



DALE KOOYENGA

STATE REPRESENTATIVE • 14th ASSEMBLY DISTRICT

(608) 266-9180
Fax: (608) 282-3614
Toll Free: (888) 534-0014
Rep.Kooyenga@legis.wi.gov

P.O. Box 8952
Madison, WI 53708-8952

January 18, 2018

TO: Assembly Committee on Regulatory Licensing Reform
FR: Representative Dale Kooyenga
RE: support for Assembly Bill 670 – emeritus status for architects

Thank you for holding a hearing on this bill.

There is pride associated with being a part of any profession and, in the instance of this legislation, being an architect. The goal of Assembly Bill 670 is to create an emeritus status for retired architects who still wish to identify themselves publicly as architects.

Under this bill, any rule promulgated by the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, and Professional Land Surveyors establishing continuing education requirements must provide that an applicant for credential renewal who is at least 65 years of age or who has actively maintained that credential for a minimum of 30 consecutive years is exempt from continuing education requirements upon certification to the examining board that the applicant has retired from professional practice and no longer engages in that practice. An exempt person may maintain his or her professional title but may not engage in the relevant practice. Also, under the bill, an exempt person must pay only one-half of the applicable renewal fee to maintain his or her professional credential.

There will be an amendment introduced based on concerns raised by the Department of Safety and Professional Services. DSPS asked for a delayed effective date for the purposes of promulgating an emergency rule to implement the provisions of the bill.

Thank you for your attention to this legislation. I respectfully ask for your support of Assembly Bill 670.

Committee on Regulatory Licensing Reform

Wisconsin Assembly Hearing on AB 670

Testimony by Glen R. Schwalbach, P.E., NSPE Fellow

January 18, 2018

My name is Glen Schwalbach. I reside at 1090 Moonriver Dr., De Pere, WI. I am a Professional Engineer (P.E.) registered in Wisconsin.

The Wisconsin Society of Professional Engineers supports AB 670 as regards Wisconsin's retired P.E.'s.

I would like to provide some background. Today's retired Wisconsin P.E.'s were in various engineering schools in the 1960's or 1970's. With so many distractions of that era, we had to focus on our coursework and did not have time to protest the war. We decided on our first job and felt accountable to an employer. But, many of us soon learned that our work could affect public safety and welfare. This meant we were accountable to the public as well.

So, for those of us who would be providing engineering services directly to the public or who worked for consulting engineering companies, the next step was to apply to become a Registered Professional Engineer. This meant we were putting our qualifications up for public review. We were also putting our ethical practice of engineering up for public scrutiny and recourse. In fact, it was from then on that our commitment to public interest came before our employer's interest. Fortunately, in our profession the interests of both correlate.

The point is this effort to put the public's interest before our own benefit carries with it a sense of pride. So, when P.E.'s retire, they often like to carry a reminder of the responsibility of their former career; they would like to continue to be a P.E., albeit a Retired P.E.

I have a couple of statistics for you. According to the National Council of Examiners for Engineering and Surveying, there are about 7300 Wisconsin P.E.'s. According to the Bureau of Labor Statistics, there are 34,180 engineers in Wisconsin in 2016. We assume all engineers are committed to doing their work ethically. But only about 21% have formalized that commitment by becoming registered as a P.E.

We have one request for clarification. The bill indicates that the continuing education requirements shall be waived upon certification that the applicant is retired and no longer engages in the practice. We request the bill indicates that just the signature of the applicant will be acceptable certification. It should not be necessary to provide a notarized affidavit as required in similar instances in the past.

Thank you.

Glen R. Schwalbach, P.E. Contact: Cell 920-680-2436, Email glenschwalbach@netzero.com

January 18, 2018

Re: 2017 AB 670 Emeritus Architects Bill

Good Morning members of the Committee on Regulatory Licensing Reform, thank you for holding this public hearing and for the opportunity to speak. My name is Michael Eberle, I live at 6969 Apprentice Place in Middleton, Wisconsin and I am here today to voice my support for 2017 Assembly Bill 670.

I have been a licensed architect in Wisconsin since 1996 and I am a Principal with Aro Eberle Architects, located just off the corner of the capitol square on King Street.

As a bit of background, I am a past President and Vice President of the American Institute of Architects (AIA) Southwest Wisconsin Chapter; a past Secretary / Treasurer, Vice President, and President of AIA Wisconsin; and I currently serve as Secretary / Treasurer on the Wisconsin Architects Foundation Board.

In December of 2011, I was appointed by Governor Walker to the Architects Section of the Joint Examining Board of Architects, Landscape Architects, Professional Engineers, and Professional Land Surveyors and I completed my term in February 2017. During my tenure, I had the privilege to serve as Secretary of Joint Examining Board as well as Vice Chair and Chair of the Architects Section. The purpose of the Architects Section is to understand the specific education, examination, and experience requirements for registration as an architect. The Section works through the Joint Board to find commonalities with the regulation of five related design professions.

It was during my first Architects Section meeting in 2012 that I became more fully aware of the need for an "Emeritus" or "Retired" credential for Architects. During that meeting we reviewed numerous requests from architects that were:

1. At, or nearing, the end of their career in the architecture profession,
2. Were interested in continuing to utilize their "Architect" title and no longer practicing in the profession of architecture, and
3. Were requesting an "Exemption or Waiver" from mandatory continuing education requirements (a requirement that went into effect July 1, 2010).

During my time on the Architects Section, and in addition to these "Exemption" requests, which we routinely received on a bi-annual basis during license renewal and received during a Continuing Education Audit in 2016, we also had individuals attend our Section Meetings asking for development of such a credential. General themes from these individuals included:

1. Why were they being penalized for no longer being able to utilize the "Architect" title after maintaining continuous registration and fulfilling an entire career as an "Architect?"
2. Continuing Education is for practicing architects, not for those no longer practicing.

Unfortunately, there is limited leeway within *Wisconsin Statute 443* and the *Wisconsin Administrative Code, Chapter A-E 12 "Continuing Education for Architects"* which requires "every (Architect) registrant complete at least 24 hours of continuing education, of which 16 hours shall be (Health, Safety, and Welfare) HSW topics pertinent to the practice of architecture".

Exemptions from Mandatory Continuing Education are allowed for several items including "extreme hardship" but these are rarely granted and there are no provisions for Architects that have maintained registration for 30 continuous years and are over the age of 65.

Wisconsin registered Architects are currently forced to decide whether to forfeit their license, receive discipline for non-compliance with mandatory continuing education requirements, or request an extension and complete the continuing education.

As a matter of reference, our neighbors in Illinois allow "Design professionals who place their license on "inactive" status may use the title "Retired" adjacent to the title of their profession." Architect Retired or Retired Architect. In Texas, the term "Emeritus Architect or Architect Emeritus" can be used by design professionals with "inactive" status that have reached the age of 65 and completed 20 years of registration.

I do not believe that professional licensure is a switch that will be turned "active" or "inactive" by most, but perhaps by a few that want or need to practice again. The Architects Section saw an increase in the number of "inactive" architects during the 2010 renewal and granted numerous reinstatements in 2012/2013 when the economy recovered. Also, I do not believe that there is concern about the cost of the renewal fees. With the Architects bi-annual renewal fee at \$82, and fees proposed to be half or \$41 for "retired or emeritus status", these registration fees are still some of the lowest in the country. This is not a deterrent and the State may see more licenses maintained and a slight uptick in revenue.

I strongly believe that creating a "Retired or Emeritus" status for the Design Professionals that have committed most of their lives to obtaining an education, gaining the relevant experience, passing a rigorous examination, and then maintaining their credential for 30 consecutive years is the right thing to do and is good for the State to recognize those that deserve and have earned this status.

I would like to thank Representative Kooyenga and Brooks for authoring this Bill and want to also thank Co-Authors Representatives Kulp, Spiros, and Theisfeldt for their support.

Thank you for considering my comments. A copy of my remarks is available for inclusion in the public hearing minutes and I am available for questions.

Michael Eberle, AIA, NCARB
eberle@aroeberle.com
(608) 220-3417

JANUARY 18, 2018

RE: AB670 EMERITUS ARCHITECT BILL

GOOD MORNING EVERYONE,
MY NAME IS ANDREW JAMES GERSEICH, I LIVE AT
5718 KILKENNY PLACE, FITCHBURG, WI AND I
AM HERE TO TESTIFY IN FAVOR OF AB670.

I HAVE BEEN A REGISTERED ARCHITECT IN WI
SINCE 1975 AND I HAVE BEEN SERVING ON
THE ARCHITECT SECTION OF THE JOINT EXAMINING
BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,
PROFESSIONAL ENGINEERS, DESIGNERS, AND PROFESSIONAL
LAND SURVEYORS (THE JEB). I AM CURRENTLY
THE VICE CHAIR OF THE JEB, AND ITS LEGISLATIVE
LIAISON FOR AB670.

WE ARE INDEBTED TO REP. KOOYENGA FOR HIS EFFORTS
IN ADVANCING AND CRAFTING AB670, AS WELL AS
THE CO-AUTHORS WHO HAVE GRACIOUSLY SUPPORTED IT.

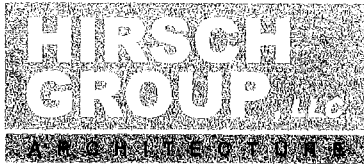
TO SAY THAT ALL FIVE SECTIONS IN THE JEB ARE
STRONGLY IN FAVOR OF, AND FULLY SUPPORT THIS
BILL, IS AN UNDERSTATEMENT. IN MY SIX (6)
YEARS ON THE JEB, I CANNOT RECALL ANY
OTHER DRAFT LEGISLATION THAT HAS BEEN SO

FULLY SUPPORTED. FOR A BIT OF HISTORY AND RATIONALE, PLEASE NOTE THE FOLLOWING:

- ① OVER THE PAST SEVERAL YEARS, EACH SECTION OF THE JEB HAS INSTITUTED MANDATORY CONTINUING EDUCATION REQUIREMENT, FOR CONTINUED LICENSURE.
- ② OVER THE PAST FEW YEARS, SECTIONS OF THE JEB HAVE CONDUCTED CONTINUING ED AUDITS.
- ③ BOTH PRIOR TO, AND DURING THOSE AUDITS, EACH OF THE FIVE SECTIONS ENCOUNTERED LICENSED PROFESSIONALS WHO HAD FAILED TO COMPLETE THEIR CONTINUING ED REQUIREMENTS, MANY CLAIMING THEY HAD RETIRED FROM ACTIVE PRACTICE.
- ④ SEVERAL OF THOSE REQUESTED A MECHANISM FOR RETAINING SOME SORT OF A TITLE IN RECOGNITION OF THEIR YEARS OF SERVICE IN THE PROFESSION, SUCH AS RETIRED MILITARY OFFICERS MIGHT INDICATE FOR EXAMPLE, "J.D. SMITH, USAF COLONEL (RET.)" BUT STATE STATUTES 443 DO NOT PERMIT THIS.

PLEASE NOTE THAT THE "RETIRED" APPRELLATION IS NOT JUST FOR ARCHITECTS, BUT ALSO FOR LANDSCAPE ARCHITECTS, PROFESSIONAL ENGINEERS, DESIGNERS, AND PROFESSIONAL LAND SURVEYORS AS WELL. AND IT IS NOT WITHOUT PRECEDENT IN WISCONSIN, AS LICENSED PSYCHOLOGISTS WHO ARE "PERMANENTLY RETIRED" MAY BE GRANTED CONTINUING EDUCATION EXEMPTION. THANK YOU.

J. Gersich - 1/18/2018



Phone: 608.332.7797
Email: tehirsch@gmail.com

Thomas Hirsch, FAIA

14 North Allen Street
Madison, WI 53726-3924

Memorandum

To: Assembly Committee on Regulatory Licensing Reform

Re: Testimony in favor of Assembly Bill 670 - "emeritus architect"

Date: 18 January 2018

I appear before you in support of the bill which would allow retired, senior architects the continued use of the identifier "architect." I am such a senior architect and would benefit from its passage, although not too soon I hope.

I believe there are others like myself who take pride in responsible practice and who would like to retain a professional credential after we cease to be actively practicing. Having said that, I do not see any justification for requiring at least 30 consecutive years of practice (Section 1, lines 4 & 5); there is nothing definitive about the number 30 and, furthermore, having to demonstrate that would likely be an insurmountable burden for practitioners in documentation. I suggest that language be struck.

Thank you for the opportunity to comment on this matter. If you have any questions, please let me know.

A handwritten signature in black ink, appearing to read "Tom Hirsch", written in a cursive style.