



TELECONFERENCE/VIRTUAL MEETING
RULES COMMITTEE
EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,
PROFESSIONAL ENGINEERS, DESIGNERS, PROFESSIONAL LAND SURVEYORS,
AND REGISTERED INTERIOR DESIGNERS
Virtual, 4822 Madison Yards Way, Madison
Contact: Will Johnson (608) 266-2112
April 11, 2022

The following agenda describes the issues that the Committee plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a description of the actions of the Committee.

AGENDA

1:00 P.M.

(OR IMMEDIATELY FOLLOWING THE ARCHITECT SECTION MEETING)

OPEN SESSION – CALL TO ORDER – ROLL CALL

A. Adoption of Agenda (1-2)

B. Approval of Minutes of October 11, 2022 (3-4)

C. Administrative Matters

1. Department, Staff and Committee Updates
2. 2023 Meeting Dates **(5)**
3. Annual Policy Review **(6-9)**
4. Election of Officers **(10)**
5. Committee Membership
 - a. Committee Members:
 1. Cotharn, Kristine A. – Prof. Engineer Section
 2. Fedderly, Daniel J. – Prof. Land Surveyor Section
 3. Heberling, Michael J. – Designer Section
 4. Hook, Steven J. – Public Member
 5. Myers, Dennis – Public Member
 6. Sina, Christopher – Landscape Architect Section
 7. Stroebel, Robin – Registered Interior Designer Section
 8. Wagner, Steven L. – Architect Section
 - b. Alternate Members
 1. Douglas, Gregory – Architect Section Alternate
 2. Destree, Melissa – Registered Interior Designer Section Alternate
 3. Tweed, Steven – Designer Section Alternate
 4. Linck, Karl L. – Prof. Engineer Section Alternate
 5. Martin, Christina C. – Prof. Land Surveyor Section Alternate

D. Legislation and Policy Matters – Discussion and Consideration

E. Administrative Rule Matters – Discussion and Consideration (11)

1. Rule Drafts:
 - a. A-E 2, 7 and 8, Relating to Sealing and Stamping of Documents **(12-18)**
 - b. A-E 8, Relating to Supervision **(19-22)**
2. Scope Statements:
 - a. A-E 3, Relating to Architect Registration **(23-25)**
 - b. A-E 1 – 15, Relating to Registered Interior Designers **(26-27)**
3. Pending or Possible Rulemaking Projects **(28)**

F. Public Comments

ADJOURNMENT

NEXT DATE: OCTOBER 10, 2023

MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held virtually unless otherwise indicated. In-person meetings are typically conducted at 4822 Madison Yards Way, Madison, Wisconsin, unless an alternative location is listed on the meeting notice. In order to confirm a meeting or to request a complete copy of the board’s agenda, please visit the Department website at <https://dps.wi.gov>. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Requests for interpreters for the hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer, or reach the Meeting Staff by calling 608-267-7213.

**VIRTUAL/TELECONFERENCE
A-E RULES COMMITTEE
EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,
PROFESSIONAL ENGINEERS, DESIGNERS, PROFESSIONAL LAND SURVEYORS
AND REGISTERED INTERIOR DESIGNERS
MEETING MINUTES
OCTOBER 11, 2022**

PRESENT: Daniel Fedderly (*excused at 2:36 p.m.*), Michael Heberling, Steven Hook (*excused at 2:04 p.m.*), Karl Linck, Dennis Myers (*arrived at 1:07 p.m.*), Rosheen Styczinski, Steven Wagner

EXCUSED: Kristine Cotharn

STAFF: Brad Wojciechowski, Executive Director; Joseph Ricker, Legal Counsel; Dana Denny, Administrative Rules Coordinator; Dialah Azam, Bureau Assistant; Kimberly Wood, Program Assistant Supervisor-Adv.; and other Department Staff

(Karl Linck served as the representative for the Professional Engineer Section at this meeting.)

(Christina Martin was present at the meeting but did not attend as a voting member.)

CALL TO ORDER

Rosheen Styczinski, Chairperson, called the meeting to order at 1:02 p.m. A quorum was confirmed with six (6) members present.

ADOPTION OF AGENDA

MOTION: Daniel Fedderly moved, seconded by Steven Wagner, to adopt the Agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF APRIL 12, 2022

MOTION: Michael Heberling moved, seconded by Steven Hook, to adopt the Minutes from April 12, 2022 as published. Motion carried unanimously.

ADMINISTRATIVE RULE MATTERS

Rule Drafts

A-E 2, 7 and 8, Relating to Sealing and Stamping of Documents

MOTION: Dennis Myers moved, seconded by Karl Linck, to request revision of the preliminary rule draft revising A-E 2, 7 and 8, relating to sealing and stamping of documents, for review at the next meeting. Motion carried unanimously.

MOTION: Dennis Myers moved, seconded by Daniel Fedderly, to designate Karl Linck to work with DSPS staff in drafting A-E 2, 7 and 8, relating to sealing and stamping of documents. Motion carried unanimously.

A-E 8, Relating to Supervision

MOTION: Daniel Fedderly moved, seconded by Dennis Myers, to request revision of the preliminary rule draft revising A-E 8, relating to supervision, for review at the next Rules Committee meeting. Motion carried unanimously.

MOTION: Rosheen Styczinski moved, seconded by Karl Linck, to designate Steven Wagner to work with DSPS staff in drafting A-E 8, relating to supervision. Motion carried unanimously.

Scope Statement: A-E 4 and 13, Relating to Engineer in Training Credential

MOTION: Karl Linck moved, seconded by Daniel Fedderly, to withdraw rule promulgation for A-E 4 and 13, relating to Engineer in Training credential. Motion carried unanimously.

ADJOURNMENT

MOTION: Dennis Myers moved, seconded by Michael Heberling, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 2:40 p.m.

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

| | | | |
|---|---|--|--|
| 1) Name and title of person submitting the request: Dialah Azam, Bureau Assistant | | 2) Date when request submitted: 12/14/2022 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small> | |
| 3) Name of Board, Committee, Council, Sections: A-E Examining Board Rules Committee | | | |
| 4) Meeting Date: 4/11/2023 | 5) Attachments: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 6) How should the item be titled on the agenda page? 2023 Meeting Dates | |
| 7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session | 8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 9) Name of Case Advisor(s), if applicable: N/A | |
| 10) Describe the issue and action that should be addressed: The Committee will review and potentially make a motion to approve the follow 2023 meeting dates: a. Tuesday, April 11, 2023 – Virtual b. Tuesday, October 10, 2023 – Virtual | | | |
| 11) Authorization | | | |
| <i>Dialah Azam</i> | | 12/14/2022 | |
| Signature of person making this request | | Date | |
| Supervisor (Only required for post agenda deadline items) | | Date | |
| Executive Director signature (Indicates approval for post agenda deadline items) | | Date | |
| Directions for including supporting documents: 1. This form should be saved with any other documents submitted to the Agenda Items folders. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting. | | | |

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

| | | | |
|---|--|--|--|
| 1) Name and title of person submitting the request: Katlin Schwartz, Bureau Assistant on behalf of Division of Policy Development Executive Directors | | 2) Date when request submitted: 12/14/2022 Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting | |
| 3) Name of Board, Committee, Council, Sections: All Boards | | | |
| 4) Meeting Date: First Meeting of 2023 | 5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 6) How should the item be titled on the agenda page? Annual Policy Review | |
| 7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session | 8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 9) Name of Case Advisor(s), if applicable: N/A | |
| 10) Describe the issue and action that should be addressed: Please be advised of the following Annual Policy Review items: <ol style="list-style-type: none"> 1. In-Person Meeting Policy: Depending on the frequency of Board meetings, a Board may be allowed a certain number of in-person meetings. <ul style="list-style-type: none"> • 4-5 Meetings per year = 1 in-person opportunity • 6-8 Meetings per year = 2 in-person opportunities • 12 Meetings per year = 4 in-person opportunities 2. Attendance/Quorum: Thank you for your service and for your commitment to meeting attendance. If you cannot attend a meeting or if you have scheduling conflicts impacting your attendance, please let us know ASAP. Timely notification is appreciated as quorum is required for our Boards, Sections and Councils to meet pursuant to Open Meetings Law. 3. Walking Quorum: Board/Section/Council members must not collectively discuss the body's business outside of a properly noticed meeting. Should several members of a body do so, the members could be violating the open meetings law. 4. Mandatory Training: All Board Members must complete their annual Public Records and Ethics Trainings, if not complete, the training will be done at the next meeting. 5. Agenda Deadlines: Please communicate agenda topics to your Executive Director before the agenda submission deadline which is at 12:00 pm, 8 business days prior to a meeting. (Attachment: Timeline of a Meeting) 6. Travel Voucher and Per Diem Submissions: Please submit all Per Diem and Reimbursement claims to DSPS within 30 days of the close of each month in which expenses are incurred. (Attachments: Per Diem Example, Travel Voucher Example) 7. Lodging Accommodations/Hotel Cancellation Policy: Lodging accommodations are available to eligible members. Standard eligibility: member must leave home before 6:00 a.m. to attend a meeting by the scheduled start time. <ul style="list-style-type: none"> • If a member cannot attend a meeting it is their responsibility to cancel their reservation within the applicable cancellation timeframe. If a meeting is changed to occur remotely or is cancelled or rescheduled DSPS staff will cancel or modify reservations as appropriate. 8. Inclement Weather Policy: In the event of inclement weather the agency may change a meeting from an in-person venue to one that is executive remotely. | | | |
| 11) Katlin Schwartz Signature of person making this request | | Authorization 12/14/2022 Date | |
| Supervisor (Only required for post agenda deadline items) | | Date | |
| Executive Director signature (Indicates approval for post agenda deadline items) | | Date | |
| Directions for including supporting documents: <ol style="list-style-type: none"> 1. This form should be saved with any other documents submitted to the Agenda Items folders. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting. | | | |

Timeline of a Meeting

8 business days prior to the meeting: All agenda materials are due to the Department by 12:00 pm, 8 business days prior to the meeting date.

7 business days prior to the meeting: The draft agenda page is due to the Executive Director. The Executive Director transmits to the Chair for review and approval.

5 business days prior to the meeting: The approved agenda is returned to the Bureau Assistant for agenda packet production and compilation.

4 business days prior to the meeting: Agenda packets are posted on the DSPS Board SharePoint site and on the Department website.

Agenda Item Examples:

- Approval of the Agenda and Minutes (from the last meeting)
- Open Session Items
 - Public Hearings (on Admin Rules)
 - Administrative Matters
 - Legislation and Policy Matters
 - Administrative Rules Matters
 - Credentialing Matters
 - Education and Exam Issues
 - Public Agenda Requests
 - Current Issues Affecting the Profession
 - Public Comments
- Closed Session items
 - Deliberations on Proposed Disciplinary Actions
 - Stipulations
 - Administrative Warnings
 - Case Closings
 - Monitoring Matters
 - Professional Assistance Procedure (PAP) Issues
 - Proposed Final Decisions and Orders
 - Orders Fixing Costs/Matters Relating to Costs
 - Credentialing Matters
 - Education and Exam Issues

Thursday of the Week Prior to the Meeting: Agendas are published for public notice on the Public Notices and Meeting Minutes website: publicmeetings.wi.gov.

1 business day after the Meeting: "Action" lists are distributed by staff detailing board actions on closed session business.

5 business days after the Meeting: "To Do" lists are distributed to staff to ensure that board decisions are acted on and/or implemented within the appropriate divisions in the Department. Minutes approved by the board are published on the the Public Notices and Meeting Minutes website: publicmeetings.wi.gov.

Department of Safety and Professional Services

PER DIEM REPORT

INSTRUCTIONS: Claimant records board-related activities by entering the date of an activity, the duration of time spent in that activity, the relevant purpose code (see purpose code descriptions below), where the activity is conducted, and the type of activity performed. Only one (1) \$25.00 per diem payment can be issued on any given calendar day.

Purpose Codes:

- A. Official meetings including video/teleconference calls** (automatic day of per diem): i.e., board, committee, board training or screening panels; **Hearings**, i.e., Senate Confirmation, legislative, disciplinary or informal settlement conferences; **Examinations and Test Development Sessions**, i.e., test administration, test review or analysis events, national testing events, tour of test facilities, etc.)
- B. Other** (One (1) per diem will be issued for every five (5) hours spent in category B, per calendar month): i.e., review of disciplinary cases, consultation on cases, review of meeting materials, board liaison work e.g., contacts regarding Monitoring, Professional Assistance Procedure, Credentialing, Education and Examinations

| NAME OF EXAMINING BOARD OR COUNCIL EXAMPLE EXAMINING BOARD | | | BOARD OR COUNCIL MEMBER'S NAME MARY SUNSHINE | |
|--|---------------------------------------|------------------------|--|--|
| Activity Date MM/DD/YY | Duration of Activity Hours/Minutes | Purpose Code A or B | Where Performed City/Location (Home, Work, DSPS) | Activity Describe Activity Performed (see purpose codes) |
| 12/2/20 | 2 hrs | B | Pleasant Prairie/Home | Review of screening panel materials |
| 12/3/20 | 2 hr / 30 mins | B | Pleasant Prairie/Home | Review of screening panel materials |
| 12/10/20 | 1 hr | A | Pleasant Prairie/Home | Screening Panel Meeting - Teleconference |
| 12/12/20 | 1 hr / 30 mins | B | Pleasant Prairie/Home | Case consultation |
| 12/13/20 | 1 hr | B | Pleasant Prairie/Home | Liaison: Application Review |
| 12/16/20 | 6 hrs | A | Madison/DSPS | Board Member Training |
| | | | | <p>The 5-hour rule applies to "B" code activities. Add the 'B' codes within the calendar month and then divide by five (5) hours to calculate your per diem payment. In this case the total is seven (7) hours which equals one (1) day of per diem.</p> <p>Each 'A' code is an automatic day of per diem regardless of time spent in that activity. Ms. Sunshine is eligible for two (2) additional days of payment.</p> <p>Department staff completes the fields titled "Total Days Claimed".</p> |
| | | | | |
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| | | | | |
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| | | | | |
| CLAIMANT'S CERTIFICATION | | | Comments: | |
| The undersigned certifies, in accordance with § 16.53, Wis. Stats., that this account for per diem, is just and correct; and that this claim is for service necessarily incurred in the performance of duties required by the State, as authorized by law. | | | | |
| <i>Mary Sunshine</i> | | 1/4/2021 | | |
| Claimant's Signature | Date | Supervisor | Date | |

EMPL ID: 100012345-0

To be completed by Department staff: **TOTAL DAYS CLAIMED: 3 @ \$25.00 = 75.00**

Travel Voucher

Staple Receipts Face Up On Backside

| Safety & Professional Services | | | | | | | | | | | |
|---|-------|---------------|--------------------------------|------------|---------|-----------------|--------------------|--------------------|----------------|-------------------------|--------|
| Department/ Division | | | <u>Example Examining Board</u> | | | Emp ID | | 100012345 | | Z | |
| State Officer/Employee Name | | | <u>Mary Sunshine</u> | | | Address | | 2424 Happy Road | | | |
| Mo/Yr | | | From/To: | | | City | | Pleasant Prairie | | State WI Zip-Code 53158 | |
| FY | FUND | BUSINESS UNIT | DEPART | APPR CLASS | OBJECT | PROJECT | BALANCE SHEET ACCT | REPORTING CATEGORY | PROJECT NUMBER | AMOUNT | |
| 2021 | 10000 | 16500 | 1651300200 | 12100 | 7340000 | 16500P1<BRD ID> | | | | DEBIT | CREDIT |
| | | | | 12800 | | 16500P2<TRD ID> | | | | | |
| | | | | 22100 | | | | | | | |
| | | | | | | | | | TOTALS | | |

| Official Business | | Travel Points | | HDQS-TIME | | Personal Vehicle | Meals, including tips | | | Other Allowable Expenses | | Total Allowable Expenses | | |
|-------------------|-------------------|---------------|-----------|-----------------------|--------|------------------|-----------------------|------------------------------|------------|--------------------------|------|--------------------------|---------------|---------------|
| Date | Purpose of Trip | From | To | Depart | Return | Miles | Lodging | Morning | Noon | Evening | Item | Amount | Taxable | Non-Taxable |
| Use | Board Meeting | Home base | Madison | Report times you left | | Miles | P-card | \$8.00 | \$10.00 | \$20.00 | | | Report | Report |
| separate | | Madison | Home base | and returned home if | | must be | | Maximum in-state amounts | | | | | meal cost | meal cost |
| lines for | You must identify | | | meals are claimed | | split. | Enter | | or | | | | here if there | here if there |
| each leg | the purpose of | | | | | Cannot | "P-card" | \$10.00 | \$15.00 | \$25.00 | | | is NO | IS an |
| of your | your trip. | | | | | place | when hotel | Maximum out-of-state amounts | | | | | overnight | overnight |
| trip. | | | | | | roundtrip | is provided | | | | | | stay. | stay. |
| | | | | | | total on | by DSPS | Must leave | Must leave | Must return | | | | |
| | | | | | | one line. | | home | home | home after | | | | |
| | | | | | | | | before | before | 7:00 p.m. | | | | |
| | | | | | | | | 6:00 a.m. | 10:30 a.m. | | | | | |
| | | | | | | | | | and return | | | | | |
| | | | | | | | | | home after | | | | | |
| | | | | | | | | | 2:30 p.m. | | | | | |

LEGEND: Staff can fill in these areas.
 Board Member MUST fill in these areas

| | | | | | | | | | | | | | | |
|---|-------------------|--|--|--|--|--|--|--|--|--|----------------------------|--|--|--|
| *Item billed directly to the state agency | Sub-Totals | | | | | | | | | | | | | |
| | | | | | | | | | | | Mileage Costs | | | |
| | | | | | | | | | | | Totals | | | |
| | | | | | | | | | | | Total Expenditure | | | |
| | | | | | | | | | | | Less Travel Advance | | | |
| | | | | | | | | | | | Net Amount Due | | | |

Claimant's Statement § 16.53 Wisconsin Statutes

I declare, under penalties, that all claimed travel expenses are true and correct and are in conformity with Wisconsin statute 16.53 and related agreements. This claim represents reasonable and actual expenses necessarily incurred by me personally in the performance of official duties and no portion was previously reimbursed to me by the State or any other source.

I certify that all expenses on this voucher conform to statutory, departmental or applicable collective bargaining provisions, and were necessary in the official performance of duties required by the State Expenditures are determined to be reasonable and proper, and that sufficient funds are available to pay this claim.

Date _____ Claimant's Signature _____

I certify that this travel claim is reasonable, proper, and in conformity with applicable statutes, travel schedule amounts, and/or collective bargaining agreements.

Agency Head or Authorized Representative

Date _____ Supervisor's Signature _____

Audited in accordance with S. 16.53 Wisconsin Statutes and allowed by the provisions of chapter 20.

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

| | | | |
|---|---|--|--|
| 1) Name and title of person submitting the request: Dialah Azam, Bureau Assistant | | 2) Date when request submitted: 12/14/2022 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small> | |
| 3) Name of Board, Committee, Council, Sections: A-E Examining Board Rules Committee | | | |
| 4) Meeting Date: 4/11/2023 | 5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 6) How should the item be titled on the agenda page? Administrative Matters <ul style="list-style-type: none"> • Election of Officers | |
| 7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session | 8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 9) Name of Case Advisor(s), if applicable: N/A | |
| 10) Describe the issue and action that should be addressed: 1) The Board, Council or Section should conduct Election of Officers | | | |
| 11) Authorization | | | |
| <i>Dialah Azam</i> | | 12/14/2022 | |
| Signature of person making this request | | Date | |
| Supervisor (Only required for post agenda deadline items) | | Date | |
| Executive Director signature (Indicates approval for post agenda deadline items) | | Date | |
| Directions for including supporting documents: 1. This form should be saved with any other documents submitted to the Agenda Items folders. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting. | | | |

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

| | | | | | | | | | | | |
|--|--|--|--|-------------------|----------|---|------|--------------------------|------|--|------|
| 1) Name and title of person submitting the request: Dana Denny | | 2) Date when request submitted: 03/29/2023 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small> | | | | | | | | | |
| 3) Name of Board, Committee, Council, Sections: Rules Committee of the Examining Board of the Architect, Professional Engineers, Landscape Architects, Designers, Professional Land Surveyors, and Registered Interior Designers | | | | | | | | | | | |
| 4) Meeting Date: 4/11/2023 | 5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 6) How should the item be titled on the agenda page? Administrative Rule Matters – Discussion and Consideration 1. Rule Drafts: a. A-E 2, 7, and 8 Relating to Sealing and Stamping of Documents b. A-E 8 Relating to Supervision 2. Scope Statements: a. A-E 3 Relating to Architect Registration b. A-E 1 through 15 Relating to Registered Interior Designers 3. Pending or Possible Rulemaking Projects | | | | | | | | | |
| 7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session | 8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 9) Name of Case Advisor(s), if required: N/A | | | | | | | | | |
| 10) Describe the issue and action that should be addressed: Attachments: <ul style="list-style-type: none"> • Rule Draft: A-E 2, 7 and 8, Relating to Sealing and Stamping of Documents • Rule Draft: A-E 8, Relating to Supervision • Scope Statement: A-E 3 Relating to Architect Registration • Scope Statement: A-E 1 through 15 Relating to Registered Interior Designers • A-E Rules Project Chart | | | | | | | | | | | |
| 11) Authorization <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%; border-bottom: 1px solid black;"><i>Dana Denny</i></td> <td style="width: 30%; border-bottom: 1px solid black; text-align: right;">03/28/23</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Signature of person making this request</td> <td style="border-bottom: 1px solid black; text-align: right;">Date</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Supervisor (if required)</td> <td style="border-bottom: 1px solid black; text-align: right;">Date</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Executive Director signature (indicates approval to add post agenda deadline item to agenda)</td> <td style="border-bottom: 1px solid black; text-align: right;">Date</td> </tr> </table> | | | | <i>Dana Denny</i> | 03/28/23 | Signature of person making this request | Date | Supervisor (if required) | Date | Executive Director signature (indicates approval to add post agenda deadline item to agenda) | Date |
| <i>Dana Denny</i> | 03/28/23 | | | | | | | | | | |
| Signature of person making this request | Date | | | | | | | | | | |
| Supervisor (if required) | Date | | | | | | | | | | |
| Executive Director signature (indicates approval to add post agenda deadline item to agenda) | Date | | | | | | | | | | |
| Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting. | | | | | | | | | | | |

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

| | | |
|--------------------------------|---|--------------------------|
| IN THE MATTER OF RULEMAKING | : | PROPOSED ORDER OF THE |
| PROCEEDINGS BEFORE THE | : | EXAMINING BOARD OF |
| EXAMINING BOARD OF ARCHITECTS, | : | ARCHITECTS, LANDSCAPE |
| LANDSCAPE ARCHITECTS, | : | ARCHITECTS, PROFESSIONAL |
| PROFESSIONAL ENGINEERS, | : | ENGINEERS, DESIGNERS, |
| DESIGNERS, PROFESSIONAL | : | PROFESSIONAL LAND |
| LAND SURVEYORS, AND REGISTERED | : | SURVEYORS, AND |
| INTERIOR DESIGNERS | : | REGISTERED INTERIOR |
| | : | DESIGNERS |
| | : | ADOPTING RULES |
| | : | (CLEARINGHOUSE RULE) |

PROPOSED ORDER

An order of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, Professional Land Surveyors, and Registered Interior Designers to repeal A-E 2.05 (6), renumber A-E 2.02 (8), amend A-E 2.02 (3), (4), (5) (6) and (7), A-E 2.02 (7) (a), 7.05 (8), 7.08 (3) (i), A-E (4) (c), A-E 8.10, (title), (1), (2), and (3) and create A-E 2.02 (8) and (9) relating to sealing and stamping of documents.

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

Statutes interpreted:

Section 443.08 (4) (b), 443.17, and 443.175, Stats.

Statutory authority:

Sections 15.08 (5) (b), 227.11 (2) (a), and 443.015 (2), and, Stats.

Explanation of agency authority:

Section 15.08 (5) (b), Stats., “[e]ach examining board...[s]hall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession.”

Section 227.11 (2) (a), Stats., “[e]ach 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...”

Section 443.015 (2), Stats., provides that “[e]ach section of the examining board may establish continuing education requirements for renewal of a credential issued by that section under this chapter.”

Related statute or rule:

A-E 2.02 (7) (b) (2), which lists requirements for electronic signatures, Section 137.11 (13) Stats, which restricts the use of seals and stamps, and Section 443.17 which restricts the use of seals and stamps.

Plain language analysis:

The A-E Board performed a comprehensive review to evaluate A-E 2, 7, and 8 to provide clarification on the rules relating to seals and stamps and eliminated redundant words or sentences that might bring confusion to stakeholders.

Summary of, and comparison with, existing or proposed federal regulation:

None.

Comparison with rules in adjacent states:

Illinois:

Rules of the Illinois Department of Financial and Professional Regulation provide seal requirement standards of for architects [68 Ill. Adm. Code 1150], professional engineers [68 Ill. Adm. Code 1380.295], and professional land surveyors [68 Ill. Adm. Code 1270.58].

Licensed Architects and Professional Engineers must have a reproducible seal, which may be electronically affixed, or, at the licensed professional’s discretion, an original signature in the licensee's handwriting, a scanned copy of documents bearing an original signature, or a signature generated by a computer.

Land surveyors must have a reproducible seal or facsimile, which may be computer generated, the impression of which shall contain the name of the land surveyor, his or her place of business, the license number of the professional land surveyor, and the words "Professional Land Surveyor, State of Illinois." They may also provide an original signature in the licensee's handwriting, a scanned copy of the document bearing an original signature, or a signature generated by a computer.

Iowa:

Rules covering seal requirements for architects, engineers, professional land surveyors, and landscape architects are specified by the Iowa Architectural Examining Board [193B IAC 4.6], the Iowa Engineering and Land Surveying Examining Board [193C IAC 6.1(1) to 6.1(9)], and the Iowa Landscape Architectural Examining Board [193D IAC 4.1(7)].

Architects, Landscape Architects and Professional Land Surveyors may provide seals presented as a legible rubber stamp, an electronic image or any other facsimile of the seal. The information requested in each information block must be typed or legibly

printed in permanent ink or a secure electronic signature which has been defined in Iowa Code section 554D.103(14), which includes digital signature technology.

Michigan:

Rules of the Michigan Department of Licensing and Regulatory Affairs provide seal requirements for architects [Mich Admin Code, R 339.15404], professional engineers [Mich Admin Code, R 339.16031 to R 339.16034], professional surveyors [Mich Admin Code, R 339.17301], and landscape architects [Mich Admin Code, R 339.19041]. In the State of Michigan rules, there are no differences specified between the types of seals or stamps.

Minnesota:

The Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and Interior Design provide seal requirements for licensed architects, licensed professional engineers, licensed land surveyors, and licensed landscape architects [Minnesota Rules, part 1800.4300].

Within the State of Minnesota, professional certifications and signatures on plans, drawings, specifications, plats, reports, and other documents may be electronic, or provided via facsimile or digitally. Plans, specifications, plats, reports, and other documents may be stamped with the seal during the life of a licensee's license or certificate holder's certificate if it remains unrevoked, has not expired, or has not been suspended.

Summary of factual data and analytical methodologies:

The proposed rule was developed by conducting a comprehensive review of the provisions of ch. A-E 2, 7, and 8, reviewing professional sealing and stamping provisions from surrounding states, and obtaining input and feedback from the Rules Committee of the A-E Board.

Analysis and supporting documents used to determine effect on small business or in preparation of economic impact analysis:

The proposed rule will be posted for a period of 14 days to solicit public comment on economic impact, including how the proposed rules may affect businesses, local government units, and individuals.

Effect on small business:

These proposed rules do not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department's Regulatory Review Coordinator, Jennifer Garrett, may be contacted by email at Jennifer.Garrett@wisconsin.gov, or by calling (608) 266-6795.

Agency contact person:

Dana Denny, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, 4822 Madison Yards Way, P.O. Box 8366,

Madison, Wisconsin 53708; telephone 608-287-3748; email at DSPSAdminRules@wisconsin.gov.

Place where comments are to be submitted and deadline for submission:

Comments may be submitted to Dana Denny, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, 4822 Madison Yards Way, P.O. Box 8366, Madison, WI 53708-8366, or by email to DSPSAdminRules@wisconsin.gov. Comments must be received on or before the public hearing, held on a date to be determined, to be included in the record of rule-making proceedings.

TEXT OF RULE

SECTION 1. **A-E 2.02** (3), (4), (5), (6) and (7) are amended to read:

A-E 2.02 (3) ~~A rubber stamp, identical in size, design and content to a board approved seal, may be used as a substitute for a registration seal. The registration seal may be erimp type, rubber stamp, or electronic~~ an embossing seal, an ink stamp seal, a digitally printed seal, or digitally embedded seal in an electronic file. No stickers are allowed.

A-E 2.02 (4) ~~Each sheet of plans, drawings, documents, specifications and reports for architectural, landscape architectural, professional engineering, design or professional land surveying practice shall be signed, sealed and dated by the registrant or permit holder who prepared, or directed and controlled preparation of, the written material, except as specified in sub. (5).~~

When a registrant is required to seal, sign, and date engineering/surveying documents, one of the following methods must be used:

1. Physical placement of a seal and a handwritten signature in permanent ink containing the name of the licensee and date.
2. Digital placement of a seal and a handwritten signature in permanent ink containing the name of the licensee and date.
3. Digital placement of a seal and a digital signature containing the name of the licensee and date. Digital signature must meet the requirements of ch. 137, Stats., a security procedure is used, and electronic submissions are permitted by the governmental unit that is to receive the plans, drawings, documents, specifications, and reports.
4. If other standards for signatures or seals are prescribed by statute, the statutes shall govern.

Note: Section 137.11 (13), Stats., of the statutes reads as follows: "Security procedure" means a procedure employed for the purpose of verifying that an electronic signature, record or performance is that of a specific person or for

detecting changes or errors in the information in an electronic record. The term includes a procedure that requires the use of algorithms or other codes identifying words or numbers, encryption, callback, or other acknowledging procedures.

~~A-E 2.02 (5) If more than one sheet is bound together in a volume, the registrant or permit holder who prepared or directed and controlled the preparation of the volume, may sign, seal and date only the title or index sheet if the signed sheet identifies clearly all other sheets comprising the bound volume and if any other sheets which are prepared by or under the direction and control of another registrant or permit holder are signed, sealed and dated by the other registrant or permit holder.~~

The seal and signature of the licensee and the date of signing shall be placed on all final engineering specifications, reports, drawings, plans, design information, and calculations or surveys, reports, plats, drawings, plans, and calculations whenever presented to a client or any public agency to certify that the work thereon was done by the licensee or under the responsible charge of the licensee. Working drawings or preliminary documents are not required to have a seal and signature if the working drawing or preliminary document contains a statement in large bold letters to the effect
“PRELIMINARY, NOT FOR CONSTRUCTION, RECORDING PURPOSES, OR IMPLEMENTATION.”

~~A-E 2.02 (6) Any addition, deletion or other revision to each sheet of plans, drawings, documents, specifications and reports for architectural, landscape architectural, professional engineering, design or professional land surveying practice which affects public health and safety or any state or local code requirements may not be made unless signed, sealed and dated by the registrant or permit holder who made or directed and controlled the making of the revision.~~

The seal and signature shall be placed on all original copy, tracings, or other reproducible documents so that the seal and signature will be reproduced when copies are made.

~~A-E 2.02 (7) (a) All seals or stamps affixed to plans, drawings, documents, specifications, and reports to be filed as public documents shall be original. No stickers shall be allowed. Seals or stamps may be applied by crimp type, rubber stamp or by electronic means provided the electronic seal or stamp meets the requirements of ch. 137, Stats., a security procedure is used, and electronic submissions are permitted by the governmental unit that is to receive the plans, drawings, documents, specifications, and reports.~~

~~1. The stamp authorized by the Board must be one of crimp type, rubber stamp type, or computer generated.~~

~~(b) All seals and stamps on plans, drawings, documents, specifications, and reports to be filed as public documents shall be signed and dated by the registered professional in one of the following manners:~~

~~1. In a permanent ink contrasting with the seal and the back ground.~~

~~2. Utilizing an electronic signature, meeting the requirements of ch. 137, Stats., a security procedure is used and if permitted by the governmental unit that is to receive the plans, drawings, documents, specifications, and reports. A scanned image of an original signature shall not be used in lieu of an electronic signature with a security procedure as found in s. 137.11 (13), Stats.~~

Note: Section 137.11 (13), Stats., of the statutes reads as follows: “Security procedure” means a procedure employed for the purpose of verifying that an electronic signature, record or performance is that of a specific person or for detecting changes or errors in the information in an electronic record. The term includes a procedure that requires the use of algorithms or other codes identifying words or numbers, encryption, callback, or other acknowledging procedures.

~~(e) If other standards for signatures or seals are prescribed by statute, the statutes shall govern.~~

When the document contains more than one sheet, the first or title page shall be sealed and signed by the licensee who was in responsible charge. Two or more licensees may affix their signatures and seals provided that a note under the seal designates the specific subject matter for which each is responsible. In addition, each sheet shall be sealed and signed by the licensee or licensees responsible for that sheet. When a firm performs the work, each sheet shall be sealed and signed by the licensee or licensees who were in responsible charge of that sheet.

SECTION 2. A-E 2.02 (8) and (9) are created to read:

A-E 2.02 (8) Any revision to a document containing the seal and signature of a licensee shall be described and dated. If the revisions are not done by the original licensee, the revisions must also be signed and sealed by the licensee in responsible charge of those revisions.

A-E 2.02 (9) In circumstances where a licensee in responsible charge of the work is unavailable to complete the work, or the work is a site adaptation of a standard design plan, or the work is a design plan signed and sealed by an out-of-jurisdiction licensee, a successor licensee may take responsible charge by performing all professional services to include developing a complete design file with work or design criteria, calculations, code research, and any necessary and appropriate changes to the work. The nonprofessional services, such as drafting, need not be redone by the successor licensee but must clearly and accurately reflect the successor licensee’s work. The burden is on the successor licensee to show such compliance. The successor licensee shall have control of and responsibility for the work product and the signed and sealed originals of all documents.

SECTION 3. A-E 2.02 (7) (a) is amended to read:

SECTION 4. A-E 2.05 (6) is repealed.

SECTION 5. A-E 7.05 (8) is amended to read:

A-E 7.05 (8) The map shall bear the ~~stamp or seal~~, name and address and signature of the professional land surveyor under whose direction and control the property survey was made with a statement certifying that the property survey complies with this chapter and is correct to the best of the professional land surveyor’s knowledge and belief.

SECTION 6. A-E 7.08 (3) (i) is amended to read:

A-E 7.08 (3) (i) The ~~stamp and signature or seal~~ and signature of the professional land surveyor under whose direction and control the corner location was determined and a statement certifying that the U.S. public land survey monument

record is correct and complete to the best of the professional land surveyor's knowledge and belief.

SECTION 7. A-E 7.08 (4) (c) is amended to read:

A-E 7.08 (4) (c) The ~~stamp and signature~~ or seal and signature of the professional land surveyor under whose direction and control the corner location was determined or witness monument established.

SECTION 8. A-E 8.10 (title), (1), (2) and (3) are amended to read:

A-E 8.10 Plan stamping sealing.

A-E 8.10 (1) No architect, landscape architect, professional engineer or designer may sign; and seal ~~or stamp~~ any plans, drawings, documents, specifications or reports for architectural, landscape architectural, professional engineering or design practice which are not prepared by the registrant or under his or her personal direction and control.

A-E 8.10 (2) No professional land surveyor may sign; and seal ~~or stamp~~ any maps, plats, charts, or reports for professional land surveying practice which are not prepared by the professional land surveyor or under his or her personal direction and control.

A-E 8.10 (3) No architect, landscape architect, professional engineer, designer or professional land surveyor shall allow work performed by him or her or under his or her personal direction and control to be signed, sealed or stamped by another except that an architect, landscape architect, professional engineer, designer or professional land surveyor working under the personal direction and control of another registrant or licensee may allow that registrant or licensee to sign and seal ~~or stamp~~ the work.

SECTION 9. EFFECTIVE DATE. The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, pursuant to s. 227.22 (2) (intro.), Stats.

(END OF TEXT OF RULE)

This Proposed Order of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, Professional Land Surveyors, and Registered Interior Designers is approved for submission to the Governor and Legislature.

Dated _____

Agency _____

Chair

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

| | | |
|--------------------------------|---|---------------------------|
| IN THE MATTER OF RULEMAKING | : | PROPOSED ORDER OF THE |
| PROCEEDINGS BEFORE THE | : | EXAMINING BOARD OF |
| EXAMINING BOARD OF ARCHITECTS, | : | ARCHITECTS, LANDSCAPE |
| LANDSCAPE ARCHITECTS, | : | ARCHITECTS, PROFESSIONAL |
| PROFESSIONAL ENGINEERS, | : | ENGINEERS, DESIGNERS, |
| DESIGNERS, PROFESSIONAL | : | PROFESSIONAL LAND |
| SURVEYORS, AND REGISTERED | : | SURVEYORS, AND REGISTERED |
| INTERIOR DESIGNERS | : | INTERIOR DESIGNERS |
| DESIGNERS | : | ADOPTING RULES |
| | : | (CLEARINGHOUSE RULE) |

PROPOSED ORDER

An order of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, Professional Land Surveyors, and Registered Interior Designers to repeal and recreate A-E 8.05 (5) (b) 6. and create 8.06 (4) relating to direct supervision.

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

Statutes interpreted:

Section 443.015 (2), Stats.

Statutory authority:

Sections 15.08 (5) (b), and 227.11 (2) (a), Stats.

Explanation of agency authority:

Section 15.08 (5) (b), Stats., “[e]ach examining board...[s]hall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession.”

Section 227.11 (2) (a), Stats., “[e]ach 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...”

Related statute or rule:

None.

Plain language analysis:

The Board completed a comprehensive review of ch. A-E 8 to ensure that rules are consistent with standards of professional practice and to update the definition of supervision and provide improved rule clarification and interpretation.

Summary of, and comparison with, existing or proposed federal regulation:

None.

Comparison with rules in adjacent states:**Illinois:**

Rules of the Illinois Department of Financial and Professional Regulation provide standards of professional conduct for architects [68 Ill. Adm. Code 1150.90], professional engineers [68 Ill. Adm. Code 1380.300], and professional land surveyors [68 Ill. Adm. Code 1270.57]. None of these rules address direct supervision of subordinate employees.

Iowa:

Rules of professional conduct for architects, engineers, professional land surveyors, and landscape architects are specified by the Iowa Architectural Examining Board [193B IAC 4.1], the Iowa Engineering and Land Surveying Examining Board [193C IAC 8.1 to 8.5], the Iowa Landscape Architectural Examining Board [193D IAC 4.1 to 4.5] and the Iowa Interior Design Board [193G IAC 4.1]. None of these rules address direct supervision of subordinate employees.

Michigan:

Rules of the Michigan Department of Licensing and Regulatory Affairs provide standards of professional conduct for architects [Mich Admin Code, R 339.15401], professional engineers [Mich Admin Code, R 339.16031 to R 339.16034], professional land surveyors [Mich Admin Code, R 339.17401 to R 339.17404], and landscape architects [Mich Admin Code, R 339.19001 to R 339.19049]. None of these rules address direct supervision of subordinate employees.

Minnesota:

The Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and Interior Design provide rules of professional conduct for architects, engineers, land surveyors, and landscape architects [Minnesota Rules, parts 1805.0100 to 1805.1600]. The Minnesota rules define a direct supervisor as an individual who “directs the work of other licensees, unlicensed professionals, technicians, and clerical persons assigned to that work and is in responsible charge of the project comprising the work being supervised.”

Summary of factual data and analytical methodologies:

The proposed rule was developed by conducting a comprehensive review of the provisions of ch. A-E 8, reviewing professional supervision standards from other states, and obtaining input and feedback from the Rules Committee of the A-E Board.

Analysis and supporting documents used to determine effect on small business or in preparation of economic impact analysis:

The proposed rule will be posted for a period of 14 days to solicit public comment on economic impact, including how the proposed rules may affect businesses, local government units, and individuals.

Effect on small business:

These proposed rules do not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department’s Regulatory Review Coordinator, Jennifer Garrett, may be contacted by email at Jennifer.Garrett@wisconsin.gov, or by calling (608) 266-6795.

Agency contact person:

Dana Denny, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, 4822 Madison Yards Way, P.O. Box 8366, Madison, Wisconsin 53708; telephone 608-287-3748; email at DSPSAdminRules@wisconsin.gov.

Place where comments are to be submitted and deadline for submission:

Comments may be submitted to Dana Denny, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, 4822 Madison Yards Way, P.O. Box 8366, Madison, WI 53708-8366, or by email to DSPSAdminRules@wisconsin.gov. Comments must be received on or before the public hearing, held on a date to be determined, to be included in the record of rule-making proceedings.

TEXT OF RULE

SECTION 1. A-E 8.03 (5) (b) 6. is repealed and recreated to read:

A-E 8.03 (5) (b) 6. ~~The terms in par. (a) include~~ Any of the activities in par. (a) may be accomplished using any of the following:

1. Selection or development of standards, methods and materials to be used.
2. Selection of alternatives to be investigated and the comparison of alternatives for the professional work.
3. Testing to evaluate materials or completed works, either in new or existing projects.
4. Knowledge of applicable codes and professional standards.
5. Knowledge of the technical capabilities of the personnel they rely upon to perform the professional work.

6. Use of appropriate technology that is functionally equivalent to in-person supervision to provide oversight remotely.

SECTION 2. A-E 8.06 (4) is created to read:

A-E 8.06 (4) Shall be held to the same standards of practice and conduct regardless of whether their professional duties under this chapter are performed in-person or by utilizing remote technology.

SECTION 3. EFFECTIVE DATE. The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, pursuant to s. 227.22 (2) (intro.), Stats.

(END OF TEXT OF RULE)

This Proposed Order of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, Professional Land Surveyors, and Registered Interior Designers is approved for submission to the Governor and Legislature.

Dated _____ Agency _____ Chair _____

STATEMENT OF SCOPE

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

Rule No.: A-E 3

Relating to: 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:

At the 2022 National Council of Architectural Registration Boards (NCARB) Annual Business Meeting, member licensing boards ratified a mutual recognition agreement (MRA) between NCARB and its counterpart in the United Kingdom, the Architects Registration Board (ARB). This MRA allows for reciprocal licensure between residents of the United States and the United Kingdom.

The objective of the proposed rule is to conduct a comprehensive review of architect registration requirements and ensure that experience, education, and examination requirements for architect registration reflect current best practices and make any amendments required to prevent confusion for both Wisconsin applicants seeking foreign reciprocity and foreign applicants seeking Wisconsin reciprocity.

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 ratified agreement between the National Council of Architectural Registration Boards (NCARB) and the Architects Registration Board (ARB) provides an opportunity to review, clarify and update current architect registration requirements.

The alternative is to not revise the architect registration rules, which the Board believes will result in confusion for potential licensure applicants as well as professionals practicing in the field who wish to pursue reciprocal licensure.

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

Section 15.08 (5) (b), Stats., provides examining boards, “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., “[e]ach 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...”

Section 443.03 (1), Stats., provides that architect applicants must submit satisfactory evidence “that he or she has acquired a thorough knowledge of sound construction, building hygiene, architectural design and mathematics,” including, “one of the following:

- 1m. A diploma of graduation, or a certificate, from an architectural school or college approved by the architect section as of satisfactory standing, together with at least 2 years' practical experience of a character satisfactory to the architect section in the design and construction of buildings.
2. A specific record of 7 or more years of experience in architectural work of a character satisfactory to the architect section in the design and construction of buildings.”

Section 443.09, Stats., relating to examination and experience requirements, states “(1) considering the qualifications of an applicant as an architect...responsible charge of architectural...teaching may be construed as experience. (2) Subject to ss. 111.321, 111.322 and 111.335, no person who has an arrest or conviction record is eligible for registration as an architect...and, (4) Written or written and oral examinations shall be required of every applicant for registration as an architect...Only one form of examination may be required for all applicants. The examination shall be reasonably related to the skills likely to be needed by an applicant practicing the profession at the time of examination and seek to determine the applicant's preparedness to exercise such skills.”

Section 443.10 (1), Stats., relating to registration and reciprocity, states, “(a) The appropriate section of the examining board may, upon application and the payment of the required fee, grant a certificate of registration as an architect...to any person who holds an unexpired certificate of similar registration issued to the person by the proper authority in any state or territory or possession of the United States or in any country in which the requirements for the registration of architects...are of a standard not lower than specified in this chapter. (b) The appropriate section of the examining board may, upon application and payment of the required fee, grant a certificate of registration as an architect..., to any person who holds an unrevoked card or certificate of national reciprocal registration, issued by any state, territory, or possession of the United States or by any country, which is in conformity with the regulations of the national council of state board of architectural...examiners, and who complies with the regulations of the appropriate section, except as to qualifications and registration fee. (d) The appropriate section of the examining board may, upon application and payment of the required fee, grant a permit to practice or to offer to practice architecture...to a person who is not a resident of and has no established place of business in this state, or who has recently become a resident of this state, if the person holds an unexpired certificate of similar registration issued to the person by the proper authority in any state or territory or possession of the United States or in any country in which the requirements for the registration of architects...are of a standard not lower than specified in this chapter.”

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

80 hours

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

Registered architects and individuals seeking to enter the profession as a registered architect in Wisconsin.

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 proposed rule is likely to have minimal to no economic impact on small businesses and the state's economy as a whole.

Contact Person: Dana Denny, Administrative Rules Coordinator, (608) 287-3487,
DSPSAdminRules@wisconsin.gov.

Approved for publication:

Approved for implementation:

Authorized Signature

Authorized Signature

Date Submitted

Date Submitted

STATEMENT OF SCOPE

REGISTERED INTERIOR DESIGNER SECTION

Rule No.: A-E 1 to 15

Relating to: Registered Interior Designers

Rule Type: Permanent

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

N/A

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

The objective of the proposed rules is to implement the statutory changes from 2021 Wisconsin Act 195.

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:

Wisconsin Administrative Code Chapter SPS 130 currently outlines requirements for Registered Interior Designers. The authority for the rules in SPS 130 was removed and transferred to the newly created Registered Interior Designers Section of the Examining board of architects, landscape architects, professional engineers, designers, professional land surveyors, and registered interior designers by 2021 Wisconsin Act 195. If new rules are not implemented as a result of this statute change, the practice of Registered Interior Designers will remain out of compliance with current state statute and may adversely affect the ability of Registered Interior Designers to practice in Wisconsin.

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

Section 15.08 (5) (b) states that “[each examining board] ”[s]hall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains, and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession.”

Section 443.015 (1) states that “[e]ach section of the examining board may establish continuing education requirements for renewal of a credential issued by that section under this chapter.”

Section 443.015 (1m) (a) 1. states that “

1. Each section of the examining board shall promulgate rules to do all of the following:

a. 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 20 years, which need not be consecutive, 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.

b. Allow an individual who previously held a credential under this chapter, and failed to renew that credential prior to the renewal date, to apply to the board to renew the credential with retired status if the individual is at least 65 years of age or had actively maintained that credential for at least 20 years, which need not be consecutive, certifies that he or she has retired from and no longer engages in the practice for which he or she previously held the credential, and pays the

fee under par. (d). Section 440.08 (3) (a) and (b) does not apply to the renewal of such a credential.

c. Allow the holder of a credential classified as retired status as described under subd. 1. a. or b. 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.”

Section 443.015 (2) states that “[e]ach section of the examining board may promulgate rules governing the professional conduct of individuals, firms, partnerships, and corporations registered, permitted, certified, or granted a certificate of authorization by that section.”

Section 443.17 (2) (a) states that “[t]he registered interior designer section of the examining board shall promulgate rules establishing specifications for seals and stamps used by Wisconsin registered interior designers.”

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

120 hours

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

Registered Interior Designer credential holders and those looking to enter the profession in Wisconsin.

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 proposed rule is likely to have minimal or no economic impact on small businesses and the state’s economy as a whole.

Contact Person: Dana Denny, (608) 287-3748, DSPSAdminRules@wisconsin.gov

Approved for publication:

Approved for implementation:

Authorized Signature

Authorized Signature

Date Submitted

Date Submitted

**Architects, Landscape Architects, Professional Engineers, Designers, Professional Land Surveyors, and Registered Interior Designers
Rule Projects (updated 3/28/23)**

| Clearinghouse Rule Number | Scope # | Scope Expiration | Code Chapter Affected | Relating clause/ Summary | Current Stage | Next Step |
|---------------------------|------------------|------------------|-----------------------|--|-----------------------------|--|
| | 112-24 | 6/20/2024 | A-E 4 and 13 | Engineer in training credential. Provide more clarity as to the required education and review acceptable credentialing agencies for continuing education. | Scope withdrawn. | |
| | 112-21 | 6/20/24 | A-E 2, 7, and 8 | Sealing and Stamping of Documents. Clarification on definitions of seal and stamps, requirements for electronic signatures, and clean up redundant words or sentences. | Currently drafting rule. | Posted for EIA comments, submitted to the Clearinghouse, and scheduled for a public hearing. |
| | 071-22 | | A-E 8 | Supervision. Clarification on definitions of supervision to ensure requirements are current with standards of practice. | Currently drafting rule. | Posted for EIA comments, submitted to the Clearinghouse, and scheduled for a public hearing. |
| | Not Yet Assigned | | A-E 3 | Architectural Registration. Clarification of Architectural Registration language and practices | Currently drafting scope. | Moved to A-E Rules Committee for approval. |
| | | | A-E 1 to 15 | Registered Interior Designers. The objective of the proposed rules is to implement the statutory changes from 2021 Wisconsin Act 195 to allow for the licensure, discipline, and practice of Registered Interior Designers. | Section has approved scope. | Moved to A-E Rules Committee for approval. |