

STATEMENT OF SCOPE

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

Rule No.: A-E 1 to 13

Relating to: Retired Credential Status

Rule Type: Emergency and Permanent

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

The Legislature, by SECTION 4 of 2019 Wisconsin Act 94, provides an exemption from a finding of emergency for the promulgation of this rule.

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

The Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, and Professional Land Surveyors (A-E Board) will, as required under s. 443.015 (1m), Stats., as created by 2019 Wisconsin Act 94, establish a retired credential status for certain professionals holding credentials granted by the A-E Board and exempt a credential holder whose credential is classified as retired status from continuing education requirements.

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:

Current rules establish the credentials granted by the A-E Board and the continuing education requirements for maintaining those credentials. As required under s. 443.015 (1m), Stats., as created by 2019 Wisconsin Act 94, the proposed rules will establish a retired credential status for certain professionals holding credentials granted by the A-E Board and exempt a credential holder whose credential is classified as retired status from continuing education requirements.

The alternative of not revising the rules would be less beneficial to affected entities, and would not comply with the requirements of 2019 Wisconsin Act 94.

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, “[s]hall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains...”

Section 443.015 (1), 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.”

Section 443.015 (1m), Stats., as created by 2019 Wisconsin Act 94, requires each Section of the A-E Board to promulgate rules that do all of the following:

- Allow the holder of a credential under ch. 443, Stats., who is at least 65 years of age or has actively maintained the credential for at least 20 years, which need not be consecutive, and has retired from and no longer engages in the practice for which the credential is held, to apply to the A-E Board to classify that credential as retired status.

- Allow an individual who previously held a credential under ch. 443, Stats., and failed to renew that credential prior to the renewal date, to apply to the A-E Board to renew the credential with retired status if the individual is at least 65 years of age or had actively maintained the credential for at least 20 years, which need not be consecutive; has retired from and no longer engages in the practice for which the credential was previously held; and pays the applicable fee.
- Allow the holder of a credential classified as retired status to apply to the appropriate Section of the A-E Board to remove the retired status classification if the credential holder satisfies reinstatement requirements established by the appropriate Section of the A-E Board by rule.

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

90 hours

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

Licensed architects, landscape architects, professional engineers, designers, and professional land surveyors.

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 will have minimal to no economic impact on small businesses and the state's economy as a whole.

Contact Person: Dale Kleven, Administrative Rules Coordinator, DSPSAdminRules@wisconsin.gov, (608) 261-4472



Authorized Signature

April 23, 2020

Date Submitted