

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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

IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
KENNETH R. STOCK,	:	
RESPONDENT.	:	LS0710254ENG

Division of Enforcement Case No. 07 ENG 011

The parties to this action for the purpose of Wis. Stat. §227.53 are:

Kenneth R. Stock
S14W32155 Boys School Road
Delafield, WI 53018

Examining Board of Architects, Landscape Architects,
Professional Engineers, Designers, and Land Surveyors;
Professional Engineers Section
P.O. Box 8935
Madison, WI 53708

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

PROCEDURAL HISTORY

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Wisconsin Professional Engineers Section (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. Kenneth R. Stock ("Respondent"), whose date of birth is December 21, 1948, was issued a registration as a Professional Engineer in the State of Wisconsin on April 13, 1977, having registration number 6-16557.
2. Respondent's last reported address on file with the Department of Regulation and Licensing is S14W32155 Boys School Road, Delafield, WI 53018.
3. Respondent's Professional Engineer registration expired on July 31, 1998.

4. Respondent now seeks reinstatement of his Professional Engineer registration, pursuant to Wis. Admin. Code § A-E 2.05(2).

5. Respondent contends that he did not become aware that his Professional Engineer credential was expired until August 3, 2007, when he contacted NCEES about his reciprocal registration in Virginia and was told that his Wisconsin registration had lapsed. Respondent then checked the Department of Regulation and Licensing website and saw that his registration was listed as “expired.” On or about August 6, 2007, Respondent submitted an Application for Credential Reinstatement along with payment for the \$58.00 renewal fee and \$25.00 late fee.

6. Respondent’s application for credential reinstatement was referred to the Division of Enforcement to address the concern that Respondent had engaged in the practice of professional engineering in Wisconsin since the expiration of his Professional Engineer registration on July 31, 1998.

7. Respondent contends that his previous bookkeeper failed to submit his renewal payment in 1998.

8. The Department’s practice and procedures relating to credential renewal is that a renewal notice is mailed to the licensee prior to the credential expiration at the last known address on file with the Department. If a licensee fails to renew his or her credential, the Department does not submit any further renewal notices to the licensee.

9. Respondent acknowledges that it is his responsibility, and his alone, to keep his registration current under Wis. Stat. § 440.08(1).

10. From July 31, 1998 until August 3, 2007, when Respondent discovered that his Professional Engineer registration was in expired status, Respondent held himself out as a Professional Engineer in Wisconsin and engaged in the practice of professional engineering in Wisconsin.

11. The Section has reviewed Respondent’s application for reinstatement of his Professional Engineer registration and has determined that Respondent meets the requirements of Wis. Admin. Code § A-E 2.05(2)(a) and is competent to practice as a Professional Engineer in Wisconsin.

CONCLUSIONS OF LAW

1. The State of Wisconsin Professional Engineers Section of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors has jurisdiction to act in this matter and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 443.02(1) – (3), Wis. Admin. Code § A-E 2.05(2)(b) and Wis. Stat. § 227.44(5).

2. Respondent’s practice of professional engineering while his registration has been expired is a violation of Wis. Stat. § 443.02(2), which prohibits a person from practicing professional engineering in Wisconsin unless the person is duly registered.

3. By holding himself out as a professional engineer while his registration has been expired, Respondent has violated Wis. Stat. § 443.02(3) which prohibits a person from offering to practice professional engineering, advertising as a professional engineer, or using any title or description tending to convey the impression that he or she is a professional engineer unless the person is duly registered.

ORDER

NOW THEREFORE, IT IS HEREBY ORDERED:

1. That Respondent Kenneth R. Stock, registration number 6-16557, be and hereby is **REPRIMANDED**.

2. That Respondent shall, within thirty (30) days from the date of this Order pay the missed renewal fees for 1998, 2000, 2002, and 2004, totaling **TWO HUNDRED AND EIGHT DOLLARS (\$208.00)**, and calculated as follows:

1998	\$43 renewal fee +
2000	\$49 renewal fee +
2002	\$58 renewal fee +
2004	\$58 renewal fee =
TOTAL	\$208.00

3. That Respondent shall, within thirty (30) days from the date of this Order, pay **COSTS** of this proceeding in the amount of **ONE HUNDRED DOLLARS (\$100.00)**.

4. Payment of the back renewal fees and costs shall be made payable to the Wisconsin Department of Regulation and Licensing, and mailed to:

Department Monitor
Department of Regulation and Licensing
Division of Enforcement
1400 East Washington Ave.
P.O. Box 8935
Madison, WI 53708-8935
Telephone (608) 267-3817
Fax (608) 266-2264

5. IT IS FURTHER ORDERED that the Professional Engineer registration of Kenneth R. Stock, registration number 6-16557, be, and hereby is, **REINSTATED**.

6. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. In its discretion the Section may, in the alternative, impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to timely submit payment of the costs and renewal fees set forth above, Respondent's license (#6-16557) SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.

7. This Order is effective on the date of its signing.

PROFESSIONAL ENGINEERS SECTION

By: Martin Hanson Date: 10-25-2007

A member of the Section