

**A-E JOINT BOARD RULES COMMITTEE MEETING
EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,
PROFESSIONAL ENGINEERS, DESIGNERS AND LAND SURVEYORS
MAY 27, 2009**

- PRESENT:** Thomas Gasperetti, Martin Hanson, Steven Hook, Ruth G. Johnson (arrived at 1:14 p.m.), Michael Kinney, Gary Kohlenberg (arrived at 1:20 p.m.), Rosheen Styczinski, Rick Van Goethem, and Walter Wilson
- EXCUSED:** Scott Berg
- STAFF PRESENT:** Yolanda McGowan, Bureau Director; Kimberly Wood, Bureau Assistant; Colleen Baird, Legal Counsel
- GUESTS:** Charles H. Kopplin, WI Engineer's Section; Lawrence J. Schnuck, WI Architect's Section; Douglas A. Gallus, American Institute of Architects (AIA); Francis Thousand, WI Society of Land Surveyors (WSLS); James L. Rein, President Elect – WSLS; Francis Thousand, WSLS; Jim Wallen, President – WSLS

CALL TO ORDER

Martin Hanson, Chair, called the meeting to order at 1:10 p.m. A quorum of six (6) members was present.

ADOPTION OF AGENDA

Amendments to the Agenda:

- After Item “F” (open session) Add: “Review of Clearinghouse Reports” immediately before “Administrative Rules Discussion”
 - Clearinghouse Report 09-032, Relating to Continuing Education for Land Surveyors
 - Clearinghouse Report 09-034, Relating to Failure to Respond to Information Requests in Conjunction with an Investigation of a Complaint Against a Registrant
 - Clearinghouse Report 09-033, Relating to Definition of “Supervision,” “Direct Supervision,” “Responsible Charge” and “Direction and Control”

MOTION: Walter Wilson moved, seconded by Rosheen Styczinski, to approve the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES (OCTOBER 21, 2008)

MOTION: Steven Hook moved, seconded by Walter Wilson, to approve the minutes of October 21, 2008 as published. Motion carried unanimously.

**ADMINISTRATIVE REPORT
YOLANDA MCGOWAN, BUREAU DIRECTOR**

Yolanda McGowan provided a report to the Rules Committee on Department changes. The responses indicated on the evaluations, which were completed at their last meeting, were reviewed. The Committee discussed how to incorporate suggestions made on the self evaluation forms.

(Ruth G. Jonson joined the meeting at 1:14 p.m.)

LEGISLATIVE/ADMINISTRATIVE RULES

Public Hearing on Proposed Administrative Rules Relating to Failure to Respond to Information Requests in Conjunction with an Investigation of a Complaint Against a Registrant

Martin Hanson began this public hearing at 1:15 p.m. Charles Kopplin appeared before the Committee to present testimony supporting this proposed rule.

(Gary Kohlenberg joined the meeting at 1:20 p.m.)

Public Hearing on Proposed Administrative Rules Relating to the Definition of “Supervision,” “Direct Supervision,” “Responsible Charge” and “Direction and Control”

Martin Hanson began this public hearing at 1:30 p.m. The following individuals appeared to testify in favor of the proposed rules relating to the definition of “supervision,” “direct supervision,” “responsible charge” and “direction and control” and to answer questions posed by the Committee:

- Francis Thousand, Executive Director - Wisconsin Society of Land Surveyors (WSLS)
- Charles Kopplin, Licensed Professional Engineer

Public Hearing on Proposed Administrative Rules Relating to Continuing Education for Land Surveyors

Martin Hanson presided over this public hearing which began at 1:45 p.m. The following individuals appeared to provide testimony in support of this legislative effort and to answer questions posed by the Committee:

- Francis Thousand, Executive Director - Wisconsin Society of Land Surveyors (WSLS)
- Jim Wallen, President - Wisconsin Society of Land Surveyors (WSLS)

Update on 2009 LRB 2352/2 Legislation Relating to Licensure for Professional Engineers

Martin Hanson provided the Committee with background on this proposed legislation. It was explained that this is a continuation of an effort that began during the last legislative session. The Committee was advised that this legislative proposal will be re-introduced by Representative Louis Molepske, Jr. The intent of this proposed legislation is to streamline engineer credentialing by imposing educational requirements and a provision for completion of a licensure exam by all applicants.

It was noted objections have been raised by the Wisconsin Technical College Board due to the educational requirements therein. Martin Hanson and Rick Van Goethem are attempting to meet with the Wisconsin Technical College Board to explain the Board and Section's position and to resolve objections to this legislation. Committee discussion ensued.

SECTION UPDATE ON 2007 WISCONSIN ACT 47 RELATING TO CONTINUING EDUCATION FOR ARCHITECTS, LANDSCAPE ARCHITECTS, PROFESSIONAL ENGINEERS, DESIGNERS OF ENGINEERING SYSTEMS, AND LAND SURVEYORS

Martin Hanson, Chair, requested that one representative from each Section report on the status of its continuing education rules.

Architect Section

Walter Wilson reported that the task of drafting continuing education (CE) rules has been given to Lawrence Schnuck in collaboration with Colleen Baird. A CE rule draft has been written and provided to the Section for comment. Comments have been returned to Attorney Baird and revisions have been identified. Yolanda McGowan informed the Committee that the Section's CE rule draft has been included in today's agenda for review.

Landscape Architect Section

Rosheen Styczinski informed the Committee that the Landscape Architect Section has also worked with Colleen Baird to draft rule language. This draft has been sent out for review. Yolanda McGowan informed the Committee that the Section's CE rule draft has been included in today's agenda for review.

Engineer Section

Steven Hook reported to the Committee that Charles Kopplin is working to draft the Engineer Section's CE rule in collaboration with the Wisconsin Society of Professional Engineers. A draft rule is anticipated at the next Section meeting.

Designer Section

Yolanda McGowan reported the status of the Designer Section's CE rule drafting as Scott Berg, Section Chair, was not present at today's meeting. Yolanda McGowan reported that the Design Section has identified continuing education as an issue to address, however the Section has been focusing on the clean-up of Chapter 443 and is working to define the scope of practice for Designers.

Land Surveyor Section

The Committee noted today's public hearing for the Land Surveyor Section's CE rules. Rick Van Goethem indicated that the Clearinghouse report has been received and will be reviewed at today's meeting. The Section hopes to conclude its work on the CE rule draft at its next meeting in July and to have adoption by the Joint Board in October so that this rule can be enacted by February 2010.

REVIEW OF CLEARINGHOUSE REPORTS**Review of Clearinghouse Comments on Proposed Administrative Rules Relating to Continuing Education for Land Surveyors**

Rick Van Goethem indicated that the changes suggested in Clearinghouse Report 09-032 were minor and that the content of the Section's rule was not compromised. The Section will review the draft in July and make changes. Pamela Haack indicated that it is anticipated that this rule draft will be reviewed at the October A-E Joint Board meeting. Colleen Baird advised the Rules Committee that enforcement of CE requirements, once enacted, will fall to each Section, and will not be sent to the Joint Board, so to avoid the impediment of any action which may be required.

MOTION: Rick Van Goethem moved, seconded by Rosheen Styczinski, to authorize Committee Chair, Martin Hanson to review and approve changes to CR 09-032, resulting from comments contained in the Clearinghouse Report, on behalf of the Rules Committee. Motion carried unanimously.

Review of Clearinghouse Comments on Proposed Administrative Rules Relating to Failure to Respond to Information Requests in Conjunction with an Investigation of a Complaint Against a Registrant

Colleen Baird reviewed the Clearinghouse Report 09-034 with the Rules Committee. The Committee discussed the comments included in the Clearinghouse Report and the effect upon this rule if changes are made.

MOTION: Steven Hook moved, seconded by Rick Van Goethem, to revise CR 09-034 in accordance with the Clearinghouse comments and to submit with a legislative report. Motion carried unanimously.

Review of Clearinghouse Comments on Proposed Administrative Rule Relating to Definition of “Supervision,” “Direct Supervision,” “Responsible Charge” and “Direction and Control”

The Committee reviewed the Clearinghouse comments submitted regarding Clearinghouse rule 09-033. Pamela Haack advised the Committee that she has incorporated one of the changes suggested by comment 2(b) in a revised rule draft for its review. The Committee noted that the change suggested in 2(b) alters nothing more than format, style or placement within the Administrative Code. The Committee then reviewed the remaining recommended changes with Colleen Baird.

MOTION: Rick Van Goethem moved, seconded by Thomas Gasperetti, that Colleen Baird make revisions to CR 09-33 as designated by the Committee and authorize Martin Hanson to review and approve the revised draft on behalf of the Rules Committee. Motion carried unanimously.

ADMINISTRATIVE RULES DISCUSSION

ARCHITECTS

Review and Approval of Rule Draft Relating to Requirements to Sit for the Architectural Exam A-E 3.05(2)

Walter Wilson began review of this rule draft. Lawrence Schnuck was invited to join the Committee for discussion of this draft. The Committee was advised that the intent of this rule is to change the timing of the Architectural Registration Examination (ARE). This rule would accelerate the timing for certain applicants as it relates to registration and the Intern Development Program (IDP).

MOTION: Walter Wilson moved, seconded by Gary Kohlenberg, to approve the draft rule as written on page thirty-seven (37) of the May 27, 2009 AE Rules Committee agenda packet. Motion carried unanimously.

Review and Approval of Rule Draft Relating to Continuing Education for Architects

The AE Rules Committee reviewed the text of the rule draft for the Architect Section’s proposed continuing education rules. Walter Wilson and Lawrence Schnuck reviewed this draft with the Committee. Revisions to the CE rule draft were requested. Mr. Schnuck, on behalf of the Architect Section, approved modifications to the continuing education draft, removing the words “which the Board deems” from AE 12.02 (4).

MOTION: Walter Wilson moved, seconded by Ruth G. Johnson, to approve the continuing education rule draft as amended. Motion carried unanimously.

LANDSCAPE ARCHITECTS

Review and Approval of Rule Draft Relating to Landscape Architect Continuing Education

Rosheen Styczinski addressed the Committee regarding the methods utilized by the LSA Section to draft their continuing education rules. The Committee discussed revisions to be made to this draft.

MOTION: Rosheen Styczinski moved, seconded by Walter Wilson, to approve the Landscape Architect Section's continuing education rule draft with the changes noted at today's meeting, cross-referencing commonalities with the Land Surveyor Section's Clearinghouse Report and adding the provision from the Architect Section's continuing education draft regarding compliance A-E 12.04(1), and to authorize Martin Hanson, Chair, to review and approve the revised continuing education draft on behalf of the Rules Committee. Motion carried unanimously.

NEW BUSINESS

None.

SUCH OTHER ITEMS AS AUTHORIZED BY LAW

None.

PUBLIC COMMENTS

Douglas A. Gallus, AIA, made comments to the Committee regarding the Architect Section's continuing education rules and asked questions about continuing education.

ADJOURNMENT

MOTION: Rick Van Goethem moved, seconded by Ruth G. Johnson, to adjourn the meeting at 3:34 p.m. Motion carried unanimously.