

Report From Agency

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

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IN THE MATTER OF RULE-MAKING :
PROCEEDINGS BEFORE THE : **REPORT TO THE LEGISLATURE**
EXAMINING BOARD OF : **CR 12-039**
ARCHITECTS, LANDSCAPE :
ARCHITECTS, PROFESSIONAL :
ENGINEERS, DESIGNERS AND :
LAND SURVEYORS :

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I. THE PROPOSED RULE:

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

II. REFERENCE TO APPLICABLE FORMS:

None.

III. FISCAL ESTIMATE AND EIA:

The Fiscal Estimate and EIA are attached.

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

The primary purpose of this rule change is to bring the current Wisconsin Administrative Code in line with recent legislation. The passage of 2009 Wisconsin Act 123 repealed s. 443.02 (5), Stats., and amended s. 443.02 (2) and (3), Stats., by adding landscape architects to each subsection and providing that no person may practice, offer to practice, or advertise oneself as a landscape architect without registration or permit to do so under s. 443.10 (1) (d), Stats. The proposed statutory amendments will update s. A-E 8.07.

2009 Wisconsin Act 350 repealed s. 443.09 (6), Stats., regarding an applicant's ability to review their exams. Formerly, an applicant for a landscape architect credential could review a failed examination for up to one year from the date of the exam. After a written request, an applicant could seek a review of all or part of the exam. The Landscape Architect section would then give the applicant a written reply regarding the results of the review including an explanation for failing the exam. Act 350 requires the repeal of the right of review as found in A-E 9.05 (6).

2011 Wisconsin Act 146 removed the landscape architect examination from the joint board to the Landscape Architect Section. This transfer changed the section into an examining board and amended A-E 9.05 (1) (a), substituting "landscape architecture section" for "examining board". The Act also repealed the barrier design examination found in A-E 9.05 (1) (b).

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

The Board held a public hearing on October 18, 2012. Written comments were accepted until October 18, 2012. No written or oral comments were received from the public during the public hearing or during the comment period.

VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:

All of the recommendations suggested in the Clearinghouse Report have been accepted and incorporated into the rule.

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

None.