

Written Testimony on HB 1191: RELATING TO REGULATION OF AUCTIONEERS AND CLERKS

TO: House Industry, Business and Labor Committee

FROM: Larry Schnell, 2537 8th St SE, Dickinson, ND 58601

Chairman Louser and members of the committee:

I write in opposition to HB 1191.

I have been an auctioneer in North Dakota for the past 45 years; I am a past president of the ND Auctioneers Association; recent past president of the (National) Livestock Marketing Association and current Chairman of the Board; current president of the ND Livestock Marketing Association, and recently retired Partner and General Manager of Stockmen's Livestock Exchange in Dickinson.

HB 1191 looks to me to be an attempt by the PSC to shed themselves of the responsibility of the licensing of auctioneers and clerks in the state, and I don't blame them. If I understand correctly, there are about 240 licensed auctioneers and 110 clerks licensed in the state, and each of those would include some from other states who do business in this state.

My opinion is this: Rather than create another unwieldy bureaucratic entity that will only add to the cost of doing business in our state, why not do as all of our bordering states and eighteen other states have done: Stop licensing auctioneers and auction clerks.

The way to do this is to research our neighboring states laws to determine how they handle problems that arise in the auction process, and I think you'll find that the UCC code takes care of those problems, and if it doesn't, the code could be amended, rather than create a whole new and unneeded process. There is no need to reinvent the wheel.

One additional reason to do away with the current and proposed licensing: Internet auctions are excluded from the law, and we all know why: ebay and other entities like them. And if no law is good for ebay, why shouldn't it be good for the rest of us who do business in this state.

Thank you for your consideration.

Larry Schnell