

Report From Agency

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

**IN THE MATTER OF RULEMAKING : REPORT TO THE LEGISLATURE
PROCEEDINGS BEFORE THE : CR 24-001
EXAMINING BOARD OF :
ARCHITECTS, LANDSCAPE :
ARCHITECTS, PROFESSIONAL :
ENGINEERS, DESIGNERS, :
PROFESSIONAL LAND SURVEYORS, :
AND REGISTERED INTERIOR :
DESIGNERS :**

I. THE PROPOSED RULE:

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

II. REFERENCE TO APPLICABLE FORMS:

N/A

III. FISCAL ESTIMATE AND EIA:

The Fiscal Estimate and EIA is attached.

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

Wisconsin Administrative Code Chapter SPS 130 currently outlines requirements for registered interior designers. The authority for the rules in SPS 130 was removed and transferred to the newly created Registered Interior Designers Section of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, Professional Land Surveyors, and Registered Interior Designers with the enactment of 2021 Wisconsin Act 195. The objective of this rule project is to implement the statutory changes from the act by creating chapters A-E 14 and 15 as a new part of the Wisconsin Administrative Code and by amending chapters A-E 1, 2, and 8 to add registered interior designers to the general provisions of the board. The new chapters cover the registration and continuing education requirements for registered interior designers.

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

The A-E Rules Committee held a public hearing on the proposed rule on February 6, 2024. No written or verbal comments were received.

VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:

All Legislative Council recommendations except 3, 4, 5a, 5c, 5f, and 5l have been accepted and incorporated into the proposed rules.

Comment: 3. Because the statutory authority for ch. SPS 130 was repealed, consider repealing that chapter.

Response: The board rejected comment 3, because it is not within the statutory authority of the A-E board to repeal rules promulgated by the Department.

Comment: 4. In s. A-E 15.04, the proposed rule references s. A-E 14.03 and implies that provision relates to retired status. However, retired status is not dealt with in s. A-E 14.03 or anywhere in the proposed rule.

Response: The board rejected comment 4, as retired credential status for all sections of the board, including the Registered Interior Designer Section, is addressed in the existing code at s. A-E 2.045. However, the board did change the reference in A-E 15.04 from A-E 14.03 to A-E 2.045.

Comment: 5a. In SECTION 6, consider replacing “which” with “that”. [s. 1.08 (1) (c), Manual.] This comment also applies to the other paragraphs currently in s. A-E 2.03 (2).

Response: The board rejected comment 5a, since changing the other paragraphs in A-E 2.03 is outside the scope of this project because they do not relate to implementing the registered interior designer legislation, and if those paragraphs are not modified the use of “which” maintains consistency with the existing sections.

Comment: 5c. In s. A-E 14.03 (1) (c), consider specifying how an applicant would know that the additional information must be submitted. This consideration applies to s. A-E 14.03 (2) (e) as well.

Response: The board rejected comment 5c, to keep consistency with language in similar provisions in A-E 3.06 (4), 4.08 (2) (d), 5.05 (4), and 6.06 (4).

Comment: 5f. In s. A-E 15.02 (2), consider whether “licensee” should be “registrant”. This consideration also applies throughout the chapter, including ss. A-E 15.03 (1) and 15.07 (3).

Response: The board rejected comment 5f, but it is addressing this comment by changing all these instances to “credential holder” to keep consistency with all professions included in A-E rules.

Comment: 5l. In s. A-E 15.06, use “A registrant” instead of “Registrants”. Also, consider deleting “or professional development” because “continuing education” is a defined term that includes professional development activities. Additionally, consider the use of “bienniums” in specifying how long records must be kept. Because it is a defined term, a registrant could be required to maintain records for almost six years.

Response: For comment 5l, the board accepts the suggestion to delete “or professional development”. But it rejects the use of “Registrants” because these are changing to “Credential holders”, and it rejects changes to the records retention time, because the language as it is currently written reflects the board’s intentions.

VII. REPORT FROM THE SBRRB AND FINAL REGULATORY FLEXIBILITY ANALYSIS:

N/A