

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE PROFESSIONAL ENGINEER SECTION OF THE
EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,
PROFESSIONAL ENGINEERS, DESIGNERS AND LAND SURVEYORS

IN THE MATTER OF THE DISCIPLINARY
PROCEEDINGS AGAINST:

ROBERT F. SEMMENS,
RESPONDENT

FINAL DECISION AND ORDER
LS0101123ENG

Division of Enforcement Case No. 00ENG024

The parties to this action for the purposes of section 227.53 of the Wisconsin statutes are:

Robert F. Semmens
4300 N. Miller Rd #146
Scottsdale, AZ 85251

Professional Engineer Section
PO Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
PO Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Professional Engineer Section. The Section has reviewed this Stipulation and considers it acceptable.

Accordingly, the Section in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Robert F. Semmens (D.O.B. 03/07/37) is duly licensed to practice as a Professional Engineer in the state of Wisconsin (license #21292). This license was first granted on February 26, 1982.
2. Respondent's most recent address on file with the Wisconsin Professional Engineers Section is 4300 N. Miller Rd #146, Scottsdale, AZ 85251.
3. On or about April 14, 1999, Respondent's State of Arizona engineering license was disciplined by the Arizona State Board of Technical Registration.

4. On or about August 18, 2000, the Florida Board of Professional Engineers issued an Order against Respondent imposing professional discipline. The Florida action was based upon the 1999 Arizona Order.

5. Copies of the Arizona and Florida Orders against Respondent are attached to this document as Exhibit A.

6. In resolution of this matter, Robert F. Semmens consents to the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Professional Engineer Section has jurisdiction over this matter, pursuant to sec. 443.11, Stats.

2. The Wisconsin Professional Engineer Section is authorized to enter into the attached stipulation, pursuant to sec. 227.44(5), Stats.

3. The conduct described above constitutes a basis for discipline against Respondent's license to practice as a Professional Engineer in the state of Wisconsin, pursuant to sec. 443.11(1)(e), Stats. and Wisconsin Administrative Code § A-E 8.03(3).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the Wisconsin license of Robert F. Semmens, to practice as a professional engineer (license # 34041) is LIMITED as follows:

1. Prior to engaging in the practice of engineering in Wisconsin, Respondent shall submit and obtain approval by the Section of a plan of supervision involving Respondent's Wisconsin practice. Any plan of supervision shall include periodic random in-person assessments and evaluations of respondent's practice as well as a written record of all supervisory activities undertaken for the Respondent. The Section may in the exercise of its discretion require respondent to appear personally before the Section to answer questions related to his intended practice in Wisconsin. The refusal to approve a plan of supervision under this paragraph shall not constitute denial of a license and shall not give rise to a contested case within the meaning of secs. 227.01(3) and 227.42, Stats. Section approval of a plan of supervision shall not be unreasonably denied.

2. Respondent shall arrange for reports from his supervisor evaluating his work performance on a schedule as determined by the Section. These reports shall be submitted to the Department Monitor in the Department of Regulation and Licensing, Division of Enforcement. The supervisor shall report **immediately** to the Department Monitor any violation or suspected violation of Wisconsin law.

3. Any plan of supervision, petition or report submitted under this order shall be submitted to:

Department Monitor

Division of Enforcement

PO Box 8935

Madison, WI 53708-8935

FAX (608) 266-2264

TEL. (608) 267-7139

4. Respondent shall immediately surrender all indicia of Wisconsin registration to the Department Monitor. The Department shall reissue registration credentials to Respondent marked "limited."

5. Within ninety (90) days from date of this Order, the Respondent shall pay to the Department of Regulation and Licensing partial COSTS of the investigation and prosecution of this action in the sum of TWO HUNDRED dollars [\$200.00]. Payment shall be made by certified check or money order, payable to the Wisconsin Department of Regulation and Licensing and submitted to the Department Monitor.

6. At any time following one [1] year from the effective date of this Order, Respondent may petition for removal of any or all of the limitations imposed by this Order. Respondent shall include with any petition documentation regarding the status of his professional licensure in any jurisdiction where Respondent is or has been licensed. Denial in whole or in part of a petition under this paragraph shall not constitute denial of a license and shall not give rise to a contested case within the meaning of secs. 227.01(3) and 227.42, Stats.

C. Violation of any of the terms of this Order or the conditions imposed as a result of this Order shall be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license; the Section in its discretion may in the alternative impose

additional conditions and limitations and/or other additional discipline for a violation of any of the terms of this Order.

D. This Order shall become effective on the date of its signing.

PROFESSIONAL ENGINEERS SECTION

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

By: Harvey Shebesta

1-12-01

A Member of the Board

Date