

Report From Agency

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

IN THE MATTER OF RULE-MAKING :
PROCEEDINGS BEFORE THE : **REPORT TO THE LEGISLATURE**
EXAMINING BOARD OF ARCHITECTS, : **ON CLEARINGHOUSE RULE 09-033**
LANDSCAPE ARCHITECTS, : (s. 227.19 (3), Stats.)
PROFESSIONAL ENGINEERS, :
DESIGNERS AND LAND SURVEYORS :

I. THE PROPOSED RULE:

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

II. REFERENCE TO APPLICABLE FORMS:

No new or revised forms are required by these rules.

III. FISCAL ESTIMATES:

The department estimates that the proposed rule will have no significant fiscal impact. The department finds that this rule has no significant fiscal effect on the private sector.

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

The intent of the proposed rule is to provide clearer direction to registrants in the act of signing, sealing or stamping plans, drawings, documents, specification or reports for architectural, landscape architectural, professional engineering, design practice or land surveying practice. The importance of clarifying the definitions is due to various changes in the practice of the registrants. Foremost is the change resulting from advances in electronic communication and technology which allows professional services to be performed almost anywhere in the world. The globalization of practice can result in a registrant being deemed to be in responsible charge of a project and the persons who perform services under the registrants' direction and control, while neither are present in the same location or even in the same time zone.

In addition, the clarification of the meaning of the terms is increasingly important as a result of changes in the profession where contractual responsibilities may change over the course of a project and different registrants are involved in the preparation or direction and control of plans and documents during different phases or percentage of completion of the project.

V. NOTICE OF PUBLIC HEARING:

A public hearing was held on May 27, 2009. The following individuals appeared at the public hearing and spoke in support of the proposed rules:

Francis Thousand, Land Surveyor, Madison, WI, Wisconsin Society of Land Surveyors
Charles Kopplin, Professional Engineer, Greenfield, WI.

VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:

All of the recommendations suggested in the Clearinghouse Report were accepted in whole.

VII. FINAL REGULATORY FLEXIBILITY ANALYSIS:

These rules will have no significant economic impact on small businesses, as defined in s. 227.114 (1), Stats.

A-E 8.03 (5) CR09-033 (Definition) Report to Leg 6-24-09