

STATEMENT OF SCOPE

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

Rule No.: A-E 9

Relating to: Landscape Architect Registration

Rule Type: Permanent

1. Finding/nature of emergency (Emergency Rule only): N/A

2. Detailed description of the objective of the proposed rule:

The Landscape Architect Section of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, and Professional Land Surveyors (A-E Board) has determined that A-E 9, relating to landscape architect registration, needs to be amended to ensure the rule is in compliance with 2017 Wisconsin Act 278.

3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

The primary objective of the amendment will be to ensure that A-E 9 is in compliance with 2017 Wisconsin Act 278. The application contents provision does not provide a cross-reference to the relevant statutes for those applicants with a criminal history. Chapter A-E 9 may also be revised to address incorrect or outdated references and ensure consistency with current standards for drafting style and format and applicable Wisconsin statutes.

The policy alternative of not updating the rule may hinder the Section from receiving sufficient documentation in applications where the applicant has a criminal history.

4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):

Section 15.08 (5) (b), Stats., provides an examining board, “shall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains...”

Section 227.11 (2) (a), Stats., provides that, “each agency may promulgate rules interpreting the provisions of any statute enforced or administered by the agency, if the agency considers it necessary to effectuate the purpose of the statute, but a rule is not valid if the rule exceeds the bounds of correct interpretation.”

Section 227.29 (4) (c) 1., Stats., requires that when an agency determines that an enactment, “requires or otherwise necessitates rule making by the agency,” the agency shall within 6 months, “submit a statement of the scope of a proposed rule under s. 227.135 (2) ...”

5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:

The Department estimates approximately 50 hours will be needed to perform the review and develop any rule changes. The Department will assign existing staff to perform the review and develop the rule changes. No additional resources will be required.

6. List with description of all entities that may be affected by the proposed rule:

Landscape architect applicants

7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:

None.

8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):

The rule changes contemplated in this project are not expected to have any negative economic impacts on any of the affected entities.

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Department Head or Authorized Signature

Date Submitted