PE license rule changed

by Greg Schroeder

What just happened regarding PE licensure in Wisconsin? On January 1, 2019, the administrative rule A-E 13.06 (2) was repealed. That was the effective date of the repeal in the administrative code. My investigation revealed the process and steps that led to this. One could say it was a done deal long before this recent effective date. What was repealed? A-E 13.06 (2) was a provision authorizing the licensing board to perform random audits of licensed professional engineers continuing education credits. The same authorization of random audits was repealed for architects, landscape architects, and land surveyors in their respective rule sections.

Back on June 7, 2018, the Joint Committee for Review of Rules approved a petition from the examining board and ordered the repeal of the provisions. The Joint Committee is a committee of the State legislature. The petition had been filed with the committee back on April 25, 2018

using the expedited process of state statutes S.227.26 (4). The expedited process is only used for repeals of current rule provisions.

Why did the chair request the repeal? The chair requested the repeal because the execution of random audits was no longer authorized because of a provision in the 2017 State budget bill from September 22, 2017.

So, the conduct of random audits was effectively ended back in 2017. What has actually changed as a result of this legislation and rule making change? I asked Helen Leong, Administrative Rules Coordinator, Division of Policy Development, Wisconsin Department of Safety and Professional Services. Ms. Leong reported that since continuing education credits were first mandated for engineers in Wisconsin that only one random audit was conducted in 2015 of the license biennium that ended in 2014. Next month I will report on the results of that audit.

Here is a summary in chronological order of the rule repeal for random audits.

1. September 22, 2017 repeal of random audits passed in budget bill
2. April 25, 2018 petition by chair of License Board to the Joint Committee of the Legislature
3. May 7, 2018 publication in the Administrative Register
4. June 7, 2018 report approved by the Joint Committee for review of Administrative Rules
5. December 11, 2018 repeal is filed with Legislative Reference Bureau
6. December 26, 2018 publication by the Legislative Reference Bureau
7. January 1, 2018 effective date of rule repeal.