

STATE OF MAINE
PLUMBERS' EXAMINING BOARD

In re:)
)
 GEORGE J. MADDEN,) CONSENT AGREEMENT
)
 Complaint No. 2007-PLU-3843)

This document is a Consent Agreement that issues a probationary journeyman plumber's license to George J. Madden. The parties to this Consent Agreement are: George J. Madden ("Mr. Madden"), the Maine Plumbers' Examining Board ("the Board") and the Maine Office of the Attorney General. This Consent Agreement is entered into pursuant to 32 M.R.S. §§ 3403-A and 3404 and 10 M.R.S. § 8003(5).

FACTS

1. Mr. Madden is licensed as a trainee plumber in the State of Maine, license no. TR90011289.
2. On June 20, 2007, the Board received an application from Mr. Madden for licensure as a Journeyman Plumber. On that application, Mr. Madden indicated that he had been convicted of a crime other than a minor traffic violation, including Theft (Class D) and three counts of Theft (Class C).
3. On August 6, 2007, the Board staff requested and obtained a criminal record history concerning Mr. Madden from the Maine State Bureau of Identification. Mr. Madden's criminal history record indicated that he had the following convictions:

- a. August 1, 2005, Theft by Unauthorized Taking or Transfer (Class B) in violation of 17-A M.R.S. § 353(1), for which he received 3 years incarceration with all but 2 years suspended and probation for 3 years; and
 - b. October 18, 2001, Theft by Unauthorized Taking or Transfer (Class C) in violation of 17-A M.R.S. § 353(1), for which he received 364 days incarceration with all but 90 days suspended and 1 year probation.
4. On August 8, 2007, the Board met with Mr. Madden concerning his application for a Journeyman Plumber's license. During the meeting, Mr. Madden indicated that he was still on probation for his most recent criminal convictions and answered questions posed to him by the Board.
 5. Following its meeting with Mr. Madden, the Board voted to offer Mr. Madden this Consent Agreement in order to grant his application for a Journeyman Plumber's license. Absent Mr. Madden's acceptance of this Consent Agreement by signing and dating it and returning it to Cathy Neumann, 35 State House Station, Augusta, Maine 04333-0035 on or before September 16, 2007, the Board shall deny Mr. Madden's application.

COVENANTS

6. Mr. Madden admits that the Board has sufficient evidence from which it could conclude that he should be denied a full and unrestricted Journeyman Plumber's license based upon his recent criminal record history pursuant to 32 M.R.S. § 3404(3) and 5 M.R.S. §§ 5301-5303.
7. In light of the admission in paragraph 6 above, the Board agrees to issue and Mr. Madden agrees to accept a Journeyman Plumber's license subject to PROBATION for the first

one and one half years following the issuance of the license, and with the following specific conditions of probation:

- a. Mr. Madden agrees that he will not commit or engage in any further criminal conduct;
 - b. Mr. Madden agrees that he will comply with all the terms and conditions of his criminal probation; and
 - c. Mr. Madden shall ensure that his probation officer provides the Board with quarterly reports concerning his probationary status, compliance, and general progress. Mr. Madden shall ensure that his probation officer provides the Board with the first quarterly report on or before October 1, 2007. Thereafter, Mr. Madden shall ensure that his probation officer files a report with the Board every three months during the duration of his probation.
8. Violation of any of the terms or conditions of this Consent Agreement by Mr. Madden shall constitute grounds for discipline, including but not limited to the modification, suspension or revocation of his license or the denial of licensure or re-licensure pursuant to 10 M.R.S. § 8003(5).
 9. This Consent Agreement is not appealable and is effective until modified or rescinded by the parties hereto.
 10. The Board and the Office of the Attorney General may communicate and cooperate regarding Mr. Madden's employment or any other matter relating to this Agreement.
 11. 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.

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

13. By his signature hereto, Mr. Madden acknowledges that he has read this Consent Agreement, that he has had an opportunity to consult with an attorney before executing this Consent Agreement, that he executed this Consent Agreement of his own free will and that he agrees to abide by all terms and conditions set forth herein.

DATED:


08-28-2007



GEORGE J. MADDEN

DATED:

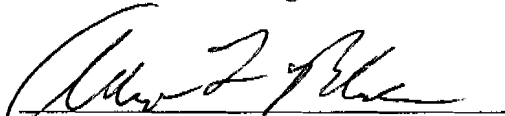
9-17-07



PERCY L. BROWN, JR., Chairperson
Plumbers' Examining Board

DATED:

9/18/2007



ANDREW L. BLACK
Assistant Attorney General