

STATE OF MAINE
ELECTRICIANS' EXAMINING BOARD

**In re: Brian Lafrance
#MSS60019505**

CONSENT AGREEMENT

2015-ELE-11786

Pursuant to 5 M.R.S. § 191 and 10 M.R.S. § 8003(5-A), this Consent Agreement is entered into by and between Brian Lafrance ("Licensee"), the State of Maine Electricians' Examining Board (the "Board") and the Office of the Attorney General for the purpose of resolving National Electrical Code ("NEC") violations without the necessity of having a hearing in this matter.

FACTS

1. Licensee holds master license MS60019505.
2. On or about October 13, 2015, Sr. Maine State Electrical Inspector Raymond Stanford, received a complaint from homeowner James Smith.
3. On that same date, Inspector Stanford conducted an inspection of a generator installation at Mr. Smith's house, located at 116 Head Tide Rd. in Whitefield.
4. The installation was performed by A.L.L. Electric of Brunswick, and the Licensee is the owner of A.L.L. Electric, and the supervising master for journeyman Robert Schott.
5. Eight NEC violations were discovered, see attached Complaint Report. Six of the eight are considered significant violations.
6. Pursuant to Board Rule 02-318 Ch. 120, "All installations ... must comply with the 2014 edition of the [NEC]"

COVENANTS AND CONDITIONS

If this Consent Agreement is not accepted by the Licensee by signing and dating it and returning it to Cathy Neumann, Complaint Coordinator, Office of Professional and Occupational Regulation, 35 State House Station, Augusta, Maine 04333-0035 by **June 30, 2016**, the Board will hold the adjudicatory hearing now set for July 15, 2016.¹

7. The Licensee admits the facts and the NEC violations listed above.

8. As discipline for the above-admitted violations, the Licensee agrees to pay a civil penalty as follows:

1. \$100.00 each for 2 NEC violations.
2. \$200.00 each for the 6 significant NEC violations, for a total penalty of \$1,400.00.

9. The penalty shall be paid within 30 days from the last signature date of the executed consent agreement from the Board. Payment shall be by check or money order made payable to "Treasurer, State of Maine" and remitted to Cathy Neumann, Complaint Coordinator, Complaints and Investigations, Office of Professional and Occupational Regulation, 35 State House Station, Augusta, ME 04333.

10. Subject to Board approval of the terms and conditions set forth herein, and the satisfaction of all requirements by the Licensee, the Board agrees to take no further disciplinary action against the Licensee based upon the conduct described herein, but the Board reserves the right to take action, including disciplinary action, which it deems appropriate and which is allowed by law, if the Licensee fails to comply with the terms of this Consent Agreement. In taking any action, including disciplinary action, based upon any failure to fully comply with this Consent Agreement, the Board may consider the

¹ If hearing before the Board is held, the Board's findings and judgment will not be restricted or limited by any terms in this agreement.

circumstances described in the statement of facts above, and any acknowledgement that the Licensee has made in this Agreement.


11. The Licensee acknowledges that he has read and understands this Consent Agreement, that he executed this Consent Agreement of his free will, and that he agrees to abide by all terms and conditions set forth herein.

12. This Consent Agreement is a public record within the meaning of 1 M.R.S. § 402 and will be available for inspection and copying by the public pursuant to 1 M.R.S. § 408.

13. Nothing in this Consent Agreement shall be construed to affect any right or interest of any person not a party hereto.


14. This Consent Agreement is not appealable and is effective until modified or rescinded by the parties hereto.

Dated: 6/25/16




Brian Lafrance

Dated: 7/15/16



Brian McDougal, Chairman
Electricians' Examining Board

Dated: 7/15/16



Christopher L. Mann
Assistant Attorney General