

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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

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IN THE MATTER OF APPLICATION FOR :  
RENEWAL OF A :  
PROFESSIONAL ENGINEER REGISTRATION :  
:  
:  
LARRY M. ANDERSON, :  
APPLICANT. :

ORDER GRANTING  
LIMITED LICENSE

**ORDER 0007308**

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

Larry M. Anderson  
Weston, WI 54476

Professional Engineer Section  
Wisconsin Examining Board of Architects, Landscape Architects, Professional Engineers,  
Designers and Professional Land Surveyors  
Department of Safety and Professional Services  
P.O. Box 8935  
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the resolution of this renewal application. The Professional Engineer Section of the Wisconsin Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Professional Land Surveyors (Section) adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. On or about July 31, 2020, Larry M. Anderson (DOB xx-xx-1983) (Applicant) filed an application to renew his Wisconsin Professional Engineer registration (44859-6).
2. Information on files establishes the following:
  - A. On or about May 5, 2020, Applicant was diagnosed with alcohol dependency.
  - B. On or about July 23, 2020, Applicant was convicted of OWI (3<sup>rd</sup>), a misdemeanor conviction.



3. On or about February 19, 2021, the Section sent Applicant an email requesting information related to his current use of alcohol or other drugs and any evidence of rehabilitation.

4. On or about March 11, 2021, the Section received a statement from Applicant detailing his steps towards recovery and his strong network of support.

5. In resolution of this matter, Applicant consents to the entry of the following Conclusions of Law and Order.

#### CONCLUSIONS OF LAW

1. The Professional Engineer Section of the Wisconsin Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Professional Land Surveyors has jurisdiction over this matter pursuant to Wis. Stat. § 443.11 and is authorized to enter the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. Pursuant to Wis. Stat. § 440.08(4)(a), the Section may summarily deny an application for renewal if it is necessary to protect the public health, safety or welfare.

3. Pursuant to Wis. Stat. § 443.11(1)(e), the Section may limit the certificate of registration of any registrant who is found guilty of any violation of the rules of professional conduct adopted and promulgated by that section of the examining board.

4. Pursuant to Wis. Admin. Code § A-E 8.09(2), a professional engineer may not engage in conduct that may adversely affect his or her fitness to practice professional engineering.

5. Pursuant to Wis. Stat. § 111.335(3)(a)1., it is not employment discrimination because of conviction record to refuse to license any individual if the individual has been convicted of any felony, misdemeanor, or other offense the circumstances of which substantially relate to the circumstances of the particular licensed activity.

6. The facts and circumstances of Applicant's conviction are substantially related to the practice of professional engineering. A substantial relationship occurs where "the tendencies and inclinations to behave a certain way in a particular context are likely to reappear later in a related context, based on the traits revealed." *County of Milwaukee v. Labor & Industry Review Comm'n*, 139 Wis. 2d 805, 824 (1987). The crux of the inquiry is the circumstances which foster criminal activity, e.g., the opportunity for criminal behavior, the reaction to responsibility, or the character traits of the person. *Id.*

7. Applicant's diagnosis of alcohol dependency and conviction history calls into question his fitness to practice professional engineering in a manner that is required to protect the public health, safety or welfare.

8. Applicant's diagnosis of alcohol dependency constitutes unprofessional conduct that may adversely affect his fitness to practice professional engineering.



9. Applicant's conviction history is substantially related to the practice of professional engineering as his appurtenant alcohol dependency appears to have impaired his judgment, his concern for others, and his ability to obey the law, all necessary traits for a professional engineer.

10. At this time, Applicant has failed to show competent evidence of sufficient rehabilitation and fitness to practice as a Professional Engineer without limitations.

11. Applicant, by his conduct, is subject to limitations against his registration, pursuant to Wis. Stat. §§ 440.08(4)(a), 111.335(3)(a)1., and 443.11(1)(e) and Wis. Admin. Code § A-E 8.09(2).

### ORDER

1. The attached Stipulation is accepted.
2. Limitations upon Applicant's Professional Engineer registration are necessary to ensure that he is fit and competent to safely practice as a Professional Engineer.
3. Applicant's ability to practice as a Professional Engineer is granted subject to the following LIMITATIONS:

A. For a period of at least two (2) years from the date of this Order:

- i. Applicant shall provide a copy of this Order to his current and any future employer. Applicant shall provide the Department of Safety and Professional Services Monitor (Department Monitor) with written acknowledgement from each employer that a copy of this Order has been received. Such acknowledgement shall be provided to the Department Monitor within fourteen (14) days of beginning new employment and/or within fourteen (14) days of the date of this Order for employment current as of the date of this Order.
- ii. Applicant shall arrange for written reports from his supervisor(s)/employer(s) to be provided to Department Monitor on a quarterly basis, as directed by Department Monitor. These reports shall assess Applicant's work performance and describe the circumstances of his employment, including the nature and extent of the Applicant's activities and whether he has practiced in compliance with all laws governing the practice of professional engineering.
- iii. Applicant shall abstain from all personal use of alcohol.
- iv. Applicant shall attend Alcoholics Anonymous meetings, or other Section-approved equivalent program for recovering professionals, no less than once per week. Applicant shall provide proof of attendance on



a quarterly basis to the Department Monitor, as directed by the Department Monitor.

- v. Applicant shall report to the Section any change of employment status, residence, address or telephone number within five (5) days of the date of change.
- vi. Applicant shall commit no new violations of law and shall report all law enforcement contacts leading to arrest, charge or conviction, including DWI/OWI and municipal/ordinance violations, to the Department Monitor within forty-eight (48) hours of any such event, including any convictions resulting from pending charges.

4. Applicant may petition the Section on an annual basis for modification of the terms of this Order, however no such petition for modification shall occur earlier than one (1) year from the date of this Order. Denial of a petition in whole or in part shall not be considered a denial of a license within the meaning of Wis. Stat. § 227.01(3)(a), and Applicant shall not have a right to any further hearings or proceedings on the denial.

5. After two (2) consecutive years of successful compliance with this Order, Applicant may petition the Section for full, unrestricted license. The Section may grant or deny any petition, in its discretion, or may modify this Order as it sees fit.

6. Any requests, petitions, reports and other information required by this Order shall be mailed, e-mailed, faxed or delivered to:

Department Monitor  
Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 7190, Madison, WI 53707-7190  
Telephone (608) 267-3817; Fax (608) 266-2264  
[DSPSMonitoring@wisconsin.gov](mailto:DSPSMonitoring@wisconsin.gov)

You may also submit this information online via DSPS' Monitoring Case management System at: <https://dpsmonitoring.wi.gov>

7. In the event Applicant violates any term of this Order, Applicant's license, or Applicant's right to renew his license, may, in the discretion of the Section or its designee, be SUSPENDED, without further notice or hearing. The Section or its designee may terminate the suspension if provided with sufficient information that Applicant is in compliance with the Order and that it is appropriate for the suspension to be terminated. Whether to terminate the suspension shall be wholly in the discretion of the Section or its designee. The Section may, in addition and/or in the alternative, refer any violation of this Order to the Division of Legal Services and Compliance for further investigation and action.

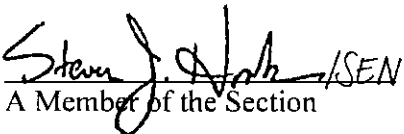




8. Applicant shall be responsible for all costs and expenses incurred in conjunction with the monitoring, supervision, and any other expenses associated with compliance with the terms of this Order. Being dropped from a program for non-payment is a violation of this Order.

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

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

By: /SEN  
A Member of the Section

04/07/2021  
Date



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

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IN THE MATTER OF APPLICATION FOR	:	
RENEWAL OF A	:	
PROFESSIONAL ENGINEER REGISTRATION	:	
	:	STIPULATION
LARRY M. ANDERSON,	:	
APPLICANT.	:	

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It is stipulated between Applicant and the Professional Engineer Section of the Wisconsin Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Professional Land Surveyors (Section) as follows:

1. Applicant filed an application to renew a Professional Engineer registration.
2. Information received by the Section reflects a basis for denial of the renewal application.
3. Based upon the information of record, the Section agrees to issue, and Applicant agrees to accept, an Order granting a Professional Engineer registration, subject to the terms and conditions set forth in the attached Order adopting the Stipulation.
4. Applicant understands that by signing this Stipulation, Applicant voluntarily and knowingly waives the following rights:
  - the right to request a hearing related to the denial of the application;
  - the right to confront and cross-examine the witnesses against Applicant;
  - the right to call witnesses on Applicant's behalf and to compel their attendance by subpoena;
  - the right to testify on Applicant's own behalf;
  - 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 Applicant under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.
5. Applicant is aware of Applicant's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation.



6. Applicant agrees to the adoption of the attached Order Granting Limited License by the Section. The parties to the Stipulation consent to the entry of the attached Order Granting Limited License without further notice, appearance, or consent of the parties.

7. Applicant waives all rights to any appeal of the Section's Order, as adopted in the form as attached.

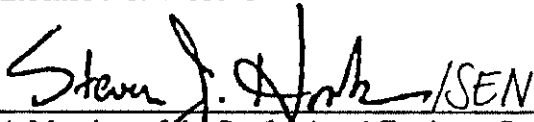
8. Applicant is informed that the Order Granting Limited License is a public record and will be published in accordance with standard procedure.



Larry M. Anderson  
Weston, WI 54476  
License No. 44859-6

04/05/2021

Date



A Member of the Professional Engineer Section  
of the Wisconsin Examining Board of Architects,  
Landscape Architects, Professional Engineers,  
Designers and Professional Land Surveyors  
Department of Safety and Professional Services  
P.O. Box 8935  
Madison, WI 53708-8935

04/07/2021

Date

