

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Douglas John Delorme
Auctioneer
License Application**

Case No. AU-12-132

**Douglas John Delorme
Auction Clerk
License Application**

Case No. AU-12-133

**ORDER DENYING LICENSE APPLICATIONS
AND NOTICE OF OPPORTUNITY TO BE HEARD**

April 11, 2012

On January 17, 2012, Douglas John Delorme filed an application for auctioneer license and an application for auction clerk license, along with the required license fees. The application forms contain questions that must be answered by the applicant. On each application form, Mr. Delorme answered the question about whether he had ever been convicted of, or pleaded guilty or nolo contendere to, a felony. He answered in the affirmative and attached a brief explanation.

On March 2, 2012, Mr. Delorme filed the required auctioneer and auction clerk surety bonds.

The license standards set forth in North Dakota Century Code § 51-05.1-02 provide that licenses may be granted only to persons who bear a good reputation for honesty, truthfulness, and fair dealing and who are competent to transact the business of an auctioneer or a clerk.

North Dakota Century Code § 51-05.1-02.1 provides that conviction is not a bar to licensure “unless the . . . commission determines that the offense has a direct bearing upon a person’s ability to serve the public as an auctioneer, or . . . the person is not sufficiently rehabilitated under section 12.1-33-02.1.”

North Dakota Century Code § 12.1-33-02.1 specifies the items to consider when reviewing an application submitted by an applicant who has a prior conviction of an offense. North Dakota Century Code § 12.1-33-02.1 provides the commission consider the nature of the offense and whether it has a direct bearing upon the duties of the trade, information pertaining to rehabilitation of the convicted person, and the time elapsed since the conviction or release.

From the information available to the Commission, the Commission cannot conclude that the applicant is sufficiently rehabilitated to serve the public as an auctioneer or auction clerk.

Order

The Commission orders:

1. The application for auctioneer license is denied.
2. The application for auction clerk license is denied.
3. The surety bonds and the license fees will be returned to Mr. Delorme.

Notice

YOU ARE HEREBY NOTIFIED that you have the opportunity to request a hearing on each of these matters. A request for hearing must be made in writing and filed with the Commission no later than 5:00 p.m. on May 4, 2012.

PUBLIC SERVICE COMMISSION



Kevin Cramer
Commissioner



Tony Clark
Chairman



Brian P. Kalk
Commissioner