



PROFESSIONAL LAND SURVEYOR SECTION
Room 121B, 1400 East Washington Avenue, Madison
Contact: Brittany Lewin (608) 266-2112
November 14, 2014

The following agenda describes the issues that the Professional Land Surveyor Section plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the Professional Land Surveyor Section.

AGENDA

1:00 P.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

- A) Adoption of Agenda (1-2)**
- B) Approval of the Minutes**
 - 1) June 31, 2014 **(3-5)**
- C) Administrative Updates**
 - 1) Staff Updates
 - 2) 2015 Meeting Dates
- D) Legislation/Administrative Rule Matters – Discussion and Consideration**
 - 1) Review and Discussion of A-E 7, 8, and 10, Relating to Property Surveys **(6-15)**
 - 2) Review and Discuss Draft of A-E 3, 4, 6, and 9, Relating to Entrance to Exams **(16-24)**
 - 3) Update and Discussion on A-E 1, 2, 6, 7, 8, and 10, Relating to Land Surveyor Professional Licensure **(25)**
- E) Education and Examination Matters**
 - 1) **APPEARANCE:** Peter Schramm, Office of Education and Examinations - 2012-2014 Land Surveyor Continuing Education (CE) Compliance Audit Report **(26-27)**
- F) Items Added After Preparation of Agenda:**
 - 1) Introductions, Announcements and Recognition
 - 2) Administrative Updates
 - 3) Education and Examination Matters
 - 4) Credentialing Matters
 - 5) Practice Matters
 - 6) Legislation/Administrative Rule Matters
 - 7) Liaison Reports
 - 8) Informational Items
 - 9) Disciplinary Matters
 - 10) Presentations of Petitions for Summary Suspension
 - 11) Presentation of Proposed Stipulations, Final Decisions and Orders
 - 12) Presentation of Proposed Decisions
 - 13) Presentation of Interim Orders

- 14) Petitions for Re-Hearing
- 15) Petitions for Assessments
- 16) Petitions to Vacate Orders
- 17) Petitions for Designation of Hearing Examiner
- 18) Requests for Disciplinary Proceeding Presentations
- 19) Motions
- 20) Petitions
- 21) Speaking Engagement(s), Travel, or Public Relation Request(s)

G) Public Comments

CONVENE TO CLOSED SESSION to deliberate on cases following hearing (§ 19.85 (1) (a), Stats.); to consider licensure or certification of individuals (§ 19.85 (1) (b), Stats.); to consider closing disciplinary investigations with administrative warnings (§ 19.85 (1) (b), Stats. and § 440.205, Stats.); to consider individual histories or disciplinary data (§ 19.85 (1) (f), Stats.); and to confer with legal counsel (§ 19.85 (1) (g), Stats.).

H) Credentialing Matters

- 1) Application Reviews
 - a) Nelson, Peter **(28-55)**
 - b) Jacobs, Jonathan **(56-121)**

I) Case Status Report

J) Case Closings

- 1) 14 LSR 004 **(122-125)**

K) Deliberation of Items Added After Preparation of the Agenda

- 1) Education and Examination Matters
- 2) Credentialing Matters
- 3) Disciplinary Matters
- 4) Monitoring Matters
- 5) Professional Assistance Procedure (PAP) Matters
- 6) Petitions for Summary Suspensions
- 7) Proposed Stipulations, Final Decisions and Order
- 8) Administrative Warnings
- 9) Proposed Decisions
- 10) Matters Relating to Costs
- 11) Case Closings
- 12) Petitions for Extension of Time
- 13) Proposed Interim Orders
- 14) Petitions for Assessments and Evaluations
- 15) Petitions to Vacate Orders
- 16) Remedial Education Cases
- 17) Motions
- 18) Petitions for Re-Hearing
- 19) Appearances from Requests Received or Renewed

L) Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

M) Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate

ADJOURNMENT

**LAND SURVEYOR SECTION
EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,
PROFESSIONAL ENGINEERS, DESIGNERS, AND LAND SURVEYORS
VIRTUAL MEETING/TELECONFERENCE MINUTES
July 31, 2014**

PRESENT: Bruce Bowden, Dan Fedderly, Matthew Janiak, Ruth G. Johnson

STAFF: Brittany Lewin, Executive Director; Pamela Stach, Legal Counsel, Karen Rude-Evans, Bureau Assistant

CALL TO ORDER

Matthew Janiak, Chair, called the meeting to order at 9:30 a.m. A quorum of four (4) members was confirmed.

ADOPTION OF AGENDA

MOTION: Dan Fedderly moved, seconded by Ruth G. Johnson, to adopt the agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES

MOTION: Ruth G. Johnson moved, seconded by Bruce Bowden, to approve the minutes of March 20, 2014 as published. Motion carried unanimously.

MOTION: Bruce Bowden moved, seconded by Dan Fedderly, to approve the minutes of May 16, 2014 as published. Motion carried unanimously.

**APPEARANCES BY SECRETARY DAVE ROSS AND
DEPUTY SECRETARY BILL WENDLE**

MOTION: Bruce Bowden moved, seconded by Dan Fedderly, to acknowledge the appearances of Secretary Dave Ross, Deputy Secretary Bill Wendle, Greg Gasper and Chris Wolle at today's Section meeting. Motion carried unanimously.

LEGISLATION/ADMINISTRATIVE RULE MATTERS

Review of Scope Statements: A-E 1, 2, 6, 7, 8 and 10 – Relating to Land Surveyor Professional Licensure

MOTION: Dan Fedderly moved, seconded by Ruth G. Johnson, to approve the Scope Statement on A-E 1, 2, 6, 7, 8 and 10 relating to Land Surveyor Professional Licensure for submission to the Governor's Office and publication and to authorize the Chair to approve the scope for

implementation no less than 10 days after publication. Motion carried unanimously.

EDUCATION AND EXAMINATION MATTERS

Approved Wisconsin Land Surveyor Colleges and Universities

MOTION: Bruce Bowden moved, seconded by Ruth G. Johnson, to table the discussion regarding approved Land Surveyor colleges and university programs to the next meeting. Motion carried unanimously.

CONVENE TO CLOSED SESSION

MOTION: Ruth G. Johnson moved seconded by Bruce Bowden, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.). Matthew Janiak read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Bruce Bowden – yes; Dan Fedderly-yes; Matthew Janiak-yes; Ruth G. Johnson-yes. Motion carried unanimously.

The meeting convened to closed session at 11:02 a.m.

APPLICATION REVIEWS

MOTION: Dan Fedderly moved, seconded by Ruth G. Johnson, to approve the following applications once all requirements are met:

- 1) Matthew Albright
- 2) Steven A. Alt
- 3) Chad Asberry
- 4) Michael Bode
- 5) Preston A. Litack
- 6) Catlon Phelps
- 7) Casey J. Pries
- 8) Kory Thurnau

Motion carried unanimously.

MOTION: Bruce Bowden moved, seconded by Ruth G. Johnson, to issue an intent to deny the application for a Land Surveyor license for **Jonathan M. Jacobs**, unless within 45 days Applicant provides examples of land surveying experience in Wisconsin. **Reason for Denial:** Lacking experience in Wisconsin Administrative Code chapter A-E 6.03(1)(a)2.b., A-E 6.03(1)(a)2.c for projects in Wisconsin. Motion carried unanimously.

RECONVENE TO OPEN SESSION

MOTION: Dan Fedderly moved, seconded by Ruth G. Johnson, to reconvene to open session. Motion carried unanimously

Open session reconvened at 12:49 p.m.

AFFIRM ALL VOTES MADE IN CLOSED SESSION

MOTION: Dan Fedderly moved, seconded by Bruce Bowden, to affirm all votes made in closed session. Motion carried unanimously.

ADJOURNMENT

MOTION: Bruce Bowden moved, seconded by Ruth G. Johnson, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 12:54 p.m.

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

AGENDA REQUEST FORM

| | | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 1) Name and Title of Person Submitting the Request: Shawn Leatherwood, Administrative Rule Coordinator | | 2) Date When Request Submitted: November 4, 2014 Items will be considered late if submitted after 4:30 p.m. and less than: <ul style="list-style-type: none"> ▪ 10 work days before the meeting for Medical Board ▪ 08 work days before the meeting for all others | |
| 3) Name of Board, Committee, Council, Sections: Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors- Land Surveyor Section | | | |
| 4) Meeting Date: November 14, 2014 | 5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 6) How should the item be titled on the agenda page? Review and Discussion of A-E 7, 8, and 10 | |
| 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 discuss amendments to the rule.</p> | | | |
| 11) Shawn Leatherwood | | Authorization November 4, 2014 | |
| Signature of person making this request | | Date | |
| Supervisor (if required) | | Date | |
| Bureau Director signature (indicates approval to add post agenda deadline item to agenda) | | | |
| Date | | | |
| 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. | | | |

Chapter A-E 7
MINIMUM STANDARDS FOR PROPERTY SURVEYS

A-E 7.01 Scope. The minimum standards of this chapter apply to every property survey performed in this state except:

(1) If other standards for property surveys are prescribed by statute, administrative rule, or ordinance, and the standards are more restrictive than those in this chapter, the more restrictive standards govern; and,

(2) The land surveyor and his or her client or employer may agree in a signed statement to exclude ~~any~~ land surveying work from the requirements of this chapter except A-E 7.03 Boundary location; the preparation of a U.S. public land survey monument record and A-E 7.05 a map of work performed. The map prepared by the land surveyor for the client or employer shall include:

(a) A note statement placed on the face of the map which states that an agreement to exclude the specifically stated work from the requirements of this chapter has been made and the names of the parties making the agreement and all parties will acknowledge and execute the statement.

(b) The accuracy of linear measurements between points, if the minimum accuracy established by s. A-E 7.06 (2) has been waived.

(c) The difference between the sum of the individual measured angles and the theoretical sum, and the difference between the sum of the total measured angles and the theoretical sum, if the minimum accuracy established by s. A-E 7.06 (3) has been waived.

(d) The latitude and departure closure ratio of any closed traverse, if the minimum accuracy established by s. A-E 7.06 (4) has been waived.

(e) Dimensional accuracy of bearings, angles and distances as shown on the map, if the minimum accuracy established by s. A-E 7.06 (5) has been waived.

A-E 7.02 Property survey, definition. In this chapter, "property survey" means any land surveying which includes as one of its principal purposes is preparing a map describing, monumenting, locating the boundary line or lines of or mapping one or more parcels of land. The term includes the restoration, perpetuation or ~~reestablishment~~ amendment of a U.S. public survey corner.

A-E 7.03 Boundary location. Every property survey shall be made in accordance with the records of the register of deeds as nearly as is practicable. The surveyor shall acquire data necessary to retrace record title boundaries such as deeds, maps, certificates of title and highway or road center line or right-of-way lines and other boundary line locations. The surveyor shall analyze the data and make a careful determination of the position of the boundaries of the parcel being surveyed. The surveyor shall make a field survey, traversing and connecting monuments necessary for location of the parcel and coordinate the facts of the survey with the analysis. The surveyor shall set monuments marking the corners of the parcel unless monuments already exist at the corners.

A-E 7.04 Descriptions. Descriptions created by a land surveyor, a written property description created of a surveyed parcel or tract of land must provide information to properly and distinctly set it apart from all other property. ~~Defining land boundaries~~

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Recommended changes by Matthew J. Janiak, September 30, 2013.

written for conveyance or other purposes shall be complete, providing unequivocal identification of lines or boundaries. The description shall contain necessary ~~ties~~ references to adjoining together with data and dimensions sufficient to enable the description to be mapped and retraced and shall describe the land surveyed by government lot, recorded private claim, quarter-quarter section, section, township, range and county and by metes and bounds commencing with a monument at a section corner or quarter section corner of the quarter sections that it is in and not the center of center of section or commencing with a monument at the end of a boundary line of a recorded private claim or federal reservation in which the land is located in some corner marked and established by the U.S. public land survey; or, if the land is located in a recorded subdivision, a recorded addition thereto, the land shall be described by the number of other description of the lot or block or the subdivision thereof, or certified survey map be referenced as provided in s. 236.34 (3), Stats. to the subdivision, or recorded certified survey map, then by the number or other description of the lot, block or sub-division of the land which has been previously tied to a corner marked and established by the U.S. public land survey.

A-E 7.05 Maps. A map shall be drawn for every property survey showing information developed by the survey. The map shall:

- (1) Be drawn on a durable media with a minimum size of 8 ½ x 14, to a convenient scale, scale which shall be clearly stated and graphically illustrated by a bar scale on every sheet of the map.
- (2) Be referenced as provided in s. 59.73 (1), Stats. along with a north arrow and such reference be to a monumented line.
- (3) Show the exact length and bearing of the boundaries of the parcels surveyed. Where the boundary lines show bearings, lengths or locations which vary from those recorded in deeds, abutting plats, or other instruments there shall be the following note placed along such lines, "recorded as (show recorded bearing, length or location)", curve data shall be stated in terms of radius, central angle, and length of curve.
- (4) Describe all monuments or witness corners, intended to represent or reference corners of the survey, shall be shown and described as to size, shape and material, and their positions noted in relation to the survey corners and used for determining the location of the parcel and show by bearing and distance their relationship to the surveyed parcel and indicate whether such monuments were found or placed, with a legend for all symbols and abbreviations used on the plat.
 - (a) Show visible physical evidence of possession (encroachments) or occupation either way from the exterior lines of the survey shall be shown and dimensioned and show visible evidence of structures, improvements, rights of way, and easements.
 - (b) If surveyed parcel is bounded by water or inaccessible areas, that part shall be enclosed by a meander line showing complete data along all lines extending beyond the enclosure. The true boundary shall be clearly indicated on the map.
- (5) Identify the business's name and address and the person or entity for whom the survey was made, the date of the survey completion date of field work, and describe the parcel as provided in s. A-E 7.04. Identify the land surveyed by recorded private claim, government lot, quarter-quarter section, section, township, range, and county on the face

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of the map in the form of a caption. Descriptions of boundaries by metes and bounds and any mapped boundaries or areas that are depicted on the map as closed figures shall mathematically close.

(6) Bear the stamp or seal, name and business address and signature of the land surveyor under whose direction and control the survey was made with a statement certifying that the survey complies with this chapter and is correct to the best of the surveyor's knowledge and belief.

(7) Be filed as required by s. 59.45 (1), Stats. on suitable media or electronically if acceptable by the county.

(8) All boundary lines surveyed shall be clearly differentiated from other lines on the map.

(9) If coordinate values are shown on the face of the map they shall comply with and be subject to the provision of s. 236.18, Stats.

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A-E 7.06 Measurements. (1) Measurements shall be made with instruments and methods capable of attaining the required accuracy for the particular problem involved.

(2) The minimum accuracy of linear measurements between points shall be greater than 1 part in 3000 on all property lines of boundary or interior survey.

(3) In a closed traverse the sum of the measured angles shall agree with the theoretical sum by a difference not greater than 30 seconds per angle, or the sum of the total angles may not differ from the theoretical sum by more than 120 seconds, whichever is smaller.

~~**(4)** Any closed traverse depicted on a property survey map shall have a latitude and departure closure ratio of less than 1 in 3,000.~~

(4)(5) Bearings or angles on any property survey map shall be shown to the nearest 30 seconds or better. Distances shall be shown to the nearest 1/100th foot.

A-E 7.07 Monuments. The type and position of monuments to be set on any survey shall be per s. 236.15(1)(b), Stats. unless determined by the nature of the survey, the permanency required, the nature of the terrain, the cadastral features involved, and the availability of material and coordinates values are not acceptable in lieu of monuments.

A-E 7.08 U.S. public land survey monument record.

(1) WHEN MONUMENT RECORD REQUIRED. A U.S. public land survey monument record shall be prepared and filed with the county surveyor's office as part of any land survey which includes or requires the perpetuation, restoration, ~~reestablishment~~ amendment or use of a U.S. public land survey corner, and,

(a) There is no U.S. public land survey monument record for the corner on file in the office of the county surveyor or the register of deeds for the county in which the corner is located; or,

(b) The land surveyor who performs the survey accepts a location for the U.S. public land survey corner which differs from that shown on a U.S. public land survey monument record filed in the office of the county surveyor or register of deeds for the county in which the corner is located; or,

(c) The witness ties or U.S. public land survey monument referenced in an existing U.S. public land survey monument record have been destroyed or disturbed.

Recommended changes by Matthew J. Janiak, September 30, 2013.

(2) FORM REQUIRED. A U.S. public land survey monument record shall be prepared on the board-approved form or on a form substantially the same as the board-approved form which includes all the elements required by this section. A form used for this purpose shall be entitled, "U.S. Public Land Survey Monument Record".

(3) MONUMENT RECORD REQUIREMENTS. A U.S. public land survey monument record shall show the location of the corner and shall include all of the following elements:

- (a) The identity of the corner, as referenced to the U.S. public land survey system.
- (b) A description of any record evidence, monument evidence, occupational evidence, testimonial evidence or any other material evidence considered by the surveyor, and whether the monument was found or placed.
- (c) Reference ties to at least 4 witness monuments. Witness monuments shall be concrete, natural stone, iron, bearing trees or other equally durable material, except wood other than bearing trees.
- (d) A plan view drawing depicting the relevant monuments and reference ties which is sufficient in detail to enable accurate relocation of the corner monument if the corner monument is disturbed.
- (e) A description of any material discrepancy between the location of the corner monument as restored or ~~reestablished~~ and the monument location of that corner as previously ~~restored or reestablished~~.
- (f) Whether the corner was restored through acceptance of an obliterated evidence location or a found perpetuated location.
- (g) Whether the corner was determined ~~reestablished~~ through lost-corner-proportionate methods.
- (h) The directions and distances to other public land survey corners which were used as evidence or used for proportioning in determining the corner location.
- (i) The stamp and signature or seal and signature of the land surveyor under whose direction and control the corner location was determined and a statement certifying that the U.S. public land survey monument record is correct and complete to the best of his or her knowledge and belief.

A-E 10.07 Waiver of continuing education.

(1) A renewal applicant seeking renewal of registration without having fully complied with the continuing education requirements shall file a renewal application along with the required fee, and a statement setting forth the facts concerning non-compliance and requesting a waiver of the requirements. The request for waiver shall be made prior to the renewal date. Extreme hardship shall be determined on an individual basis by the land surveyor section. If the land surveyor section finds from the affidavit or any other evidence submitted that extreme hardship has been shown, the land surveyor section shall waive enforcement of the continuing education requirements for the applicable renewal period.

(2) In this section, extreme hardship means an inability to devote sufficient hours to fulfilling the continuing education requirements during the applicable renewal period because of one of the following:

Recommended changes by Matthew J. Janiak, September 30, 2013.

- (a) Full-time service in the uniformed services of the United States of America for a period of one year during the biennium.
 - (b) An incapacitating illness documented by a statement from a licensed physician.
 - (c) A physical inability to travel to the sites of approved programs documented by a licensed physician.
 - (d) A retirement from the occupation of land surveying whereby ~~the renewal applicant no longer receives remuneration from providing no~~ land surveying services of any kind are provided.
 - (e) Any other extenuating circumstances.
- (3) A renewal applicant who prior to the expiration date of the license submits a request for a waiver, shall be deemed to be in good standing until the final decision on the application by the land surveyor section.

Chapter A-E 7

MINIMUM STANDARDS FOR PROPERTY SURVEYS

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|----------|------------------------------|----------|------------------------------------------|
| A-E 7.01 | Scope. | A-E 7.05 | Maps. |
| A-E 7.02 | Property survey, definition. | A-E 7.06 | Measurements. |
| A-E 7.03 | Boundary location. | A-E 7.07 | Monuments. |
| A-E 7.04 | Descriptions. | A-E 7.08 | U.S. public land survey monument record. |

A-E 7.01 Scope. The minimum standards of this chapter apply to every property survey performed in this state except:

(1) If other standards for property surveys are prescribed by statute, administrative rule, or ordinance, and the standards are more restrictive than those in this chapter, the more restrictive standards govern; and,

(2) The land surveyor and his or her client or employer may agree in a signed statement to exclude any land surveying work from the requirements of this chapter except the preparation of a U.S. public land survey monument record and a map of work performed. The map prepared by the land surveyor for the client or employer shall include:

(a) A note which states that an agreement to exclude work from the requirements of this chapter has been made and the names of the parties making the agreement.

(b) The accuracy of linear measurements between points, if the minimum accuracy established by s. A-E 7.06 (2) has been waived.

(c) The difference between the sum of the individual measured angles and the theoretical sum, and the difference between the sum of the total measured angles and the theoretical sum, if the minimum accuracy established by s. A-E 7.06 (3) has been waived.

(d) The latitude and departure closure ratio of any closed traverse, if the minimum accuracy established by s. A-E 7.06 (4) has been waived.

(e) Dimensional accuracy of bearings, angles and distances as shown on the map, if the minimum accuracy established by s. A-E 7.06 (5) has been waived.

History: Cr. Register, February, 1987, No. 374, eff. 3-1-87; am. (2), Register, May, 1989, No. 401, eff. 6-1-89; am. (2), cr. (2) (a) to (e), Register, December, 1993, No. 456, eff. 1-1-94.

A-E 7.02 Property survey, definition. In this chapter, "property survey" means any land surveying which includes as one of its principal purposes describing, monumenting, locating the boundary lines of or mapping one or more parcels of land. The term includes the restoration, perpetuation or reestablishment of a U.S. public survey corner.

History: Cr. Register, February, 1987, No. 374, eff. 3-1-87.

A-E 7.03 Boundary location. Every property survey shall be made in accordance with the records of the register of deeds as nearly as is practicable. The surveyor shall acquire data necessary to retrace record title boundaries such as deeds, maps, certificates of title and center line and other boundary line locations. The surveyor shall analyze the data and make a careful determination of the position of the boundaries of the parcel being surveyed. The surveyor shall make a field survey, traversing and connecting monuments necessary for location of the parcel and coordinate the facts of the survey with the analysis. The surveyor shall set monuments marking the corners of the parcel unless monuments already exist at the corners.

History: Cr. Register, February, 1987, No. 374, eff. 3-1-87.

A-E 7.04 Descriptions. Descriptions defining land boundaries written for conveyance or other purposes shall be complete, providing unequivocal identification of lines or boundaries. The description shall contain necessary ties to adjoining together with data and dimensions sufficient to enable the description to be mapped and retraced and shall describe the land surveyed by government lot, recorded private claim, quarter-quarter section, section, township, range and county and by metes and bounds commencing with some corner marked and established by the U.S. public land survey; or, if the land is located in a recorded subdivision, a recorded addition to the subdivision, or recorded certified survey map, then by the number or other description of the lot, block or sub-division of the land which has been previously tied to a corner marked and established by the U.S. public land survey.

History: Cr. Register, February, 1987, No. 374, eff. 3-1-87; am. Register, May, 1989, No. 401, eff. 6-1-89.

A-E 7.05 Maps. A map shall be drawn for every property survey showing information developed by the survey. The map shall:

(1) Be drawn to a convenient scale.

(2) Be referenced as provided in s. 59.73 (1), Stats.

(3) Show the exact length and bearing of the boundaries of the parcels surveyed. Where the boundary lines show bearings, lengths or locations which vary from those recorded in deeds, abutting plats, or other instruments there shall be the following note placed along such lines, "recorded as (show recorded bearing, length or location)".

(4) Describe all monuments used for determining the location of the parcel and show by bearing and distance their relationship to the surveyed parcel and indicate whether such monuments were found or placed.

(5) Identify the person for whom the survey was made, the date of the survey, and describe the parcel as provided in s. A-E 7.04.

(6) Bear the stamp or seal and signature of the land surveyor under whose direction and control the survey was made with a statement certifying that the survey is correct to the best of the surveyor's knowledge and belief.

(7) Be filed as required by s. 59.45 (1), Stats.

History: Cr. Register, February, 1987, No. 374, eff. 3-1-87; am. (4) and (5), cr. (7), Register, May, 1989, No. 401, eff. 6-1-89; correction in (6) made under s. 13.93 (2m) (b) 5., Stats., Register, March, 1993, No. 447; am. (1) to (5) and (7), Register, January, 1999, No. 517, eff. 2-1-99.

A-E 7.06 Measurements. (1) Measurements shall be made with instruments and methods capable of attaining the required accuracy for the particular problem involved.

(2) The minimum accuracy of linear measurements between points shall be 1 part in 3,000 on all property lines of boundary or interior survey.

(3) In a closed traverse the sum of the measured angles shall agree with the theoretical sum by a difference not greater than 30 seconds per angle, or the sum of the total angles may not differ

from the theoretical sum by more than 120 seconds, whichever is smaller.

(4) Any closed traverse depicted on a property survey map shall have a latitude and departure closure ratio of less than 1 in 3,000.

(5) Bearings or angles on any property survey map shall be shown to the nearest 30 seconds. Distances shall be shown to the nearest 1/100th foot.

History: Cr. Register, February, 1987, No. 374, eff. 3-1-87; am. (5), Register, May, 1989, No. 401, eff. 6-1-89.

A-E 7.07 Monuments. The type and position of monuments to be set on any survey shall be determined by the nature of the survey, the permanency required, the nature of the terrain, the cadastral features involved, and the availability of material.

History: Cr. Register, February, 1987, No. 374, eff. 3-1-87.

A-E 7.08 U.S. public land survey monument record.

(1) **WHEN MONUMENT RECORD REQUIRED.** A U.S. public land survey monument record shall be prepared and filed with the county surveyor's office as part of any land survey which includes or requires the perpetuation, restoration, reestablishment or use of a U.S. public land survey corner, and,

(a) There is no U.S. public land survey monument record for the corner on file in the office of the county surveyor or the register of deeds for the county in which the corner is located; or,

(b) The land surveyor who performs the survey accepts a location for the U.S. public land survey corner which differs from that shown on a U.S. public land survey monument record filed in the office of the county surveyor or register of deeds for the county in which the corner is located; or,

(c) The witness ties or U.S. public land survey monument referenced in an existing U.S. public land survey monument record have been destroyed or disturbed.

(2) **FORM REQUIRED.** A U.S. public land survey monument record shall be prepared on the board-approved form or on a form substantially the same as the board-approved form which includes all the elements required by this section. A form used for this purpose shall be entitled, "U.S. Public Land Survey Monument Record".

Note: A copy of the board-approved form is available from the Department of Safety and Professional Services, 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708.

(3) **MONUMENT RECORD REQUIREMENTS.** A U.S. public land survey monument record shall show the location of the corner and shall include all of the following elements:

(a) The identity of the corner, as referenced to the U.S. public land survey system.

(b) A description of any record evidence, monument evidence, occupational evidence, testimonial evidence or any other material evidence considered by the surveyor, and whether the monument was found or placed.

(c) Reference ties to at least 4 witness monuments. Witness monuments shall be concrete, natural stone, iron, bearing trees or other equally durable material, except wood other than bearing trees.

(d) A plan view drawing depicting the relevant monuments and reference ties which is sufficient in detail to enable accurate relocation of the corner monument if the corner monument is disturbed.

(e) A description of any material discrepancy between the location of the corner as restored or reestablished and the location of that corner as previously restored or reestablished.

(f) Whether the corner was restored through acceptance of an obliterated evidence location or a found perpetuated location.

(g) Whether the corner was reestablished through lost-corner-proportionate methods.

(h) The directions and distances to other public land survey corners which were used as evidence or used for proportioning in determining the corner location.

(i) The stamp and signature or seal and signature of the land surveyor under whose direction and control the corner location was determined and a statement certifying that the U.S. public land survey monument record is correct and complete to the best of his or her knowledge and belief.

History: Cr. Register, February, 1987, No. 374, eff. 3-1-87; am. (1) and (3) (c), Register, May, 1989, No. 401, eff. 6-1-89; am. (3) (a) to (h), Register, January, 1999, No. 517, eff. 2-1-99; reprinted to restore dropped copy in (1) (intro.) Register November 2007 No. 623.

A-E Z. maps

| | NSPS | Michigan | Illinois | Iowa | Minnesota | North Dakota |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|----------|----------|------|-----------|--------------|
| Drawn to an appropriate scale | | | | | | |
| Record description or source | | | | | | |
| North Arrow | | | | | | |
| Scale | | | | | | |
| Graphical Scale | | | | | | |
| Bearings, angles and distance for all | | | | | | |
| Basis of bearings | | | | | | |
| monuments identified in detail | | | | | | |
| Identification of all government corners and related witnesses | | | | | | |
| Observed evidence of possession or use by others in the parcel or across any perimeter lines of the property | | | | | | |
| Sufficient data to indicate the theory of location applied in formulating the opinions as to the probable location of the boundaries and corners of the property | | | | | | |

| | NSPS | Michigan | Illinois | Iowa | Minnesota | North Dakota |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|------------------------------------------------------------------------------------|
| Name, registration number, address and phone number of the Surveyor |  |  |  |  |  |  |
| Name of client |  | |  |  | |  |
| Date of survey |  |  |  |  |  |  |
| Certification |  |  |  |  |  |  |
| Boundary surveys made to delineate, monument, define, or redefine property boundaries and limits shall be performed with an error of closure not greater than 1 unit for each 5,000 units measured or stated. Linear errors of closure up to 0.15 feet shall be deemed appropriate on parcels of less than 750 feet total perimeter length. | |  | | |  | |
| Dimensions of structures showing size and location together with the type of construction, obvious use, and street address, if any. | | | | | |  |

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

AGENDA REQUEST FORM

| | | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 1) Name and Title of Person Submitting the Request: Shawn Leatherwood, Admin. Rule Coordinator | | 2) Date When Request Submitted: November 4, 2014 Items will be considered late if submitted after 4:30 p.m. and less than: ▪ 10 work days before the meeting for Medical Board ▪ 08 work days before the meeting for all others | |
| 3) Name of Board, Committee, Council, Sections: Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, and Land Surveyors – Land Surveyor Section | | | |
| 4) Meeting Date: November 14, 2014 | 5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 6) How should the item be titled on the agenda page? Legislation and Administrative Rule Matters-Discussion and Consideration • 165-A-E 3, 4, 6, 9 Entrance to exams | |
| 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: The Board will consider and discuss a draft of the 165-A-E 3, 4, 6, 9 Entrance to exams. | | | |
| 11) Shawn Leatherwood | | Authorization November 4, 2014 | |
| Signature of person making this request | | Date | |
| Supervisor (if required) | | Date | |
| Bureau Director signature (Indicates approval to add post agenda deadline item to agenda) | | Date | |
| 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. | | | |

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

| | | |
|--------------------------------|---|--------------------------|
| IN THE MATTER OF RULE-MAKING | : | PROPOSED ORDER OF THE |
| PROCEEDINGS BEFORE THE | : | EXAMINING BOARD OF |
| EXAMINING BOARD OF ARCHITECTS, | : | ARCHITECTS, LANDSCAPE |
| LANDSCAPE ARCHITECTS, | : | ARCHITECTS, PROFESSIONAL |
| PROFESSIONAL ENGINEERS, | : | ENGINEERS, DESIGNERS AND |
| DESIGNERS AND LAND SURVEYORS | : | LAND SURVEYORS |
| | : | ADOPTING RULE |
| | : | (CLEARINGHOUSE RULE) |

An order of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, and Land Surveyors to *

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

Statutes interpreted:

Section 440.071, Stats.

Statutory authority:

Sections 15.08 (5) (b) and 227.11 (2) (a), Stats., 2013 Wisconsin Act 114

Explanation of agency authority:

Related statute or rule:

None.

Plain language analysis:

Summary of, and comparison with, existing or proposed federal regulation:

Comparison with rules in adjacent states:

Illinois:

Iowa:

Michigan:

Minnesota:

Summary of factual data and analytical methodologies:

Analysis and supporting documents used to determine effect on small business or in preparation of economic impact analysis:

Fiscal Estimate and Economic Impact Analysis:

The department is currently soliciting information and advice from businesses, local government units and individuals in order to prepare the Economic Impact Analysis.

Effect on small business:

Agency contact person:

Shawn Leatherwood, Department of Safety and Professional Services, Division of Policy Development, 1400 East Washington Avenue, Room 151, P.O. Box 8935, Madison, Wisconsin 53708; telephone 608-261-4438; email at Shancethea.Leatherwood@wisconsin.gov.

Place where comments are to be submitted and deadline for submission:

Comments may be submitted to Shawn Leatherwood, Department of Safety and Professional Services, Division of Policy Development, 1400 East Washington Avenue, Room 151, P.O. Box 8366, Madison, WI 53708-8935, or by email to Shancethea.Leatherwood@wisconsin.gov. **Comments must be received on or before * to be included in the record of rule-making proceedings.**

TEXT OF RULE

SECTION 1. A-E 3.05 (2) and (3) are repealed.

SECTION 2. A-E 3.02 is repealed and recreated to read:

A-E 3.02 Requirements for registration as an architect. (1) An applicant for registration as an architect, in accordance with s. 443.03, Stats., shall submit all of the following:

(a) documentation certifying that the applicant has acquired a thorough knowledge of sound construction, building hygiene, architectural design and mathematics.

(b) One of the following:

1. A diploma of graduation, or a certificate, from an architectural school or college approved by the architect section as satisfactory standing, together with at least 2 years of practical experience as described in A-E 3.03 and of character satisfactory to the architect section in the design and construction of buildings.

2. A specific record of 7 or more years of experience in architectural work of a character satisfactory to the architect section in the design and construction of buildings.

(2) An applicant who files an application but who does not comply with a request for information related to the application within one year from the date of the request shall file a new application and fee.

SECTION 3. A-E 4.07 (2) and (3) are repealed.

SECTION 4. A-E 6.025 is created to read:

A-E 6.025 Licensure requirements for professional land surveyors. (1) An applicant for a professional land surveyor licensure, in accordance with s. 443.06 (2), Stats., shall complete all of the following:

(a) Shall submit one of the following:

1. Documentary evidence of completion of a bachelor's degree of not less than 4 years duration in a course in the practice of professional land surveying or a related field that is approved by the professional land surveying section and the completion of at least 2 years of approved practice in professional land surveying.

2. Documentary evidence of completion of an associate degree in not less than 2 years duration in a course in the practice of professional land surveying or a related field of study that is approved by the professional land surveying section and the completion of at least 4 years of approved practice in professional land surveying.

3. Documentary evidence that the applicant has engaged in the practice of professional land surveying for at least 10 years prior to the application and has demonstrated that the applicant is competent to engage in the practice of professional land surveying as determined by the professional land surveying section. This subdivision applies to applicants who are applying after June 30, 2000 and before July 1, 2019.

(b) Fundamentals of land surveying examination.

(c) Principles and practice of land surveying examination after completing all but one year of the required experience:

SECTION 5. A-E 6.04 (1) is amended to read:

A-E 6.04 (1) To meet the educational requirements of ~~s. 443.06 (2) (a) and (bm), Stats., s. 443.06 (2) (bm), Stats.~~, an applicant for registration as a land surveyor shall have satisfactorily completed at least 60 semester credits in civil engineering or land surveying curriculum including no less than 12 semester credits in land surveying which shall be in the following categories of study:

SECTION 6. A-E 6.05 (3), (4), and (5) are repealed.

SECTION 7. A-E 9.05 (2) and (3) are repealed.

SECTION 8. A-E 9.06 (1m) is created to read:

A-E 9.06 (1m) Documentary evidence of having met the requirement under ss. 443.035 (1) (a) or (b) and 443.09 (4m), Stats.

SECTION 9 EFFECTIVE DATE. The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, pursuant to s. 227.22 (2) (intro.), Stats.

(END OF TEXT OF RULE)

Dated _____

Agency _____

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

Chapter A-E 6

LAND SURVEYOR REGISTRATION

| | | | |
|----------|----------------------------------------------|----------|-----------------------|
| A-E 6.01 | Authority and purpose. | A-E 6.05 | Examination. |
| A-E 6.02 | Application for registration. | A-E 6.06 | Application contents. |
| A-E 6.03 | Land surveying experience. | A-E 6.07 | Temporary permits. |
| A-E 6.04 | Educational requirements for land surveyors. | | |

A-E 6.01 Authority and purpose. The rules in this chapter are adopted under authority in ss. 15.08 (5) (b), 227.11, 443.01 (4) and 443.06, Stats. The purpose of rules in this chapter is to interpret basic education, experience and examination requirements for registration as a land surveyor as specified in s. 443.06, Stats.

History: Cr. Register, February, 1987, No. 374, eff. 3-1-87.

A-E 6.02 Application for registration. Any applicant who files an application but who does not comply with a request for information related to the application within one year from the date of the request shall file a new application and fee.

Note: Applications are available upon request to the board office located at 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708.

History: Cr. Register, February, 1987, No. 374, eff. 3-1-87; am. Register, January, 1999, No. 517, eff. 2-1-99.

A-E 6.03 Land surveying experience. (1) To qualify as "practice in land surveying work of a satisfactory character which indicates that the applicant is competent to be placed in responsible charge of such work" under s. 443.06, Stats., the experience of an applicant shall be in areas of land surveying practice designated under pars. (a) and (b), or other areas which, in the opinion of the board, provide the applicant with knowledge of practice of land surveying at least equivalent to that which is generally acquired by experience in the areas listed. An applicant need not have experience in all areas listed below. However, all applicants shall have experience in the areas listed in par. (a) 1. and 2. Academic coursework which provides the applicant with knowledge and skills in some areas of practice listed in pars. (a) and (b) may be claimed as equivalent to experience.

(a) At least two-thirds of an applicant's experience shall be acquired in all of the following:

1. Locating land boundaries and land boundary corners including all of the following services:

a. Researching public and private records and interpreting legal descriptions, deeds, and survey maps.

b. Locating lost and obliterated corners and United States public land survey system corners and reestablishing or perpetuating monuments of the corners.

c. Establishing, reestablishing and perpetuating survey monuments.

d. Subdividing sections.

e. Establishing or retracing property lines to determine length and bearing.

f. Reestablishing obliterated property lines.

g. Preparing descriptions of real property from data acquired by field measurements and other evidence of property location.

h. Conducting resurveys.

2. Preparing maps including all of the following:

a. Maps of sections or portions of sections or townships as established by the original public land survey and subdivisions of those sections in accordance with the statutes of the United States and the rules and regulations made by the secretary of the interior in conformity thereto.

b. Subdivision plats prepared in accordance with the Wisconsin statutes or local ordinances.

c. Certified survey maps prepared in accordance with the Wisconsin statutes or local ordinances.

e. Official plats or maps of land in this state in accordance with ch. A-E 7.

(b) Not more than one-third of an applicant's experience may be acquired in:

1. Preparing highway and railroad rights-of-way maps.

2. Construction staking for highways, roads, streets or similar projects within the boundaries of established rights-of-way.

3. Performing topographic surveys.

4. Developing control networks for aerial photography unless property lines are used for control.

5. Performing new building layout or construction surveys.

6. Transportation project plats in accordance with s. 84.095, Stats., and ss. Trans 233.03 and 233.04.

7. Condominium plats prepared in accordance with s. 703.11, Stats.

(2) Not more than one year of satisfactory experience credit may be granted for any calendar year.

History: Cr. Register, February, 1987, No. 374, eff. 3-1-87; am. (1) (a) (intro.) to 1. h., 2. (intro.) to c. and (b) 1. to 4., Register, January, 1999, No. 517, eff. 2-1-99; CR 06-057: am. (1) (a) 1. a., b., c., and g., and 2. e., r. (1) (a) 1. i. and 2. d., cr. (1) (b) 6. and 7., Register May 2007 No. 617, eff. 6-1-07; CR 09-030: am. (1) (a) 2. c. and (b) 7. Register December 2009 No. 648, eff. 1-1-10.

A-E 6.04 Educational requirements for land surveyors. (1) To meet the educational requirements of s. 443.06 (2) (a) and (bm), Stats., an applicant for registration as a land surveyor shall have satisfactorily completed at least 60 semester credits in a civil engineering or land surveying curriculum including no less than 12 semester credits in land surveying which shall be in the following categories of study:

(a) No less than 8 of the 12 credits may be in courses concentrating on the legal principles of land surveying and the technical aspects of land surveying. These courses shall include areas of study such as research of public and private records, principles of evidence and the interpretation of written documents used in boundary determination, the study of the legal elements of land surveying including those involving resurveys, boundary disputes, defective descriptions, riparian rights and adverse possession, the study of the professional and judicial functions of a land surveyor, the study of surveying methods for measuring distance and angular values, note keeping, computation and writing descriptions and the study of the Wisconsin Statutes and local ordinances relating to the preparation of subdivision maps and plats.

(b) No more than 4 credits may be in courses related to land surveying such as "engineering surveying," "municipal surveying," "route surveying," "highway surveying," "topographic surveying," "geodetic surveying," "photogrammetry," "cartography," "construction surveying," "air photo interpretation," "artillery surveying," "geographic information systems," "land information systems" and remote sensing systems."

(2) To meet the educational requirements of s. 443.06 (2) (am), Stats., an applicant for registration as a land surveyor shall have done either of the following:

(a) Received a bachelor's degree in a course of study in land surveying of not less than 4 years duration from a college or university accredited by a regional accrediting agency approved by the state where the college or university is located; or

(b) Received a bachelor's degree in civil engineering of not less than 4 years duration from a college or university accredited by a regional accrediting agency approved by the state where the college or university is located. The curriculum shall include no less than 16 of 24 semester credits in courses concentrating on the legal principles of land surveying and the technical aspects of land surveying. These courses shall include areas of study such as research of public and private records, principles of evidence and the interpretation of written documents used in boundary determination, the study of the legal elements of land surveying including those involving resurveys, boundary disputes, defective descriptions, riparian rights and adverse possession, the study of the professional and judicial functions of a land surveyor, the study of surveying methods for measuring distance and angular values, note keeping, computation and writing descriptions and the study of the Wisconsin statutes and local ordinances relating to the preparation of subdivision maps and plats, other land divisions and real property creation. The applicant may be allowed to receive up to 8 credits in certain other courses relating to surveying. These courses may include "engineering surveying," "municipal surveying," "route surveying," "highway surveying," "topographic surveying," "geodetic surveying," "photogrammetry," "cartography," "construction surveying," "air photo interpretation," "artillery surveying," "geographic information systems," "land information systems" and "remote sensing systems."

History: Cr. Register, February, 1987, No. 374, eff. 3-1-87; am. (intro.), Register, January, 1999, No. 517, eff. 2-1-99; renun. (intro.), (1) and (2) to be (1) (intro.), (a) and (b) and am. (1) (intro.), cr. (2), Register, November, 2000, No. 539, eff. 12-1-00; CR 01-092: am. (2) (b) Register June 2002 No. 558, eff. 7-1-03; CR 06-057: am. (1) (b) and (2) (b), Register May 2007 No. 617, eff. 6-1-07.

A-E 6.05 Examination. (1) **LAND SURVEYOR EXAMINATION REQUIRED.** Applicants for registration as a land surveyor shall take and pass an examination. The examination parts are the national fundamentals of surveying examination, the national principles and practice of surveying examination and the state jurisdictional examination, which is relative to Wisconsin specific practice. Each of the 3 required examinations is scored separately.

(2) **SCOPE OF WRITTEN EXAMINATION.** (a) The fundamentals of land surveying examination requires an understanding of mathematics, physics, surveying methods for measuring horizontal, vertical and angular values, topographic and photogrammetric mapping, notekeeping, property surveys, computations, descriptions and plats.

(b) The national principles and practice examination and the state jurisdictional examination require an ability to apply principles and judgment to problems involving the U.S. system of public land surveys, Wisconsin plane coordinate surveys, the relocation of lost and obliterated corners, the legal essentials of resurveys, disputed boundaries, defective deed descriptions, riparian rights, adverse possession, the Wisconsin statutes relating to land surveying including the preparation and filing of plats, the writing and interpreting of land descriptions, the technical essentials of land surveying and subdivision of lands including practical problems requiring a knowledge of the basic theory and fundamental concepts of field astronomy, geometry of curves, topography and photogrammetry.

(3) **REQUIREMENTS FOR ENTRANCE TO EXAMINATIONS.** (a) Prior to July 1, 2000, to be eligible to take the "fundamentals of land surveying" examination, an applicant shall have complied with s. A-E 6.04 (1), or have at least 4 years of practice in land surveying,

or a combination of work and training in a course in land surveying and practice in land surveying which totals at least 4 years.

(b) Prior to July 1, 2000, to be eligible to take the "principles and practice of land surveying" examination, an applicant shall have complied with s. A-E 6.04 (1) and have at least 2 years of approved practice in land surveying, or have at least 5 years of approved practice in land surveying, or a combination of at least 5 years of approved work and training in a course in land surveying and practice in land surveying.

(c) After June 30, 2000, to be eligible to take the "fundamentals of land surveying" examination, an applicant shall have done one of the following:

1. Complied with s. A-E 6.04 (2).

2. Complied with s. A-E 6.04 (1).

3. Have at least 5 years of practice in land surveying, or a combination of work and training in a course in land surveying and practice in land surveying which totals at least 5 years.

4. Have completed an apprenticeship training course in land surveying prescribed by the department of workforce development, and engaged in a period of additional land surveying of a satisfactory character that, when added to the period of apprenticeship, totals at least 6 years of land surveying practice.

(d) After June 30, 2000, to be eligible to take the "principles and practice of land surveying" examination, an applicant shall have done one of the following:

1. Complied with s. A-E 6.04 (2) and have at least one year of approved practice in land surveying.

2. Complied with s. A-E 6.04 (1) and have at least 3 years of approved practice in land surveying.

3. Have at least 9 years of approved practice in land surveying, or a combination of at least 9 years of approved work and training in a course in land surveying and practice in land surveying.

4. Have completed an apprenticeship training course in land surveying prescribed by the department of workforce development, and engaged in a period of additional land surveying of a satisfactory character that, when added to the period of apprenticeship, totals at least 7 years of land surveying practice.

(4) **APPLICATION FOR EXAMINATION.** An application for examination must be filed with the board no later than 2 months before the scheduled date for the examination.

Note: An otherwise qualified applicant with a disability shall be provided with reasonable accommodations.

(5) **TIME, DATE AND SITE OF EXAMINATIONS.** The examinations shall be held at the time, date and site designated by the board.

(6) **EXAMINATION AND REFUND FEES.** The fee for land surveyor examinations and requirements for refund of fees are specified in s. 440.05, Stats., and ch. SPS 4.

(7) **EXAMINATION GRADING.** The passing scores set by the board represent the minimum competency required to protect public health and safety. Experience rating may not be weighed as part of the examination grade.

(8) **REEXAMINATION PROCEDURE.** An applicant for a land surveyor examination who fails an examination or any part of an examination may retake any part of the examination failed at a regularly-scheduled administration of the examination. If an applicant fails to pass on reexamination of the parts failed, or the current examination parts equivalent to the parts failed, within 4 years from the date of receipt of the results of the first failure of the examination or any part of the examination, the applicant is required to take and pass the entire examination. If the applicant retakes the entire examination, the applicant shall pay the original examination fee under s. 440.05 (1), Stats. The board shall determine which parts of a current examination are equivalent to the examination parts failed by an applicant.

Note: A list of all current examination fees may be obtained at no charge from the Office of Examinations, Department of Safety and Professional Services, 1400 East Washington Avenue, P.O. Box 8935, Madison, WI 53708.

(9) EXAMINATION REVIEW. (a) *One-year limitation.* An applicant for a land surveyor examination may review questions on any part of an examination failed by the applicant within one year from the date of the examination, as specified in s. 443.09 (6), Stats. An applicant may review the examination only once.

(b) *Review procedure.* Failing candidates shall be notified of the procedure to schedule a review of the appropriate examination parts. The applicant may take notes on the examination questions reviewed. No notes may be retained by the applicant following the review. The review may not take place within 30 days prior to a scheduled examination. If the section confirms the failing status following its review, the application shall be deemed incomplete, and the applicant may be reexamined under sub. (8).

Note: Subsection (9) was invalidated by the repeal of s. 443.09 (6), Stats., and will be removed in future rule-making by the Board.

(10) CHEATING. Any applicant for registration who receives aid or cheats in any other manner in connection with the examination shall be barred from completing the examination or shall not be given a passing grade, or both.

History: Cr. Register, February, 1987, No. 374, eff. 3-1-87; am. (1) and (6), Register, January, 1993, No. 445, eff. 2-1-93; am. (8), Register, June, 1994, No. 462, eff. 7-1-94; am. (9) (b), Register, March, 1996, No. 483, eff. 4-1-96; am. (9) (a), Register, October, 1996, No. 490, eff. 11-1-96; rn. (7) (a) to be (7) and am., r. (7) (b), cr. (10), Register, January, 1999, No. 517, eff. 2-1-99; am. (1), (3) (a) and (b), cr. (3) (c) and (d), Register, November, 2000, No. 539, eff. 12-1-00; CR 04-118: am. (1) and (2) (b) Register December 2005 No. 600, eff. 1-1-06; correction in (6) made under s. 13.92 (4) (b) 7., Stats., Register November 2011 No. 671.

A-E 6.06 Application contents. An application for registration shall include all of the following:

- (1) Transcripts verifying the applicant's education.
- (2) References from at least 5 individuals having personal knowledge of the applicant's experience in land surveying, 3 of whom are registered land surveyors.

(3) A chronological history of the applicant's employment.

(4) Any additional data, exhibits or references indicating the extent and quality of the applicant's experience which the land surveyor section may require.

History: Cr. Register, February, 1987, No. 374, eff. 3-1-87; renum. and am. (2), Register, January, 1993, No. 445, eff. 2-1-93; correction made under s. 13.93, (2m) (b) 1., Stats., Register, March, 1993, No. 447; am. (intro.) to (3), Register, January, 1999, No. 517, eff. 2-1-99.

A-E 6.07 Temporary permits. (1) An applicant for registration to practice land surveying in this state who has paid the required fee and who holds an unexpired certificate of registration as a land surveyor in another state with requirements for registration which, in the opinion of the land surveyor section, are substantially equivalent to the requirements for registration in this state may be granted a temporary permit to practice land surveying pending the applicant's completion of the state jurisdictional examination.

(2) Subject to sub. (3), a temporary permit granted under this section expires on the date of the next scheduled state jurisdictional examination if the applicant fails to appear for the examination. If the applicant appears for the examination, a temporary permit granted under this section expires on the date upon which the applicant is notified that he or she has passed or failed the state jurisdictional examination.

(3) The section may grant an extension of the temporary permit if the applicant is prevented by exigent circumstances from sitting for the next regularly scheduled examination, and may in those circumstances permit the applicant to sit for the examination on a date other than the date of the regularly scheduled examination.

(4) The temporary permit is revocable by the section at its pleasure, pursuant to s. 443.06 (3), Stats.

History: CR 02-090: cr. Register December 2002 No. 564, eff. 1-1-03; CR 04-118: am. (1) and (2) Register December 2005 No. 600, eff. 1-1-06.

State of Wisconsin



2013 Senate Bill 337

Date of enactment: December 19, 2013

Date of publication*: December 20, 2013

2013 WISCONSIN ACT 114

AN ACT to repeal 449.05 (intro.), 451.06 (2), 452.09 (3) (e), 454.07 (3), 454.24 (3) and 456.04 (intro.); to renumber 442.04 (4) (a), 449.05 (1m), 449.05 (2m), 451.06 (1), 456.04 (1), 456.04 (2), 456.04 (3) and 456.04 (4); to renumber and amend 441.04, 441.06 (1), 441.07 (1), 441.10 (1), 441.10 (3) (a), 442.04 (4) (bm), 442.04 (4) (c), 442.04 (5), 449.04 (1), 450.03 (2), 450.04 (3) (intro.), 450.04 (3) (a), 450.04 (3) (b) and 456.03; to amend 39.393 (1) (c), 253.10 (7), 441.15 (3) (a) (intro.), 441.16 (2), 445.045 (1) (g), 449.04 (title), 449.055 (5) and 459.26 (3); to repeal and recreate 441.07 (title); and to create 440.071, 441.07 (1c), 441.10 (3) (a) 6. and 456.03 (5) of the statutes; relating to: examination requirements for various professional credentials and powers of the Board of Nursing.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 39.393 (1) (c) of the statutes is amended to read:

39.393 (1) (c) A program in this state that confers a 2nd degree that will make the person eligible to sit for examination licensure under s. 441.04 ~~441.06~~ or 441.10.

SECTION 2. 253.10 (7) of the statutes is amended to read:

253.10 (7) AFFIRMATIVE DEFENSE. No person is liable under sub. (5) or (6) or under s. 441.07 (1) (g) (f), 448.02 (3) (a), or 457.26 (2) (gm) for failure under sub. (3) (c) 2. d. to provide the printed materials described in sub. (3) (d) to a woman or for failure under sub. (3) (c) 2. d., e., f., fm., or g. to describe the contents of the printed materials if the person has made a reasonably diligent effort to obtain the printed materials under sub. (3) (e) and s. 46.245 and the department and the county department under s. 46.215, 46.22, or 46.23 have not made the printed materials available at the time that the person is required to give them to the woman.

SECTION 3. 440.071 of the statutes is created to read:
440.071 No degree completion requirement to sit for examination. (1) Except as provided under sub. (2), the department or a credentialing board or other board in the department may not require a person to complete any postsecondary education or other program before the person is eligible to take an examination for a credential the department or credentialing board or other board in the department grants or issues.

(2) This section does not apply to an examination for a real estate appraiser certification under s. 458.06 or license under s. 458.08.

SECTION 4. 441.04 of the statutes is renumbered 441.06 (1) (a) and amended to read:

441.06 (1) (a) ~~Requisites for examination as a registered nurse. Any person who has graduated~~ The applicant graduates from a high school or its equivalent as determined by the board, ~~does.~~

(b) The applicant does not have an arrest or conviction record, subject to ss. 111.321, 111.322 and 111.335, holds.

(c) The applicant holds a diploma of graduation from an accredited school of nursing and, if the school is

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

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

AGENDA REQUEST FORM

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|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 1) Name and Title of Person Submitting the Request: Shawn Leatherwood, Administrative Rule Coordinator | | 2) Date When Request Submitted: November 4, 2014 <small>Items will be considered late if submitted after 4:30 p.m. and less than:</small> <ul style="list-style-type: none"> ▪ 10 work days before the meeting for Medical Board ▪ 08 work days before the meeting for all others | |
| 3) Name of Board, Committee, Council, Sections: Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors- Land Surveyor Section | | | |
| 4) Meeting Date: November 14, 2014 | 5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 6) How should the item be titled on the agenda page? Update and discussion of A-E 1,2, 6, 7, 8, and 10 Land surveyor professional licensure | |
| 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: The Board will be updated on the status of A-E 1,2, 6, 7, 8, and 10 Land surveyor professional licensure | | | |
| 11) Shawn Leatherwood <small>Signature of person making this request</small> | | Authorization November 4, 2014 <small>Date</small> | |
| <hr/> Supervisor (if required) | | <hr/> Date | |
| Bureau Director signature (indicates approval to add post agenda deadline item to agenda) <hr/> Date | | | |
| 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. | | | |

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

AGENDA REQUEST FORM

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|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 1) Name and Title of Person Submitting the Request: Peter Schramm, CE Specialist | | 2) Date When Request Submitted: 11/4/2014 | |
| | | Items will be considered late if submitted after 5 p.m. and less than: <ul style="list-style-type: none"> ▪ 8 business days before the meeting for paperless boards ▪ 14 business days before meeting for all others | |
| 3) Name of Board, Committee, Council, Section: Land Surveyor Section | | | |
| 4) Meeting Date: 11/14/2014 | 5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 6) How should the item be titled on the agenda page? 2012-2014 Land Surveyor Continuing Education Compliance Audit Report | |
| 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? <input checked="" type="checkbox"/> Yes (Fill out Board Appearance Request) <input type="checkbox"/> No | 9) Name of Case Advisor(s), if required: | |
| 10) Describe the issue and action that should be addressed: Presentation of CE audit results for the 2012-2014 biennium; request motion to refer non-compliant auditees to DLSC for review. | | | |
| 11) Authorization | | | |
| Peter Schramm | | 11/4/2014 | |
| Signature of person making this request | | Date | |
| Jill M. Remy | | 11/4/2014 | |
| Supervisor (if required) | | Date | |
| Executive Director signature (indicates approval to add post agenda deadline item to agenda) | | Date | |
| Directions for including supporting documents: <ol style="list-style-type: none"> 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 Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting. | | | |

2012-2014 Land Surveyor Continuing Education Audit Compliance Section Report

Land Surveyor (Reg Type 8)

Of 53 licensees audited, four (4) were not in compliance representing a 92.4 % compliance rate.

Following are the reasons for non-compliance:

- One (1) licensee had less than twenty (20) documented hours completed during the 2012-2014 biennium.
- One (1) licensee did not fulfill the professional conduct and ethics requirement in A-E 10.03 (1)(b)(2).
- One (1) licensee did not submit materials that met the categories required.
- One (1) licensee returned the certified mail receipt but submitted no additional documentation.