

No. 566, A.]

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CHAPTER 510.

AN ACT to repeal 101.31 (1) (introductory paragraph), (5) (introductory paragraph), (a) 2 and 3, (c), (d), (e) and (7) (a); to renumber 101.31 (1) (a), (b), (c), (em) and (d) to be 101.31 (2) (a), (b), (c), (d) and (e) respectively; 101.31 (2), (3), (4), (5), (6) and (6m) to be 101.31 (3), (4), (5), (6), (7) and (8) respectively; 101.31 (7) (introductory paragraph) and (b) to (e) to be 101.31 (9) (introductory paragraph) and (a) to (d) respectively; 101.31 (7) (f) to (i) to be 101.31 (10) (a) to (d) respectively; 101.31 (8) to be 101.31 (11); 101.31 (9) (a), (b), (c), (d), (e), (f) and (g) to be 101.31 (12) (a), (b), (c), (g), (h), (i) and (j) respectively; 101.31 (10) and (11) to be 101.31 (13) and (14); to amend 101.31 (2) (d), (5) (d), (9) (introductory paragraph), (10) (b), (12) (a) and (j), (13) (introductory paragraph), (a) to (e), (g) and (14) (a) as renumbered; to repeal and recreate 101.31 (6) (b), (11), (12) (b) and (c) as renumbered; and to create 101.31 (1), (2) (f), (5) (e), (6) (a) 2 to 4, (c) to (j), (12) (d) to (f), (k) to (o) and (15) of the statutes, relating to the registration of architects and professional engineers.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 101.31 (1) (introductory paragraph) of the statutes is repealed.

SECTION 2. 101.31 (1) (a), (b), (c), (em) and (d) of the statutes are renumbered to be 101.31 (2) (a), (b), (c), (d) and (e) respectively.

SECTION 3. 101.31 (1) of the statutes is created to read:

101.31 ARCHITECTS AND PROFESSIONAL ENGINEERS. (1) PRACTICE REQUIREMENTS, REGISTRATION. (a) Any person practicing or offering to practice the profession of architecture or the profession of professional engineering in this state shall comply with the provisions of this section.

(b) It is unlawful for any person to practice the profession of architecture or the profession of professional engineering in this state unless such person has been duly registered, is exempt under the provisions of subsection (9) or has in effect a permit under subsection (11) (d).

(c) It is unlawful for any person to offer to practice the profession of architecture or the profession of professional engineering or to use in connection with his name or otherwise assume, use or advertise any title or description tending to convey the impression that he is an architect or professional engineer or to advertise to furnish architectural or professional engineering services unless such person has been duly registered or has in effect a permit under subsection (11) (d).

SECTION 4. 101.31 (2) (d) of the statutes as renumbered is amended to read:

101.31 (2) (d) The practice of professional engineering within the meaning and intent of this section includes any professional service, requiring the application of engineering principles and data, wherein the public welfare or the safeguarding of life, health or property is concerned and involved, such as consultation, investigation, evaluation, planning, design, or responsible supervision of construction, alteration, or operation, in connection with any public or private utilities, structures, projects, bridges, industrial plants and buildings, machines, equipment, processes, works, and the structural members of other than industrial buildings. *A person shall be deemed to offer to practice professional engineering, within the meaning and intent of this section, who by verbal claim, sign, advertisement, letterhead, card, or in any other way represents himself to be a professional engineer; or who through the use of some other title implies that he is a professional engineer; or who holds himself out as able to practice professional engineering.*

SECTION 5. 101.31 (2) (f) of the statutes is created to read:

101.31 (2) (f) The term "engineer-in-training" as used in this section means a person who is a graduate in an engineering curriculum of 4 years or more from a school or college approved by the board as of satisfactory standing, or a person who has had 4 years or more of experience in engineering work of a character satisfactory to the board; and who, in addition, has successfully passed the examination in the fundamental engineering subjects prior to the completion of the requisite years in engineering work, as provided in subsection (6), and who has received from the board a certificate of record stating that he has successfully passed this portion of the professional examinations.

SECTION 6. 101.31 (5) (introductory paragraph), (a) 2 and 3, (e), (d), (e) and (7) (a) of the statutes are repealed.

SECTION 7. 101.31 (2), (3), (4), (5), (6) and (6m) of the statutes are renumbered to be 101.31 (3), (4), (5), (6), (7) and (8).

SECTION 8. 101.31 (5) (d) of the statutes as renumbered is amended to read:

101.31 (5) (d) A roster showing the names and places of business of all registered architects and professional engineers shall be prepared annually by the secretary of the board. * * * *A copy of this roster shall be obtainable by each person so registered and a copy shall be placed on file with the secretary of state.*

SECTION 9. 101.31 (5) (e) of the statutes is created to read:

101.31 (5) (e) A list showing the names and addresses of all engineers-in-training certified by the board during the period from July 1 to June 30, inclusive, shall be prepared each year by the secretary of the board. A copy of such list shall be obtainable by each person whose name appears upon it and by each person registered as a professional engineer. A copy of such list shall be placed on file with the secretary of state.

SECTION 10. 101.31 (6) (a) 2., 3. and 4. of the statutes are created to read:

101.31 (6) (a) 2. A diploma of graduation, or a certificate, from an architectural school or college approved by the board as of satisfactory standing, together with at least 3 years' practical experience of a character satisfactory to the board in design and construction of buildings; or

3. A specific record of 7 or more years of experience in architectural work of a character satisfactory to the board in the design and construction of buildings;

4. Graduation in architecture from a school or college approved by the board as of satisfactory standing shall be considered as equivalent to 4 years' of experience, and the completion satisfactory to the board of each year of work in architecture in such school or college without graduation shall be considered equivalent to one year of experience. Graduation in a course other than architecture from a school or college approved by the board as of satisfactory standing shall be considered as equivalent to 2 years' of experience. No applicant shall receive credit for more than 4 years' of experience under this subdivision.

SECTION 11. 101.31 (6) (b) of the statutes as renumbered is repealed and recreated to read:

101.31 (6) (b) An applicant for registration as a "professional engineer" shall submit satisfactory evidence to the board as follows:

1. A diploma of graduation, or a certificate, from an engineering school or college approved by the board as of satisfactory standing in an engineering course of not less than 4 years, together with an additional 4 years of experience in engineering work of a character satisfactory to the board and indicating that the applicant is competent to be placed in responsible charge of such work; or

2. A specific record of 8 or more years of experience in engineering work of a character satisfactory to the board and indicating that the applicant is competent to be placed in responsible charge of such work; or

3. A specific record by an applicant not less than 35 years of age of 12 years or more of experience in engineering work of a character satisfactory to the board and indicating that the applicant is competent to practice engineering.

4. Graduation in engineering from a school or college approved by the board as of satisfactory standing shall be considered as equivalent to 4 years of experience, and the completion satisfactory to the board of each year of work in engineering in such school or college without graduation shall be considered as equivalent to one year of experience. Graduation in a course other than engineering from a school or college approved by the board as of satisfactory standing shall be considered as equivalent to 2 years of experience. No applicant shall receive credit for more than 4 years of experience under this subdivision.

SECTION 12. 101.31 (6) (c) to (j) of the statutes are created to read:

101.31 (6) (c) An applicant for certification as an engineer-in-training shall submit satisfactory evidence to the board as follows:

1. A diploma of graduation in engineering or a certificate in engineering from a school or college approved by the board as of satisfactory standing, or

2. A specific record of 4 years or more of experience in engineering work of a character satisfactory to the board.

3. Graduation in engineering from a school or college approved by the board as of satisfactory standing shall be considered as equivalent to 4 years of experience and the completion satisfactory to the board of each year of work in engineering in such school or college without graduation shall be considered as equivalent to one year of experience. Graduation in a course other than engineering from a school or college approved by the board as of satisfactory standing shall be considered as equivalent to 2 years of experience. No applicant shall receive credit for more than 4 years of experience under this subdivision.

(d) In considering the qualifications of applicants, responsible charge of architectural or engineering teaching may be construed as experience.

(e) No person shall be eligible for registration as an architect or a professional engineer, or certification as engineer-in-training who is not of good character and repute.

(f) In cases where the evidence presented in the application does not appear to the board to be conclusive or to warrant the issuance of a certificate of registration, the applicant may be required to present further evidence, and may also be required to pass an oral or written examination, or both, as the board may determine. This paragraph shall become ineffective after December 31, 1951.

(g) Written examinations will be required of every applicant for certification as engineer-in-training.

(h) Written or written and oral examinations will be required of every applicant for registration as architect or professional engineer who has not obtained graduation from an architectural or engineering school approved by the board as of satisfactory standing, and whose application is not on file with the board on or before December 31, 1949 except an applicant who meets the requirements of paragraph (b) 3. of this subsection.

(i) Written or written and oral examinations will be required of every applicant whose application is not on file with the board on or before December 31, 1951 except an applicant who meets the requirements of paragraph (b) 3. of this subsection.

(j) Written or written and oral examinations shall be held at such time and place as the board shall determine. The scope of the examinations and the methods of procedure shall be prescribed by the board with special reference to the applicant's ability to design and supervise architectural or engineering work, which shall insure the safety of life, health and property. A candidate failing an examination may, upon application and payment of the required reexamination fee, be examined again by the board.

SECTION 13. 101.31 (7) (introductory paragraph), (b) to (e) of the statutes are renumbered to be 101.31 (9) (introductory paragraph), (a) to (d).

SECTION 14. 101.31 (9) (introductory paragraph) of the statutes as renumbered is amended to read:

101.31 (9) EXEMPT PERSONS. The following persons, *while practicing within the scope of their exemption*, shall be exempt from registration under the provisions of this section, to wit:

SECTION 15. 101.31 (7) (f) to (i) of the statutes is renumbered to be 101.31 (10) (a) to (d).

SECTION 16. 101.31 (10) (b) of the statutes as renumbered is amended to read:

101.31 (10) (b) Nothing contained in this section shall prevent persons, firms or corporations, from making plans and specifications for, or supervising the erection, enlargement or alteration of any new building containing less than 50,000 cubic feet * * * *total volume*, or addition to a building which by reason of such addition results in a building containing * * * *less than 50,000 cubic feet * * * total volume*. Nor shall anything contained in this section prevent persons, firms or corporations, from making repairs or interior alterations to buildings, which do not affect health or safety.

SECTION 17. 101.31 (8) of the statutes is renumbered to be 101.31 (11).

SECTION 18. 101.31 (11) of the statutes as renumbered is repealed and recreated to read:

101.31 (11) CERTIFICATE OF REGISTRATION OR RECORD; PERMIT; RECIPROCITY PROVISIONS. (a) The board may, upon application therefor, and the payment of the required fee, issue a certificate of registration as an architect, or as a professional engineer to any person who holds an unexpired certificate of similar registration issued to him by the proper authority in any state or territory or possession of the United States or in any country in which the requirements for the registration of architects, or of professional engineers are of a standard not lower than specified in this section.

(b) The board may, upon application therefor and payment of the required fee, issue a certificate of registration as an architect, or as a professional engineer to any person who holds an unrevoked card or certificate of national reciprocal registration, issued by any state, province or country in conformity with the regulations of the national council of state board of architectural, or engineering examiners, and who complies with the regulations of this board, except as to qualifications and registration fee.

(c) The board may, upon application therefor, and the payment of the required fee, issue a certificate-of-record as engineer-in-training to any person who holds an unexpired certificate of similar certification issued to him by the proper authority in any state or territory or possession of the United States or in any country in which the requirements for the certification of engineers-in-training are of a standard not lower than specified in this section.

(d) The board may, upon application therefor, issue a permit to practice or to offer to practice the profession of architecture or professional engineering to a person who is not a resident of and has no established place of business in this state, or who has recently become a resident thereof, if he has filed with the board an application for a certificate of registration and has paid the required fee, provided, that such person holds an unexpired certificate of similar registration issued to him by the proper authority in any state or territory or possession of the United States or in any country in which the requirements for the registration of architects or professional engineers are of a standard not lower than specified in this section.

SECTION 19. 101.31 (9) (a), (b), (c), (d), (e), (f) and (g) of the statutes are renumbered to be 101.31 (12) (a), (b), (c), (g), (h), (i) and (j) respectively.

SECTION 20. 101.31 (12) (a) of the statutes as renumbered is amended to read:

101.31 (12) (a) Applications for registration *or for a certificate of record* shall be on forms prescribed and furnished by the board *and* shall contain statements made under oath showing the applicant's education and detail summary of his * * * technical work * * * and * * * not less than 5 references, of whom 3 or more shall have personal knowledge of his * * * *architectural or engineering experience in the case of an application for registration or of his technical education or engineering work in the case of an application for a certificate of record*.

SECTION 21. 101.31 (12) (b) and (c) of the statutes as renumbered are repealed and recreated to read:

101.31 (12) (b) The registration fee for architects or professional engineers who do not hold a certificate of record as engineer-in-training shall be \$10 for applications filed on or before July 31, 1949, and \$20 for applications filed after said date, one-half of which shall accompany the application and the other half of which shall be paid upon

issuance of the certificate of registration. If the board denies the application, the amount deposited with the application shall be retained by the board as an examination fee.

(e) The certificate of record fee for engineers-in-training shall be \$10 and said fee shall accompany the application. If the board denies the application, said amount shall be retained by the board as an examination fee.

SECTION 22. 101.31 (12) (d), (e) and (f) of the statutes are created to read:

101.31 (12) (d) The registration fee for applicants for registration as professional engineer who hold a certificate of record as engineer-in-training shall be \$10, one-half of which shall accompany the application and the other half of which shall be paid upon issuance of the certificate of registration. If the board denies the application, the amount deposited with the application shall be retained by the board as an examination fee.

(e) The registration fee for architects and for professional engineers who hold an unexpired certificate of registration, or similar authority, issued by the proper authority in any country, state or territory outside of this state shall be \$10 for applications filed on or before July 31, 1949, and \$20 for applications filed after said date, one-half of which shall accompany the application and the other half of which shall be paid upon issuance of the certificate of registration. If the board denies the application, the amount deposited with the application shall be retained by the board as an examination fee.

(f) The certificate of record fee for engineers-in-training who hold an unexpired certificate of record, or similar certification issued by the proper authority in any country, state or territory outside of this state, shall be \$5 and said fee shall accompany the application. If the board denies the application, said amount shall be retained by the board as an examination fee.

SECTION 23. 101.31 (12) (j) of the statutes, as renumbered, is amended to read:

101.31 (12) (j) Certificates of registration shall expire on the last day of the month of July of the second year following their issuance or renewal and shall become invalid on that date unless renewed. It shall be the duty of the secretary of the board to notify every person registered under this section of the date of the expiration of his * * * certificate and the amount of the fee that shall be required or its renewal for 2 years; such notice shall be mailed at least one month in advance of the date of expiration of said certificate. Renewal may be effected at any time during the month of July by the payment of a fee of * * * \$10, *except that the fee for renewal during the month of July, 1949, shall be \$5.* The failure on the part of any registrant to renew his certificate every second year in the month of July as required above, shall not deprive such person of the right of renewal, but the fee to be paid for the renewal of a certificate after the month of July shall be increased 10 per cent for each month or fraction of a month that payment of renewal is delayed; provided, however, that the maximum fee for delayed renewal shall not exceed twice the normal renewal fee.

SECTION 24. 101.31 (12) (k), (l), (m), (n) and (o) of the statutes are created to read:

101.31 (12) (k) The board shall issue a certificate of record as engineer-in-training to any applicant who, in the opinion of the board, has satisfactorily met all the requirements of this section pertaining to engineers-in-training. The certificate of record shall show the full name of the engineer-in-training, shall have a serial number, and shall be signed by the chairman and the secretary of the board under the seal of the board.

(l) A certificate of record as engineer-in-training is evidence that the engineer-in-training to whom it is issued has successfully passed the portion of the examinations in the fundamental engineering subjects required of an applicant for registration as a professional engineer.

(m) Certificates of record as engineers-in-training shall expire on the last day of the month of July of the tenth year after their issuance unless extended by the board. An application for extension shall contain evidence satisfactory to the board that the applicant's professional experience has been delayed.

(n) The re-examination fee for an applicant for registration as an architect or professional engineer is \$10.

(o) The re-examination fee for an applicant for a certificate of record as engineer-in-training is \$5.

SECTION 25. 101.31 (10) and (11) of the statutes are renumbered to be 101.31 (13) and (14).

SECTION 26. 101.31 (13) (introductory paragraph), (a), (b), (c), (d), (e) and (g) of the statutes as renumbered are amended to read:

101.31 (13) (introductory paragraph) The board * * * *has* the power to re-

voke the certificate of registration of any registrant, and the certificate of record of any engineer-in-training, who is found guilty of:

(a) The practice of any fraud or deceit in obtaining a certificate of registration or a certificate of record;

(b) Any gross negligence, incompetency or misconduct in the practice of architecture or * * * as a registered architect or of professional engineering as a registered professional engineer, or in the professional activity of a holder of a certificate of record as engineer-in-training.

(c) Any person may prefer charges of fraud, deceit, gross negligence, incompetency or misconduct against any registrant or holder of a certificate of record as engineer-in-training. Such charges shall be in writing, and shall be sworn to by the person making them and shall be filed with the secretary of the board. Also, the board may * * * on its own motion make such charges. All charges, unless dismissed by the board as unfounded or trivial, shall be heard by the division of the board interested, within 3 months after the date on which they shall have been preferred.

(d) The time and place for said hearing shall be fixed by the board, and a copy of the charges, together with a notice of the time and place of hearing shall be personally served on or mailed to the last known address of such registrant or holder of a certificate of record, at least 30 days before the date fixed for the hearing. At any hearing, the accused registrant or holder of a certificate of record shall have the right to appear personally and by counsel, to cross examine witnesses appearing against him * * *, and to produce evidence and witnesses in his own defense.

(e) If, after such hearing, 4 members of the division of the board holding the hearing vote in favor of finding the accused guilty, the board shall revoke the certificate of registration of such registered architect or registered professional engineer or the certificate of record of such holder.

(g) The board, for reasons the interested division may deem sufficient, may reissue a certificate of registration or a certificate of record to any person whose certificate has been revoked, providing 4 members of the architectural division or 4 members of the engineering division of the board vote in favor of such reissuance. A new certificate of registration or certificate of record, to replace any certificate revoked, lost, destroyed or mutilated may be issued, subject to the rules of the board and the payment of the required fee.

SECTION 27. 101.31 (14) (a) of the statutes as renumbered is amended to read:

101.31 (14) (a) Any person who * * * practices or * * * offers to practice, architecture or the profession of professional engineering in this state, or who * * * uses the word "architect" or the term "professional engineer" as part of his business name or title or in any way * * * represents himself as an architect or a professional engineer * * * unless he is registered or exempted in accordance with this section, or unless he is the holder of an unexpired permit issued under subsection (11) (d) or any person presenting or attempting to use as his own the certificate of registration of another, or any person who * * * gives any false or forged evidence of any kind to the board or to any member thereof in obtaining a certificate of registration, or any person who * * * falsely * * * impersonates any other registrant of like or different name, or any person who * * * attempts to use an expired or revoked certificate of registration, or * * * violates any of the provisions of this section, * * * shall * * * be * * * fined not less than \$100 nor more than \$500, or * * * imprisoned for not more than 3 months, or both.

SECTION 28. 101.31 (15) of the statutes is created to read:

101.31 (15) INJUNCTION. If it appears upon complaint to the board by any person, or is known to the board that any person who is neither registered nor exempt under this section nor the holder of an unexpired permit under subsection (11) (d) is practicing or offering to practice, or is about to practice or to offer to practice, the profession of architecture or the profession of professional engineering in this state the board or the attorney-general or the district attorney of the proper county may investigate and may, in addition to any other remedies, bring action in the name and on behalf of the state of Wisconsin against any such person to enjoin such person from practicing or offering to practice architecture or professional engineering.

Approved July 18, 1949.