

## ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

<p>1. Type of Estimate and Analysis <input checked="" type="checkbox"/> Original   <input type="checkbox"/> Updated   <input type="checkbox"/> Corrected</p>	<p>2. Date October 29, 2020</p>
<p>3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable) A-E 1 to 13</p>	
<p>4. Subject Retired credential status</p>	
<p>5. Fund Sources Affected <input type="checkbox"/> GPR   <input type="checkbox"/> FED   <input checked="" type="checkbox"/> PRO   <input type="checkbox"/> PRS   <input type="checkbox"/> SEG   <input type="checkbox"/> SEG-S</p>	<p>6. Chapter 20, Stats. Appropriations Affected 20.165 (1) (g)</p>
<p>7. Fiscal Effect of Implementing the Rule <input type="checkbox"/> No Fiscal Effect   <input type="checkbox"/> Increase Existing Revenues   <input checked="" type="checkbox"/> Increase Costs   <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Indeterminate   <input type="checkbox"/> Decrease Existing Revenues   <input checked="" type="checkbox"/> Could Absorb Within Agency's Budget</p>	
<p>8. The Rule Will Impact the Following (Check All That Apply) <input type="checkbox"/> State's Economy   <input type="checkbox"/> Specific Businesses/Sectors <input type="checkbox"/> Local Government Units   <input type="checkbox"/> Public Utility Rate Payers <input type="checkbox"/> Small Businesses <b>(if checked, complete Attachment A)</b></p>	
<p>9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s. 227.137(3)(b)(1). \$0</p>	
<p>10. Would Implementation and Compliance Costs Businesses, Local Governmental Units and Individuals Be \$10 Million or more Over Any 2-year Period, per s. 227.137(3)(b)(2)? <input type="checkbox"/> Yes   <input checked="" type="checkbox"/> No</p>	
<p>11. Policy Problem Addressed by the Rule As required under s. 443.015 (1m), Stats., as created by 2019 Wisconsin Act 94, the proposed rules create provisions to do all of the following:</p> <ul style="list-style-type: none"><li>• 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 appropriate section of the A-E Board to classify the credential as retired status.</li><li>• Allow an individual who previously held a credential under ch. 443, Stats., and failed to renew the credential prior to the renewal date, to apply to the appropriate section of 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 held; and pays the applicable fee.</li><li>• 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 the reinstatement requirements under s. A-E 2.05 (2).</li><li>• Provide that continuing education requirements do not apply to renewal of a credential classified as retired status. The proposed rules also revise s. A-E 12.08 to reference a waiver from continuing education requirements instead of an exemption from continuing education requirements. The updated terminology is consistent with that used in chs. A-E 10, 11, and 13.</li></ul> <p>Finally, the proposed rules remove provisions in s. A-E 13.08 concerning a request for a waiver from continuing education requirements based on retirement. As the proposed rules create a retired credential status, these provisions are no longer necessary.</p>	
<p>12. Summary of the Businesses, Business Sectors, Associations Representing Business, Local Governmental Units, and Individuals that may be Affected by the Proposed Rule that were Contacted for Comments.</p>	

## **ADMINISTRATIVE RULES**

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The proposed rule was posted on the Department of Safety and Professional Services' website for 14 days in order to solicit comments from businesses, representative associations, local governmental units, and individuals that may be affected by the rule. No comments were received.

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13. Identify the Local Governmental Units that Participated in the Development of this EIA.  
No local governmental units participated in the development of this EIA.

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14. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)

The proposed rule will not have a significant impact on specific businesses, business sectors, public utility rate payers, local governmental units, or the state's economy as a whole.

The Department estimates one-time administrative costs of \$653.86. These costs may be absorbed in the agency budget.

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15. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

The benefit to implementing the rule is consistency with s. 443.015 (1m), Stats., as created by 2019 Wisconsin Act 94. If the rule is not implemented, the Board's rules will not be in compliance with statute.

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16. Long Range Implications of Implementing the Rule

The long range implication of implementing the rule is consistency with applicable Wisconsin statutes.

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17. Compare With Approaches Being Used by Federal Government  
None.

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18. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

Illinois:

Rules of the Illinois Department of Financial and Professional Regulation provide an inactive status for architects [68 Ill. Adm. Code 1150.65], engineers [68 Ill. Adm. Code 1380.285], and professional land surveyors [68 Ill. Adm. Code 1270.35]. A request for inactive status must be made in writing on a form prescribed by the Department. An architect, engineer, or professional land surveyor in inactive status is exempt from renewal fees and continuing education requirements.

The rules also provide requirements for the restoration to active status of architects [68 Ill. Adm. Code 1150.70], engineers [68 Ill. Adm. Code 1380.270], and professional land surveyors [68 Ill. Adm. Code 1270.40]. Restoration of a license placed on inactive status for 5 years or less (3 years or less for architects) requires payment of a renewal fee and compliance with continuing education requirements. Restoration of a license placed on inactive status for more than 5 years (more than 3 years for architects) to active status requires payment of restoration fees, compliance with continuing education requirements, and demonstration of active practice or continued competence.

Illinois does not issue permits or similar credentials for designers of engineering systems or landscape architects.

Iowa:

Within the requirements for renewal, rules of the Iowa Architectural Examining Board [193B IAC 2.5 (2)], Iowa Engineering and Land Surveying Examining Board [193C IAC 3.4 (11)], and Iowa Landscape Architectural Examining Board [193D IAC 2.8 (8)] provide an inactive status for their licensees. Licensees in inactive status are subject to reduced renewal fees and are exempt from continuing education requirements.

The rules also provide requirements for the reinstatement to active status of architects [193B IAC 2.7 (1)], engineers and land surveyors [193C IAC 3.5 (4)], and landscape architects [193D IAC 2.9 (2)]. Reinstatement requires the applicant to pay a fee, comply with continuing education requirements and, for architects and landscape architects, submit a written statement affirming the applicant did not practice in Iowa while in inactive status.

Iowa does not issue permits or similar credentials for designers of engineering systems.

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**Michigan:**

Michigan does not provide a retired or inactive licensure status for architects, engineers, professional land surveyors, or landscape architects, and does not issue permits or similar credentials for designers of engineering systems.

**Minnesota:**

Minnesota does not provide a retired or inactive licensure status for architects, engineers, professional land surveyors, or landscape architects, and does not issue permits or similar credentials for designers of engineering systems. However, the Minnesota Statutes allow an individual who retires to use the designation architect, professional engineer, land surveyor, or landscape architect, as long as the designation is preceded by the word "retired" and the individual was licensed in the designated profession in the state of Minnesota on the date the individual retired from the designated profession and the individual's license was not subsequently revoked by the Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and Interior Design [2019 Minnesota Statutes, Section 326.02, Subd. 1.].

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19. Contact Name

Dale Kleven, Administrative Rules Coordinator

20. Contact Phone Number

(608) 261-4472

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This document can be made available in alternate formats to individuals with disabilities upon request.

## ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

### ATTACHMENT A

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1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

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2. Summary of the data sources used to measure the Rule's impact on Small Businesses

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3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

- Less Stringent Compliance or Reporting Requirements
- Less Stringent Schedules or Deadlines for Compliance or Reporting
- Consolidation or Simplification of Reporting Requirements
- Establishment of performance standards in lieu of Design or Operational Standards
- Exemption of Small Businesses from some or all requirements
- Other, describe:

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4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

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5. Describe the Rule's Enforcement Provisions

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6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

- Yes     No
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