

Report From Agency

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

**IN THE MATTER OF RULE-MAKING :
PROCEEDINGS BEFORE THE : REPORT TO THE LEGISLATURE
EXAMINING BOARD OF : CR 12-053
ARCHITECTS, LANDSCAPE :
ARCHITECTS PROFESSIONAL :
ENGINEERS, DESIGNERS, :
AND LAND SURVEYORS :**

I. THE PROPOSED RULE:

The proposed rule, including the analysis and text, are attached.

II. REFERENCE TO APPLICABLE FORMS:

None.

III. FISCAL ESTIMATE AND EIA:

The Fiscal Estimate and EIA are attached.

IV. DETAILED STATEMENT EXPLAINING THE BASIS AND PURPOSE OF THE PROPOSED RULE, INCLUDING HOW THE PROPOSED RULE ADVANCES RELEVANT STATUTORY GOALS OR PURPOSES:

2009 Wisconsin Act 350 became effective on May 28, 2010. The purpose of the legislation was to eliminate the four paths for applicants, found in s. 443.04 (1) Stats., to satisfy the education and experience requirements for licensure as a professional engineer by examination and limit the options to just two paths. The Act also purposed to eliminate a provision allowing examiners to review his or her failed examination. The proposed rule carries out the goal of the legislation by repealing and re-creating s. A-E 4.05 regarding requirements for registration as a professional engineer, and repealing s. A-E 4.06 regarding education as an experience equivalent for registration.

V. SUMMARY OF PUBLIC COMMENTS AND THE SECTION'S RESPONSES, EXPLANATION OF MODIFICATIONS TO PROPOSED RULES PROMPTED BY PUBLIC COMMENTS:

The Engineering Section of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors held a public hearing on January

31, 2013. Written comments were accepted until January 31, 2013. The following people either testified at the hearing, or submitted written comments:

Jayne Martinko, Executive Director American Council of Engineering Companies of Wisconsin Madison, WI

Heather Berlinski, JD, Government Affairs Associate, The Kramer Group LLC
Madison, WI

The Board summarizes the comments received either by hearing testimony or by written submission as follows:

Ms. Martinko prepared a written statement and gave testimony. Her concern was whether A-E 4.50 (2) (a) should refer to an engineering-related course of study instead of engineering technology. She asserted that the term “engineering technology” was too narrow in scope to encompass other engineering related degree programs that are available at the technical college level.

Ms. Berlinski gave oral comments voicing the same concern as Ms. Martinko.

The Board explains modifications to its rule-making proposal prompted by public comments as follows:

The Board decided to change A-E 4.05 (2) (a) to refer to engineering-related course of study instead of engineering technology. This change is consistent with the s. 443.04 (1m) Stats., as amended by 2009 Wis. Act 350.

VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:

Comment 1 Statutory Authority: Section 443.04 (1m), Stats., provides that an applicant may submit evidence of “a diploma of graduation or degree from a technical college approved by the professional engineer section as of satisfactory standing in an **engineer-related course of study** of not less than 2 years”, combined with the experience in engineering work required in s. 443.04 (2m) (b), Stats., to apply for registration as a professional engineer. It appears that “engineering-related course of study” could also apply to programs other than an engineering technology program. Why does s. A-E 4.05 (2) (a) refer to an associate degree in **engineering technology**, rather than referring to an engineering- related course of study?

Response: The Board changed the language in A-E 4.05 (2) (a) to refer to engineering-related course of study instead of engineering technology to address this concern.

All of the remaining recommendations suggested in the Clearinghouse Report have been accepted in whole.

VII. REPORT FROM THE SBRRB AND FINAL REGULATORY FLEXIBILITY ANALYSIS: None.