

BEFORE THE STATE ELECTRICAL BOARD
STATE OF MONTANA

IN THE MATTER OF DOCKET NOS. CC-04-0156-ELE, CC-06-0047-ELE, AND
CC-06-0088-ELE REGARDING:

THE PROPOSED DISCIPLINARY)	Case Nos. 1301-2006, 1302-2006
ACTION AGAINST THE LICENSE OF)	and 1303-2006
LAURENCE GILLISPIE d/b/a EAGLE)	
CREST ELECTRIC, Licensed Master)	
Electrician, License No. M1444)	
)	
THE PROPOSED DISCIPLINARY)	
ACTION AGAINST THE LICENSE OF)	
EAGLE CREST ELECTRIC, Unlimited)	
Electrical Contractor, License No. U1487.)	

**ORDER AMENDING NUNC PRO TUNC PROPOSED FINDINGS OF FACT;
CONCLUSIONS OF LAW; AND RECOMMENDED ORDER**

In reviewing the Proposed Findings of Fact, Conclusions of Law, and Recommended Order that the Hearings Bureau issued on Thursday, October 12, 2006, the hearing examiner noticed that Paragraph 6 of the Findings of Fact and Paragraph 7 of the Conclusions of Law contain inaccurate findings that the hearing examiner did not find to be the facts of this case nor a rationale for the recommended decision in this case. Accordingly, the hearing examiner makes the following order *nunc pro tunc* amending the findings of fact and conclusions of law to correct the errors contained in those two paragraphs. In all other respects, the Proposed Findings of Fact, Conclusions of Law, and Recommended Order that the Hearings Bureau issued on Thursday, October 12, 2006 remain unchanged.

Paragraph 6 of the findings of fact is amended as follows to reflect the actual findings of fact made by the hearing examiner:

6. Gillespie was not at the project site during this time. Apparently he was off getting another fixture for the project to replace one that had been broken. Later, Hutchings spoke with Blazeovich about Blazeovich's working on high voltage at the

project site. Blazeovich indicated that Gillespie was having Blazeovich continue to work while getting Blazeovich an electrician's license. Record transcript, Page 56, lines 13 through 21.

Conclusions of Law, Paragraph 7, is amended as follows to reflect the actual rationale and findings of fact made by the hearing examiner:

7. In Case Number CC-06-0047-ELE, BSD proved by a preponderance of the evidence that Gillespie violated Montana Codes Annotated § 37-1-316(2), (8), (16) and (18), Montana Codes Annotated § 37-68-301, and Administrative Rule of Montana 24.141.403(5). Gillespie's unlicensed employee Blazeovich was caught in the act of engaging in unlicensed electrical work when he was caught attaching a fixture to a high voltage line. Gillespie knew that Blazeovich was doing work that required a license while unlicensed and he permitted Blazeovich to do so. This is demonstrated by Blazeovich's comment to Hutchings at the work site that Gillespie was permitting Blazeovich to work while attempting to get him a license. Furthermore, Gillespie was permitting this conduct at a time when Gillespie's licenses were on probation for earlier misconduct.

DATED this 17th day of October, 2006.

DEPARTMENT OF LABOR & INDUSTRY
HEARINGS BUREAU

By: /s/ GREGORY L. HANCHETT
GREGORY L. HANCHETT
Hearing Examiner