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(FORM UPDATED: 08/11/2010)

## WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

### 2009-10

(session year)

### Joint

(Assembly, Senate or Joint)

### Committee for Review of Administrative Rules ...

#### COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

#### INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)  
(**ab** = Assembly Bill)                      (**ar** = Assembly Resolution)                      (**ajr** = Assembly Joint Resolution)  
(**sb** = Senate Bill)                              (**sr** = Senate Resolution)                              (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

\* Contents organized for archiving by: Stefanie Rose (LRB) (June 2012)

**STATE OF WISCONSIN  
EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,  
PROFESSIONAL ENGINEERS, DESIGNERS AND LAND SURVEYORS**

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**IN THE MATTER OF RULE-MAKING : PROPOSED ORDER OF THE  
PROCEEDINGS BEFORE THE : EXAMINING BOARD OF  
EXAMINING BOARD OF ARCHITECTS,: ARCHITECTS, LANDSCAPE  
LANDSCAPE ARCHITECTS, : ARCHITECTS, PROFESSIONAL  
PROFESSIONAL ENGINEERS, : ENGINEERS, DESIGNERS AND LAND  
DESIGNERS AND LAND SURVEYORS : SURVEYORS ADOPTING RULES  
: (CLEARINGHOUSE RULE 09-032)**

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TO: Senator Jim Holperin, Senate Co-Chairperson  
Joint Committee for the Review of Administrative Rules  
Room 409 South, State Capitol  
Madison, Wisconsin 53702

PLEASE TAKE NOTICE that the EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS, PROFESSIONAL ENGINEERS, DESIGNERS AND LAND SURVEYORS is submitting in final draft form rules relating to continuing education for land surveyors.

Please stamp or sign a copy of this letter to acknowledge receipt. If you have any questions concerning the final draft form or desire additional information, please contact Pamela Haack at 266-0495.

Thank you.

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**STATE OF WISCONSIN  
EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,  
PROFESSIONAL ENGINEERS, DESIGNERS AND LAND SURVEYORS**

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**IN THE MATTER OF RULE-MAKING :  
PROCEEDINGS BEFORE THE : REPORT TO THE LEGISLATURE  
EXAMINING BOARD OF ARCHITECTS, : ON CLEARINGHOUSE RULE 09-032  
LANDSCAPE ARCHITECTS, : (s. 227.19 (3), Stats.)  
PROFESSIONAL ENGINEERS, :  
DESIGNERS AND LAND SURVEYORS :**

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**I. THE PROPOSED RULE:**

The proposed rule, including the analysis and text, is attached.

**II. REFERENCE TO APPLICABLE FORMS:**

No new or revised forms are required by these rules.

**III. FISCAL ESTIMATES:**

The department estimates that this rule will require staff time in the Office of Education and Exams and the Division of Management Services. The total one-time salary and fringe costs are estimated at \$7,685. The total on-going salary and fringe costs are estimated at \$3,683. The department finds that this rule has no significant fiscal effect on the private sector.

**IV. DETAILED STATEMENT EXPLAINING THE BASIS AND PURPOSE OF THE PROPOSED RULE, INCLUDING HOW THE PROPOSED RULE ADVANCES RELEVANT STATUTORY GOALS OR PURPOSES:**

This proposed rule-making order creates continuing education requirements for renewal of a credential for land surveyors within the jurisdiction of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors as permitted in s. 443.015, Stats., as created by 2007 Wisconsin Act 47.

**V. NOTICE OF PUBLIC HEARING:**

A public hearing was held on May 27, 2009. The following individuals appeared at the public hearing and spoke in support of the proposed rules:

Francis Thousand, Land Surveyor, Madison, WI, Executive Director, Wisconsin Society of Land Surveyors

James Wallen, Land Surveyor, Green Bay, WI, President, Wisconsin Society of Land Surveyors

**VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:**

All of the recommendations suggested in the Clearinghouse Report were accepted in whole.

**VII. FINAL REGULATORY FLEXIBILITY ANALYSIS:**

These rules will have no significant economic impact on small businesses, as defined in s. 227.114 (1), Stats.

Ch. A-E 10 CR09-032 (Continuing education-land surveyors) Report to Leg 8-27-09

STATE OF WISCONSIN  
EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,  
PROFESSIONAL ENGINEERS, DESIGNERS AND LAND SURVEYORS

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IN THE MATTER OF RULE-MAKING : PROPOSED ORDER OF THE  
PROCEEDINGS BEFORE THE : EXAMINING BOARD OF  
EXAMINING BOARD OF ARCHITECTS, : ARCHITECTS, LANDSCAPE  
LANDSCAPE ARCHITECTS, : ARCHITECTS, PROFESSIONAL  
PROFESSIONAL ENGINEERS, : ENGINEERS, DESIGNERS AND LAND  
DESIGNERS AND LAND SURVEYORS : SURVEYORS ADOPTING RULES  
: (CLEARINGHOUSE RULE 09-032)

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PROPOSED ORDER

An order of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors to create ch. A-E 10, relating to continuing education for land surveyors.

Analysis prepared by the Department of Regulation and Licensing.

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ANALYSIS

**Statutes interpreted:**

Section 443.015, Stats.

**Statutory authority:**

Sections 15.08 (5) (b), 227.11 (2) and 443.015, Stats.

**Explanation of agency authority:**

The Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors may approve and adopt rules proposed by any section of the board.

**Related statute or rule:**

There are no other statutes or rules other than those listed above.

**Plain language analysis:**

This proposed rule-making order creates continuing education requirements for renewal of a credential for land surveyors within the jurisdiction of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors as permitted in s. 443.015, Stats., by recently enacted 2007 Wisconsin Act 47.

**Summary of, and comparison with, existing or proposed federal regulation:**

There is no existing or proposed federal regulation.

**Comparison with rules in adjacent states:**

**Iowa:**

Land surveyor continuing education requirements are 30 hours for each biennial renewal. [www.state.ia.us/government/com/prof/architect/home.html](http://www.state.ia.us/government/com/prof/architect/home.html).

**Illinois:**

Continuing education requirements for land surveyors are 20 hours for each biennial renewal. [www.idfpr.com](http://www.idfpr.com).

**Michigan:**

There are no continuing education requirements for land surveyors. [www.michigan.gov/dleg](http://www.michigan.gov/dleg)

**Minnesota:**

Land surveyors require 24 hours of continuing education for each biennial renewal. [www.aelslagid.state.mn.us](http://www.aelslagid.state.mn.us)

**Summary of factual data and analytical methodologies:**

The Land Surveyor Section of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors examined models of continuing education from national organizations related to their profession, as well as from other Wisconsin regulatory boards.

In addition, the section received input from the Wisconsin Society of Land Surveyors, whose nine chapters met and discussed how the continuing education program should operate so that it is beneficial to the public and land surveyors, noting also that Iowa and Illinois requirements were reviewed in preparing the input they provided.

The comparison information with the rules in adjacent states was obtained directly from contact with those states and a review of their rules. The comparison to the adjacent states demonstrates that the proposed rules are substantially consistent with the rules in those states.

**Analysis and supporting documents used to determine effect on small business or in preparation of economic impact report:**

Data was obtained from the Department of Regulation and Licensing's Credentialing Division Renewal Unit, additional information was obtained from the Wisconsin Society of Land Surveyors and research was conducted regarding the availability of continuing education credits offered via online courses, trade association sponsored seminars and other means, as well as the costs associated therewith. That data was compared with the requirements outlined in the proposed rules and based thereon, appears that these rules will have no significant impact on a substantial number of small businesses.

Section 227.137, Stats., requires an "agency" to prepare an economic impact report before submitting the proposed rule-making order to the Wisconsin Legislative Council. The Department of Regulation and Licensing is not included as an "agency" in this section.

**Anticipated costs incurred by the private sector:**

The department finds that this rule has no significant fiscal effect on the private sector.

**Fiscal estimate:**

The department estimates that this rule will require staff time in the Office of Education and Exams and the Division of Management Services. The total one-time salary and fringe costs are estimated at \$7,685. The total on-going salary and fringe costs are estimated at \$3,683.

**Effect on small business:**

These proposed rules will have no significant economic impact on a substantial number of small businesses, as defined in s. 227.114 (1), Stats. The Department's Regulatory Review Coordinator may be contacted by email at [hector.colon@drl.state.wi.us](mailto:hector.colon@drl.state.wi.us), or by calling (608) 266-8608.

**Agency contact person:**

Pamela Haack, Paralegal, Department of Regulation and Licensing, 1400 East Washington Avenue, Room 152, P.O. Box 8935, Madison, Wisconsin 53708; telephone 608-266-0495; email at [pamela.haack@wisconsin.gov](mailto:pamela.haack@wisconsin.gov).

**Place where comments are to be submitted and deadline for submission:**

Comments may be submitted to Pamela Haack, Paralegal, Department of Regulation and Licensing, 1400 East Washington Avenue, Room 152, P.O. Box 8935, Madison, Wisconsin 53708-8935, or by email to [pamela.haack@wisconsin.gov](mailto:pamela.haack@wisconsin.gov). Comments must

be received on or before June 5, 2009, to be included in the record of rule-making proceedings.

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TEXT OF RULE

SECTION 1. Ch. A-E 10 is created to read:

CHAPTER A-E 10  
CONTINUING EDUCATION FOR LAND SURVEYORS

**A-E 10.01 Authority and purpose.** The rules in this chapter are adopted under the authority in ss. 15.08 (5) (b), 227.11 (2) and 443.015, Stats., and govern biennial continuing education of land surveyor registrants.

**A-E 10.02 Definitions.** As used in this chapter:

- (1) "Biennium" means a 2-year period beginning February 1 of each even-numbered year.
- (2) "Continuing education" means the planned, professional development activities designed to contribute to the advancement, extension and enhancement of the professional skills and scientific knowledge of the registrant in the practice of land surveying and for improvement of the safety and welfare of the public.
- (3) "Professional development activities" means organized educational programs on topics related to the practice or theory of land surveying and which foster the enhancement of general or specialized knowledge, practice and values of land surveying.
- (4) "Professional development hour" or "PDH", unless specified otherwise, means 50 minutes of instruction or participation spent by the registrant in actual attendance or completion of an approved educational activity.

**A-E 10.03 Continuing education requirements.** (1) (a) Beginning in the February 2012 biennial registration period, unless granted a waiver under s. A-E 10.07, every registrant shall complete at least 20 hours of approved professional development hours or equivalent continuing education hours, pertinent to the practice of land surveying, except that between initial registration and the first renewal period, a new registrant shall not be required to comply with the continuing education requirements for the first renewal of registration.

(b) During each biennial registration period, the registrant shall complete a minimum of 2 professional development hours of the total number required in each of the following categories:

1. Programs, courses or activities in the area of Wisconsin statutes and rules that regulate professional land surveyors and surveys.

2. Programs, courses or activities in the area of professional conduct and ethics.

3. Programs, courses or activities in the area of land surveying or related sciences.

(2) Continuing education offered by approved providers shall include the following:

(a) Successful completion of online, correspondence, televised, videotaped, or other short courses or tutorials.

(b) Successful completion of a college or university course in the area of land surveying, related sciences or surveying ethics. One semester credit hour of course work is equivalent to 20 professional development hours and one quarter credit hour of course work is equivalent to 13.5 professional development hours.

(c) Successful completion of land surveying courses or programs offering professional development hours on land surveying topics.

(d) Active participation and successful completion of land surveying programs, seminars, tutorials, workshops, short courses or in-house courses.

(e) Attending program presentations at related technical or professional meetings at which at least 50 minutes is spent discussing surveying issues or attending a lecture on survey-related issues, or both. Each qualified meeting will be awarded one professional development hour.

(f) Teaching or instructing courses or programs on a land surveying topic. Teaching credit is counted for teaching a course or seminar for the first time only and does not apply to faculty in the performance of their regularly assigned duties. Two professional development hours will be awarded for every 50 minutes of teaching or presentation.

(g) Authoring land surveying related papers or articles that appear in circulated journals or trade magazines. Credit is earned in the biennium of publication. A maximum of 5 professional development hours per renewal will be awarded for this activity.

(3) Continuing education shall be completed within the preceding biennium.

(4) A land surveyor who fails to meet the continuing education or professional development hours by the renewal date, as specified in s. 440.08 (2) (a) 39., Stats., may not engage in the practice of land surveying until the registration is renewed based upon proof of compliance with the continuing education requirements.

**A-E 10.04 Standards for approval.** (1) To be approved for credit, a continuing education program shall meet all of the following criteria:

(a) The program includes instruction in an organized method of learning contributing directly to the professional competency of the registrant and pertains to subject matters which integrally relate to the practice of the profession.

(b) The program is conducted by individuals who have specialized education, training or experience and are considered qualified concerning the subject matter of the program.

(c) The program provides proof of attendance by the registrants and fulfills pre-established goals and objectives.

(2) The land surveyor section may approve providers for continuing education programs including the following:

(a) Wisconsin society of land surveyors.

(b) National council of examiners for engineering and surveying.

(c) National society of professional land surveyors.

(d) American congress on surveying and mapping.

(e) Colleges, universities or other educational institutions approved by the land surveyor section.

(f) Other technical or professional societies or organizations.

(3) An advisory committee selected by the land surveyor section will make recommendations as to approval of courses, credit, PDH value for courses and other methods of earning credit.

(4) Credit for college or technical school courses approved by the land surveyor section shall be based upon course credit established by the college or technical school.

**A-E 10.05 Certificate of completion, proof of attendance.** (1) Each registrant shall certify on the renewal application full compliance with the continuing education requirements set forth in this chapter.

(2) The land surveyor section may conduct a random audit of its registrants on a biennial basis for compliance with these requirements. It is the responsibility of each registrant to retain or otherwise produce evidence of compliance.

(3) The land surveyor section may require additional evidence demonstrating compliance with the continuing education requirements, including a certificate of attendance or documentation of completion or credit for the courses completed.

(4) If there appears to be a lack of compliance with the continuing education or professional development requirements, the land surveyor section shall notify a registrant in writing and request submission of evidence of compliance within 30 days of the notice.

(5) The land surveyor section may require a registrant to appear for an interview to address any deficiency or lack of compliance with the continuing education or professional development requirements.

**A-E 10.06 Recordkeeping.** It shall be the responsibility of the registrant to\* maintain records of continuing education or professional development hours for at least 2 bienniums from the date the certificate or statement of attendance is signed. The recordkeeping shall include all of the following:

- (1) The name and address of the sponsor or provider.
- (2) A brief statement of the subject matter.
- (3) Printed program schedules, registration receipts, certificates of attendance, or other proof of participation.
- (4) The number of hours attended in each program and the date and place of the program.

**A-E 10.07 Waiver of continuing education.** (1) A renewal applicant seeking renewal of registration without having fully complied with the continuing education requirements shall file a renewal application along with the required fee, and a statement setting forth the facts concerning non-compliance and requesting a waiver of the requirements. The request for waiver shall be made prior to the renewal date. Extreme hardship shall be determined on an individual basis by the land surveyor section. If the land surveyor section finds from the affidavit or any other evidence submitted that extreme hardship has been shown, the land surveyor section shall waive enforcement of the continuing education requirements for the applicable renewal period.

(2) In this section, extreme hardship means an inability to devote sufficient hours to fulfilling the continuing education requirements during the applicable renewal period because of one of the following:

(a) Full-time service in the uniformed services of the United States of America for a period of one year during the biennium.

(b) An incapacitating illness documented by a statement from a licensed physician.

(c) A physical inability to travel to the sites of approved programs documented by a licensed physician.

(d) A retirement from the occupation of land surveying whereby the renewal applicant no longer receives remuneration from providing land surveying services.

(e) Any other extenuating circumstances.

(3) A renewal applicant who prior to the expiration date of the license submits a request for a waiver, shall be deemed to be in good standing until the final decision on the application by the land surveyor section.

**A-E 10.08 Comity.** An applicant for registration from another state who applies for registration to practice land surveying under s. A-E 6.06, shall submit proof of completion of continuing education obtained in another jurisdiction within the 2 years prior to application.

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(END OF TEXT OF RULE)  
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The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin administrative register, pursuant to s. 227.22 (2) (intro.), Stats.

Dated \_\_\_\_\_

Agency \_\_\_\_\_

Chairperson  
Examining Board of Architects,  
Landscape Architects, Professional  
Engineers, Designers and Land Surveyors



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## WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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**Ronald Sklansky**  
*Clearinghouse Director*

**Richard Sweet**  
*Clearinghouse Assistant Director*

**Terry C. Anderson**  
*Legislative Council Director*

**Laura D. Rose**  
*Legislative Council Deputy Director*

### CLEARINGHOUSE REPORT TO AGENCY

[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

#### CLEARINGHOUSE RULE **09-032**

AN ORDER to create chapter A-E 10, relating to continuing education for land surveyors.

Submitted by **DEPARTMENT OF REGULATION AND LICENSING**

04-17-2009 RECEIVED BY LEGISLATIVE COUNCIL.

05-15-2009 REPORT SENT TO AGENCY.

RNS:MS

**LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT**

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]  
Comment Attached            YES             NO
  
2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]  
Comment Attached            YES             NO
  
3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]  
Comment Attached            YES             NO
  
4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS  
[s. 227.15 (2) (e)]  
Comment Attached            YES             NO
  
5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]  
Comment Attached            YES             NO
  
6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL  
REGULATIONS [s. 227.15 (2) (g)]  
Comment Attached            YES             NO
  
7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]  
Comment Attached            YES             NO



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## WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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*Clearinghouse Director*

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Laura D. Rose  
*Legislative Council Deputy Director*

### CLEARINGHOUSE RULE 09-032

#### Comments

**[NOTE: All citations to "Manual" in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Reference Bureau and the Legislative Council Staff, dated September 2008.]**

#### 2. Form, Style and Placement in Administrative Code

The parenthetical acronyms should be deleted in s. A-E 10.04 (2). [See s. 1.01 (6) and (8), Manual.]

#### 4. Adequacy of References to Related Statutes, Rules and Forms

Section A-E 10.01 "Authority and purpose" includes an incorrect cite. Section 443.06, Stats., is incorrect and should be changed to s. 443.015, Stats.

#### 5. Clarity, Grammar, Punctuation and Use of Plain Language

a. Comparison with rules in Iowa and Illinois do not specify what licenses are required to comply with the hours for continuing education. Do these requirements apply to all licenses or just land surveyors? The agency should specify who is required to comply with these continuing education requirements.

b. The definition of "professional development hour" is unclear. It is unclear what the following phrase in the definition means or why it is needed: "If a program awards a continuing education unit rather than a "PDH," one continuing education unit equals 10 "PDHs" of an approved educational activity." What is a unit and when would someone receive these units? Section A-E 10.03 (2) directs the land surveyor section on how to count classes, technical meetings, and courses taught, so it appears that this sentence is superfluous. Because these

additional directions on how to count PDHs appear to cover all scenarios, the entire definition should be rewritten to read:

“Professional development hour” or “PDH”, unless specified otherwise, means 50 minutes of instruction or participation spent by the registrant in actual attendance or completion of an approved educational activity.

c. Section A-E 10.03 (1) (a) is unclear. First, in the second line, the word “and” should be removed as it is not necessary.

Second, it is unclear as to when a land surveyor is supposed to have completed the continuing education requirements. Is the land surveyor supposed to have the continuing education requirements by the time the license is renewed in February 2012? Or are the continuing education requirements required when the license is renewed in 2014? The specified date and year should be used to clarify this question.

d. The meaning of s. A-E 10.03 (1) (b) is unclear. Is the person required to complete professional development hours in each of the three categories every two years? If so, is there a minimum number of hours in each category?

e. The usage of the word “and” in s. A-E 10.03 (2) (a) appears to be improper. The usage here implies that a person must successfully complete every type of short course or tutorial. If a person may select which types of courses to complete, “and” should be replaced by “or”. A similar comment applies to “and” in the first sentence of A-E 10.03 (2) (b).

f. Section A-E 10.03 (2) (e) and (f) are inconsistent with the definition of a professional development hour. According to the definition, a professional development hour means “50 minutes”. However, pars. (e) and (f) use the word “hour”, which appears to mean 60 minutes.

g. In s. A-E 10.03 (2) (f), credits are not “valid”, they are counted. “Valid” should be replaced by “counted”.

h. The phrase “preceding 2-year registration period” in s. A-E 10.03 (3) should be replaced with “preceding biennium” to be consistent with the definition.

i. A reference to where the renewal date is located in the statutes should be included in s. 10.03 (4). After “renewal date” the agency should insert “, as specified in s. 440.08 (2) (a) 39., Stats.”.

j. In s. A-E 10.04 (1) (a), the phrase “program of instruction” is unclear. What is supposed to constitute an organized method of learning? It appears that the instruction is what must be organized. The section could be rewritten to say: “The program includes instruction in an organized method of learning, contributing directly to...”.

k. It is unclear who has the authority to approve continuing education providers. Section A-E 10.04 (2) refers only to “[a]pproved providers”. Does the land surveyor section have the authority to approve the providers? This subsection should be rewritten to read:

The land surveyor section may approve providers for continuing education programs including, but not limited to the following....

Also, the phrase "but not be limited to" in s. A-E 10.04 (2) should be deleted since "include" means "include, but not be limited to" and since s. A-E 10.04 (2) (f) allows "[o]ther technical or professional societies or organizations" to be approved as continuing education providers. Throughout the rule, "but not limited to" and similar phrases should be deleted.

l. Section 10.04 (4) is unclear. The placement and usage of the word "approved" is grammatically incorrect. Are the courses approved? Also, who is approving the courses? The schools or the land surveyor section? The subsection should be rewritten to read:

Credit for college or technical school courses approved by the land surveyor section shall be based upon the course credit established by the college or technical school.

m. Section A-E 10.04 (5) is confusing and inconsistent with the definition of professional development hours. As previously stated, the definition refers to 50 minutes; par. (5) uses the word "hour". Why is this sentence even needed, as the definition already directs how to count attendance at an event?

n. It is unclear who is required to notify a person who is not in compliance with continuing education or professional development requirements. Section A-E 10.05 (4) only states "a registrant shall be notified". Who is required to make the notification? This phrase could be rewritten to read: "the land surveyor section shall notify a registrant...".

o. The duration of time a person is required to maintain records of continuing education or professional development hours in s. A-E 10.06 is four years from the date the certificate or statement of attendance is signed. These four years may not align with the biennium. The phrase "4 years" could be replaced by "two bienniums".

p. The definition of "extreme hardship" is unclear. Section A-E 10.07 (2) states how it is determined as well as the definition. The phrase "Extreme hardship shall be determined on an individual basis by the land surveyor section" should be removed from s. A-E 10.07 (2) and inserted in sub. (1) so that sub. (2) only defines "extreme hardship". Subsection (2) could then read: "(2) In this section, "extreme hardship" means...".

q. Section A-E 10.07 (2) (a) states that full-time service in the armed services for a "substantial part of the biennium" may be considered an extreme hardship. What is a "substantial part of the biennium"? Could this phrase be defined?

r. Section A-E 10.07 (2) (b) and (c) use the word "currently". This word should be removed. [See s. 1.01 (9) (b), Manual.]

s. The verb "is applying" in s. A-E 10.08 should be replaced with "applies".