

NOV 29 1994

STATE OF ARIZONA

DEPARTMENT OF INSURANCE

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By

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In the Matter of)	Docket No. 8495
)	
ALLEN WAYNE ST. AMOUR)	
and WOODHAVEN INSURANCE)	ORDER
MARKETING AGENCY, INC.)	
)	
Applicant.)	
_____)	

On November 7, 1994, a hearing took place in the above-referenced matter. Peter H. Schelstraete represented the Arizona Department of Insurance ("Department"). Applicant Allen Wayne St. Amour and Woodhaven Insurance Marketing Agency, Inc. ("Mr. St. Amour") did not appear for the hearing in person or through counsel.

Based upon the entire record in this matter, including all pleadings, motions, testimony, and exhibits admitted during the hearing of this matter, Administrative Law Judge Gregory Y. Harris has prepared the following Findings of Fact, Conclusions of Law, and Order for consideration and approval by the Director of the Arizona Department of Insurance ("Director"). Based upon these recommendations, the Director makes the following Findings of Fact, Conclusions of Law and enters the following Order:

FINDINGS OF FACT

1. On March 21, 1994, Mr. St. Amour submitted applications to the Department for an individual insurance license and an insurance agency license (the "Applications"). Mr. St. Amour appears as president and licensed agent on the insurance agency license application.

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2. In the Applications, Mr. St. Amour disclosed that he had been convicted of the felonies of burglary (Wis. Stat. §943.10(1) and 946.12(2)) and misconduct in public office (Wis. Stat. §939.05).

3. On February 25, 1985, the Circuit Court of Dane County, Wisconsin entered a judgment against Mr. St. Amour under Wis. Stat. §§943.10(1)(a) (Count 1, burglary), 946.12(2) (Count 3, burglary) and 939.05 (Counts 2 and 4, misconduct in public office). State of Wisconsin v. Allen St. Amour, Dane County Circuit Court Case No. 84 CF 381 ("Wisconsin v. St. Amour"). The Court sentenced him to prison in Court 1 for 2 years, in Count 2 for 1 year, in Count 3 for 2 years and in Count 4 for 1 year, each sentence to run concurrently at the Wisconsin State Prison.

4. Mr. St. Amour committed the burglary offenses which led to his convictions in Wisconsin v. St. Amour while on duty as a police officer of the City of Fitchburg, Wisconsin.

CONCLUSIONS OF LAW

1. Mr. St. Amour's convictions in Wisconsin v. St. Amour constitutes a record of conviction by final judgment of a felony involving moral turpitude, within the meaning of A.R.S. §20-290(B)(6). The convictions, coupled with the position of trust which Mr. St. Amour occupied when he committed the offenses, raise substantial questions which Mr. St. Amour has failed to overcome regarding his honesty, integrity or personal values.

. . .
. . .

1 2. Mr. St. Amour has failed to establish his
2 qualifications for the issuance of either an individual license
3 or an agency license.

4 ORDER

5 IT IS ORDERED:

6 Denying the applications submitted by Mr. St. Amour
7 and Woodhaven Insurance Marketing Agency, Inc. for an individual
8 insurance license and an insurance agency license.

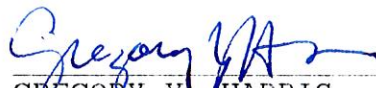
9 The aggrieved party may request a rehearing with
10 respect to this Order by filing a written petition with the
11 Administrative Law Division within 30 days of the date of this
12 Order, setting forth the basis for such relief pursuant to
13 A.A.C. R4-14-114(B).

14 The final decision of the Director may be appealed to
15 the Superior Court of Maricopa County for judicial review
16 pursuant to A.R.S. §20-166.

17 EFFECTIVE this 29th day of November, 1994.

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20 _____
CHRIS HERSTAM
Director of Insurance

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23 _____
GREGORY Y. HARRIS
Chief Administrative Law Judge

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COPY of the foregoing mailed/delivered
this 29th day of November, 1994, to:

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John Gagne, Acting Manager, Investigations
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