

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



Wisconsin Department of Regulation & Licensing Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Regulation & Licensing website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Regulation and Licensing from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Regulation and Licensing data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Regulation and Licensing, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Regulation and Licensing is shown on the Department's Web Site under "License Lookup." The status of an appeal may be found on court access websites at: <http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>.
- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DRL website: An individual who believes that information on the website is inaccurate may contact the webmaster at web@drl.state.wi.gov

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

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST : FINAL DECISION AND ORDER
:
WILLIAM J. FORSMARK, : LS0804171ENG
RESPONDENT. :

Division of Enforcement Case No. 08 ENG 001

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

William J. Forsmark
4700 West 77th Street
Edina, Minnesota 55435

Professional Engineer Section
Examining Board of Architects, Landscape Architects,
Professional Engineers, Designers and Land Surveyors
Post Office Box 8935
Madison, Wisconsin 53708-8935

Department of Regulation and Licensing
Division of Enforcement
Post Office Box 8935
Madison, Wisconsin 53708-8935

PROCEDURAL HISTORY

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 Engineers Section (Section) of the Wisconsin Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors. 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. William J. Forsmark (Date of Birth: June 28, 1963) is duly registered to practice as a professional engineer in the state of Wisconsin (using registration number 6-28630). This registration was first granted on June 12, 1992, and is current through July 31, 2008.
2. Mr. Forsmark’s most recent address on file with the Department of Regulation and Licensing is 4700 West 77th Street, Edina, Minnesota 55435.
3. From August 1, 2006, through November 29, 2007, Mr. Forsmark’s registration to practice as a professional engineer in the state of Wisconsin was expired.
4. Mr. Forsmark was responsible for six projects in Wisconsin during the time his registration was in expired status.

Mr. Forsmark stamped and signed drawings, reports and letters in all six of the projects.

5. By letter dated December 28, 2007, Mr. Forsmark notified the Section that he had become aware that his Wisconsin professional engineering registration had lapsed because he inadvertently missed sending in his renewal fee. Mr. Forsmark explained that immediately upon becoming aware of the lapse in his license, he renewed his registration.

6. It is noted that Mr. Forsmark voluntarily notified the Professional Engineers Section of the Wisconsin Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors of these Facts, and explained the circumstances and actions already taken regarding this matter.

7. In resolution of this matter, William J. Forsmark consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Professional Engineers Section of the Wisconsin Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors has jurisdiction to act in this matter pursuant to Wis. Stat. § 443.11.

2. The Professional Engineers Section of the Wisconsin Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors is authorized to enter into the attached stipulation, pursuant to Wis. Stat. § 227.44(5).

3. By the conduct described in the above Findings of Fact 3. and 4., William J. Forsmark violated Wis. Stat. § 443.02(2) by engaging in the practice of professional engineering in Wisconsin without being duly registered.

ORDER

1. **NOW, THEREFORE, IT IS HEREBY ORDERED** that William J. Forsmark's Wisconsin certificate of registration (registration number 6-28630) to practice as a professional engineer in the state of Wisconsin is **REPRIMANDED**.

2. **IT IS FURTHER ORDERED** that Mr. Forsmark shall pay full costs in the amount of THREE HUNDRED dollars (\$300.00) in this matter. All payments shall be submitted within 90 days from the date of this order. Payment shall be made by ***certified check or money order***, payable to the Wisconsin Department of Regulation and Licensing and sent to the Department Monitor at the following address:

Department Monitor
Division of Enforcement
Post Office Box 8935
Madison, Wisconsin 53708-8935
608-261-7904

3. In the event that Mr. Forsmark fails to comply with any of the terms of the Order, the Wisconsin certificate of registration to practice as a professional engineer of William J. Forsmark (registration number 6-28630) **SHALL BE SUSPENDED**, without further notice or hearing, until William J. Forsmark has complied with the terms of this Order.

4. This Order shall become effective upon the date of signing.

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

By Martin J Hanson
A Member of the Professional Engineers Section

4/17/08
Date

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

| | | |
|----------------------------------|---|-----------------|
| IN THE MATTER OF | : | |
| DISCIPLINARY PROCEEDINGS AGAINST | : | STIPULATION |
| | : | |
| WILLIAM J. FORSMARK, | : | LS#08 _____ ENG |
| RESPONDENT. | : | |

Division of Enforcement Case No. 08 ENG 001

It is hereby stipulated between William J. Forsmark and Lara M. Herman, Attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Enforcement (08 ENG 001). Mr. Forsmark consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.
2. Mr. Forsmark understands that by the signing of this Stipulation he voluntarily and knowingly waives his rights, including: the right to a hearing on the allegations against him, at which time the state has the burden of proving those allegations by a preponderance of the evidence; the right to confront and cross-examine the witnesses against him; the right to call witnesses on his behalf and to compel their attendance by subpoena; the right to testify himself; the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded to him under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, and the Wisconsin Administrative Code.
3. Mr. Forsmark is aware of his right to seek legal representation and has been provided an opportunity to obtain legal advice prior to signing this stipulation.
4. Mr. Forsmark agrees to the adoption of the attached Final Decision and Order by the Professional Engineer Section of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors (Section). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Mr. Forsmark waives all rights to any appeal of the Section’s order, if adopted in the form as attached.
5. If the terms of this Stipulation are not acceptable to the Section, the parties shall not be bound by the contents of this Stipulation, and the matter shall be returned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Section, the parties agree not to contend that the Section has been prejudiced or biased in any manner by the consideration of this attempted resolution.
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Enforcement and any member of the Section ever assigned as an advisor in this investigation may appear before the Section in open or closed session, without the presence of Mr. Forsmark or his attorney, for purposes of speaking in support of this agreement and answering questions that any member of the Section may have in connection with the Section’s deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Section should accept this Stipulation and issue the attached Final Decision and Order.
7. Mr. Forsmark is informed that should the Section adopt this stipulation, the Section’s final decision and order is a public record and will be published in accord with standard Department procedure.

8. The Division of Enforcement joins William J. Forsmark in recommending the Professional Engineer Section of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors adopt this Stipulation and issue the attached Final Decision and Order.

| | |
|-----------------------------------|-------|
| <hr/> | <hr/> |
| William J. Forsmark | Date |
| Respondent | |
| 4700 West 77 th Street | |
| Edina, Minnesota 55435 | |
| Registration Number 6-28630 | |

| | |
|--|-------|
| <hr/> | <hr/> |
| Lara M. Herman | Date |
| Attorney | |
| Division of Enforcement | |
| Wisconsin Department of Regulation and Licensing | |
| Post Office Box 8935 | |
| Madison, Wisconsin 53708-8935 | |