: _____

City, State, Zip: _____

Telephone: _____
Including area code

Signature: _____

Date: _____

IRREVOCABLE CONSENT FORM

CONSENT

_____ hereby irrevocably consents that suits and actions may be commenced against him/her in any court of competent jurisdiction in the State of Minnesota by the service on the Secretary of the State of Minnesota of any Summons, Process, or Pleadings authorized by the State of Minnesota.

The service of such process or pleadings on the Secretary of State shall be taken and held in all courts to be as valid and binding as if due service had been made upon the applicant in the State of Minnesota

Signature

STATE OF MINNESOTA
COUNTY OF GOODHUE

On this _____ day of _____, _____, personally appeared before me _____, to me known to be the person who executed the foregoing Consent and acknowledged that he/she executed the same as his/her free act and deed.

Notary Public

NOTARY SEAL