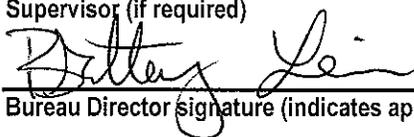


**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Shawn Leatherwood		2) Date When Request Submitted: April 14, 2014 <small>Items will be considered late if submitted after 12:00 p.m. and less than: ▪ 8 work days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors, Joint Board			
4) Meeting Date: April 23, 2014	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Scope Statement for 165-A-E 6, 9 Requirements for entrance to examination	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	8) Is an appearance before the Board being scheduled? If yes, who is appearing? <input type="checkbox"/> Yes by _____ (name) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A	
10) Describe the issue and action that should be addressed: <p>The Board will review and approve the Scope Statement on rule 165-A-E 6, 9 Requirements for entrance to examination for submission to the Governor's Office and publication and to authorize the chairperson to approve the scope statement for implementation no less than 10 days after publication.</p>			
11) Shawn Leatherwood <small>Signature of person making this request</small>		Authorization April 14, 2014 <small>Date</small>	
<small>Supervisor (if required)</small> 		<small>Date</small> 4/14/14	
<small>Bureau Director signature (indicates approval to add post agenda deadline item to agenda)</small> <small>Date</small>			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Board Services Bureau Director. 3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

STATEMENT OF SCOPE

Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors

Rule No.: 165- A-E 6, 9

Relating to: Requirements for entrance to examinations

Rule Type: Permanent

1. Finding/nature of emergency (Emergency Rule only):

None

2. Detailed description of the objective of the proposed rule:

The objective of the proposed rule is to bring pertinent Wisconsin Administrative code in line with recently passed legislation, 2013 Wisconsin Act 114.

3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

Prior to 2013 Wisconsin Act 114, the Landscape Architect and Land Surveyor sections of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors required a combination of experience and post-secondary education before taking the corresponding professional exam. 2013 Wisconsin Act 114 ushered in a change requiring the Department of Safety and Professional Services and its attached boards to refrain from making a person complete any postsecondary education before being eligible to take an examination for a credential. The proposed rule will reflect that change in policy by amending ch. A-E 6 and 9 and allowing applicants for landscape architects and land surveyor's registration to take the exam for their credential before completing their postsecondary education. The new policy will ensure that applicants are prepared for employment opportunities in their chosen field before graduating with a degree.

4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):

Section 15.08 (5) (b), Stats., provides examining boards, "shall promulgate rules for its own guidance and for the guidance of the trade or profession to which is pertains. . ." The proposed rule seeks to provide guidance to applicants regarding examination requirements for the landscape architect and land surveyor professions.

Section 227.11 (2) (a), Stats., discusses the parameters of an agency's rule-making authority, stating an agency, "may promulgate rules interpreting provisions of statute, but a rule is not valid if it exceeds the bounds of correct interpretation. . ." This section allows an agency to promulgate administrative rules which interpret the statutes it enforces or administers as long as the proposed rule does not exceed proper interpretation of the statute.

The proposed rule interprets s. 443.09 (4m), Stats., which provides, “[n]o person may be registered as a landscape architect under this chapter unless he or she passes a written examination or written and oral examinations conducted or approved by the landscape architect section of the examining board under sub. (5).”

The proposed rule also interprets s. 443.06 (1), Stats., which provides, “[t]he land surveyor section may require applicants to pass written or oral examinations or both.” The proposed rule will set forth the examination requirements for applicants for land surveyor credentials.

5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:

State employees will spend approximately 50 hours developing the proposed rule.

6. List with description of all entities that may be affected by the proposed rule:

Persons who will be affected by the rule include applicants for land surveyor and landscape architect credentials.

7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:

None.

8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):

This rule is not likely to have a significant impact on small businesses.

Contact Person: Shawn Leatherwood 608-261-4438

Department Head or Authorized Signature

Date Submitted