



DALE KOOYENGA
STATE SENATOR · 5TH DISTRICT

State Capitol · P.O. Box 7882 · Madison, WI 53707-7882 · (608) 266-2512

August 25, 2021

TO: Members of the Senate Committee on Government Operations, Legal Review and Consumer Protection

FR: Senator Dale Kooyenga

RE: Support for SB 344 – Streamlining the practice of interior design and reducing barriers to entry into the profession

Thank you for holding a hearing on Senate Bill 344. This bill has bipartisan support and will allow Wisconsin to join 17 other states in eliminating a costly procedural step that registered interior designers must go through to be able to complete projects.

Wisconsin has a voluntary registration option for interior designers. This registration requires industry recognized credentialing and rigorous testing. However, Wisconsin's registered interior designers still must jump through additional, often costly hoops to be able to utilize their knowledge and qualifications.

Under current law, for commercial projects, registered interior designers must pay for and get approval from an architect on remodeling plans. An architect's stamp of approval is required despite the fact that these are trained professionals and they are prevented from making any kind of structural changes.

The seals provided by the architect cost money, typically a percentage of the total project cost. Although costly, these seals often don't indicate a thorough review but rather a passive fulfillment of an obligation.

Allowing registered interior designers to seal their own remodeling plans will enable them to deliver an interior build-out project faster, hire fewer outside consultants, and compete for more projects. The seal privilege will allow interior design firms—often women-owned businesses—the ability to grow and compete in the construction industry

Additionally, this bill aims to reduce barriers to entry in the field of interior design by eliminating burdensome registration standards that advocates in the interior design field have identified. Nationally, developers rely on the trusted NCIDQ exam and often require interior designers to have passed the exam to be eligible to work on their projects. This bill brings the state in line with the national industry standard and eliminates unnecessary additional requirements.

Thank you for hearing SB 344. I respectfully ask for your support.



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August 25th, 2021

Chairman Stroebel and Senate Government Operations, Legal Review and Consumer Protection Committee Members,

Thank you for holding a Public Hearing on SB 344 related to registration and scope of practice of interior designers.

Currently, Wisconsin has a voluntary registration option for qualified interior designers. This registration requires industry recognized credentialing and rigorous standardized testing on topics like building codes, fire safety, and construction regulation. However, Wisconsin's registered Interior Designers must still jump through additional bureaucratic hoops to be able to independently utilize their knowledge and qualifications in the state.

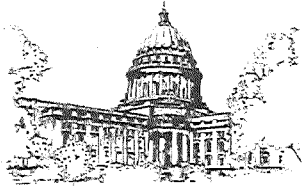
We are offering this bill to join 11 other US states, Washington D.C., and Puerto Rico in eliminating a costly procedural step that registered interior designers must go through to be able to conduct business. Under current law, for public building projects requiring building permits, registered interior designers must pay for an architect's review and approval of the interior designer's completed, non-structural interior design drawings before they may be submitted for plan review and approval by the local building department.

Registered interior designers are trained in interior nonstructural and nonloadbearing design and are prevented from making any kind of structural changes to a building; however, they are still required to get an architect's approval in order to submit interior design drawings to building/permit departments for plan approval. To obtain an architect's review and stamped approval, the interior designer must pay a percentage of the total project cost to that architect or architectural firm for those services. This review is often not indicative of a thorough review of the already competently drafted design drawings, but rather a passive fulfillment of an obligation because registered interior designers have no construction document stamp/seal of their own.

Allowing registered interior designers to seal their own drawings will enable them to deliver an interior build-out project faster, hire fewer outside consultants, and compete for more interior, nonstructural projects. The option to engage an interior designer, thus increasing competition and lowering design costs, is a financial benefit to the client as well.

Nationally, nearly 83% of interior design firms are small businesses of four or fewer employees and a vast majority of these businesses are women and/or minority-owned. This bill will allow these small businesses to grow and compete in the construction industry.

I appreciate your consideration of this bill and I would be happy to answer any questions you may have.



STATE SENATOR
LaTonya Johnson

WISCONSIN STATE SENATE

6TH DISTRICT

Senate Committee Government Operations, Legal Review and Consumer Protection
Testimony on Senate Bill 344
August 25, 2021

Good morning members of the committee,

Thank you for the opportunity to testify on behalf of this proposal— Senate Bill 344 (SB 344)—which, among other changes, requires DSPS to establish rules that will allow registered interior designers to stamp and seal their own plans. This bill modernizes our state credentialing regulations for interior designers to recognize their high level of education and training and allow designers to work independently at the top of their scope of practice.

The ability to stamp and seal construction documents for building permits is an essential part of a design professional's practice. Upon passage of SB 344, Wisconsin would join the growing number of states allowing qualified interior designers to stamp and seal their own design documents for non-structural construction projects. In Wisconsin, this practice right is granted to architects and engineers, but denied to registered interior designers, even for projects that are completely non-structural. This architectural oversight is unnecessary given the comparable interior design expertise and educational requirements between the two professions, and puts registered interior designers at a competitive disadvantage in the marketplace for design projects. The current requirements also cost consumers money by adding additional costs to projects—usually a percentage of the total project cost—for this extra approval of plans that have already been drafted and completed by a qualified interior designer.

SB 344 will empower interior designers to operate independently of architectural firms and provide for greater competition for design contracts. It will also alleviate disparities among design professionals by putting interior design, which has been a common entry point for women in the design professions, on an equal footing with architecture when providing similar services.

As you will hear from practitioners in the field, registered interior designers are extremely accomplished professionals who have the training and experience necessary to draft design plans in a way that protects public health and safety, and Wisconsin should recognize this fact by allowing them to sign and seal their own plans for non-structural interior construction projects.

Once again, thank you to my co-authors, Senator Kooyenga, Representative Horlacher, and Representative Stubbs for their work on this bill, and thank you, committee members, for your consideration of this important proposal.



Proponent Testimony, Wisconsin Senate Bill 344

Aug 25, 2021

Testimony before the Wisconsin Senate Committee on Government Operations, Legal Review and Consumer Protection

Melissa Destree, AIA, IIDA, WRID
President of Destree Design Architects, Inc.
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I support Senate Bill #344. I am a licensed architect and Wisconsin registered interior designer. I have a Bachelor of Science in Architecture and Masters of Architecture from UW Milwaukee. I lead a thriving Women Owned (WBE) architecture and interior design practice going on 21 years strong. We work throughout the State of Wisconsin and our projects extend across five continents. You may be familiar with some of my interior design projects on the Capitol Square: The Park Hotel renovation, Coopers Tavern as well as Fromagination – the Cheese Store.

I am a past president of AIA Wisconsin, a statewide Society of the American Institute of Architects (AIA-WI) and member for over 27 years. An organization I have great pride in. However, I do not support their economic protectionist position that devalues the contributions Wisconsin Registered Interior Designers bring to the profession. As an architect, I do not fear acknowledging an interior designer's expertise, training, their unique skill set and their technical abilities.

I am a strong advocate for the evolving profession of Interior Design.

- WI Registered Interior Designers pass an 11 hour exam, complete 2+ years of internship and graduate from an accredited college program.
- There is constant market **demand** for interior build-outs and renovations in office and retail sectors that are underserved by architects. Registered Interior Designers are more than qualified to fill the void in the non-structural, non-loadbearing sector.
- Provides **options for Clients** with goals to improve their commercial interior environment.
- **Provides greater business Opportunities** to interior designers, a profession that is 90% female in Wisconsin. Reinforcing diversity in our design and construction industry.
- This is a voluntary registration, not mandatory licensing. Only qualified and registered Interior designers with the State will be eligible to stamp and seal interior documents.
- This legislation will make Registered Interior Designers liable and responsible for their own work.
- This legislation provides a level playing field. Are you aware that licensed structural engineers have the ability to stamp interior build-out drawings in Wisconsin? However, a Registered Interior Designer, expert in this sector, educated, successfully passing an 11 hour nationally recognized exam, does not.



Opponents suggest:

Interior design credentials are not adequate to perform the scope of work in SB344. Having taken the architectural path and participating as an advisor for over 6 years at the School of Interior Architecture at UW Madison, I have observed that the curriculum for interior design students is strong, rigorous and comparable to my own coursework as an architecture student on life safety codes, accessibility, mechanical, plumbing and electrical coordination which are items addressed in the interior design scope of work for ASB344.

The Legislation:

Over the past three years we have appreciated fielding questions, as well as working with colleagues on refining this bipartisan legislation. We successfully worked with the ACEC, the American Council of Engineering Companies, moving them from *Opposed* to *Neutral*. We addressed engineers concerns and refined the legislation in early 2020. The AIA was absent from those discussions by their choice, despite being invited. In September 2020, Lisa Kennedy, AIA Exec Director, and myself had an informal discussion to coordinate our groups to meet and review the legislation, unfortunately after multiple exchanges AIA choose to not participate in discussions with the Interior Design community.

The Evolving profession of Interior Design:

There is strong activity on the National Level acknowledging the expertise of the Interior Design Profession. One example is **NCARB** (National Council of Architectural Registration Boards). The organization oversees Architectural testing and licensing. They passed a resolution June 25, 2021 sunsetting there 20+ years of opposition to Interior Design regulations [Licensing and Registration] As part of their (unanimous) statement of support, said: "The 20-year-old resolution does not reflect the current state of interior design licensing [regulation] and is not in alignment with NCARB's efforts to support multi-disciplinary Member Boards that regulate architecture and interior design."

North Carolina signed into law legislation last month (July 2021) establishing a voluntary, qualification based registry for Interior Designers to stamp interior construction documents for permit.

Licensed Architects, like myself, will continue to excel and bring forth their expertise in the interior environment. WRIDs will partner with licensed architects, like myself, for work beyond the scope of interior design as defined in AB 344. I welcome my fellow licensed WI architects and AIA members to join me in support of this sensible and reasonable bill. I support this legislation allowing Registered Interior Designers to be responsible and professionally liable for their own non-structural interior design documents.

Mr. Chairmen and members, thank you for your consideration on this bipartisan legislation. I am available to address any questions you may have.

Thank you.

Melissa Destree, AIA, IIDA, WRID

Mr. Chair, members of the committee, thank you for the opportunity to speak to you today in support of SB 344.

My name is Laura Schade Stroik. I studied at Harrington College of Design in Chicago before graduating with a degree in Interior Design at the University of Wisconsin - Stevens Point in 2016. I passed the NCIDQ exam in October 2020 and became a Wisconsin Registered Interior Designer in January 2021. I work in residential and commercial design. I'm here today to discuss the nationally recognized standard for interior design qualifications – the NCIDQ Exam.

SB 344 requires registered interior designers to pass a Department of Safety and Professional Services approved examination. The NCIDQ Exam is the leading interior design certification exam in the United States and Canada. Nationally, the NCIDQ serves as a barometer measuring the proficiency of interior designers, and their mastery of topics relating to the Public's health, safety, and welfare.

The three-part, eleven-hour examination assesses candidate competency and evaluates the essential skills and knowledge of our distinct profession. It tests and verifies several core competencies such as building systems, life safety and building codes, construction standards, contract administration, design application, professional practice, fire safety, ADA compliance, and project coordination, and much more. Exam questions include subject matter about fire protection, fire ratings, life safety, means of egress, permit requirements, regulatory documentation, and building systems coordination. It also ensures that interior designers understand how their work impacts and can impact the work of architects and engineers. Interior designers do not design spaces in a vacuum, and this exam makes sure our work flawlessly and safely integrates with the work of other professionals on the project.

Eligibility to sit for the NCIDQ has several vetted pathways, and all of them require extensive formal education and SUPERVISED field experience before sitting for the exam. Candidates must have a minimum of two years of work experience supervised or sponsored by a certified design professional.

NCIDQ regularly updates the exam to ensure design problems and questions are current and relevant. The exam is not easy to pass. The 2020 pass rates for the three sections ranged

between sixty-four and seventy-three percent and are consistent from administration to administration.

The NCIDQ Exam meets the requirements and scope of practice described in this bill and verifies Wisconsin Registered Interior Designers have the knowledge, formal education, and experience to meet the rigors of permit documentation. It is the standard of excellence used in other states allowing stamp and seal privileges. SB 344 ensures interior designers in Wisconsin have the education, skill, and training needed to protect the health, safety, and welfare of building occupants across the state because it allows DSPS to choose this exam and its education and experience prerequisites as the state standard.

Thank you, and I'd be happy to answer any questions.

Good morning and thank you for the opportunity to present my testimony today in opposition of Senate Bill 344.

I am Lisa Kennedy, FAIA the Executive Director of AIA Wisconsin as well as a licensed architect and previously licensed interior designer. We are the state component of the American Institute of Architects, that represents approximately 1,500 members of the profession in Wisconsin.

The American
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Architects do not undervalue the contribution that interior designers make to the built environment. They are a respected partner on projects as are other professionals such as engineers, lighting designers, acoustical designers, etc. But the typical training and expertise of interior designers falls well short of what is required to practice as an architect, and that is what brings us here today. **As written in SB344, interior designers would be able to practice architecture resulting from the passage of this bill.**

Historically, architects were referred to as master builders. What that means is that architects are knowledgeable in ALL facets of the design of the building and take the responsibility for the coordination of a team of professionals that typically includes interior designers. We are the only profession that is trained in that fashion. We are the conductors in the orchestra that is building design.

Probably one of the most significant issues that permeates a project is fire safety. This category includes orchestration from the architectural, engineering, and interior design professions but it is the architect who is the coordinator of all of these disciplines. All of these components make up the life safety system of a building and without the coordination component, there can be catastrophic consequences.

Interior designers are experts at flammability requirements of materials no doubt, and may have rudimentary knowledge of exiting requirements but usually those elements are defined within a space

and their scope does not extend to the entire building, building complex, or site. Architects must consider the overall fire safety plan no matter the limits of their project, and they take on the totality of the liability regardless. Our concern here is that without the knowledge of or responsibility for the systems of an entire building, the safety of its occupants, users, the public, and emergency responders is at stake. This bill, by including the practice of architecture under the scope of interior design, opens up the potential for untrained designers to affect the life safety plans of the built environment.

This is why the Wisconsin Fire Chiefs, The Wisconsin Realtors Association, The City of Milwaukee, the Association of General Contractors and the Alliance for Regulatory Coordination, among others have joined us in opposition to the bill. The bill in its current form represents too much risk to the health, safety and welfare of the public. I urge you to vote against support of this bill.

Thank you very much for your attention and consideration.



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August 25, 2021

Sen. Ducey Stroebel
State Capitol, Room 18 South
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Re: 2021 Senate Bill 344
Committee on Government Operations, Legal Review and Consumer Protection Hearing

Dear Sen. Stroebel:

I submit this written testimony in opposition to 2021 Senate Bill 344.

I am a registered architect, licensed in Wisconsin for nearly 19 years, and I am also a Wisconsin Registered Interior Designer. I am a CEO, CFO, COO, and owner of Legacy Architecture, Inc., an award winning architecture, interior design, and historic preservation consulting firm located in Sheboygan. Legacy is a Women-owned Business Enterprise certified by both the Wisconsin Department of Administration and Department of Transportation. Legacy employs eight people, and approximately 52% of our revenue deals with interior alterations to existing buildings. I am also the 2021 President of AIA Wisconsin, the statewide Society of The American Institute of Architects.

The interior design industry has spent a considerable sum on their lobbying efforts over the last two legislative cycles. They created a well-polished marketing campaign, and it shows! Kudos to International Interior Design Association and American Society of Interior Designers for their joint advocacy efforts.

From what I have seen, their messaging goes something like this:

1. Interior designers have the same education, experience, and examination requirements as architects. Therefore, interior designers should be allowed to practice architecture.
2. 17-27 states have interior design laws. Wisconsin needs to conform to this industry standard.
3. They want to avoid hiring an architect to "approve" their construction documents to save time and money.
4. This is nothing more than a turf war between architects and interior designers.
5. This is "the man," i.e.-white, male architects, trying to keep small, women-owned, interior design businesses down.

None of this could be further from the truth!

1. Architects and interior designers do not have the same education, experience, and examination requirements. Interior designers should not be allowed to practice architecture, nor can they in the 49 states that regulate the practice of architecture, including Wisconsin. That is the industry standard.
2. Sure, 20-some states have interior design laws. These are "title" laws, and Wisconsin is one of them. It grants interior designers who have met their profession's education, experience, and examination requirements the ability to distinguish themselves as Wisconsin Registered Interior Designers. Only a handful of states, single digits, have "practice" laws which allow interior designers to practice interior design, not architecture, and stamp and submit construction documents for permitting purposes. This privilege is a rare anomaly and not industry standard, and it comes with numerous statutory safeguards to protect the health, safety, and welfare of the public.

3. Architects do not “approve” interior designers’ construction documents; only the Department of Safety and Professional Services (DSPS) and certain delegated municipalities have the authority to conditionally approve construction documents. Furthermore, DSPS’s administrative code identifies architects and engineers as the only design professionals who can submit construction documents for review and approval on buildings over 50,000cf for good reason. Any interior designer who renders or offers to render architectural services for which they are not licensed to perform is breaking the law (Stats. 443.02(3)). In addition, any architect who simply “plan stamps” an interior designer’s drawings is also breaking the law (Administrative Code A-E 8.10). A few bad actors on both sides should not be rewarded for their illegal behavior through this bill. The reality of the situation is that plans need to be prepared under an architect’s personal direction and control. They need to undergo a thorough and comprehensive review to determine how the project affects the entire building, not just a room or space. In doing so, the architect takes all the responsibility and liability for the project for the next 10 years. That is why signing, sealing, or stamping plans costs so much.
4. This is not a simple turf war between architects and interior designers, as evidenced by the variety of other organizations that have registered in opposition to this bill, such the Associated General Contractors of Wisconsin, City of Milwaukee, NAIOP Commercial Real Estate Development Association Wisconsin, Wisconsin Realtors Association, and the Wisconsin State Fire Chiefs Association. Another one of those organizations is the Alliance for Regulatory Coordination; it represents code officials, contractors, construction trades, fire fighters, and other fire protection organizations. These are organizations that understand the difference between the practice of architecture and the practice of interior design. This is about protecting the health, safety, and welfare of the public, and our combined objections to this bill should tell you something.
5. You will see the diverse face of architecture in the other speakers today, small, women-owned businesses like my own. In fact, according to the American Institute of Architect’s (AIA) 2020 Firm Survey Report, over 75% of firms have nine or fewer employees. According to other AIA estimates, nearly 92% of architectural firms fall under the U.S. Small Business Administration’s definition of a small business.

Other than the misleading messaging, I have strong and specific objections to the language of bill.

1. First and foremost, I object to striking the phrase “practice of architecture” from Stats. 440.96. In those handful of states that have interior design practice laws, nearly all of them protect the practice of architecture in their statute:
 1. Colorado: “Nothing in this section authorizes an individual... to engage in the practice of architecture...” [Colo. Rev. Stat. 12-120-403 (8)]
 2. Florida: “Interior design specifically excludes the design of or the responsibility for architectural and engineering work...” [Florida Statutes, Title XXXII, 481.203 (10)]
 3. Louisiana: “Interior design specifically excludes the design of or the responsibility for architectural and engineering work...” [Louisiana Rev. Stat. 37:3172 (3)]
 4. Minnesota: “Nothing in this section authorizes certified interior designers to engage in the practice of architecture...” [Minnesota Rules, Chapter 326, Section 326.02, Subd. 4b.(e)]
 5. Texas: “Registration under this chapter does not authorize an interior designer to... plan or design architectural interior construction... or engage in the practice of architecture...” [Texas Title 6, Subtitle B, Chapter 1053, Subchapter A, Section 1053.03]
 6. Utah: "Practice of commercial interior design does not include providing commercial construction documents, independent of a licensed architect..." [Utah Code, Chapter 86, Part 1, 58-86-102 (3)(c)]
 7. Washington DC: “The practice of interior design does not include the practice of architecture...” [D.C. Municipal Register, Title 17, Chapter 17-3200, Rule 3209.1]
 8. This industry standard language protecting the practice of architecture must remain in Stats. 440.
2. Second, in those states that have interior design practice laws, nearly all of them clearly define what interior designers can and cannot do to protect the health, safety, and welfare of the public. While last session’s engineering amendment was a good start, the language of this bill is mysteriously silent in that regard and falls way short of other states’ bills, in which interior designers cannot perform services on:
 1. Certain use and occupancy classifications

2. Changes in use and occupancy classifications
 3. Buildings more than two stories in height or 5,000 square feet in area
 4. Fire and smoke protection features such as fire-resistance rating of structural members, fire walls, fire barriers, fire partitions, smoke barriers, smoke partitions, shaft enclosures, etc.
 5. Means of egress components like exits, stairways, corridors, etc.
 6. Additional industry standard language must be added to this bill.
3. Finally, if interior designers want increased professional responsibilities with stamping and permitting privileges, then it is only fair that their professional standards also be increased to better align with those of architects, landscape architects, engineers, and surveyors, including:
1. Examining Board: Architects, landscape architects, engineers, and surveyors are all governed by Stats. 443. Interior designers should be added to this existing Examining Board, as they are in many other states.
 2. Registration requirements: firms, partnerships, and corporations: Architects and engineers are Governed by Stats. 443.08. Interior design firms, partnerships, and corporations should be registered with the State of Wisconsin.
 3. Disciplinary proceedings against architects, landscape architects, and engineers: Architects, landscape architects, and engineers are governed by Stats. 443.11. Interior designers should be disciplined by a board of their peers, rather than an employee of the state.
 4. Seal or stamp; aiding unauthorized practice: Architects, landscape architects, and engineers are governed by Stats. 443.17. Interior designers should have stronger language about aiding or abetting in unauthorized practice.
 5. References for licensure: Architects are governed by administrative code A-E 3.06. Interior designers should match the requirement for three individuals who must be registered interior designers.
 6. Professional conduct: Architects, landscape architects, engineers, and surveyors are governed by A-E 8. Interior designers should be required to disclose conflicts of interest.
 7. Continuing education requirements: Architects are governed by A-E 12.03. Interior designers should match the biennial requirement of 24 hours, 16 of which in health, safety, and welfare topics.
 8. Increased professional standards must be added to this bill.

After extensive research of other state's interior design practice laws, I believe my objections are sound, and I believe amendments to the bill are desperately needed to protect the health, safety, and welfare of the public. I ask that you vote "no" on this bill in its present form.

I appreciate the opportunity to provide this written testimony. Please contact me if you have any questions or if you require further information.

Sincerely,

Legacy Architecture, Inc.

Jennifer L. Lehrke

Jennifer L. Lehrke, AIA, NCARB
Principal Architect, Interior Designer & Historic Preservation Consultant



Senator Stroebel,

AIA-Wisconsin would like to thank you and members of the Senate Committee on Government Operations, Legal Review and Consumer Protection for holding this public hearing today. Below is a list of registered architects from across Wisconsin who are opposed to Senate Bill 344 in its current form.

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Jeff Eaton	ICONICA	901 DEMING WAY, SUITE 102 MADISON WI 53717
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Michael Schaefer	PRA	2616 North 89th St. Wauwatosa, WI 53213
Michael T Franz	Kahler Slater	4550 Meadow Vw W Brookfield, WI 53005
Matthew Wiedenhoeft	MARTIN RILEY	2169 Carlton Road, Oshkosh, WI 54904
Joseph Clarke	Legacy Architecture	319 Michigan Ave. Sheboygan, WI 53081
Michael Mazmanian	City of Milwaukee - Dept of Neighborhood Services	4448 S. Austin St Milwaukee, WI 53207
Carolyn Glime	Performa Inc.	4504 Mohawk Court Green Bay, WI. 54313
Megan Scott	AG Architecture	1414 Underwood Ave - Suite 301, Wauwatosa, WI 53213
Jeff Gaard	Mead & Hunt	6767 Frank Lloyd Wright Avenue, #208 Middleton, WI 53562
Mark Keating	Gries	1840 Presidential Drive Neenah, WI 54956-9404
Thomas Hirsch	HIRSCH GROUP ARCHITECTURE	14 North Allen Street Madison WI 53726
Karl E Hokanson	No firm	388 Michael Ct Port Washington, WI 53074
Julie A. Heiberger	Hoffman Planning, Design & Construction	122 E College Ave Ste 1G, Appleton, WI 54911
STEVE HOLZHAUER	H O L Z H A U E R Partners	7450 South Avenue Middleton WI 53562
Rich Dunham	BWBR	1 S Pinckney St Ste 500, Madison WI 53703
CJ Richards	Briohn Building Corporation	3589 S 47th St , Greenfield, WI 53220
Zachary Kunstman		10346 Orchard Dr, Sister Bay, WI 54234
Matthew Clapper	Modern Architecture & Development, LLC	8546 Glacier Ct, Cedarburg, WI 53012
Carol Richard	Ross Street Design	3730 Ross St., Madison WI 53703
Katherine Georgeson	Orchestra Design Studio	118 N Raymond St., Marinette, WI 54143
Brian Fischer	Fischer Fischer Theis Inc.	S23W22979 Hinsdale Rd., Waukesha, WI 53186
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August 25, 2021

Sen. Duey Stroebel
State Capitol, Room 18 South
P.O. Box 7882
Madison, WI 53707

Re: 2021 Senate Bill 344
Committee on Government Operations, Legal Review and Consumer Protection Hearing

Dear Sen. Stroebel:

I submit this written testimony in opposition to 2021 Senate Bill 344.

I am a registered architect, licensed in Wisconsin for nearly 19 years, and I am also a Wisconsin Registered Interior Designer. I am a CEO, CFO, COO, and owner of Legacy Architecture, Inc., an award winning architecture, interior design, and historic preservation consulting firm located in Sheboygan. Legacy is a Women-owned Business Enterprise certified by both the Wisconsin Department of Administration and Department of Transportation. Legacy employs eight people, and approximately 52% of our revenue deals with interior alterations to existing buildings. I am also the 2021 President of AIA Wisconsin, the statewide Society of The American Institute of Architects.

The interior design industry has spent a considerable sum on their lobbying efforts over the last two legislative cycles. They created a well-polished marketing campaign, and it shows! Kudos to International Interior Design Association and American Society of Interior Designers for their joint advocacy efforts.

From what I have seen, their messaging goes something like this:

1. Interior designers have the same education, experience, and examination requirements as architects. Therefore, interior designers should be allowed to practice architecture.
2. 17-27 states have interior design laws. Wisconsin needs to conform to this industry standard.
3. They want to avoid hiring an architect to "approve" their construction documents to save time and money.
4. This is nothing more than a turf war between architects and interior designers.
5. This is "the man," i.e.-white, male architects, trying to keep small, women-owned, interior design businesses down.

None of this could be further from the truth!

1. Architects and interior designers do not have the same education, experience, and examination requirements. Interior designers should not be allowed to practice architecture, nor can they in the 49 states that regulate the practice of architecture, including Wisconsin. That is the industry standard.
2. Sure, 20-some states have interior design laws. These are "title" laws, and Wisconsin is one of them. It grants interior designers who have met their profession's education, experience, and examination requirements the ability to distinguish themselves as Wisconsin Registered Interior Designers. Only a handful of states, single digits, have "practice" laws which allow interior designers to practice interior design, not architecture, and stamp and submit construction documents for permitting purposes. This privilege is a rare anomaly and not industry standard, and it comes with numerous statutory safeguards to protect the health, safety, and welfare of the public.

3. Architects do not “approve” interior designers’ construction documents; only the Department of Safety and Professional Services (DSPS) and certain delegated municipalities have the authority to conditionally approve construction documents. Furthermore, DSPS’s administrative code identifies architects and engineers as the only design professionals who can submit construction documents for review and approval on buildings over 50,000cf for good reason. Any interior designer who renders or offers to render architectural services for which they are not licensed to perform is breaking the law (Stats. 443.02(3)). In addition, any architect who simply “plan stamps” an interior designer’s drawings is also breaking the law (Administrative Code A-E 8.10). A few bad actors on both sides should not be rewarded for their illegal behavior through this bill. The reality of the situation is that plans need to be prepared under an architect’s personal direction and control. They need to undergo a thorough and comprehensive review to determine how the project affects the entire building, not just a room or space. In doing so, the architect takes all the responsibility and liability for the project for the next 10 years. That is why signing, sealing, or stamping plans costs so much.
4. This is not a simple turf war between architects and interior designers, as evidenced by the variety of other organizations that have registered in opposition to this bill, such the Associated General Contractors of Wisconsin, City of Milwaukee, NAIOP Commercial Real Estate Development Association Wisconsin, Wisconsin Realtors Association, and the Wisconsin State Fire Chiefs Association. Another one of those organizations is the Alliance for Regulatory Coordination; it represents code officials, contractors, construction trades, fire fighters, and other fire protection organizations. These are organizations that understand the difference between the practice of architecture and the practice of interior design. This is about protecting the health, safety, and welfare of the public, and our combined objections to this bill should tell you something.
5. You will see the diverse face of architecture in the other speakers today, small, women-owned businesses like my own. In fact, according to the American Institute of Architect’s (AIA) 2020 Firm Survey Report, over 75% of firms have nine or fewer employees. According to other AIA estimates, nearly 92% of architectural firms fall under the U.S. Small Business Administration’s definition of a small business.

Other than the misleading messaging, I have strong and specific objections to the language of bill.

1. First and foremost, I object to striking the phrase “practice of architecture” from Stats. 440.96. In those handful of states that have interior design practice laws, nearly all of them protect the practice of architecture in their statute:
 1. Colorado: “Nothing in this section authorizes an individual... to engage in the practice of architecture...” [Colo. Rev. Stat. 12-120-403 (8)]
 2. Florida: “Interior design specifically excludes the design of or the responsibility for architectural and engineering work...” [Florida Statutes, Title XXXII, 481.203 (10)]
 3. Louisiana: “Interior design specifically excludes the design of or the responsibility for architectural and engineering work...” [Louisiana Rev. Stat. 37:3172 (3)]
 4. Minnesota: “Nothing in this section authorizes certified interior designers to engage in the practice of architecture...” [Minnesota Rules, Chapter 326, Section 326.02, Subd. 4b.(e)]
 5. Texas: “Registration under this chapter does not authorize an interior designer to... plan or design architectural interior construction... or engage in the practice of architecture...” [Texas Title 6, Subtitle B, Chapter 1053, Subchapter A, Section 1053.03]
 6. Utah: “Practice of commercial interior design does not include providing commercial construction documents, independent of a licensed architect...” [Utah Code, Chapter 86, Part 1, 58-86-102 (3)(c)]
 7. Washington DC: “The practice of interior design does not include the practice of architecture...” [D.C. Municipal Register, Title 17, Chapter 17-3200, Rule 3209.1]
 8. This industry standard language protecting the practice of architecture must remain in Stats. 440.
2. Second, in those states that have interior design practice laws, nearly all of them clearly define what interior designers can and cannot do to protect the health, safety, and welfare of the public. While last session’s engineering amendment was a good start, the language of this bill is mysteriously silent in that regard and falls way short of other states’ bills, in which interior designers cannot perform services on:
 1. Certain use and occupancy classifications

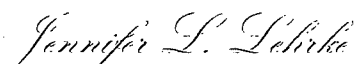
2. Changes in use and occupancy classifications
 3. Buildings more than two stories in height or 5,000 square feet in area
 4. Fire and smoke protection features such as fire-resistance rating of structural members, fire walls, fire barriers, fire partitions, smoke barriers, smoke partitions, shaft enclosures, etc.
 5. Means of egress components like exits, stairways, corridors, etc.
 6. Additional industry standard language must be added to this bill.
3. Finally, if interior designers want increased professional responsibilities with stamping and permitting privileges, then it is only fair that their professional standards also be increased to better align with those of architects, landscape architects, engineers, and surveyors, including:
1. Examining Board: Architects, landscape architects, engineers, and surveyors are all governed by Stats. 443. Interior designers should be added to this existing Examining Board, as they are in many other states.
 2. Registration requirements: firms, partnerships, and corporations: Architects and engineers are Governed by Stats. 443.08. Interior design firms, partnerships, and corporations should be registered with the State of Wisconsin.
 3. Disciplinary proceedings against architects, landscape architects, and engineers: Architects, landscape architects, and engineers are governed by Stats. 443.11. Interior designers should be disciplined by a board of their peers, rather than an employee of the state.
 4. Seal or stamp; aiding unauthorized practice: Architects, landscape architects, and engineers are governed by Stats. 443.17. Interior designers should have stronger language about aiding or abetting in unauthorized practice.
 5. References for licensure: Architects are governed by administrative code A-E 3.06. Interior designers should match the requirement for three individuals who must be registered interior designers.
 6. Professional conduct: Architects, landscape architects, engineers, and surveyors are governed by A-E 8. Interior designers should be required to disclose conflicts of interest.
 7. Continuing education requirements: Architects are governed by A-E 12.03. Interior designers should match the biennial requirement of 24 hours, 16 of which in health, safety, and welfare topics.
 8. Increased professional standards must be added to this bill.

After extensive research of other state's interior design practice laws, I believe my objections are sound, and I believe amendments to the bill are desperately needed to protect the health, safety, and welfare of the public. I ask that you vote "no" on this bill in its present form.

I appreciate the opportunity to provide this written testimony. Please contact me if you have any questions or if you require further information.

Sincerely,

Legacy Architecture, Inc.



Jennifer L. Lehrke, AIA, NCARB
Principal Architect, Interior Designer & Historic Preservation Consultant

Thank you committee chair and committee members for your time this morning.

My name is Andy Malanowski. I am an Architect, licensed to practice in Wisconsin, Arizona and Colorado.

For the last 6 years, have sat on the national committee that is responsible for authoring the content on the licensing exam that everyone in the United States who wants to practice Architecture must pass. For the last two years I have served as the chair of one of the exams where I supervise a team of 6 other architects from across the country who write the items.

I also am an active in helping individuals navigate the process to become licensed in their respective states. I have spoken on and been recognized at the national level for my work in that arena.

I offer up that background and experience to illustrate my deep understanding of the value of licensure, the process to become licensed and the Architects obligation to Health, Safety and Welfare. This obligation is why the profession of architecture is regulated in every state. Our ultimate allegiance is not to our clients, but every person who will ever set foot within our building, including first responders who must enter it in emergency situations.

AB320 puts the health, safety and welfare of the residents, visitors and first responders of our state at risk and amendments are required. There are several points the bill fails to address, many of which I can summarize up in one simple question.

If an Interior Designer will be allowed to practice architecture, why are they not required to follow the same rules and regulations as an Architect?

Because the bill allows Interior Designers to affect Health, Safety and Welfare (HSW) they should be subject to the same requirements as Architects and Professional Engineers, but the bill leaves out many of these requirements including:

Continuing Education: If interior designers wish to practice architecture and deal with HSW they should match the Architect's requirement of bi-annual renewal of 24 Hours, 16 of which are HSW related. Currently Interior Designers are required 9 hours of continuing education every 2 years, none of which are HSW related and this bill does not change that requirement.

Building codes change every 3 years and the science of building construction is always progressing, being up-to-date on knowledge of codes, best practices and how-to's is critical to performing this job. The current legislation would not require interior designers to receive any continued training on HSW topics such as these and I think this a huge shortfall that must be corrected.

Disciplinary Action: The bill and existing statutes provide no provisions for disciplinary action as exists for architects. There is no (and will not be any) pathway to discipline an Interior Designer who breaks the law with regards to their practice, acts unethically, or acts outside of the standard of care of her peers. This needs to be added, there needs to be a mechanism for them to be held accountable, just like an Architect or Professional Engineer.

Also not included is any stipulation on Professional conduct, such as requiring disclosure when an interior designer is receiving a commission, compensation or anything of value for the sale of materials they specify (a practice that is common in the Interior Design profession). In contrast, state rules governing the professional conduct of architects and professional engineers require, among other things, that clients be immediately informed of any conflicts of interest and that nothing of value may be solicited or accepted from material or equipment suppliers in return for specifying a product. This is critical that Interior Designer's be held to this same standard when people's lives are on the line.

The examples I just mentioned can be solved by providing for a section or board at the Department of Safety and Professional Services (DSPS), this board would assist with the interpretation and enforcement of the licensing requirements. Architects and Professional Engineers are overseen by the Joint Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Professional Land Surveyors. The board reviews complaints, enforces statutory and continuing education requirements. Interior designers should have their own board created or could be added to the one that oversees Architects and Engineers.

I have included a comparison between the requirement for Architects and the requirements for Interior Designers, both who will equally be practicing architecture. I hope you will take the time to review this and see the large disparities this bill will create between the professions and will vote against AB320 in its current form.

If an Interior Designer will be allowed to practice architecture, why are they not required to follow the same rules and regulations as an Architect?

Thank you for your time. I will be happy to answer any questions the committee has.

Registration Requirements

	Architects	Interior Designer (proposed)
Education	HS Diploma per 2013 Wisconsin Act 114	NCIDQ Requirements: Certificate, degree or diploma from accredited institution for 60 semester hours ⁱ
Experience	7 years* ⁱⁱ Direct supervision by an Architect is required Hours are required to be verified by an Architect *Minimum 2 years full time work under an Architect	NCIDQ Requirements: 2-4 years work experience (depending on degree) ⁱⁱⁱ
Supervised Experience?	Yes	Yes ^{iv}
Exam Content	6 exams ^v 21 hours 605 questions 22% building code related* *-required to pass exam	2 exams ^{vi} 7 hours 300 Questions 9% Building Code Related*** ***-not required to pass exam
Reciprocal Registration	Available to anyone who holds a certificate in another jurisdiction ^{vii}	Available to anyone who holds a certificate in another jurisdiction. ^{viii}
Conviction Affirmation	Yes ^{ix}	No ^x
Renewal	Rules promulgated by department	Rules promulgated by department ^{xi}
Plan Stamping	Not allowed ^{xii}	Not allowed ^{xiii}
Continuing Education Bi-Annual	24 Hours ^{xiv} 16 of which must be Health Safety Welfare Related	9 Hours ^{xv}
References for initial licensure	Five, 3 of which must be licensed	None
Disciplinary Action	Governed by 443.11 ^{xvi}	None ^{xvii}
Firm Registration	Governed by 443.08 ^{xviii}	None
Professional Conduct	Governed by A-E 8 ^{xix}	No state statute or required disclosure of conflicts of interest
Regulatory Oversight	Joint Architecture & Engineering Board ^{xx} appointed by governor & confirmed by senate 3 Professional Members 2 public members	None

ⁱ NCIDQ Examination Eligibility Paths (<https://www.cidq.org/paths>)

ⁱⁱ 443.03(1)(b)

ⁱⁱⁱ NCIDQ Examination Eligibility Paths (<https://www.cidq.org/paths>)

^{iv} NCIDQ Examination Eligibility Paths (<https://www.cidq.org/paths>)

^v NCARB Prepare for ARE 5.0

^{vi} CIDQ Exams

^{vii} 443.10(1)(b)

^{viii} Proposed 440.965

ix 443.09(2)

x Remove from proposed bill, cited as a "burdensome requirement"

xi 440.964

xii 443.17

xiii Proposed 440.9693

xiv A-E 12.03(1)

xv SPS 130.03(2)

xvi 443.11

xvii Remove from proposed bill, cited as a "burdensome requirement"

xviii 443.08

xix A-E 8.01

xx A-E 1.01

Testimony opposing SB 344, as Drafted.

I am a sole practitioner offering architectural design services. I have been licensed to practice architecture in Wisconsin since 1977. I have specialized expertise in “useable architecture” both in design and code development. Most of my practice involves affordable housing, especially in small Wisconsin communities where the rent-assisted housing is in need of rehabilitation and updating. When the projects require more than my individual efforts I collaborate with other firms of architects and interior designers.

My clients have been in many Wisconsin communities, including ten municipal and one tribal housing authorities: City of Washburn, Bayfield County, Brillion, Trempealeau County, the Red Cliff Band of the Lake Superior Chippewa, Beloit CDA, Dodge County, Stoughton Boscobel and Oregon, Wisconsin.

My strong and specific objection to the language of bill is simple: *Allowing interior designers to practice some form of “architecture-light” will compromise the protection of public health & safety.* If interior designers want to be licensed design professionals with permitting privileges, like architects and engineers, then in order to protect public health & safety it’s imperative that they abide by the same education, training, testing and continuing education as architects and engineers.

I ask that you vote “no” on this bill in its present form. Thank you for your consideration of my views.



Thomas Hirsch, FAIA
August 23, 2021

David G. Peterson AIA

Architect

430 McKinley Avenue

Eau Claire, WI 54701

715 529 0976

davep@2dlp.com

September 24, 2021

Opposition to Senate Bill 344 Proposed Interior Design Licensure Bill

I have practiced architecture since 1971 in Eau Claire, Wisconsin. I am now semi-retired from Lien & Peterson Architects.

I am opposed to Senate Bill 344 Proposed Interior Design Licensure Bill since various paths to licensure are already available Interior Designers in Wisconsin. Interior Designers should pursue one of these paths instead of asking for a statute change.

Here are some personal examples of current paths. Our firm hired a talented person with a four year degree in Interior Design. Her degree and time working with us met the eight year rule. We helped her with required prerequisites leading up to taking the exam which she passed.

We also helped two others obtain licenses. Both had a 2 year degrees from local technical colleges. After meeting the experience time requirement, they took and past the architectural exam.

So any Interior Designer can become a licensed architect through various paths offered in Wisconsin. All are based on years of experience based on their situation under the supervision of a licensed Architect and then taking an exam. Current models now include a mixture of education and time supervised and an exam.

My architectural education at the University of Illinois, College of Architecture, included all aspects of the design of buildings including, including interior, structural, plumbing, heating, electrical, site design. The responsibility for oversight during construction usually resides with an Architect. Through education, experience in the profession, and passing an accredited national architectural exam, I received my license to practice architecture in Wisconsin.

After all, we want professionals who are properly licensed for the "Health, Safety, and Welfare" of the residents of Wisconsin.

Again, please consider my opposition to Senate Bill 344.

Sincerely

David G. Peterson

David G Peterson AIA

Chad Ulman
519 N. Sampson St.
Appleton, WI 54911

August 23, 2021

Chairperson Stroebel and Committee Members –

Thank you for providing the opportunity to provide written testimony on behalf of AIA Wisconsin (American Institute of Architects) and its members regarding Senate Bill 344, the companion bill of AB320.

Let me get right to the point. The profession of architecture has no issue with the licensure of interior designers. **Our issue with the bill is quite simple: as written, the definition of the scope of interior design includes the practice of architecture.** The proposed bill reduces the requirements for training, education, and licensure of a profession while at the same time expanding responsibilities of that profession. There are fundamental differences between the practice of interior design and the practice of architecture. Licensed architects are required by law - for a very good reason - to have a more comprehensive understanding of all building elements (of which interior design is one), their interrelationships to one another, and how they are regulated by the codes for the public good. This bill will serve to remove those distinctions and **our concern is that the health, safety, and welfare of the public would be compromised with the passage of this legislation.**

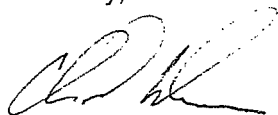
This bill creates a solution to an issue that that does not really exist. It is a fact that Wisconsin currently has the most lenient path to becoming a licensed architect in the nation. There is absolutely nothing prohibiting an interior designer from meeting the same requirements that I met in passing the architecture exam to become a licensed architect if they desire to practice architecture. **This bill creates a shortcut to practicing architecture, and it contradicts over 100 years of evolution of regulation requirements in place to keep you and other citizens safe in the buildings we occupy.**

Reason must rise above the quantity of attendees at a hearing or some aggressive lobbying effort over the past months and years. There are very simple means of modifying the bill language to prohibit the practice of architecture by interior designers while still reducing the regulations required by the state for them to become interior design professionals. **AIA Wisconsin has proposed amendments three times to the interior designer coalition to remove the phrase “the practice of architecture” and work with them on language that would define their scope more clearly, but every time that amendment was rejected without discussion.** We are open to working with them on other facets of the bill once this language is removed. Professional engineers successfully distinguished their services from interior design. The practice of architecture bears the same level of responsibility and critical oversight as engineering. The complexity and difficulty of what architects do should not be disregarded.

Simply put, this proposed bill will add to our bureaucracy and lowers the standard of health, safety, and welfare in our buildings. We believe our objections are sound, our request for amendments to previous versions are reasonable, and **we ask that you vote “no” on this bill in its present form.**

I sincerely appreciate your consideration on this very important matter to me and my colleagues...your constituency.

Sincerely,



Chad M. Ulman
AIA Wisconsin Board of Directors

Oppose Senate Bill 344: Team Leader Issues Proposed Amendment to Statute 440.96 (1) Interior Design

Introduction and Quals

Thank you for allowing me to testify on behalf of the architects who respect the Wisconsin license that they follow and who oppose the changes to the statute defining the scope of the practice of Interior Design.

I am a registered **woman architect**, now retired for two years. I was born in Wisconsin, attended schools in Wisconsin up until I decided to get an accredited architecture degree which we did not have in this state until I was a fifth year student. Over the course of my career, I became registered in Michigan, California, Wisconsin and Wyoming. I have worked for organizations with clients all over the world primarily in the pharmaceutical, petrochemical, university, federal and state worlds. The Wisconsin component of my career has included such things as 17 great years with Flad Architects, joint projects with Potter Lawson, and the lab planning for UW Energy Institute and UW Meat Sciences Lab. I have lived in our state for my first 18 years and for the last 30 years.

My role on architecture projects has often been Lab Planner and Project Manager, often the **TEAM LEADER** on large projects. As TEAM LEADER, I know how to run a project for our clients starting with their goals and needs, and how to include my team where I needed them to participate in the extended process, including all of the engineers, cost estimators, specialists in variety of areas.

The **Interior Designers are normally brought in LAST**, prior to the issuing of construction documents, specifications, etc. to work with the client to select material finishes, colors, and furniture. The Interior Designers do not usually have the education, training or testing to ensure that they can now turn into TEAM LEADERS.

On May 18th, I attended a Public Hearing on the Assembly Bill 320 at our State Capital on this same subject. I was frustrated with the nature of the distortions that were being used to appeal to the State Representatives by Interior Designers who wished to change our laws to allow Interior Designers to practice architecture. These are some of the misdirections that were offered by these advocates.

1. " We want to **stop having to hire an architect to come in at the end of our** well designed and executed **interior design projects**, pay the architects \$500 (or 10% or 50% in other statements), review the work we did, and sign our work."

This is not legal. An architect is not allowed in Wisconsin to sign work that they have not overseen and directed from the beginning to the end. We should be reporting

these architects for not overseeing the work, rather than licensing Interior Designers to do work for which many are not and will not be trained (under these regulation changes).

2. "We want to **focus on small projects**, not on structural work, exteriors, or load bearing work."

Interior Designers and others **already are able to design small projects** in small buildings. Wisconsin law allows **buildings under 50,000 cubic feet** to be designed and built **without a licensed architect overseeing the design**. This includes a wide range of building types.

What is not allowed and **should not be allowed are small projects within large buildings** to be designed by non-licensed architects. It is the larger buildings (and more technical buildings) that will get non-trained designers into trouble with not understanding the regulations or impacts related to fire safety in different types of buildings (size of allowable areas, distance to fire exits, needs for fire constructed corridors to exits, required fire walls, control areas, etc.) nor the information and planning needed in all of the engineering fields, especially mechanical and structural which are often affected in large project designs or redesigns.

3. "We have **well-trained Interior Designers** with the ideal curricula, the ideal skill set, who need to be able to perform their work without all this oversight."

There may be a few well-educated and trained individuals in the Interior Design field who also became Architects. This points to a strong concern, especially given the complexity and regular changing of our current laws. We need to make sure that the **laws do not create loopholes** by allowing others without architectural education and training to take shortcuts.

Specifically we are talking about the fact that Wisconsin Architects are required to gain a minimum of two years (**3740 hours+**) of experience in **17 necessary categories** of architectural work such as building codes, engineering systems, construction costs, construction documents, construction administration, etc. (Or if they do not have an accredited architectural education, they will need seven years of this experience.) The minimum number of hours in each category is set and the projected licensee is required to list actual hours by category, compared with hours required. (Refer to Wisconsin DSPS Equivalent Architect Experience Program Record, 1947, Ch. 443, rev 10/17.) **Currently Interior Design licensing only requires** that a minimum of **one year experience** be listed, with **NO** specific categories of training with required minimums for each category. (Refer to Wisconsin DSPS, Application for Interior Designer Registration, #2219, Wisconsin Stat. Ch. 440, rev. 5/2021)

The current difference is also that an Architectural intern must be directly supervised through this education and signed off by a licensed architect. The Interior Design intern currently must only list each supervisor (**no license required**) for each employment period and list five people who recommend them (again, no license required).

If we try to be equally stringent about the need for Interior Designers to get the complete range of required experience and or education, why not use the same requirements and charts? And why not require that the supervision must be by a licensed supervisor, requiring license numbers. Why should these be different? Then they would have some basis for making decisions that a given project does not have structural, mechanical or building code issues.

Equally important is the issue that without the training or education in these categories, we will continue to drift farther down the uninformed decision-making process in Wisconsin. Who is it that will make the determination that a building does not fall into the categories requiring an Architect? Clearly few Interior Designers are going to take the effort to study the building for its building code, mechanical engineering, or structural engineering ramifications before they agree not to take on the project. The SB 344 process is illogical.

Again, from the broadest standpoint, Interior Designers are not educated or trained as TEAM LEADERS. This proposal is not solving the right problem.

I strongly recommend that if Interior Designers want a version of the job of an Architect, they should get an Architecture degree, go through the required training, get licensed and then go into their selected Interior specialization, but as an Architect.

Why would we downgrade Wisconsin Architectural legal structure? These systems are not broken.

I urge you to vote against Senate Bill 344.

Kathryn F. Tyson, AIA, MBA
(608) 515 – 3547 cell
ktyson717@gmail.com

My name is Connie Jo (CJ) Richards, a licensed architect in the state of Wisconsin for over 25 years. I would like to submit written testimony to oppose the Interior Design legislation that is before the Senate, as Senate Bill SB344 and share our concerns as Architects with you.

We (Architects) as a profession, have no issue with the licensure of interior designers. Our issue with the bill is quite simple. As written, the definition of the scope of interior design includes the practice of architecture. Becoming a licensed architect requires more rigorous training and experience and our concern is that the health, safety, and welfare of the public would be compromised with the passage of this legislation.

PLEASE consider these issues and values as you make your decisions!

Regards,

CJ Richards RA

Architect

Briohn Building Corporation

3885 N. Brookfield Road, Suite 200

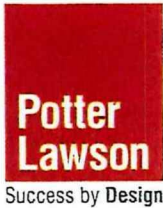
Brookfield, Wisconsin 53045

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August 25, 2017

Re: SB 344 related to the practices of interior design and architecture.

Dear Senator Roys and Senate Government Operations, Legal Review and Consumer Protection Committee,

I am a partner at Potter Lawson, a majority-women-owned architecture firm in Madison, and am a constituent of Senator Roys. I am writing in opposition to Senate Bill 344, which would allow interior designers to stamp plans in the same manner as architects. This legislation is opposed across the architecture and construction, including organizations representing code and life safety enforcement. This opposition is for good reason, and that reason boils down to one statement: Buildings are a continuous, often complicated, series of systems from the street to the core, all of which must work together to ensure occupant safety.

Ultimately, buildings are potentially dangerous, and it is impossible to separate interior from exterior with any precision. I spoke in the assembly hearing on this bill, and discussed a few tragic examples of why this is true. Probably the most impactful recent example is the Grenfell Tower fire in London in 2017, resulting in the loss of 72 lives. This fire started in an interior unit, spread up the building façade, and re-entered the building in numerous locations. On top of this, there was inadequate egress, inadequate fire suppression, and mismanagement of the messaging to residents on emergency procedures. I am not saying this fire is the fault of an interior designer, but it is an unfortunate example of the interconnectedness of buildings. One cannot state that because one part is right, the rest will work just fine. There are other examples of failures of interconnectedness, another notable one being the MGM Grand Casino fire in Las Vegas in 1980, resulting in 97 dead. This fire repeatedly alternated between burning through the interior and spreading via the façade.

This legislation is based on a lack of understanding of the profession of architecture. It is the equivalent of saying that because I negotiate contracts for my firm, I should be allowed to represent clients as an attorney does, which would be a disservice to everyone involved. The big difference of course is that people rarely die when an attorney makes a mistake.

I am not an architect, but have almost 30 years of experience in the construction industry. My focus is on contracts and materials, but I work with architects and interior designers on a daily basis. Both are noble professions that require an in-depth knowledge, but they are not the same knowledge, and they are not interchangeable. For the safety of the public that all architecture firms ultimately serve, I encourage you to vote against adoption of this bill.

Regards,

Chad Oistad
CSI, CCS, Assoc. AIA
Partner/Director of Operations

cc: AIA Wisconsin

RE: **2021 SENATE BILL 344**

To: The Honorable Chair and Members of the Committee on Government Operations, Legal Review and Consumer Protection:

I am a registered WI architect since 1979, and was a founding-principal of a successful Milwaukee women-owned architecture & design practice, PACE Architects, for 28 of those years. We provided both architecture and interior design services, with both types of trained professionals on staff. I've designed many corporate, institutional and educational projects for private and public clients.

I strongly object to SB344—my summary objections are:

1. A registered interior designer is NOT a registered architect, and should not be allowed to practice architecture—“interior architecture” is architecture—it is not interior design. There will always be complicated, layered, and often concealed technological & fire-safety issues associated any existing building alteration or new construction project. Small changes in any portion of a building, impacts the performance and safety of greater building whole. The registered architect is always required to address the greater building whole of any project, and must do so according to the complexities and totalities of the governing building codes. With all due respect, a professional interior designer is neither comprehensively educated about particular technical disciplines such as fire-rated construction; nor are they tested for licensure to the same extent as is an architect.
2. The proposed bill would provide multiple practice and/or regulatory loopholes, which could permit the easy and undetected circumvention of the State regulations dictating architectural professional services. Existing Wisconsin law has already established and clearly defines when the scope of a project requires architectural supervision.
3. The proposed bill fails to establish clear and quantifiable project limits or scope of work for an interior design project; but instead muddles and cherry-picks definitions that establish overlaps with what is unequivocally architectural in nature. The consequences of such “wide-open” practice rights could clearly risk the public’s health, safety and welfare...intentionally or not.
4. The proposed bill lacks establishment of an equivalent professional oversight by DSPS for a licensed interior designer, such as what already exists for architects, engineers and other licensed design professionals. It also lacks any obligation to annually achieve CEU’s credits with HSW-ratings. Overall, what is proposed for professional oversight is sketchy at best.

SB344 is seemingly meant to address the interior designer’s registration rights & responsibilities; yet it blatantly permits the interior designer without limits or repercussions, to practice as an architect. So with all due respect, I again stress that the present version of SB344 is seriously deficient, flawed, and dangerously risky.

This legislation would ultimately not advance the Public Health, Safety & Welfare within the building stock of our cities, villages, and municipalities. Instead, and in the long run, it will greatly threaten those assets. SB344 should not be advanced. Thank-you,

Patricia A. Frost, Emeritus AIA
Whitefish Bay, WI 53217

08/25/2021

Thank you, committee chair and committee members, for your time today, I appreciate getting the chance to share my knowledge on this matter.

My name is Andrea Cecelia, I am a licensed women Architect in the State of Wisconsin, in addition to Illinois, Minnesota and Iowa. I have worked throughout the Midwest over the past 17 years. I am a part owner of a small firm in Madison.

My specialty the past few years has become Assisted Living Facilities. Our state has stringent requirements for these facilities. Due to the health, safety and welfare of the residents. It is my job to know how to make these buildings safe for your loved ones. As an Architect I not only design the layout of the facilities but also assist in coordinating the structural, mechanical, plumbing and electrical.

Imagine February in Wisconsin with an ice storm and a fire breaks out in an assisted living facility. It would not be safe for those residents to walk outside and evacuate the building immediately. As an Architect I know how to design the facility to allow the residents to shelter within the building so as not to put them in danger by leaving the building or in danger from the fire. In addition to designing the building to reduce the passage of smoke and slow the progression of a fire until the fire department can respond.

Designing fire protections encompasses interior and exterior walls and systems of the building. The building functions as a system together in an emergency.

As a licensed Architect I am held to a higher standard and required to complete comprehensive health, safety and welfare continuing education every year. This is NOT the case for interior designers.

This bill will add an additional level of government oversight to manage in addition to lowering public safety in the state.

It is illegal for me to rubber stamp Interior Design drawings, I am required by law to only stamp drawings that have been put together under my supervision.

My time and energy today is to inform this committee on the importance on our licensing for the health safety and welfare of the public. That is why I sit before you today, I urge you to amend SB 344 to remove the phrase "the practice of Architecture" or vote against the bill in the best interest of the public of Wisconsin. At the end of the day we all, my colleagues and you esteemed committee members hold the public's best interest at heart and that is what we should all remember.

Regards,

Andrea Cecelia

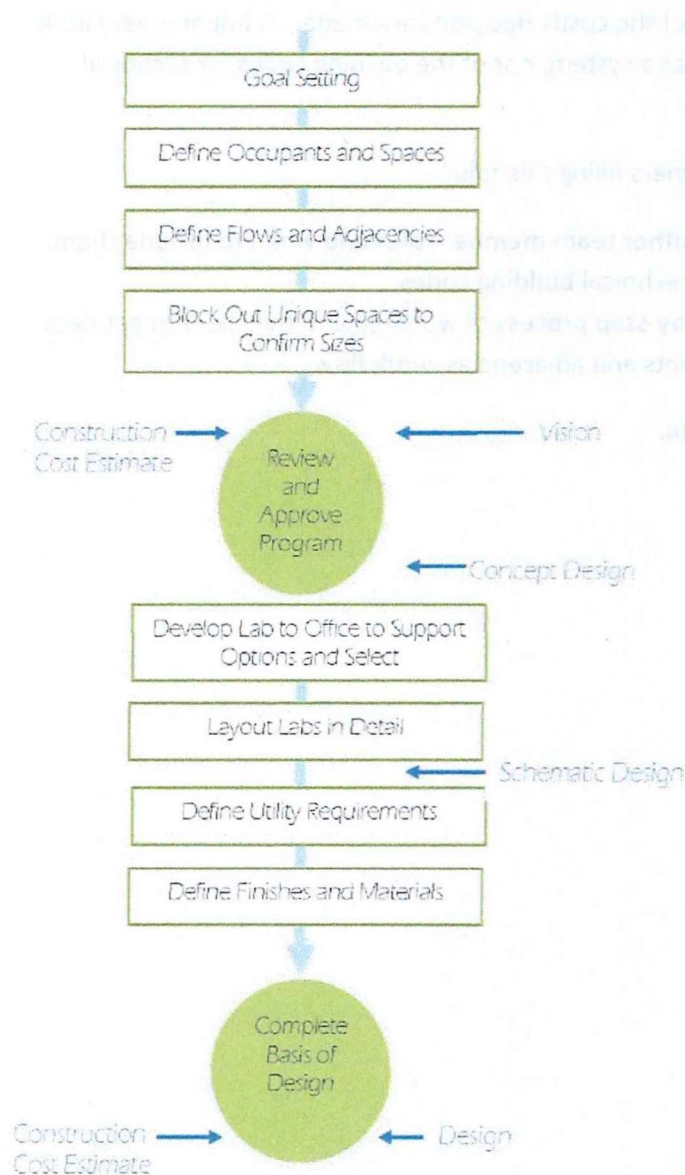
Oppose Senate Bill 344: Team Leader Issues

Verbal Testimony

Thank you, Committee Chair and Committee Members, for your time this morning,

I am Kathryn Tyson, a retired **registered woman architect**, registered in Michigan, California, Wisconsin and Wyoming. My specialties on architecture projects are Lab Planner and Project Manager, and often the **TEAM LEADER** on large projects.

Basis of Design Process



Issue: What makes a good TEAM LEADER?

The architect is **educated, trained, and licensed** in how to run a design process. The concept of **turning one of the other Team Members** (Interior Designer) into the TEAM LEADER is **problematic to me**.

1. Who is the Design Team?

Engineering:

Structural, Mechanical, Plumbing, Electrical, IT, Civil

Other Specialties

Cost Estimating, Specifications, Various technical specialists and Interior Designers

2. What **technical knowledge** must the TEAM LEADER have? Must **know the team member processes and input needs** to be able to ask for their design involvement at the right time. The Leader needs to facilitate the team member's ability to **provide economic, effective design solutions**.

3. The TEAM LEADER needs to understand and respond to the **building codes** and requirements for the interior such as **fire safety exiting** (length of exit allowed, fire

wall/ceiling and floor ratings, sprinklering, allowable length of dead ends, control area requirements etc.).

4. **What is the role of the Architect?** The **Architect as Planner/Designer** needs to lead the client's decision makers through the decisions related to goals, budget, schedule, definition of groups involved. The Architect then needs to lead the various department managers through who and what space is needed, how it will change over time, what the process flows or adjacency requirements will be and to summarize all of this through space diagrams and summaries of people and space, and a cost estimate.
5. **What is the role of the Interior Designer?** Interior Design involves **selection of finishes, colors and materials** and occurs usually at the end of Schematic Design phase, during Design Development and Construction Documents phases after many of the costly decisions are made. It impacts very little of the sizing, layout and flow of the building as a system, nor of the building codes, or technical building codes.

In summary what is the issue with Interior Designers filling this role?

- They do not have the understanding of **other team member roles** and when to include them,
- They do not have the understanding of technical **building codes**,
- They don't understand the overall **step-by-step process** of working with the client to get data related to goals, needs, space requirements and adjacencies, work flow,

I strongly urge you to **vote against Senate Bill 344**.

Kathryn F. Tyson, AIA

(608) 515 – 3547 cell

ktyson717@gmail.com

I am a licensed Architect that resides in Windsor, WI and works at Mead & Hunt in Middleton, WI. I have projects across the nation, and also have many right here in Dane County, notably City of Madison Water Utility Operations Center, City of Madison Metro Bus Garage, and numerous projects at the Truax Air National Guard Base. I am here to **OPPOSE SB 344**, as I believe it will be harmful to the health, safety, and welfare of the public.

- 1) **No other state has set this precedent as it pertains to interior design scopes of work.** In the Interior Design Summary spreadsheet (attached), you will see that there are always limits set in place. Whether it is to restrict the Practice of Architecture, the Practice of Engineering, or limit types of occupancy, SF, and construction.
- 2) As currently written, there are no regulations for disciplinary action, so there are no repercussions if an interior designer acts unethically or performs malpractice. Even though, Architects and the “practice of architecture” (services that they want to provide) do have that regulation.
 - a. If they were to incorporate this, this would actually ADD a new profession to regulatory oversight.
- 3) Interior Designers simply do not receive the same education, training, licensure rigor, nor continuing education as an architect. Architects are required to have 24 credits every 2 years, with 16 designated to Health Safety, and Welfare. Interior Designers have no requirement for Health, Safety, and Welfare credits.
- 4) Our main concern is the Health, Safety and Welfare of the public. It is practically impossible to extract a small portion of a building from it’s whole, and review code in an isolated chapter of the Building Code. Architects are the profession that coordinate the whole building. How do you separate the interior finish (drywall) from an exterior wall, when it acts as a system and often a fire rated system. The interior designers say they are sticking to the interior, however that drywall often times provides a fire rating, insulation, a building diaphragm element, and an interior finish. It does not have a clear definition of stop and start. Where do you draw the “line?”
- 5) Seventy-five percent of Architecture firms are Small Businesses and Sole Practitioners, and have formed their life-long careers and businesses around architectural work. University demographics are 50/50, women and minorities in our profession are on the rise, noted by our recent development of the WISCONOMA organization - <https://www.wisconoma.com/> NOMA (National Organization of Minority Architects) estimates a minimum of 60% of their membership either own or work for a small firm. This bill would undercut their ability to offer services at the same prices and essentially force small architecture firms out of the segment of the industry they rely on the most. The result would eventually be the closure of many small architecture firms at the benefit/replacement of interior design firms.
- 6) The bill, as currently written, is simply too vague. If it cannot properly define the difference between Interior Design and Architecture, how do we expect the general public to interpret it. That will cause a myriad of challenges for the built environment and submittal process moving forward (also creating additional regulatory requirements).

Sincerely,
Stacey Z. Keller, AIA
4398 Snowy Ridge Trail
Windsor, WI 53598
stacey.keller@meadhunt.com
608-443-0590

State	Registration	Permitting Abilities	Space Limits	Type Limits	Arch Restriction	Eng Restriction	Life Safety Restrictions (Fire Walls, Egress,	Must Follow Building Code Submission Process
Wisconsin (Proposed)	Voluntary	Yes	No	No	No	Partial	No	No
Wisconsin (Current)	Voluntary	No	50,000 CF	Yes	Yes	Yes	Yes	-
Nevada	Mandatory	Yes	No	No	Yes	Yes	No	-
DC	Mandatory	Yes	No	No	Yes	No	No	Yes
Colorado	Exemption	Yes	No	-	-	Yes	Yes	Yes
Utah	Voluntary	Yes	3,000 SF	Yes	Yes	Yes	Yes	-
Texas	Voluntary	Yes	Yes	Yes	Yes	Yes	Yes	-
Alabama	Voluntary	Yes	5,000 SF	Yes	Yes	Yes	Yes	Yes
Georgia	Voluntary	Yes	5,000 SF	Yes	Yes	Yes	Yes	Yes
Florida	Voluntary	Yes	No	Yes	Yes	Yes	Yes	-
Louisiana	Mandatory	No	Yes	Yes	Yes	Yes	Yes	-
Massachusetts	-	No	-	-	Yes	Yes	-	-
New Mexico	Voluntary	No	No	No	Yes	Yes	No	Yes
Minnesota	Voluntary	No	Yes	Yes	Yes	Yes	Yes	-
Iowa	Voluntary	No	No	No	Yes	Yes	No	-
Missouri	Voluntary	No	-	-	No	Yes	-	-
Oklahoma	Voluntary	No	No	No	Yes	Yes	No	Yes
Arkansas	Voluntary	No	No	No	Yes	Yes	No	Yes
Illinois	Voluntary	No	No	No	Yes	Yes	No	Yes
Indiana	Voluntary	No	No	No	Yes	Yes	No	-
Kentucky	Voluntary	No	Yes	Yes	Yes	Yes	Yes	-
Tennessee	Voluntary	No	No	No	Yes	Yes	No	-
Mississippi	Voluntary	No	No	No	Yes	Yes	No	-
Virginia	Voluntary	No	Yes	Yes	Yes	Yes	No	Yes
Maryland	Voluntary	No	No	No	Yes	Yes	No	Yes
Delaware	Voluntary	No	-	-	Yes	Yes	-	-
New Jersey	Voluntary	No	-	-	No	Partial	No	Yes
New York	Voluntary	No	No	No	Yes	Yes	No	Yes
Conneticut	Voluntary	No	5,000 SF	Yes	Yes	Yes	No	Yes
Maine	Voluntary	No	No	No	Yes	Yes	No	-
California	Private	Limited	No	No	Yes	Yes	No	Yes