

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

**IN THE MATTER OF RULE-MAKING :
PROCEEDINGS BEFORE THE : REPORT TO THE LEGISLATURE
EXAMINING BOARD OF ARCHITECTS, : ON CLEARINGHOUSE RULE 09-080
LANDSCAPE ARCHITECTS, : (s. 227.19 (3), Stats.
PROFESSIONAL ENGINEERS, :
DESIGNERS AND LAND SURVEYORS ;**

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 the proposed rule will require staff time in the Office of Exams. The total one-time salary and fringe costs are estimated at \$7,680. The total on-going salary and fringe costs are estimated at \$12,800. 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 architects within the jurisdiction of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors as permitted by s. 443.015, Stats., as created by 2007 Wisconsin Act 47.

V. NOTICE OF PUBLIC HEARING:

A public hearing was held on October 13, 2009.

The following individuals appeared and spoke in support of the proposed rules:

William Babcock, Wisconsin Society of Architects, Madison, WI.
Douglas Gallus, Association of Licensed Architects, Milwaukee, WI.

There were no other appearances and no written comments were received.

VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:

Comment 5.b. In s. A-E 12.02 (2), the second sentence is substantive and should be moved out of the definitions section.

Response: The second sentence of s. A-E 12.02 (2) was moved to s. A-E 12.07 (intro.).

Comment 5.c. The meaning of s. A-E 12.03 (1) (b) is unclear. Who is required to comply with par. (b), the registrant or program provider? If it is directed towards the registrant, is the person required to complete professional development hours in each of the three categories every biennium? Is there a minimum number of hours in each category?

Response: Section A-E 12.03 (1) (b) was removed from the proposed rules.

Comment 5.d. The meaning of A-E 12.03 (2) is unclear. May a registrant only obtain contact hours for continuing education if the program is offered by an approved provider?

Response: Yes.

Comment 5.d. May a continuing education program include any one of the items listed in pars. (a) to (f)? Response: Yes.

Comment 5.d. Also, par. (b) requires “successful completion.” Is successful completion not required for the rest of sub. (2)? Response: Yes. Comment 5.d. The agency should consider moving this phrase to the beginning of sub. (2). The agency should consider rewriting the (intro.) to read, “A contact hour may not count for purposes of fulfilling the continuing education requirement unless it is offered by an approved provider. Continuing education may be obtained by successful completion of any of the following:”

Response: The (intro.) to sub. (2) has been rewritten as recommended.

All of the remaining 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.