

2019 DRAFTING REQUEST**Senate Substitute Amendment (SSA-SB156)**

For: **Dale Kooyenga (608) 266-2512** Drafter: **mduchek**
 By: **Sandy** Secondary Drafters:
 Date: **4/22/2019** 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:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mduchek 4/22/2019	kfollett 4/23/2019			
/P1	mduchek 4/24/2019	kfollett 4/24/2019	dwalker 4/23/2019		
/1			dwalker 4/24/2019	dwalker 4/24/2019	

FE Sent For:

<END>

Duchek, Michael

From: Lonergan, Sandy
Sent: Monday, April 22, 2019 2:21 PM
To: Duchek, Michael
Cc: Riske, Laura
Subject: RE: SB 156 amendment

/1 is good. Thanks.

From: Duchek, Michael <Michael.Duchek@legis.wisconsin.gov>
Sent: Monday, April 22, 2019 2:10 PM
To: Lonergan, Sandy <Sandy.Lonergan@legis.wisconsin.gov>
Cc: Riske, Laura <Laura.Riske@legis.wisconsin.gov>
Subject: RE: SB 156 amendment

Sounds good. Do you want this as a /P draft or /1 OK?

From: Lonergan, Sandy <Sandy.Lonergan@legis.wisconsin.gov>
Sent: Monday, April 22, 2019 1:54 PM
To: Duchek, Michael <Michael.Duchek@legis.wisconsin.gov>
Cc: Riske, Laura <Laura.Riske@legis.wisconsin.gov>
Subject: RE: SB 156 amendment

Right, of course. Let's do a sub please. I sure do hope this is the end of amendments on this bill. 😊
Thank you Mike!

From: Duchek, Michael <Michael.Duchek@legis.wisconsin.gov>
Sent: Monday, April 22, 2019 1:50 PM
To: Lonergan, Sandy <Sandy.Lonergan@legis.wisconsin.gov>
Cc: Riske, Laura <Laura.Riske@legis.wisconsin.gov>
Subject: RE: SB 156 amendment

Sandy,

Because what you reference is replaced in Senate Amendment 1/Assembly Amendment 1, I will have to do this as either 1) an amendment to SA1/AA1 or 2) an amendment that would *replace* SA1/AA1 and would replace it and incorporate everything in SA1/AA1 plus this. I could also do 3) a substitute amendment.

Do you have any preference? I guess I do not have any preference, assuming this is the only other amendment you anticipate at this time.

-Mike

From: Lonergan, Sandy <Sandy.Lonergan@legis.wisconsin.gov>
Sent: Monday, April 22, 2019 1:42 PM
To: Duchek, Michael <Michael.Duchek@legis.wisconsin.gov>

Cc: Riske, Laura <Laura.Riske@legis.wisconsin.gov>

Subject: SB 156 amendment

Hi Mike,

We need another amendment for SB 156 (LRB 2146) and AB 163 (LRB 2328) please.

Please change the requirement of 30 years of maintaining one's credential to 20 years and eliminate the consecutive requirement.

Thanks for your help. Please let me know if you have any questions.

Sandy

Sandy Loneragan

Chief of Staff

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
2019 - 2020 LEGISLATURE

In 4-22
or 4-23 if poss

LRB 42146/1

MED:amn

1022/P1
KGF
cds/2

2019 SENATE BILL 156

April 4, 2019 - Introduced by Senators KOOYENGA, MARKLEIN and JACQUE, cosponsored by Representatives KULP, TUSLER, ANDERSON, THIESFELDT, SPIROS, SKOWRONSKI and BROOKS. Referred to Committee on Public Benefits, Licensing and State-Federal Relations.

The rules must likewise allow a former credential holder who would otherwise satisfy those criteria to have his or her credential reinstated with retired status. The rules may not require a certification to be notarized.

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.

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 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.

or reinstate
retired status

920
in total
certifies that he or she

SENATE BILL 156

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:

lus 2-2
SECTION 1. 443.015 (1m) of the statutes is created to read:

443.015 (1m) (a) Each section of the examining board shall promulgate rules to allow the holder of a credential under this chapter who is at least 65 years of age or has actively maintained that credential for at least 30 consecutive years and who certifies that he or she has retired from and no longer engages in the practice for which he or she holds the credential to apply to the board to classify that credential as retired status. The rules shall also allow the holder of a credential so classified to apply to the appropriate section of the examining board to remove the retired status classification if he or she satisfies reinstatement requirements established by the appropriate section of the examining board by rule.

(b) Any rules a section of the examining board promulgates under sub. (1) shall exempt a credential holder whose credential is classified as retired status under par.

(a) from continuing education requirements.

(c) 1. A credential holder whose credential is classified as retired status under par. (a) may not engage in the practice for which he or she holds that credential.

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

SENATE BILL 156

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.

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

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

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

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

18 **SECTION 4. Nonstatutory provisions.**

19 (1) The examining board of architects, landscape architects, professional
20 engineers, designers, and professional land surveyors may promulgate emergency
21 rules under s. 227.24 necessary to implement this act. Notwithstanding s. 227.24 (1)
22 (c) and (2), emergency rules promulgated under this subsection remain in effect until
23 May 1, 2021, or the date on which permanent rules take effect, whichever is sooner.
24 Notwithstanding s. 227.24 (1) (a) and (3), the examining board is not required to
25 provide evidence that promulgating a rule under this subsection as an emergency

SENATE BILL 156

SECTION 4

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)



**SENATE AMENDMENT 1,
TO SENATE BILL 156**

April 9, 2019 - Offered by Senator KOOYENGA.

1 which need not be consecutive

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

2 **1.** Page 2, line 2: delete lines 2 to 10 and substitute:

*ins
2-2*

3 ²443.015 (1m) (a) 1. Each section of the examining board shall promulgate
4 rules to do all of the following:

5 a. Allow the holder of a credential under this chapter who is at least 65 years
6 of age or has actively maintained that credential for at least 30 consecutive years and
7 who certifies that he or she has retired from and no longer engages in the practice
8 for which he or she holds the credential to apply to the board to classify that
9 credential as retired status.

20


10 b. Allow an individual who previously held a credential under this chapter, and
11 failed to renew that credential prior to the renewal date, to apply to the board to
12 renew the credential with retired status if the individual is at least 65 years of age
13 or had actively maintained that credential for at least 30 consecutive years, certifies

20

which need not be consecutive

1 that he or she has retired from and no longer engages in the practice for which he or
2 she previously held the credential, and pays the fee under par. (d). Section 440.08
3 (3) (a) and (b) does not apply to the renewal of such a credential.

4 c. Allow the holder of a credential classified as retired status as described under
5 subd. 1. a. or b. to apply to the appropriate section of the examining board to remove
6 the retired status classification if he or she satisfies reinstatement requirements
7 established by the appropriate section of the examining board by rule.

8 2. Rules promulgated under subd. 1. may not require a certification to be
9 notarized. 

10

(END)



State of Wisconsin
2019 - 2020 LEGISLATURE

LRBs0022/1
MED:amn/cdc/kjf

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
SENATE SUBSTITUTE AMENDMENT ,
TO SENATE BILL 156

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.

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 has actively maintained that credential for a minimum of 20 years in total and who certifies that he or she 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 or reinstate his or her retired-status professional credential.

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

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

2 443.015 (1m) (a) 1. Each section of the examining board shall promulgate rules
3 to do all of the following:

4 a. Allow the holder of a credential under this chapter who is at least 65 years
5 of age or has actively maintained that credential for at least 20 years, which need not
6 be consecutive, and who certifies that he or she has retired from and no longer
7 engages in the practice for which he or she holds the credential to apply to the board
8 to classify that credential as retired status.

9 b. Allow an individual who previously held a credential under this chapter, and
10 failed to renew that credential prior to the renewal date, to apply to the board to
11 renew the credential with retired status if the individual is at least 65 years of age
12 or had actively maintained that credential for at least 20 years, which need not be
13 consecutive, certifies that he or she has retired from and no longer engages in the
14 practice for which he or she previously held the credential, and pays the fee under
15 par. (d). Section 440.08 (3) (a) and (b) does not apply to the renewal of such a
16 credential.

17 c. Allow the holder of a credential classified as retired status as described under
18 subd. 1. a. or b. to apply to the appropriate section of the examining board to remove
19 the retired status classification if he or she satisfies reinstatement requirements
20 established by the appropriate section of the examining board by rule.

1 2. Rules promulgated under subd. 1. may not require a certification to be
2 notarized.

3 (b) Any rules a section of the examining board promulgates under sub. (1) shall
4 exempt a credential holder whose credential is classified as retired status under par.

5 (a) from continuing education requirements.

6 (c) 1. A credential holder whose credential is classified as retired status under
7 par. (a) may not engage in the practice for which he or she holds that credential.

8 2. A credential holder whose credential is classified as retired status under par.
9 (a) may continue to use a title in connection with that credential if he or she clearly
10 indicates to the public that he or she is retired, including by placing the abbreviation
11 "Ret." or similar appellation after his or her title.

12 (d) The renewal fee for a credential holder whose credential is classified as
13 retired status under par. (a) shall be one-half of the usual renewal fee that otherwise
14 applies.

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

16 443.02 (3) ~~No~~ Except as provided under s. 443.015 (1m) (c), no person may offer
17 to practice architecture, landscape architecture, or professional engineering or use
18 in connection with the person's name or otherwise assume, use or advertise any title
19 or description tending to convey the impression that he or she is an architect,
20 landscape architect, or professional engineer or advertise to furnish architectural,
21 landscape architectural, or professional engineering services unless the person has
22 been duly registered or has in effect a permit under s. 443.10 (1) (d).

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

24 443.02 (4) ~~No~~ Except as provided under s. 443.015 (1m) (c), no person may
25 engage in or offer to engage in the practice of professional land surveying in this state

1 or use or advertise any title or description tending to convey the impression that the
2 person is a professional land surveyor unless the person has been granted a license
3 under this chapter to engage in the practice of professional land surveying.

4 **SECTION 4. Nonstatutory provisions.**

5 (1) The examining board of architects, landscape architects, professional
6 engineers, designers, and professional land surveyors may promulgate emergency
7 rules under s. 227.24 necessary to implement this act. Notwithstanding s. 227.24 (1)
8 (c) and (2), emergency rules promulgated under this subsection remain in effect until
9 May 1, 2021, or the date on which permanent rules take effect, whichever is sooner.
10 Notwithstanding s. 227.24 (1) (a) and (3), the examining board is not required to
11 provide evidence that promulgating a rule under this subsection as an emergency
12 rule is necessary for the preservation of the public peace, health, safety, or welfare
13 and is not required to provide a finding of emergency for a rule promulgated under
14 this subsection.

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

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

18 (END)