

2019 DRAFTING REQUEST

Bill

For: Dale Kooyenga (608) 266-2512

Drafter: mduchek

By: Sandy

Secondary Drafters:

Date: 2/19/2019

May Contact:

Same as LRB:

Submit via email: YES

Requester's email: Sen.Kooyenga@legis.wisconsin.gov

Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Status of certain retired professionals

Instructions:

Redraft 2017 AB 670 with amendment

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mduchek 2/20/2019	anienaja 2/28/2019			
/P1	mduchek 3/4/2019		lparisi 3/4/2019		State
/1				jmurphy 3/4/2019	State

FE Sent For:

<END>

At Intro

## Duchek, Michael

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**From:** Lonergan, Sandy  
**Sent:** Tuesday, February 19, 2019 11:28 AM  
**To:** Duchek, Michael  
**Cc:** Riske, Laura  
**Subject:** bill draft request

Hi Mike,

As a follow up to our phone call, we would please like 2017 AB 670 redrafted and please incorporate the simple amendment into the draft. I have copied Laura from Rep Kulp's office on this email as we will be working with him on this bill. Please let me know if you have any questions or need anything else from us.

Thanks – Sandy

*Sandy Lonergan*

Chief of Staff  
Office of Senator Dale Kooyenga  
310-South, State Capitol  
608.266.2512

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Visit Sen. Kooyenga's [website](#).

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State of Wisconsin  
2017 - 2018 LEGISLATURE

2146/P1  
LRB-049411  
MPC:jld  
MED

2017 ASSEMBLY BILL 670

November 22, 2017 - Introduced by Representatives KOOYENGA, E. BROOKS, KULP, SPIROS and THIESFELDT. Referred to Committee on Regulatory Licensing Reform.

must promulgate rules to allow a credential holder to...

retired credential status

1 AN ACT to amend 443.02 (3) and 443.02 (4); and to create 443.015 (1m) of the  
2 statutes; relating to: exemption from continuing education requirements for  
3 certain retired professionals holding credentials granted by the Examining  
4 Board of Architects, Landscape Architects, Professional Engineers, Designers,  
5 and Professional Land Surveyors and requiring the exercise of rule-making  
6 authority.

extending the time limit for emergency rule procedures, providing an exemption from emergency rule procedures, and

Analysis by the Legislative Reference Bureau

Under this bill, any rule promulgated by the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, and Professional Land Surveyors, establishing continuing education requirements must provide that an applicant for credential renewal who is at least 65 years of age or who has actively maintained that credential for a minimum of 30 consecutive years is exempt from continuing education requirements upon certification to the examining board that the applicant has retired from professional practice and no longer engages in that practice. An exempt person may maintain his or her professional title but may not engage in the relevant practice. Also, under the bill, an exempt person must pay only one-half of the applicable renewal fee to maintain his or her professional credential.

or her to apply to the board to classify his credential as retired. Such a credential holder is exempt from continuing education requirements and who such a credential holder

**ASSEMBLY BILL 670**

Each section of the examining board shall promulgate rules to allow the holder of a

status

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

to apply to the board to

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

to classify that credential as retired. (b) Any rules a section of the examining board

1 SECTION 1. 443.015 (1m) of the statutes is created to read:

2 443.015 (1m) (a) Any rules a section of the examining board promulgates under

3 sub. (1) shall provide that an applicant for renewal of his or her credential under this

4 chapter who is at least 65 years of age or who has actively maintained his or her

5 credential under this chapter for at least 30 consecutive years shall be exempt from

6 continuing education requirements upon the applicant's certification to the

7 appropriate section that the applicant has retired from and no longer engages in the

8 practice for which the applicant holds the credential.

9 (b) 1. A person who is exempt under par. (a) may not engage in the practice for

10 which the person holds the credential subject to exemption, unless he or she satisfies

11 reinstatement requirements established by the appropriate section of the examining

12 board by rule.

13 2. A person who is exempt under par. (a) may continue to use a title in

14 connection with his or her credential subject to exemption if the person clearly

15 indicates to the public that the person is retired, including by placing the

16 abbreviation "Ret." or similar appellation after his or her title.

17 (c) The renewal fee for a person who is exempt under par. (a) shall be one-half

18 of the usual renewal fee that otherwise applies, unless the person resumes his or her

19 practice under the credential after satisfying any reinstatement requirements

20 established by the appropriate section by rule, in which case the usual renewal fee

21 applies.

Promulgates under sub. (1)

that a credential holder whose credential is classified as retired under par. (a)

credential holder whose credential is classified as retired status

applies to the appropriate section of the examining board to

remove the retired status classification and

and who certifies that he or she

a credential holder whose credential is classified as (used)

retired status

(d) (c)

**ASSEMBLY BILL 670**

1           **SECTION 2.** 443.02 (3) of the statutes is amended to read:

2           443.02 (3) No person may offer to practice architecture, landscape architecture,  
3           or professional engineering or, except as provided in rules promulgated by the  
4           appropriate section under s. 443.015 (1m), use in connection with the person's name  
5           or otherwise assume, use or advertise any title or description tending to convey the  
6           impression that he or she is an architect, landscape architect, or professional  
7           engineer or advertise to furnish architectural, landscape architectural, or  
8           professional engineering services unless the person has been duly registered or has  
9           in effect a permit under s. 443.10 (1) (d).

10           **SECTION 3.** 443.02 (4) of the statutes is amended to read:

11           443.02 (4) No person may engage in or offer to engage in the practice of  
12           professional land surveying in this state or, except as provided in rules promulgated  
13           by the professional land surveyor section under s. 443.015 (1m), use or advertise any  
14           title or description tending to convey the impression that the person is a professional  
15           land surveyor unless the person has been granted a license under this chapter to  
16           engage in the practice of professional land surveying.

17

(END)



State of Wisconsin  
2017 - 2018 LEGISLATURE

LRBa1812/1  
MPG:emw

ASSEMBLY AMENDMENT 1,  
TO ASSEMBLY BILL 670

January 17, 2018 - Offered by Representative KOOYENGA.

1 At the locations indicated, amend the bill as follows:

2 1. Page 1, line 5: delete "Surveyors" and substitute "Surveyors, providing an  
3 exemption from emergency rule procedures,".

4 2. Page 3, line 16: after that line insert:

5 ~~SECTION 3g.~~ <sup>#</sup> Nonstatutory provisions.

6 ~~§~~ The examining board of architects, landscape architects, professional  
7 engineers, designers, and professional land surveyors may promulgate emergency  
8 rules under <sup>s.</sup> section 227.24 of the statutes necessary to implement this act.  
9 Notwithstanding <sup>s.</sup> section 227.24 (1) (c) and (2) of the statutes, emergency rules  
10 promulgated under this subsection remain in effect until May 1, 2019, or the date on  
11 which permanent rules take effect, whichever is sooner. Notwithstanding <sup>s.</sup> section  
12 227.24 (1) (a) and (3) of the statutes, the examining board is not required to provide  
13 evidence that promulgating a rule under this subsection as an emergency rule is

1 necessary for the preservation of the public peace, health, safety, or welfare and is  
2 not required to provide a finding of emergency for a rule promulgated under this  
3 subsection.

4 **SECTION #. Effective date**

5 (1) This act takes effect on first day of the 10th month beginning after  
6 publication. *except as follows:*

7 (END)

*AR. A. R.*  
*A. S.*  
(#) SECTION # (#) of this  
act takes effect on the day  
after publication.



State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-2146/P1

MED:amn

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

1     **AN ACT** *to amend* 443.02 (3) and 443.02 (4); and *to create* 443.015 (1m) of the  
2             statutes; **relating to:** retired credential status for certain professionals  
3             holding credentials granted by the Examining Board of Architects, Landscape  
4             Architects, Professional Engineers, Designers, and Professional Land  
5             Surveyors; extending the time limit for emergency rule procedures; providing  
6             an exemption from emergency rule procedures; and requiring the exercise of  
7             rule-making authority.

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***Analysis by the Legislative Reference Bureau***

Under this bill, the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, and Professional Land Surveyors must promulgate rules to allow a credential holder who is at least 65 years of age or who has actively maintained that credential for a minimum of 30 consecutive years and who has retired from professional practice and no longer engages in that practice to apply to the board to classify his or her credential as retired. Such a credential holder is exempt from continuing education requirements and may maintain his or her professional title but may not engage in the relevant practice. Also, under the bill, such a credential holder must pay only one-half of the applicable renewal fee to maintain his or her professional credential.



For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

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

*of a credential so classified*

*The rules shall also allow the holder to apply to*

1 SECTION 1. 443.015 (1m) of the statutes is created to read:

2 443.015 (1m) (a) Each section of the examining board shall promulgate rules  
3 to allow the holder of a credential under this chapter who is at least 65 years of age  
4 or who has actively maintained that credential for at least 30 consecutive years and  
5 who certifies that he or she has retired from and no longer engages in the practice  
6 for which he or she holds the credential to apply to the board to classify that  
7 credential as retired status.

8 (b) Any rules a section of the examining board promulgates under sub. (1) shall  
9 exempt a credential holder whose credential is classified as retired status under par.  
10 (a) from continuing education requirements.

11 (c) 1. A credential holder whose credential is classified as retired status under  
12 par. (a) may not engage in the practice for which the person holds the credential  
13 subject to exemption, unless he or she applies to the appropriate section of the  
14 examining board to remove the retired status classification and satisfies  
15 reinstatement requirements established by the appropriate section of the examining  
16 board by rule.

17 2. A credential holder whose credential is classified as retired status under par.  
18 (a) may continue to use a title in connection with his or her retired status credential  
19 if the person clearly indicates to the public that the person is retired, including by  
20 placing the abbreviation "Ret." or similar appellation after his or her title.

1 (d) The renewal fee for a credential holder whose credential is classified as  
2 retired status under par. (a) shall be one-half of the usual renewal fee that otherwise  
3 applies, unless the person resumes his or her practice under the credential after  
4 satisfying any reinstatement requirements established by the appropriate section by  
5 rule, in which case the usual renewal fee applies.

6 SECTION 2. 443.02 (3) of the statutes is amended to read:

7 <sup>Use 2x</sup>  
8 443.02 (3) <sup>↑</sup> ~~No~~ person may offer to practice architecture, landscape architecture,  
9 or professional engineering or, except as provided in rules promulgated by the  
10 appropriate section under s. 443.015 (1m), use in connection with the person's name  
11 or otherwise assume, use or advertise any title or description tending to convey the  
12 impression that he or she is an architect, landscape architect, or professional  
13 engineer or advertise to furnish architectural, landscape architectural, or  
14 professional engineering services unless the person has been duly registered or has  
15 in effect a permit under s. 443.10 (1) (d).  
*Except as provided under s. 443.015 (1m) (c), no*

15 SECTION 3. 443.02 (4) of the statutes is amended to read:

16 443.02 (4) <sup>↑</sup> ~~No~~ person may engage in or offer to engage in the practice of  
17 professional land surveying in this state or, except as provided in rules promulgated  
18 by the professional land surveyor section under s. 443.015 (1m), use or advertise any  
19 title or description tending to convey the impression that the person is a professional  
20 land surveyor unless the person has been granted a license under this chapter to  
21 engage in the practice of professional land surveying.

22 SECTION 4. Nonstatutory provisions.

23 (1) The examining board of architects, landscape architects, professional  
24 engineers, designers, and professional land surveyors may promulgate emergency  
25 rules under s. 227.24 necessary to implement this act. Notwithstanding s. 227.24 (1)

1 (c) and (2), emergency rules promulgated under this subsection remain in effect until  
2 May 1, 2019, or the date on which permanent rules take effect, whichever is sooner.  
3 Notwithstanding s. 227.24 (1) (a) and (3), the examining board is not required to  
4 provide evidence that promulgating a rule under this subsection as an emergency  
5 rule is necessary for the preservation of the public peace, health, safety, or welfare  
6 and is not required to provide a finding of emergency for a rule promulgated under  
7 this subsection.

8 **SECTION 5. Effective dates.** This act takes effect on the first day of the 10th  
9 month beginning after publication, except as follows:

10 (1) SECTION 4 (1) of this act takes effect on the day after publication.

11 (END)

## Duchek, Michael

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**From:** Lonergan, Sandy  
**Sent:** Monday, March 04, 2019 12:18 PM  
**To:** Duchek, Michael  
**Subject:** FW: Draft review: LRB -2146/P1 Emeritus Architect  
**Attachments:** 19-2146/P1.pdf

Hi Michael ~

The draft looks great. We are ready for a /1 and jacketing. Thank you!  
Sandy

*Sandy Lonergan*

Chief of Staff  
Office of Senator Dale Kooyenga  
310-South, State Capitol  
608.266.2512

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Visit Sen. Kooyenga's [website](#).

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**From:** LRB.Legal <lrblegal@legis.wisconsin.gov>  
**Sent:** Thursday, February 28, 2019 10:53 AM  
**To:** Sen.Kooyenga <Sen.Kooyenga@legis.wisconsin.gov>  
**Subject:** Draft review: LRB -2146/P1 Emeritus Architect

**Following is the PDF version of draft LRB -2146/P1.**



State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-2146/P1  
MED:amn

11  
No changes

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2             statutes; **relating to:** retired credential status for certain professionals  
3             holding credentials granted by the Examining Board of Architects, Landscape  
4             Architects, Professional Engineers, Designers, and Professional Land  
5             Surveyors; extending the time limit for emergency rule procedures; providing  
6             an exemption from emergency rule procedures; and requiring the exercise of  
7             rule-making authority.

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Under this bill, the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, and Professional Land Surveyors must promulgate rules to allow a credential holder who is at least 65 years of age or has actively maintained that credential for a minimum of 30 consecutive years and who has retired from professional practice and no longer engages in that practice to apply to the board to classify his or her credential as retired. Such a credential holder is exempt from continuing education requirements and may maintain his or her professional title but may not engage in the relevant practice. Also, under the bill, such a credential holder must pay only one-half of the applicable renewal fee to maintain his or her professional credential.

1 rule is necessary for the preservation of the public peace, health, safety, or welfare  
2 and is not required to provide a finding of emergency for a rule promulgated under  
3 this subsection.

4 **SECTION 5. Effective dates.** This act takes effect on the first day of the 10th  
5 month beginning after publication, except as follows:

6 (1) SECTION 4 (1) of this act takes effect on the day after publication.

7 (END)

**Parisi, Lori**

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**From:** Sen.Kooyenga  
**Sent:** Monday, March 04, 2019 1:39 PM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB -2146/1

Please Jacket LRB -2146/1 for the SENATE.