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

**Room 121A, 1400 E. Washington Avenue, Madison**

**Contact: Brittany Lewin 608-266-2112**

**April 26, 2016**

*The following agenda describes the issues that the Board 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 description of the actions of the Board.*

**AGENDA**

**9:00 AM**

**OPEN SESSION – CALL TO ORDER – ROLL CALL**

**A. Adoption of Agenda (1-2)**

**B. Approval of Minutes of October 7, 2015 (3-5)**

**C. Administrative Matters (6-7)**

1. Staff Updates
2. Election of Officers
3. Liaison Appointments and Delegated Authorities

**D. Section Reports**

1. Architect Section
2. Designer Section
3. Landscape Architect Section
4. Professional Engineer Section
5. Professional Land Surveyor Section

**E. Legislative/Administrative Rule Matters – Discussion and Consideration (8-22)**

1. Update on Assembly Bill 934 Relating to Exemption From Continuing Education Requirements for Certain Retired Professionals
2. Update on Assembly Bill 726/Senate Bill 568 Relating to Renaming, Changing Membership and Eliminating Certain Professional Licensure Boards
3. Adoption Order for A-E 7 (CR 15-039) Relating to Practice, Conduct, and Continuing Education
4. Adoption Order for A-E 3, 4, 6, and 9 (CR 15-040) Relating to Requirements for Entrance to Examinations
5. Update on A-E 1, 2, 6, 7, 8, 9, and 10 (CR 15-039) Relating to Land Surveyor Professional Licensure

6. Update on Pending Legislation and Pending and Possible Rulemaking Projects

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. Legislative/Administrative Rule Matters
7. Liaison Reports
8. Informational Items
9. Disciplinary Matters
10. Speaking Engagement(s), Travel, or Public Relation Request(s)

G. Public Comments

**ADJOURNMENT**

**EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,  
PROFESSIONAL ENGINEERS, DESIGNERS AND  
PROFESSIONAL LAND SURVEYORS  
MEETING MINUTES  
October 7, 2015**

**PRESENT:** Andrew Albright, Bruce Bowden (*arrived at 9:11 a.m.*), Joseph Eberle, Michael Eberle, Daniel Fedderly, Matthew Fernholz (*via Phone*), James Gersich, Steven Hook, Matthew Janiak, Ruth G. Johnson (*arrived at 9:06 a.m.*), Ralf Kelm (*via Phone*), Mark Mayer, Rosheen Styczinski, Steven Tweed, Steven Wagner

**EXCUSED:** Mark Cook, Kristine Cotharn, Thomas Gasperetti, Michael Kinney, Gary Kohlenberg

**STAFF:** Brittany Lewin, Executive Director; Katie Vieira, Rules Coordinator, Nifty Lynn Dio, Bureau Assistant and other department staff.

**CALL TO ORDER**

Rosheen Styczinski, Board Chair, called the meeting to order at 9:01 a.m. A quorum of thirteen (13) members was confirmed.

**ADOPTION OF AGENDA**

**Amendments to the Agenda:**

- *Under Item C. (open session) ADD: number 3. Election of Secretary (added pursuant to item G.2.)*
- *After Item C. (open session) ADD: Introductions, Announcements, and Recognition – Recognition of Outgoing Board Members (added pursuant to item G.1.)*

**MOTION:** Steven Hook moved, seconded by Joseph Eberle, to adopt the agenda as amended. Motion carried unanimously.

**APPROVAL OF MINUTES**

**Amendments to the Minutes:**

- *Page 2 of the Minutes – Under ‘Election of Officers – Board Chair’ correct the nomination adding ‘Ruth G.’ in front of ‘Johnson’*

**MOTION:** Matthew Janiak moved, seconded by Michael Eberle, to approve the minutes of April 22, 2015 as amended. Motion carried unanimously.

*(Ruth G. Johnson joined the meeting at 9:06 a.m.)*

**ADMINISTRATIVE MATTERS**

**Election of Secretary**

**NOMINATION:** James Gersich nominated Michael Eberle for the Office of Secretary.  
Nomination carried.

Brittany Lewin called for other nominations three (3) times.

Michael Eberle was elected as Secretary.

## **INTRODUCTIONS, ANNOUNCEMENTS, AND RECOGNITION**

### Recognition of Outgoing Board Members

**MOTION:** James Gersich moved, seconded by Joseph Eberle, to thank Jim Mickowski and Larry Schnuck for their dedicated service to the Board and the State of Wisconsin. Motion carried unanimously.

*(Bruce Bowden joined the meeting at 9:11 a.m.)*

## **PUBLIC HEARING – A-E 3, 4, 6 AND 9 RELATING TO ENTRANCE TO EXAMS**

### Review and Respond Clearinghouse Report and Public Hearing Comments

**MOTION:** Matthew Janiak moved, seconded by Steven Tweed, to reject Clearinghouse comment number 2.c. since the Board already repealed A-E 9.05 (3) in the draft submitted to the Legislative Clearinghouse, and to accept all remaining Clearinghouse comments for Clearinghouse Rule 15-040 relating to requirements for entrance to exams. Motion carried unanimously.

**MOTION:** Steven Hook moved, seconded by Daniel Fedderly, to authorize Rosheen Styczinski to approve the Legislative Report and Draft for CR 15-040 relating to requirements for entrance to exams for submission to the Governor's Office and Legislature. Motion carried unanimously.

## **LEGISLATIVE AND ADMINISTRATIVE RULE MATTERS**

### Update from Legislative Liaison

**MOTION:** Joseph Eberle moved, seconded by Matthew Janiak, to have the Retired License Task Force review future bill drafts and approve any additional changes to be shared with the legislature. Motion carried unanimously.

*(Matthew Fernholz was excused at 10:30 a.m.)*

### Update on Pending Legislation and Pending and Possible Rulemaking Projects

**MOTION:** Daniel Fedderly moved, seconded by Matthew Janiak, to authorize Rosheen Styczinski to approve the Adoption Order for Clearinghouse

Rule 15-036 relating to professional land surveyor licensure. Motion carried unanimously.

### **ADJOURNMENT**

**MOTION:** Joseph Eberle moved, seconded by Steven Tweed, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 11:01 a.m.

DRAFT

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

**AGENDA REQUEST FORM**

<b>1) Name and Title of Person Submitting the Request:</b>  Nifty Lynn Dio, Bureau Assistant		<b>2) Date When Request Submitted:</b>  12/22/15  Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting									
<b>3) Name of Board, Committee, Council, Sections:</b>  Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Professional Land Surveyors											
<b>4) Meeting Date:</b>  4/26/15	<b>5) Attachments:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>6) How should the item be titled on the agenda page?</b>  Administrative Updates 1. Election of Officers 2. Liaison Appointments and Delegated Authorities									
<b>7) Place Item in:</b> <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	<b>8) Is an appearance before the Board being scheduled?</b>  <input type="checkbox"/> Yes ( <a href="#">Fill out Board Appearance Request</a> ) <input checked="" type="checkbox"/> No	<b>9) Name of Case Advisor(s), if required:</b>  N/A									
<b>10) Describe the issue and action that should be addressed:</b>  1. Elect Officers for 2016 2. The Chair Appoints Liaisons 3. The Board should consider continuation or modification of previously delegated authorities											
<b>11) Authorization</b>  <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%; border-bottom: 1px solid black;"><b>Nifty Lynn Dio</b></td> <td style="width: 30%; border-bottom: 1px solid black; text-align: right;"><b>12/22/15</b></td> </tr> <tr> <td style="border-bottom: 1px solid black;">Signature of person making this request</td> <td style="border-bottom: 1px solid black; text-align: right;">Date</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Supervisor (if required)</td> <td style="border-bottom: 1px solid black; text-align: right;">Date</td> </tr> <tr> <td colspan="2" style="border-bottom: 1px solid black;">Executive Director signature (indicates approval to add post agenda deadline item to agenda)    Date</td> </tr> </table>				<b>Nifty Lynn Dio</b>	<b>12/22/15</b>	Signature of person making this request	Date	Supervisor (if required)	Date	Executive Director signature (indicates approval to add post agenda deadline item to agenda)    Date	
<b>Nifty Lynn Dio</b>	<b>12/22/15</b>										
Signature of person making this request	Date										
Supervisor (if required)	Date										
Executive Director signature (indicates approval to add post agenda deadline item to agenda)    Date											
<b>Directions for including supporting documents:</b> 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.											

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

<b>2015 ELECTION RESULTS</b>	
<b>Board Chair</b>	Rosheen Styczinski
<b>Vice Chair</b>	Joseph Eberle
<b>Secretary</b>	Lawrence Schnuck

**Liaison Appointments:**

The Chair appoints the following members:

<b>Liaison Appointments</b>	
<b>A-E Joint Board Rules Committee</b>	Joseph Eberle, Thomas Gasperetti, Steven Hook, Matthew Janiak, Gary Kohlenberg, Lawrence Schnuck, Rosheen Styczinski, Steven Tweed

**MOTION:** Joseph Eberle moved, seconded by Bruce Bowden, to affirm the members of the A-E Joint Board Rules Committee. Motion carried unanimously.

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

**AGENDA REQUEST FORM**

1) Name and Title of Person Submitting the Request:  <b>Dale Kleven Administrative Rules Coordinator</b>		2) Date When Request Submitted:  <b>4/14/16</b>  Items will be considered late if submitted after 12:00 p.m. on the deadline date: ▪ 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections:  <b>Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Professional Land Surveyors</b>			
4) Meeting Date:  <b>4/26/16</b>	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? <b>Legislation and Rule Matters – Discussion and Consideration</b> 1. Update on Assembly Bill 934 Relating to Exemption From Continuing Education Requirements for Certain Retired Professionals 2. Update on Assembly Bill 726/Senate Bill 568 Relating to Renaming, Changing Membership and Eliminating Certain Professional Licensure Boards 3. Adoption Order for A-E 7 (CR 15-039) Relating to Practice, Conduct, and Continuing Education 4. Adoption Order for A-E 3, 4, 6, and 9 (CR 15-040) Relating to Requirements for Entrance to Examinations 5. Update on A-E 1, 2, 6, 7, 8, 9, and 10 (CR 15-036) Relating to Land Surveyor Professional Licensure 6. Update on Pending Legislation and Pending and Possible Rulemaking Projects	
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 type="checkbox"/> Yes ( <a href="#">Fill out Board Appearance Request</a> ) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:
10) Describe the issue and action that should be addressed:  3. The Board will consider adoption of Clearinghouse Rule 15-039 4. The Board will consider adoption of Clearinghouse Rule 15-040			
11) <span style="float: right;">Authorization</span>  <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"><i>Dale Kleven</i></div> <div style="width: 45%; text-align: right;"><i>April 14, 2016</i></div> </div> <hr/> <div style="display: flex; justify-content: space-between;"> <div style="width: 60%;">Signature of person making this request</div> <div style="width: 35%; text-align: right;">Date</div> </div> <hr/> <div style="display: flex; justify-content: space-between;"> <div style="width: 60%;">Supervisor (if required)</div> <div style="width: 35%; text-align: right;">Date</div> </div> <hr/> <div style="display: flex; justify-content: space-between;"> <div style="width: 70%;">Executive Director signature (indicates approval to add post agenda deadline item to agenda)</div> <div style="width: 30%; text-align: right;">Date</div> </div>			
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 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.			

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

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IN THE MATTER OF RULE-MAKING	:	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 PROFESSIONAL	:	PROFESSIONAL LAND
LAND SURVEYORS	:	SURVEYORS ADOPTING
	:	RULES
	:	(CLEARINGHOUSE RULE 15-039)

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ORDER

An order of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, and Professional Land Surveyors to repeal A-E 7.01 (2) (d) and (e); to amend A-E 7.01 (intro.), (2) (a) and (2) (c), 7.06 (1), (2), (3), and (5), 7.07, and 7.08, (1) (intro.), (1) (c), (3) (e) and (g); to repeal and recreate A-E 7.02, 7.03, 7.04, and 7.05; and to create A-E 7.025 relating to practice, conduct, and continuing education.

Analysis prepared by the Department of Safety and Professional Services.

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ANALYSIS

**Statutes interpreted:**

s. 443.015 (2), Stats.

**Statutory authority:**

ss. 15.08 (5) (b), 227.11 (2) (a), and 443.015 (2), Stats.

**Explanation of agency authority:**

Pursuant to ss. 15.08 (5) (b), and 227.11 (2) (a), Stats, the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, and Professional Land Surveyors is generally empowered to promulgate rules that will provide guidance within the profession and interpret the statutes it enforces or administers. Section 443.015 (2), Stats., allows each section to draft rules that govern the professional conduct of licensees under its authority. These proposed rules address the conduct of professional land surveyors in the creation of minimum standards for property surveys. Therefore, the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, and Professional Land Surveyors is authorized both generally and specifically to promulgate these proposed rules.

**Related statute or rule:**

Wisconsin Administrative Code Chapter A-E 7

**Plain language analysis:**

This proposed rule seeks to clarify various provisions of Wisconsin Administrative Code Chapter A-E 7, which sets forth the minimum standards of professional land surveyor's practice and to resolve inconsistencies between the rules in chapter A-E 7 and current practice within the profession. This rule will identify the information that should be included in maps and reports regarding the legal descriptions of property surveyed.

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

None.

**Comparison with rules in adjacent states:**

**Illinois:**

The Minimum Standards of Practice for professional land surveyors identifies the types of surveys professional land surveyors may conduct such as a boundary survey, condominium survey, subdivision survey, mortgage inspection, and topographic survey. It also lists the required information that should be found on the plat (map). The minimum standards are binding on every professional land surveyor in the state except in the case of federal, state or local laws that may be more stringent. When special conditions exist, it must be noted on the plat (68 Ill Admin Code 1270.56).

**Iowa:**

The Minimum Standards for Property Surveys for land professional surveyors found in the Iowa Code are very similar to the current Wisconsin rules. It covers the same topics as the Wisconsin rules such as scope, definition, boundary location, descriptions, maps, measurements, and monuments and nearly mirrors the language. The scope of the rules encompasses each professional land surveyor and all of the property surveys performed in the state, except those done for acquisition plats (Iowa Admin. Code r. 193C-11.1).

**Michigan:**

Michigan does not set forth minimum standards for property surveys. Instead, Michigan Administrative Code requires professional land surveyors to draft complete and accurate plats, plans, drawings, and specifications. The information contained on a survey must include the following: "a drawing that includes the graphical and numerical scale used, a north arrow, identification of all government corners and related witnesses, a description in compliance with state statute, [and a] statement of the manner of bearing determination." (Mich. Admin. Code r. 339.17403).

**Minnesota:**

Minnesota does not set forth a minimum standard for property surveys in a manner similar to Illinois and Iowa. Instead, Minnesota identifies the requirements for plats (maps), and covers such topics as boundaries, mathematical data, easements and water boundaries. The statute further requires professional land surveyors to certify that they have surveyed a property or directly supervised a person who surveyed the property (Minn. Stat. s. 505.021).

**Summary of factual data and analytical methodologies:**

The Professional Land Surveyor Section reviewed and updated the minimum survey standards. Adjacent states’ statutes and administrative rules were also reviewed. The Section ensures the accuracy, integrity, objectivity and consistency of data was used in preparing the proposed rule and related analysis.

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

The rule was posted for public comment on the economic impact of the proposed rule, including how this proposed rule may affect businesses, local government units, and individuals, for a period of 14 days. No comments were received.

**Fiscal Estimate and Economic Impact Analysis:**

The Fiscal Estimate and Economic Impact Analysis are attached.

**Effect on small business:**

These proposed rules do not have a negative economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department’s Regulatory Review Coordinator may be contacted by email at Jeffrey.Weigand@wisconsin.gov, or by calling (608) 267-2435.

**Agency contact person:**

Dale Kleven, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, 1400 East Washington Avenue, Room 151, P.O. Box 8935, Madison, Wisconsin 53708; telephone 608-261-4472; email at Dale2.Kleven@wisconsin.gov.

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TEXT OF RULE

SECTION 1. A-E 7.01 (intro), (2) (a), and (2) (c) are amended to read:

**A-E 7.01** The professional 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 unless there is an existing map and a survey report is filed in lieu of a map. The map prepared by the professional land surveyor for the client ~~or employer~~ shall include:

(2) (a) A note which states that an agreement to exclude work from the requirements of this chapter has been made and a list of those exclusions and the names of the parties making the agreement along with the signature of each party.

~~(2) (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~~ The relative positional accuracy in decimal feet, if the minimum positional accuracy established by s. A-E 7.06 (3) has been waived.

SECTION 2. A-E 7.01 (2) (d) and (e) are repealed.

SECTION 3. A-E 7.02 is repealed and recreated to read:

**A-E 7.02 Definitions.** For the purposes of this chapter:

(1) “Practice of professional land surveying” has the meaning given in s. 443.01 (6s), Stats.

(2) “Relative positional accuracy” means the length of the semi-major axis, expressed in feet or meters, of the error ellipse representing the uncertainty due to random errors in measurements in the location of the monument, or witness, marking any corner of the surveyed property at the 95 percent confidence level, 2 standard deviations; and is estimated by the results of a correctly weighted least squares adjustment of the survey.

(3) “Survey report” means a report that may be prepared when there is an existing map recorded or filed within the last 6 years and no new monuments are established in the survey.

SECTION 4. A-E 7.025 is created to read:

**A-E 7.025 Survey report, requirements.** A survey report as defined in A-E 7.02 (3), shall include the purpose of the survey, information concerning the documents that were examined for the survey, the measurements that were made to verify the locations of the monuments found, and a copy of the map that was recorded or filed. The survey report shall be in compliance with all sections of this chapter except ss. A-E 7.05 (1), (2), (3) and (4).

SECTION 5. A-E 7.03, 7.04, and 7.06 are repealed and recreated to read:

**7.03 Boundary location.** Every property survey shall be made in accordance with the records of the register of deeds as nearly as practicable. The professional land surveyor shall acquire data necessary to retrace record title boundaries such as U.S. Public Land Survey Monument Records, deeds, surveys, maps, certificates of title, highway, and center line or right-of-way lines, and other boundary line locations. The professional land surveyor shall make field measurements necessary for the location of the parcel and shall analyze the data and make a careful determination of the position of

the boundaries of the parcel being surveyed. The professional land surveyor shall set monuments marking the corners of the parcel unless monuments already exist at the corners.

**7.04 Descriptions.** Descriptions defining land boundaries created by a professional land surveyor for conveyance or to more accurately delineate land boundaries, or for other purposes shall be complete, providing unequivocal identification of lines or boundaries. The description shall contain necessary 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. The forms of descriptions of property shall be one of the following:

(1) By metes and bounds commencing with a monument at a section corner or quarter section corner of the quarter section in which that land is located or a monument established by the U.S Public Land Survey that it is not the center of the 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. Descriptions shall meet the requirements in s. A-E 7.06 (3).

(2) By land boundaries being surveyed as a platted lot or outlot in a recorded subdivision or recorded addition to a recorded subdivision, the lots or outlots in that plat shall be described by the name of the plat and the lot or outlot and the block in the plat for all purposes.

(3) By land boundaries being surveyed as an existing lot, outlot or parcel, on a recorded certified survey map, the survey shall be described by lot, outlot or parcel number and certified map number for all purposes.

(4) By the parcel described as an aliquot part of a section from the public land system.

**7.05 Maps.** A map shall be drawn for every property survey, unless a survey report is filed as provided in A-E 7.02 (3), showing information developed by the survey. The map shall:

(1) Be drawn on media with the minimum size of 8 ½ x 11 inches and to a commonly accepted scale which shall be clearly stated and graphically illustrated by a bar scale on each map sheet containing a graphical depiction of the survey unless otherwise required by law.

(2) Be referenced as provided in s. 59.73 (1), Stats., along with a north arrow and reference to a monumented line.

(3) Show the length and bearing of the boundaries of the parcels surveyed. Bearings, angles, and distances on any property survey map shall be in accordance with s. A-E 7.06 (5). 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 line, “recorded as (show recorded bearing, length or location)”. Curve data shall be shown by any 3 of the following: central angle, radius, long chord bearing and length, and arc length.

(4) Describe all monuments used for determining the location of the parcel boundary and show by bearing and distance their relationship to the surveyed parcel. All monuments shall be indicated by whether such monuments were found or set including a description of the monument with a legend for all symbols and abbreviations used on the map.

(5) Show observed evidence of possession or use by others in the parcel or across any perimeter line of the property.

(6) Show surveyed parcel bounded by water or inaccessible areas, the 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.

(7) Identify the professional land surveyor’s name and address, the person or entity for whom the survey was made, completion date of the field work, and description of the parcel as provided in s. A-E 7.04.

(8) Bear the stamp or seal, name and address and signature of the professional 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 professional land surveyor’s knowledge and belief.

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

(10) Identify boundary lines on the survey. Boundary lines shall be clearly differentiated from other lines on the map.

(11) Coordinate values when shown on the face of the map they shall comply with and be subject to the provisions of s. 236.18, Stats., and include coordinate system, datum and adjustment.

SECTION 6. A-E 7.06 (1), (2), (3), and (5), and 7.07 are amended to read:

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

(2) The minimum accuracy of linear measurements between points shall be the larger of 2/100ths of a foot or better than 1 part in 3,000 on all property lines of boundary or interior of the 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.~~ The maximum allowable deviation in relative positional accuracy for a survey is plus or minus 0.07 foot plus 50 parts per million, based on the direct distance between the two corners being tested. In certain circumstances, the size or configuration of the surveyed property, or the relief, vegetation or improvements on the surveyed property will result in survey measurements for which the maximum allowable relative positional precision may be exceeded at the discretion of the licensee performing the survey. The licensee shall provide justification for exceeding the maximum allowable relative positional accuracy.

(5) Bearings or angles on any property survey map shall be shown to at least the nearest 30 seconds. 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 according to s. 236.15 (1), 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. Coordinate values are not acceptable in lieu of monuments.

SECTION 7. A-E 7.08, (1) (intro.), (1) (c), and (3) (e) and (g) are amended to read:

**A-E 7.08 (1) WHEN MONUMENT RECORD REQUIRED.** A U.S. public land survey monument record shall be prepared and filed with the county ~~surveyor's office~~ survey records as part of any land survey within 60 days of setting or accepting the corner which includes or requires the perpetuation, restoration, ~~reestablishment~~ or use of a U.S. public land survey corner; and when any of the following situations arise:

(1) (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, except where the witness ties and the U.S. public land survey monument referenced in an existing U.S. public land survey monument record have been found and verified and a note stating this has been placed on the property survey.

(3) (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~~ established.

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

SECTION 8. 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.

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(END OF TEXT OF RULE)  
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Dated \_\_\_\_\_

Agency \_\_\_\_\_

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

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	:	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 PROFESSIONAL	:	PROFESSIONAL LAND
LAND SURVEYORS	:	SURVEYORS
	:	ADOPTING RULES
	:	(CLEARINGHOUSE RULE 15-040)

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ORDER

An order of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, and Land Surveyors to repeal A-E 3.05 (2) and (3), 4.07 (2) and (3), 6.05 (4) and (5), 9.05 (2) and (3), to amend A-E 6.04 (1), and to repeal and recreate A-E 3.02, 6.02, 6.05 (1) and 9.02 relating to the requirements for entrance to examination.

Analysis prepared by the Department of Safety and Professional Services.

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ANALYSIS

**Statutes interpreted:**

Section 440.071, Stats.

**Statutory authority:**

Sections 15.08 (5) (b) and 227.11 (2) (a), Stats.

**Explanation of agency authority:**

Pursuant to ss. 15.08 (5) (b), and 227.11 (2) (a), Stats, the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, and Land Surveyors is generally empowered to promulgate rules that will provide guidance within the profession and interpret the statutes it enforces or administers. 2013 Wisconsin Act 114 created s. 440.071 (1) Stats, which provides that neither the Department nor a credentialing board may require a person to complete any postsecondary education or training before the person is eligible to take an examination for a credential. This legislative change prompted the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, and Land Surveyors to exercise its rule-making authority to draft the proposed rule which seeks to bring current administrative code into compliance with the new legislation. 2013 Wisconsin Act 358 amended requirements related to professional land surveyors including repealing s. 443.06 (2) (a), Stats. The rule brings the administrative code in line with this statutory change.

**Related statute or rule:**

Sections 443.03, 443.035, 443.06, and 443.09, Stats.

**Plain language analysis:**

This rule addresses a change in policy instituted by 2013 Wisconsin Act 114. The new legislation requires the Department of Safety and Professional Services and its attached boards refrain from requiring applicants complete their postsecondary education before being eligible to take an examination for a credential. Therefore, the rule makes changes to the application and examination procedures for architects, landscape architects, professional engineers, designers, and professional land surveyors. The rule also incorporates rule changes necessitated by 2013 Wisconsin Act 358.

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

None

**Comparison with rules in adjacent states:**

**Illinois:** Applicants for the professional land surveyor license and the professional land surveyor-in-training license submit an application that includes verification of completed education and experience (Ill. Admin. Code 68, pt. 1270). Applicants for licensure as an architect must complete a combination of education and training prior to taking the examination prepared by the National Council of Architectural Registration Boards (Ill. Admin. Code 68, pt. 1150). Illinois administrative code does not specifically require that applicants for the landscape architecture license complete their education and professional experience prior to taking the National Council of Architectural Registration Boards' Landscape Architecture Registration Examination (Ill. Admin. Code 68, pt. 1275). An applicant for the Fundamentals of Engineering exam must either have graduated from or be in their final year of an approved baccalaureate curriculum (Ill. Admin. Code 68, pt. 1380).

**Iowa:** Applicants for architecture registration by examination must complete the eligibility requirements of the education standards for NCARB certification which include a professional degree from a program accredited by the National Architectural Accrediting Board (NAAB) or the Canadian Architectural Certification Board (CACB) and shall be enrolled in the NCARB Intern Development program prior to being admitted to the examination (Iowa Admin. Code r. 193B – 2.3). An applicant for engineering licensure must satisfy the educational requirements prior to completing the Fundamentals of Engineering Examination (Iowa Admin. Code r. 193C – 4.1). An applicant for land surveying licensure must satisfy the education and experience requirements prior to completing the Fundamentals of Land Surveying Examination (Iowa Admin. Code r. 193C – 5.1). An applicant for landscape architecture licensure need not meet preconditions to take the professional landscape architectural licensure examination (Iowa Admin. Code r. 193D – 2.4).

**Michigan:** To be examined as an architect, the applicant must provide evidence of completion of a first professional degree or further degree in architecture satisfactory to the board of architects. To be examined as a professional engineer, the applicant must meet specific education and experience requirements. To be examined as a land surveyor, the applicant must meet specific education and experience requirements (Mich. Comp. Laws s. 339.2005). An applicant for landscape architect certification must complete all education and experience requirements in order to sit for the examination (Mich. Admin. Code r. 339.19025).

**Minnesota:** Applicants for architect licensure by examination must complete the education and experience requirements prior to taking the Architect Registration Examination (ARE) (Minn. R. 1800.1000). Minnesota administrative code does not specifically require that applicants for the landscape architecture license complete their education and professional experience prior to taking the Landscape Architect Registration Examination (LARE) (Minn. R. 1800.1500). Applicants for licensure as a professional engineer must complete specific education and experience requirements prior to taking the written Fundamentals of Engineering (FE) examination and the Principles and Practice of Engineering (PE) examination (Minn. R. 1800.2500). Applicants for licensure as a land surveyor must complete specific education and experience requirements prior to taking the Fundamentals of Surveying (FS) examination and the Principles and Practice of Surveying (PS) examination (Minn. R. 1800.3505).

**Summary of factual data and analytical methodologies:**

No factual data or analytical methodologies were used in drafting the rule due to the rule being prompted by recent legislation.

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

The rule was posted for public comment on the economic impact of the proposed rule, including how the rule may affect businesses, local government units, and individuals, for a period of 14 days. No comments were received.

**Fiscal Estimate and Economic Impact Analysis:**

The Fiscal Estimate and Economic Impact Analysis document is attached.

**Effect on small business:**

These rules do not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department's Regulatory Review Coordinator may be contacted by email at [Jeffrey.Weigand@wisconsin.gov](mailto:Jeffrey.Weigand@wisconsin.gov), or by calling (608) 267-2435.

**Agency contact person:**

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TEXT OF RULE

SECTION 1. 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 2. A-E 3.05 (2), (3), and (5) are repealed.

SECTION 3. A-E 4.07 (2), (3), and (5) are repealed.

SECTION 4. A-E 6.02 is repealed and recreated to read:

**A-E 6.02 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.

(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 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 (b)~~, Stats., an applicant for ~~registration~~ licensure as a land surveyor shall have satisfactorily completed at least 60 semester credits in ~~civil engineering or land surveying curriculum or in a related field as approved by the professional land surveyor section~~ 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) is repealed and recreated to read:

**A-E 6.05 (3) TIME PERIOD FOR EXAMINATION.** Applicants for licensure as a land surveyor must take and pass the fundamentals of surveying examination, the national principles and practice surveying examination, and the state jurisdictional examination within 4 years of applying for licensure.

SECTION 7. A-E 6.05 (4), (5), and (9) are repealed.

SECTION 8. A-E 9.02 is repealed and recreated to read:

**A-E 9.02 Requirements for registration as a landscape architect. (1)** An applicant for registration as a landscape architect shall submit documentary evidence of having met the requirements under s. 443.035, Stats.

**(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 9. A-E 9.05 (2), (3), and (5) are repealed.

SECTION 10. 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.

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(END OF TEXT OF RULE)  
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Dated \_\_\_\_\_

Agency \_\_\_\_\_

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