

STATE OF MAINE
PLUMBERS EXAMINING BOARD

IN RE:)
)
 STEVEN A. MILLER) CONSENT AGREEMENT
 2008-PLU-4425)

INTRODUCTION

This document is a Consent Agreement regarding the licensure of Steven A. Miller (“Mr. Miller”) to practice as a trainee plumber in the State of Maine. The parties to this Consent Agreement are: Mr. Miller, the State of Maine Plumbers Examining Board (“the Board”), and the Office of the Attorney General (“the Attorney General”). This Consent Agreement is entered into pursuant to 10 M.R.S. § 8003(5).

FACTS

1. On or about March 5, 2008, Mr. Miller filed with the Board an application for licensure as a trainee plumber.
2. On his application, Mr. Miller was asked to disclose any criminal convictions. Mr. Miller reported that he was convicted of theft and operating under the influence ten years ago or longer.
3. Mr. Miller signed his application, acknowledging that his application contains no willful misrepresentation or falsification and that his information was true and complete to the best of his knowledge and belief.
4. Mr. Miller did not disclose that he had been convicted of Class C theft by unauthorized taking or transfer on April 10, 2007.
5. On March 11, 2008, the Board preliminarily denied Mr. Miller’s application.

6. Mr. Miller then appealed this preliminary denial and the Board set the matter for hearing.
7. On June 11, 2008, following a hearing on Mr. Miller's appeal of the Board's denial of his application for licensure, the Board voted to deny Mr. Miller's appeal, but also voted to approve the application under the condition that Mr. Miller agree to and sign this Consent Agreement.
8. Absent acceptance of this Consent Agreement by signing and dating it and returning it to Cathy Neumann, Complaint Coordinator, 35 State House Station, Augusta, Maine 04333-0035 by July 20, 2008, the Board's denial of Mr. Miller's application will remain in effect.

COVENANTS

9. Mr. Miller admits the facts stated in paragraphs 1 through 8 of this Consent Agreement and admits that such conduct constitutes grounds for denial of his application for licensure pursuant to 32 M.R.S. § 3404(1).
10. The Board agrees to issue Mr. Miller a trainee plumber's license under the conditions specified below.
11. As a condition of licensure and for as long as he holds any license issued by this Board, Mr. Miller agrees to:
 - a. Pay a **CIVIL PENALTY** in the amount of two hundred fifty dollars (\$250), which payment shall be made by certified check or money order payable to "Treasurer, State of Maine" and sent to Cathy Neumann, Complaint Coordinator, 35 State House Station, Augusta, Maine 04333-0035, and shall be made prior to Mr. Miller being issued a license;

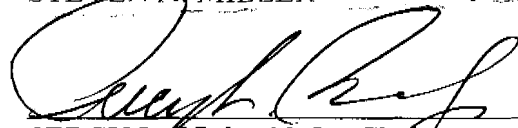
- b. A probationary period of two (2) years, during which time Mr. Miller shall do the following:
 - i. Report to the Board any new criminal activity in which he is involved;
 - ii. Submit to the Board reports from his supervising master plumber every six (6) months, the first report being due six (6) month from the date of final execution of this Consent Agreement.
- 12. Mr. Miller's licensing record will be flagged and a criminal background check will be performed prior to the first renewal of Mr. Miller's trainee plumber's license.
- 13. Pursuant to 10 M.R.S. § 8003(5)(B) the Board and Mr. Miller agree that in the event that Mr. Miller violates any of the terms or conditions of this Consent Agreement, the Board may issue an order suspending, revoking, or modifying his license, or denying him re-licensure.
- 14. This Consent Agreement is not appealable and is effective until modified or rescinded by the parties hereto.
- 15. The Board and the Attorney General shall have access to Mr. Miller's practice records relating to this Consent Agreement.
- 16. The Board and the Attorney General may communicate and cooperate regarding Mr. Miller's practice or any other matter relating to this Consent Agreement.
- 17. 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.
- 18. Nothing in this Consent Agreement shall be construed to affect any right or interest of any person not a party hereto.

19. Mr. Miller acknowledges by his signature hereto 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.

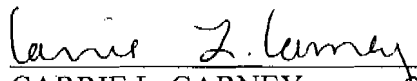
DATED: 7-7-08


STEVEN A. MILLER

DATED: 7-17-08


PERCY L. BROWN, Jr., Chairperson
Maine Plumbers Examining Board

DATED: 7-18-08


CARRIE L. CARNEY
Assistant Attorney General