

**State of New Hampshire  
Electricians' Board  
Concord, New Hampshire 03301**

In the Matter of  
Eugene Alfonso

**SETTLEMENT AGREEMENT**

In order to avoid the delay and expense of further proceedings and to promote the best interests of the public, the New Hampshire Electricians' Board (hereinafter "Board") and Eugene Alfonso (hereinafter "Respondent"), an electrician licensed by the Board, do hereby stipulate and agree to resolve certain allegations of professional misconduct now pending before the Board according to the following terms and conditions:

1. Pursuant to RSA 319-C:12-a the Electrician Licensing Laws, and Elec 207.05 the Board of Electrician's Administrative Rules. The Board has jurisdiction to investigate and adjudicate allegations of professional misconduct committed by electricians. Pursuant to RSA 319-C:12 and Elec. 207.07 the Board may, at any time, dispose of such allegations by settlement and expedite a disciplinary hearing.
2. The Board first granted Respondent a license to practice electrical installation in the State of New Hampshire on January 24, 1989. Respondent holds a journeyman license number 8210.
3. On November 25, 2017, Electricians' Board Inspector Alfio Torrisi received a written complaint, from the Portsmouth Electrical Inspector. In response to this, Inspector Torrisi conducted an investigation and obtained information from various sources pertaining to Respondent's violation of the provisions of RSA 319-C and the Board of Electrician's Administrative rules.
4. The investigation revealed and Respondent freely admits to the following facts: The Respondent contracted an electrical installation as a journeyman electrician without being employed by a master electrician. This is in violation of the provisions of RSA 319-C:2 IV and Elec. 405.05 (b) the Board of Electrician's Administrative rules.

- 5 Respondent acknowledges that this conduct constitutes grounds for the Board to impose disciplinary sanctions against Respondent's license to practice as an electrician in the State of New Hampshire and represents that he has taken steps to avoid any repetition of such conduct as well as securing a NH Master Electrician to take responsibility for the electrical installation in question.
6. Respondent is willing to accept that this is a violation of RSA 319-C:2 IV. This shall be considered as disciplinary action until March 13, 2024, as described in Elec 405.03(i).
7. Respondent consents to the Board imposing the following discipline, with consideration given to 405.03 (j) (1), (2), (3), pursuant to Elec 405.02 (a) and (d)
  - A. Respondent is **reprimanded**.
  - B. Respondent's journeyman's license is **suspended** for 6 months from March 13, 2018 until September 13, 2018. The Respondent shall submit his NH Journeyman's license to the OPLC office within 7 days of the Board's approval of this agreement, at which time shall note the start of the suspension time line.
8. Respondent's breach of any terms or conditions of this *Settlement Agreement* shall constitute unprofessional conduct pursuant to RSA 319-C:12, and a separate and sufficient basis for further disciplinary action by the Board.
9. Except as provided herein, this *Settlement Agreement* shall bar the commencement of further disciplinary action by the Board based upon the misconduct described above. However, the Board may consider this misconduct as evidence of a pattern of conduct in the event that similar misconduct is proven against Respondent in the future. Additionally, the Board may consider the fact that discipline was imposed by this agreement as a factor in determining appropriate discipline should any further misconduct is proven against Respondent in the future.

10. This *Settlement Agreement* shall become a part of Respondent's file, which is maintained by the Board as a public document.
11. Respondent voluntarily enters into and signs this *Settlement Agreement* and states that no promises or representations have been made to him other than those terms and conditions expressly stated herein.
12. The Board agrees that in return for Respondent executing this *Settlement Agreement*, the Board will expedite the formal adjudicatory process based upon the facts described herein.
13. Respondent understands that his action in entering into this *Settlement Agreement* is a final act and not subject to reconsideration.
14. Respondent has had the opportunity to seek and obtain the advice of an attorney of his choosing in connection with his decision to enter into this *Settlement Agreement*.
15. Respondent understands that the Board must review and accept the terms of this *Settlement Agreement*. If the Board rejects any portion, the entire *Settlement Agreement* shall be null and void. Respondent specifically waives any claims that any disclosures made to the Board during its review of this agreement have prejudiced his right to a fair and impartial hearing in the future if this *Settlement Agreement* is not accepted by the Board.
16. Respondent is not under the influence of any drugs or alcohol at the time he signs this *Settlement Agreement*.
17. Respondent certifies that he has read this *Settlement Agreement*. Respondent understands that he has the right to a formal adjudicatory hearing concerning this matter and that at said hearing he would possess the right to confront and cross-examine witnesses, to call witnesses, to present evidence, to testify on his own behalf, to contest the allegations, and to present oral argument.
18. Pursuant to 319-C:12-b Appeals. – Any person affected by a final decision of the board may appeal such final decision to the state building code review board, pursuant to RSA 155-A:11-a.

19. Respondent fully understands the nature, qualities and dimensions of these rights. Respondent understands that by signing this *Settlement Agreement*, he waives certain rights as they pertain to the misconduct described herein.
20. This disciplinary action shall take effect as an *Order of the Board* on the date it is signed by an authorized representative of the Board.

**FOR RESPONDENT**

Date: 3-5-18

Eugene Alfonso  
Respondent

**FOR THE BOARD**

This proceeding is hereby terminated in accordance with the binding terms and conditions set forth above.

Date: 3/22/18

[Signature]  
(Signature)  
Joseph G. Spornaker

(Print or Type Name) Authorized Representative of the New Hampshire Electrician's Board