



PROFESSIONAL LAND SURVEYOR SECTION
Room 121B, 1400 East Washington Avenue, Madison
Contact: Brittany Lewin (608) 266-2112
January 14, 2015

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

9:00 A.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

- A) Adoption of Agenda (1-2)**
- B) Approval of the Minutes**
 - 1) November 14, 2014 **(3-4)**
- C) Administrative Updates**
 - 1) Staff Updates
 - 2) Election of Officers **(5)**
 - 3) Appointment of Board Liaisons and Delegation of Authority **(5-6)**
- D) Legislation/Administrative Rule Matters – Discussion and Consideration**
 - 1) Review and Discussion of A-E 7, 8, and 10 **(7-24)**
 - 2) Review of Draft A-E 1, 2, 6, 7, 8, 10 Land Surveyor Professional Licensure **(25-39)**
 - 3) Pending and Possible Rulemaking Projects
- E) Application Matters**
 - 1) Approved Wisconsin Land Surveyor Colleges and Universities
- F) Speaking Engagements., Travel or Public Relations Requests**
 - 1) NCEES Central/Northeast Zone Joint Interim Meeting
- G) 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)

H) 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.).

I) Education and Examination Matters

- 1) **APPEARANCE** – Ryan Zeinert, Licensing Examination Specialist – Jurisdictional Exam Update
(40)

J) Credentialing Matters

K) Case Status Report (41)

L) Case Closings

M) 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

N) Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

- O) 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
MEETING MINUTES
November 14, 2014**

PRESENT: Bruce Bowden, Daniel Fedderly (*via teleconference*), Matthew Janiak

EXCUSED: Ruth G. Johnson

STAFF: Brittany Lewin, Executive Director; Taylor Thompson, Bureau Assistant; and other Department staff

CALL TO ORDER

Matthew Janiak, Chair, called the meeting to order at 1:02 P.M. A quorum of three (3) members was confirmed.

ADOPTION OF AGENDA

MOTION: Bruce Bowden moved, seconded by Daniel Fedderly, to adopt the agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES

MOTION: Daniel Fedderly moved, seconded by Bruce Bowden, to approve the minutes of July 31, 2014 as published. Motion carried unanimously.

LEGISLATIVE/ADMINISTRATIVE RULE MATTERS

Review and Discussion of A-E 7, 8, and 10, Relating to Property Surveys

MOTION: Bruce Bowden moved, seconded by Daniel Fedderly, to table this matter until the next meeting. Motion carried unanimously.

Review and Discuss Draft of A-E 3, 4, 6, and 9, Relating to Entrance to Exams

MOTION: Bruce Bowden moved, seconded by Daniel Fedderly, to forward the draft of AE 6 and 9 Entrance to Exams, with amendments made at today's meeting back to the A-E Joint Board for further review and consideration. Motion carried unanimously.

EDUCATION AND EXAMINATION MATTERS

2012-2014 Land Surveyor Continuing Education Compliance Audit Report

MOTION: Daniel Fedderly moved, seconded by Bruce Bowden, to refer non-compliant auditees to DLSC for review. Motion carried unanimously.

MOTION: Bruce Bowden moved, seconded by Daniel Fedderly, to request the Office of Education and Examinations to review the Professional Land Surveyor exam for updates in accordance to the recent statutory changes and report to the Section at the next meeting. Motion carried unanimously.

CLOSED SESSION

MOTION: Daniel Fedderly moved, seconded by Bruce Bowden, to 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.). The Chair read the language of the motion aloud for the record. The vote of each member was ascertained by voice vote. Roll Call Vote: Bruce Bowden - yes; Daniel Fedderly - yes; Matthew Janiak - yes. Motion carried unanimously.

The Board convened into Closed Session at 2:21 P.M.

RECONVENE TO OPEN SESSION

MOTION: Bruce Bowden moved, seconded by Daniel Fedderly, to reconvene in Open Session at 3:44 P.M. Motion carried unanimously.

VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION, IF VOTING IS APPROPRIATE

MOTION: Daniel Fedderly moved, seconded by Bruce Bowden, to affirm all Motions made and Votes taken in Closed Session. Motion carried unanimously.

CREDENTIALING MATTERS

Application Reviews

MOTION: Bruce Bowden moved, seconded by Daniel Fedderly, to approve the application for Land Surveyor licensure for Peter Nelson once all requirements are met. Motion carried unanimously

MOTION: Daniel Fedderly moved, seconded by Bruce Bowden, to deny the application for Land Surveyor licensure for Johnathan Jacobs. **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.

CASE CLOSING(S)

MOTION: Daniel Fedderly moved, seconded by Bruce Bowden, to close DLSC case number 14 LSR 004, against T.J.K., for Prosecutorial Discretion (P7). Motion carried unanimously.

ADJOURNMENT

MOTION: Bruce Bowden moved, seconded by Daniel Fedderly, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 3:46 P.M.

March 2014:

2014 ELECTION RESULTS	
Section Chair	Matthew Janiak
Vice Chair	Daniel Fedderly
Secretary	Ruth G. Johnson

APPOINTMENT OF LIAISONS, ALTERNATES, AND DELEGATES

MOTION: Bruce Bowden moved, seconded by Daniel Fedderly, to approve the following appointments made by the Chair:

- 1. Credentialing Liaison: Bruce Bowden**
- 2. Rules Liaison: Matthew Janiak**
- 3. Monitoring Liaison: Daniel Fedderly**
- 4. Continuing Education Liaisons: Daniel Fedderly; Bruce Bowden**
- 5. Travel Liaison: Matthew Janiak**
- 6. Screening Panel: Ruth G. Johnson; Matthew Janiak**

Motion carried unanimously.

DELEGATED AUTHORITY MOTIONS

MOTION: Bruce Bowden moved, seconded by Daniel Fedderly, that the Section delegates authority to the Chair (or order of succession) to sign documents on behalf of the Section. In order to carry out duties of the Section, the Chair has the ability to delegate this signature authority for purposes of facilitating the completion of assignments during or between meetings. The Chair delegates the authority to a Department representative to sign the name of the Chair (or order of succession), or any and all Section members, on documents as necessary. Motion carried unanimously.

MOTION: Daniel Fedderly moved, seconded by Bruce Bowden, that, in order to facilitate the completion of assignments between meetings, the Section delegates its authority by order of succession to the Chair, highest ranking officer, or longest serving member of the Section, to appoint liaisons to the Department to act in urgent matters and to act when knowledge or experience in the profession is required to carry out the duties of the Section in accordance with the law. Motion carried unanimously.

MOTION: Daniel Fedderly moved, seconded by Ruth G. Johnson, to delegate authority to the Credentialing Liaison(s) to address all issues related to credentialing matters. Motion carried unanimously.

MOTION: Bruce Bowden moved, seconded by Ruth G. Johnson, to adopt the Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor document as presented in today's agenda packet. Motion carried unanimously.

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

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Shawn Leatherwood, Administrative Rules Coordinator		2) Date When Request Submitted: January 2, 2015 <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: January 14, 2015	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 discuss amendments to A-E 7, 8, and 10 regarding practice, conduct and continuing education.</p>			
11) Shawn Leatherwood Signature of person making this request		Authorization January 2, 2015 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 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 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 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 too properly and distinctly set it apart form 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 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; 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. which has been previously tied to a corner marked and established by the U.S. public land survey.

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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 which shall be clearly stated and graphically illustrated by a bar scale on every sheet of the map.

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

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(3) Show the 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.

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(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, 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 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.

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

(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) 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.

Deleted: (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.

Deleted: (5)

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, amendment or use of a U.S. public land survey corner, and,

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(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".

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

(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 and the monument location of that corner as previously established.
- (f) Whether the corner was restored through acceptance of an obliterated evidence location or a found perpetuated location.
- (g) Whether the corner was determined 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.

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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:

- (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.

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

- (d) A retirement from the occupation of land surveying whereby 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.

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Chapter A-E 7

MINIMUM STANDARDS FOR PROPERTY SURVEYS

A-E 7.01 Scope.

A-E 7.02 Property survey, definition.

A-E 7.03 Boundary location.

A-E 7.04 Descriptions.

A-E 7.05 Maps.

A-E 7.06 Measurements.

A-E 7.07 Monuments.

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 **with signatures**.

(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 work or effort** which includes as one of its principal purposes describing, monumenting, **mapping or** locating **the a boundary line or** 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, **surveys**, maps, certificates of title, **and** center lines and other boundary line locations **(switched order of next two sentences)**. 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 analyze the data and make a careful determination of the position of the boundaries of the parcel being surveyed. 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 **and include government lot, recorded private claim, quarter-quarter section, section, township, range and county.**

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. to a monumented line established in the Original Government Survey or other identifiable line of the public land survey, recorded and filed subdivision, and the bearings shall be expressed with reference to a magnetic, true, astronomic datum, the Wisconsin state coordinate system or a Wisconsin County coordinate system as defined by the Wisconsin Department of Transportation (datum required).**

(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 **or as historically defined if a recorded document is referenced.**

(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. with the county surveyor's records within 60 days after completing any survey. In a county with a population of 500,000 or more where there is no county surveyor, a copy shall also be filed in the office of the regional planning commission which acts in the capacity of county surveyor for the county.**

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 a property** 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 at least 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. **Monuments in lighter soils should have a minimum length of 24 inches.**

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.

(d) 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.

(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.

February 22, 2013 A-E 7.

Black is presently proposed to remain the same

~~Blue is presently proposed to be struck and or replaced~~

Red is proposed new language

Proposed Changes to A-E 7

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 or survey report of work performed. The map or survey report 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 Relative Positional Precision in decimal feet, ~~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 as defined in 443.01 which includes: as one of its principal purposes describing those lands surveyed; monumenting; locating the boundary lines, lines or corners of; or mapping one or more lines or parcels of land. The term includes the restoration, perpetuation or reestablishment of a U.S. public survey corner.

(1) **Survey Report.** In lieu of preparing a map, a survey report, may be prepared when there is an existing map recorded or filed and no new monuments are established in the survey. The survey report shall be in compliance with all sections of this chapter except A-E 7.05 (1), (2), (3) and (4) and include: (1) the purpose of the survey; (2) information concerning the documents that were examined for the survey; (3) what measurements were made to verify the locations of the monuments found.

(2) "Relative Positional Precision" 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 relative to the monument, or witness, marking any other corner of the surveyed property at the 95 percent confidence level (two standard deviations). Relative Positional Precision is estimated by the results of a correctly weighted least squares adjustment of the survey.

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 U.S. Public Land Survey Monument Records, deeds, maps, certificates of title, center line/right-of-way plats, and other boundary line information. 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~~ measurements 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 defining land boundaries ~~written~~ created by a land surveyor for conveyance or to more accurately describe; or for other purposes shall be complete, providing unequivocal identification of lines or boundaries. The description shall contain necessary ties calls 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.

(1) When the land boundaries being surveyed are part of 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.

(2) When the land boundaries being surveyed are part of an existing lot, outlot or parcel, on a recorded Certified Survey Map, the survey shall be described by the lot, outlot or parcel number and Certified Survey Map number, for all purposes.

(3) When the parcel is described as an aliquot part of a section subdivision from the public land system, the existing legal description is acceptable.

(4) When a ~~and by~~ metes and bounds description is created it shall commence with a monument at a section or quarter section corner of the quarter section in which the land is located; or a monument 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; that 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 subdivision is located.

(5) The description of the point of beginning of the line or parcel described shall be indicated by bearing and distance from a boundary line of a quarter section, recorded private claim or federal reservation in which the line or parcel is located, or if the line or parcel is located within a plat or Certified Survey Map the point of beginning shall be described by a bearing and distance from a boundary of the lot of the plat or Certified Survey Map.

(6) A closed description created by a surveyor shall have an error in closure in the latitudes and departures not greater than 1 part in 3000.

A-E 7.05 Maps. A map shall be drawn for every property survey, unless a Survey Report is filed as provided in A-E .02(1), showing information developed by the survey. Such ~~The~~ map shall:

(1) ~~Be drawn to a convenient scale.~~ on a media with 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.

(2) Be referenced as provided in A-E 7.04 ~~s. 59.73 (1), Stats.~~

(3) Show the ~~exact~~ length and bearing of the boundaries of the parcels surveyed. Bearings or angles on any property survey map shall be shown to the nearest 1 second. Distances shall be shown to the nearest 1/100th foot, (0.01 foot). 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 and include 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. ~~and indicate whether such monuments were found or placed.~~ All monuments shall be indicated by whether such monuments were found or set, and a description of the monument.

(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, name 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 further states 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) (a) 2, Stats. on durable white media or electronically, if acceptable by that county.

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

(9) When the surveyed parcel includes a water boundary or other inaccessible area, the survey shall be closed by a line or lines between meander corners.

(10) When coordinate values are 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.

A-E 7.06 Measurements.

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

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

(3) The maximum allowable Relative Positional Precision for a survey is plus or minus 2cm (0.07 feet) plus 50 parts per million (based on the direct distance between the two corners being tested). It is recognized that 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.

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

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.

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 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,

(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".

(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.

Chapter A-E 7

MINIMUM STANDARDS FOR PROPERTY SURVEYS

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 adjoiners 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.

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

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

PROPOSED ORDER

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:

Statutory authority:

Explanation of agency authority:

Related statute or rule:

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 Fiscal Estimate and Economic Impact Analysis are attached.

Effect on small business:

These proposed 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 Tom.Engels@wisconsin.gov, or by calling (608) 266-8608.

Agency contact person:

Shawn Leatherwood, 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) 261-4438; email at Shancethea.L Leatherwood@wisconsin.gov.

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

Comments may be submitted to Shawn Leatherwood, Administrative Rules Coordinator, 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.L 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 1.02 (1) is amended to read:

A-E 1.02 Definitions. In chs. A-E 1 to 13:

(1) "Board" or "joint board" means the examining board of architects, landscape architects, professional engineers, designers and professional land surveyors.

SECTION 2. A-E 2.01 is amended to read:

A-E 2.01 Purpose. The purpose of rules in this chapter is to specify general requirements and procedures which apply to persons credentialed by any section of the board. Requirements specific to architects, landscape architects, professional engineers, designers or professional land surveyors are specified in chs. A-E 3, 4, 5, 6, 7, 9, 10, 11,

12, and 13. Rules of professional conduct for all registrants or permit holders are specified in ch. A-E 8.

SECTION 3. A-E 2.02 (1), (4) and (6) are amended to read:

A-E 2.02 (1) Each architect, landscape architect, professional engineer, designer and professional land surveyor shall obtain a seal that complies with board specifications for registration seals. The overall diameter may not be less than 15/8 inches nor more than 2 inches. Each seal shall include the registrant's name, registration or permit number and city.

A-E 2.02 (4) Each sheet of plans, drawings, documents, specifications and reports for architectural, landscape architectural, professional engineering, design or professional land surveying practice shall be signed, sealed and dated by the registrant or permit holder who prepared, or directed and controlled preparation of, the written material, except as specified in sub. (5).

A-E 2.02 (6) Any addition, deletion or other revision to each sheet of plans, drawings, documents, specifications and reports for architectural, landscape architectural, professional engineering, design or professional land surveying practice which affects public health and safety or any state or local code requirements may not be made unless signed, sealed and dated by the registrant or permit holder who made or directed and controlled the making of the revision.

SECTION 4. A-E 2.03 (1) (a) and (b) and (2) (d) are amended to read:

A-E 2.03 (1) (a) "Firm" means any sole proprietorship, partnership or corporation located in Wisconsin which provides or offers to provide architectural, landscape architectural, professional engineering, design or professional land surveying services to the public.

(b) "Resident" means a currently-registered architect, landscape architect, professional engineer, designer or professional land surveyor who spends the majority of his or her working schedule in one firm location and who is in charge of and responsible for the type of services offered or provided from that location.

(2) (d) A resident professional land surveyor in each separate business location which provides or offers to provide professional land surveying services.

SECTION 5. Chapter A-E 6 (title) is amended to read:

PROFESSIONAL LAND SURVEYOR LICENSURE

SECTION 6. A-E 6.01 (intro) is amended to read:

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) 443.01 (6s) and 443.06, Stats. The purpose of rules

in this chapter is to interpret basic education, experience and examination requirements for registration licensure as a professional land surveyor as specified in s. 443.06, Stats.

SECTION 7. A-E 6.02 (title) is amended to read:

A-E 6.02 Application for registration licensure.

SECTION 8. A-E 6.03 is amended to read:

A-E 6.03 Land surveying experience. (1) To qualify as "practice in professional 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 professional 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.

SECTION 9. A-E 6.04 (title) (1) (a) and (b) and (2) (a) and (b) are amended to read:

A-E 6.04 Educational requirements for professional land surveyors. (1) To meet the educational requirements of ~~s. 443.06 (2) (a) and s. 443.06 (bm)~~, Stats., an applicant for registration as a professional 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 professional 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 professional land surveying and the technical aspects of professional 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 professional 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 professional 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 professional 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 professional land surveyor shall have done either of the following:

(a) Received a bachelor's degree in a course of study in professional 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.

(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 professional land surveying and the technical aspects of professional 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 professional 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 professional 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."

SECTION 10. A-E 6.05 (1) and (2) (b) are amended to read:

A-E 6.05 (1) LAND SURVEYOR EXAMINATION REQUIRED. Applicants for ~~registration~~ licensure as a professional 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.

A-E 6.05 (2) (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 professional 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.

SECTION 11. A-E 6.05 (10) is amended to read:

(10) CHEATING. Any applicant for ~~registration~~ licensure 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.

SECTION 12. A-E 6.06 (intro.) is amended to read:

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

SECTION 13. A-E 6.07 is repealed.

SECTION 14. A-E 7.01 (2) (intro.) is amended to read:

A-E 7.01 (2) The professional land surveyor and his or her client or employer may agree in a signed statement to exclude any professional 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:

SECTION 15. A-E 7.03 is amended to read:

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

SECTION 16. A-E 7.05 (6) is amended to read:

(6) Bear the stamp or seal and signature of the professional 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.

SECTION 17. A-E 7.08 (1) (b), (3) (b) and (i) are amended to read:

A-E 7.08 (1) (b) The professional 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,

A-E 7.08 (3) (b) A description of any record evidence, monument evidence, occupational evidence, testimonial evidence or any other material evidence considered by the professional land surveyor, and whether the monument was found or placed.

A-E 7.08 (3) (i) The stamp and signature or seal and signature of the professional 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.

SECTION 18. A-E 8.02 is amended to read:

A-E 8.02 Intent. The intent of the examining board in adopting this chapter is to establish rules of professional conduct for the professions of architecture, landscape architecture, professional engineering, designing and professional land surveying. A violation of any standard specified in this chapter may result in disciplinary action under ss. 443.11 to 443.13, Stats.

SECTION 19. A-E 8.03 (1), (3) and (3) (a) are amended to read:

(1) "Gross negligence in the practice of architecture, landscape architecture, professional engineering, designing or professional land surveying" means the performance of professional services by an architect, landscape architect, professional engineer, designer or professional land surveyor which does not comply with an acceptable standard of practice that has a significant relationship to the protection of health, safety or public welfare and is performed in a manner indicating that the professional knew or should have known, but acted with indifference to or disregard of, the accepted standard of practice.

(3) "Misconduct in the practice of architecture, landscape architecture, professional engineering, designing or professional land surveying" means an act performed by an architect, landscape architect, professional engineer, designer or professional land surveyor in the course of the profession which jeopardizes the interest of the public, including any of the following:

(3) (a) Violation of federal or state laws, local ordinances or administrative rules relating to the practice of architecture, landscape architecture, professional engineering, designing or professional land surveying.

SECTION 20. A-E 8.03 (5) (c) 4. and 5. are amended to read:

4. Mere assumption by an architect, landscape architect, professional engineer, designer or professional land surveyor of responsibility for work without having control of the work.

5. Assuming charge, control or direct supervision of work in which the architect, landscape architect, professional engineer, designer or professional land surveyor does not have technical proficiency.

SECTION 21. A-E 8.04 (intro.), (1) and (3) are amended to read:

A-E 8.04 Offers to perform services shall be truthful. When offering to perform professional services, an architect, landscape architect, professional engineer, designer or professional land surveyor:

(1) Shall accurately and truthfully represent to a prospective client or employer the capabilities and qualifications which the registrant or licensee has to perform the services to be rendered.

(3) May not offer to perform, nor perform, services which the registrant or licensee is not qualified to perform by education or experience without retaining the services of another who is qualified.

SECTION 22. A-E 8.05 (1), (1) (a), (1) (c) and (2) are amended to read:

A-E 8.05 Conflicts of Interest. (1) An architect, landscape architect, professional engineer, designer or professional land surveyor:

(1) (a) Shall avoid conflicts of interest. If an unavoidable conflict of interest arises, the registrant or licensee shall immediately inform the client or employer of all the circumstances which may interfere with or impair the registrant's registrant or licensee's obligation to provide professional services. Under these circumstances a registrant or licensee may not proceed to provide professional services without the full approval and consent of the client or employer.

(1) (c) May not agree to perform professional services for a client or employer if the registrant or licensee has a significant financial or other interest which would impair or interfere with the registrant's registrant or licensee's responsibility to faithfully discharge professional services on behalf of the client or employer.

(2) Nothing in these rules limits a registrant's registrant or a licensee's professional responsibility to an owner of a project when the registrant or licensee is employed by a person or firm under contract to construct and furnish design services for that project.

SECTION 23. A-E 8.06 (intro.), (2) and (3) are amended to read:

A-E 8.06 Professional obligations. An architect, landscape architect, professional engineer, designer or professional land surveyor:

(2) May not evade the professional or contractual responsibility which the registrant or licensee has to a client or employer.

(3) May not enter into an agreement which provides that a person not legally and actually qualified to perform professional services has control over the ~~registrant's~~ registrant or licensee's judgment as related to public health, safety or welfare.

SECTION 24. A-E 8.07 (intro.), (1) and (2) are amended to read:

A-E 8.07 Unauthorized practice. An architect, landscape architect, professional engineer, designer, or professional land surveyor:

(1) Shall assist in enforcing laws which prohibit the unlicensed practice of architecture, landscape architecture, professional engineering, designing, and professional land surveying by reporting violations to the board.

(2) May not delegate professional responsibility to unlicensed persons and may not otherwise aid or abet the unlicensed practice of architecture, landscape architecture, professional engineering, designing, or professional land surveying.

SECTION 25. A-E 8.07 (2) (Note) is repealed.

SECTION 26. A-E 8.08 (intro.), (3) and (4) are amended to read:

A-E 8.08 Maintenance of professional standards. An architect, landscape architect, professional engineer, designer or professional land surveyor:

(3) Shall respond in a timely manner to a request by the board, a section of the board or the department for information in conjunction with an investigation of a complaint filed against a registrant or licensee. There is a rebuttable presumption that a registrant or licensee who takes longer than 30 days to respond to a request for information has not acted in a timely manner.

(4) Shall notify the department in writing if the registrant or licensee has been disciplined for unprofessional conduct in other states where the registrant or licensee holds a credential or has violated federal or state laws, local ordinances or administrative rules, not otherwise reportable under s. SPS 4.09 (2), which are related to the practice of an architect, landscape architect, professional engineer, designer or professional land surveyor. The notification shall be submitted within 48 hours of the disciplinary finding or violation of law and shall include copies of the findings, judgments and orders so that the department may determine whether the circumstances are substantially related to the practice of the registrant or licensee.

SECTION 27. A-E 8.09 (intro.), (1) and (2) are amended to read:

A-E 8.09 Adherence to statutes and rules. An architect, landscape architect, professional engineer, designer or professional land surveyor:

(1) Shall comply with the requirements in ch. 443, Stats., rules in this chapter and all other federal, state and local codes which relate to the practice of architecture, landscape architecture, professional engineering, designing and professional land surveying.

(2) May not engage in conduct that may adversely affect his or her fitness to practice architecture, landscape architecture, professional engineering, designing or professional land surveying.

SECTION 28. A-E 8.10 (2) and (3) are amended to read:

(2) No professional land surveyor may sign, seal or stamp any maps, plats, charts, or reports for professional land surveying practice which are not prepared by the professional land surveyor or under his or her personal direction and control.

(3) No architect, landscape architect, professional engineer, designer or professional land surveyor shall allow work performed by him or her or under his or her personal direction and control to be signed, sealed or stamped by another except that an architect, landscape architect, professional engineer, designer or professional land surveyor working under the personal direction and control of another registrant or licensee may allow that registrant or licensee to sign and seal or stamp the work.

SECTION 29. A-E 8.11 (intro.), (1) to (4) are amended to read:

A-E 8.11 Suspension of registration; effect. Any registrant or licensee whose registration or license has been suspended is prohibited during the term of the suspension from engaging in any of the following:

(1) Offering to perform any service which requires registration or licensure.

(2) Performing any professional service which requires registration or licensure.

(3) Signing or sealing plans, specifications, reports, maps, plats, or charts prepared for the practice of architecture, landscape architecture, professional engineering, designing or professional land surveying.

(4) Entering into contracts the performance of which require registration or licensure.

SECTION 30. Chapter A-E 10 (title) is amended to read:

CONTINUING EDUCATION FOR
PROFESSIONAL LAND SURVEYORS

SECTION 31. A-E 10.01 is amended to read:

A-E 10.01 Authority and purpose. The rules in this chapter are adopted under the authority in ss. 15.08 (5) (b), 227.11 (2) and 443.015, Stats., and govern biennial continuing education of professional land surveyor registrants surveyors.

SECTION 32. A-E 10.02 (2) to (4) are amended to read:

(2) "Continuing education" means the planned, professional development activities designed to contribute to the advancement, extension and enhancement of the professional skills and scientific knowledge of the registrant licensee in the practice of professional land surveying and for improvement of the safety and welfare of the public.

(3) "Professional development activities" means organized educational programs on topics related to the practice or theory of professional land surveying and which foster the enhancement of general or specialized knowledge, practice and values of professional land surveying.

(4) "Professional development hour" or "PDH", unless specified otherwise, means 50 minutes of instruction or participation spent by the registrant licensee in actual attendance or completion of an approved educational activity.

SECTION 33. A-E 10.03 (1) (a) and (b) and (b) (3) are amended to read:

(a) Beginning in the February 2012 biennial registration period, unless granted a waiver under s. A-E 10.07, every registrant licensee shall complete at least 20 hours of approved professional development hours or equivalent continuing education hours, pertinent to the practice of professional land surveying, except that between initial registration licensure and the first renewal period, a new registrant licensee shall not be required to comply with the continuing education requirements for the first renewal of registration licensure.

(b) During each biennial registration period, the registrant licensee shall complete a minimum of 2 professional development hours of the total number required in each of the following categories:

3. Programs, courses or activities in the area of professional land surveying or related sciences.

SECTION 34. A-E 10.03 (2) (b) to (d), (g) and (4) are amended to read:

(b) Successful completion of a college or university course in the area of professional land surveying, related sciences or surveying ethics. One semester credit hour of course work is equivalent to 20 professional development hours and one quarter credit hour of course work is equivalent to 13.5 professional development hours.

(c) Successful completion of professional land surveying courses or programs offering professional development hours on professional land surveying topics.

(d) Active participation and successful completion of professional land surveying programs, seminars, tutorials, workshops, short courses or in-house courses.

(g) Authoring professional land surveying related papers or articles that appear in circulated journals or trade magazines. Credit is earned in the biennium of publication. A maximum of 5 professional development hours per renewal will be awarded for this activity.

(4) A professional land surveyor who fails to meet the continuing education or professional development hours by the renewal date, as specified in s. 440.08 (2) (a) 39., Stats., may not engage in the practice of professional land surveying until the registration licensure is renewed based upon proof of compliance with the continuing education requirements.

SECTION 35. A-E 10.04 (1) (a) and (c), (2) and (2) (e), (3) and (4) are amended to read:

(a) The program includes instruction in an organized method of learning contributing directly to the professional competency of the registrant licensee and pertains to subject matters which integrally relate to the practice of the profession.

(c) The program provides proof of attendance by the registrants licensee and fulfills pre-established goals and objectives.

(2) The professional land surveyor section may approve providers for continuing education programs including the following:

(e) Colleges, universities or other educational institutions approved by the professional land surveyor section.

(3) An advisory committee selected by the professional land surveyor section will make recommendations as to approval of courses, credit, PDH value for courses and other methods of earning credit.

(4) Credit for college or technical school courses approved by the professional land surveyor section shall be based upon course credit established by the college or technical school.

SECTION 36. A-E 10.04 (2) (d) is repealed.

SECTION 37. A-E 10.05 (1) to (5) is amended to read:

(1) Each ~~registrant~~ licensee shall certify on the renewal application full compliance with the continuing education requirements set forth in this chapter.

(2) The professional land surveyor section may conduct a random audit of its ~~registrants~~ licensees on a biennial basis for compliance with these requirements. It is the responsibility of each ~~registrant~~ licensee to retain or otherwise produce evidence of compliance.

(3) The professional land surveyor section may require additional evidence demonstrating compliance with the continuing education requirements, including a certificate of attendance or documentation of completion or credit for the courses completed.

(4) If there appears to be a lack of compliance with the continuing education or professional development requirements, the professional land surveyor section shall notify a ~~registrant~~ licensee in writing and request submission of evidence of compliance within 30 days of the notice.

(5) The professional land surveyor section may require a ~~registrant~~ licensee to appear for an interview to address any deficiency or lack of compliance with the continuing education or professional development requirements.

SECTION 38. A-E 10.06 (intro.) is amended to read:

A-E 10.06 Recordkeeping. It shall be the responsibility of the ~~registrant~~ licensee to maintain records of continuing education or professional development hours for at least 2 bienniums from the date the certificate or statement of attendance is signed. The recordkeeping shall include all of the following:

SECTION 39. A-E 10.07 (1) and (2) (d) are amended to read:

(1) A renewal applicant seeking renewal of ~~registration licensure~~ license 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 professional land surveyor section. If the professional land surveyor section finds from the affidavit or any other evidence submitted that extreme hardship has been shown, the professional land surveyor section shall waive enforcement of the continuing education requirements for the applicable renewal period.

(2)(d) A retirement from the occupation of professional land surveying whereby the renewal applicant no longer ~~receives remuneration from providing~~ provides professional land surveying services.

SECTION 40. A-E 10.08 is amended to read:

A-E 10.08 Comity. An applicant for registration from another state who applies for registration to practice professional land surveying under s. A-E 6.06, shall submit proof of completion of continuing education obtained in another jurisdiction within the 2 years prior to application.

SECTION 41. 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