



LANDSCAPE ARCHITECTS SECTION
Room N208, 4822 Madison Yards Way, Madison
Contact: Erin Karow (608) 266-2112
August 28, 2018

The following agenda describes the issues that the Section 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 Section.

AGENDA

9:00 A.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

A. Adoption of Agenda (1-3)

B. Approval of Minutes of May 15, 2018 (4-5)

C. Administrative Matters

1. Department Updates
2. Staff Updates

D. Legislative and Administrative Rule Matters – Discussion and Consideration (6-8)

1. Review of Draft Scope Statement for A-E 9, Relating to Landscape Architect Registration
2. Update on Pending and Possible Rulemaking Projects

E. Council of Landscape Architectural Registration Boards (CLARB) Update

F. Deliberation on Items Added After Preparation of Agenda:

1. Introductions, Announcements and Recognition
2. Election of Officer(s)
3. Appointment of Liaison(s)
4. Administrative Matters
5. Education and Examination Matters
6. Credentialing Matters
7. Practice Matters
8. Legislation/Administrative Rule Matters
9. Liaison Reports
10. Informational Items
11. Disciplinary Matters
12. Presentations of Petitions for Summary Suspension
13. Petitions for Designation of Hearing Examiner
14. Presentation of Proposed Stipulations, Final Decisions and Orders
15. Presentation of Proposed Final Decisions and Orders
16. Presentation of Interim Orders

17. Petitions for Re-Hearing
18. Petitions for Assessments
19. Petitions to Vacate Orders
20. Requests for Disciplinary Proceeding Presentations
21. Motions
22. Petitions
23. Appearances from Requests Received or Renewed
24. Speaking Engagement(s), Travel, or Public Relation Request(s)

G. Public Comments

CONVENE TO CLOSED SESSION to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).

H. Deliberation on Division of Legal Services and Compliance (DLSC)

I. Credentialing Matters – Discussion and Consideration

1. Application Reviews **(9-10)**

J. Deliberation of Items Received After Printing of the Agenda

1. Education and Examination Matters
2. Credentialing Matters
3. Deliberation on Division of Legal Services and Compliance (DLSC)
4. Monitoring Matters
5. Professional Assistance Procedure (PAP) Matters
6. Petitions for Summary Suspensions
7. Petitions for Designation of Hearing Examiner
8. Proposed Stipulations, Final Decisions and Order
9. Proposed Interim Orders
10. Administrative Warnings
11. Review of Administrative Warnings
12. Proposed Final Decisions and Orders
13. Matters Relating to Costs/Orders Fixing Costs
14. Case Closings
15. Petitions for Assessments and Evaluations
16. Petitions to Vacate Orders
17. Motions
18. Appearances from Requests Received or Renewed

K. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

L. Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate

M. Open Session Items Noticed Above Not Completed in the Initial Open Session

ADJOURNMENT

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 at 1400 East Washington Avenue, Madison, Wisconsin, unless otherwise noted. In order to confirm a meeting or to request a complete copy of the board's agenda, please call the listed contact person. 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. Interpreters for the hearing impaired provided upon request by contacting the Affirmative Action Officer, 608-266-2112.

**LANDSCAPE ARCHITECT SECTION
OF THE EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS, PROFESSIONAL
ENGINEERS, DESIGNERS AND PROFESSIONAL LAND SURVEYORS
MEETING MINUTES
May 15, 2018**

PRESENT: Andrew Albright, Tim Garland, and Rosheen Styczinski

EXCUSED: Kenneth Arneson and Michael Kinney

STAFF: Erin Karow, Executive Director; Kate Stolarzyk, Bureau Assistant; and other Department staff

CALL TO ORDER

Rosheen Styczinski, Chair, called the meeting to order at 9:15 a.m. A quorum of three (3) was confirmed.

ADOPTION OF AGENDA

MOTION: Andrew Albright moved, seconded by Tim Garland, to adopt the agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF JANUARY 25, 2018

MOTION: Tim Garland moved, seconded by Andrew Albright, to approve the minutes of the January 25, 2018 meeting as published. Motion carried unanimously.

LEGISLATION/ADMINISTRATIVE RULE MATTERS

A-E 9, Relating to Landscape Architect Registration

MOTION: Andrew Albright moved, seconded by Tim Garland, to request DSPS staff draft a Scope Statement revising A-E 9, relating to Landscape Architect Registration, and to authorize the Chair to approve the Scope Statement for submission to the A-E Rules Committee and full Board. Motion carried unanimously.

PUBLIC COMMENTS

MOTION: Rosheen Styczinski moved, seconded by Tim Garland, to recognize Andrew Albright for all the years of service to the Landscape Architect Section and to the A-E Examining Board. Motion carried unanimously.

CLOSED SESSION

MOTION: Andrew Albright moved seconded by Tim Garland, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.). Rosheen Styczinski read the language of the motion.

The vote of each member was ascertained by voice vote. Roll Call Vote: Andrew Albright-yes; Tim Garland-yes; and Rosheen Styczinski-yes. Motion carried unanimously.

The Section convened into Closed Session at 9:44 a.m.

RECONVENE TO OPEN SESSION

MOTION: Andrew Albright moved, seconded by Tim Garland, to reconvene to Open Session. Motion carried unanimously.

The Section reconvened into Open Session at 10:27 a.m.

VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

MOTION: Tim Garland moved, seconded by Andrew Albright, to affirm all votes taken in closed session. Motion carried unanimously.

CREDENTIALING MATTERS

Application Reviews

MOTION: Tim Garland moved, seconded by Andrew Albright, to approve the Landscape Architect Registration application by reciprocity to the individuals below, once all requirements are met.

1. Anderson, Geoffrey
2. Hudspeth, Gregg
3. Kalkes, James

Motion carried unanimously.

MOTION: Andrew Albright moved, seconded by Tim Garland, to approve the application for Landscape Architect Registration for the individuals below, once all requirements are met.

1. Nett, Connor
2. Rothe, Elizabeth

Motion carried unanimously.

ADJOURNMENT

MOTION: Andrew Albright moved, seconded by Tim Garland, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 10:29 a.m.

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

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Helen Leong, Administrative Rules Coordinator		2) Date When Request Submitted: August 15, 2018 <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: Landscape Architect Section, Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, and Professional Land Surveyors			
4) Meeting Date: August 28, 2018	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Review of draft Scope Statement for A-E 9, relating to Landscape Architect Registration	
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 (Fill out Board Appearance Request) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed:			
11) Authorization			
Signature of person making this request		Date	
<i>Helen Leong</i>		<i>August 15, 2018</i>	
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.			

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.

Contact Person: Helen Leong, Administrative Rules Coordinator
Division of Policy Development, Department of Safety and Professional Services
(608) 266 – 0797 DSPSAdminRules@wisconsin.gov

Department Head or Authorized Signature

Date Submitted