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## Report From Agency

**DATE:** June 7, 2021

**TO:** Michael J. Queensland  
Senate Chief Clerk  
Room B20 Southeast, State Capitol  
PO Box 7882  
Madison, WI 53707-7882

Edward A. Blazel  
Assembly Chief Clerk  
17 West Main Street, Room 401  
Madison, WI 53703

**FROM:** Amy Pechacek, Secretary-designee  
Department of Workforce Development

**SUBJECT:** **Notice and Report for Final Draft Form of Proposed Rule  
Derogatory or Offensive Terminology  
Clearinghouse Rule 20-031**

Pursuant to s. 227.19 (2), Stats., the Department of Workforce Development is submitting for legislative review the attached proposed rule in final draft form for Clearinghouse Rule 20-031. The governor approved this proposed rule on May 13, 2021. The analysis required under s. 227.14 (2), Stats., is included in the proposed rule. Also attached is the Fiscal Estimate & Economic Impact Analysis and the Rules Clearinghouse report and comments.

### *Basis and Purpose*

This rule implements Executive Order #15, which requires each state agency to review its administrative rules and replace any derogatory or offensive terminology with current, inclusive terminology, including replacing "handicapped" with "disabled," "mentally retarded" with "intellectually disabled," and "mental retardation" with "intellectual disability."

### *Public Hearings*

The Department did not hold a preliminary public hearing and comment period on the proposed rule. The Department is promulgating the rule without a public hearing under the 30-day notice procedure under s.

227.16 (2) (e), Stats. On August 10, 2020, the Department published in Administrative Register 776A2 a notice of its intent to promulgate the proposed rule under that procedure. No petition for a public hearing was received and no comments were filed.

***Changes to the Analysis or Fiscal Estimate***

The Department revised the analysis to indicate that no comments were filed. The Department made no other changes to the analysis or fiscal estimate.

***Responses to Rules Clearinghouse***

The Rules Clearinghouse made one recommendation regarding clarity, grammar, punctuation, and use of plain language. The Department revised the proposed rule as recommended by the Rules Clearinghouse.

***Final Regulatory Flexibility Analysis and Response to SBRRB***

The proposed rule does not have an effect on small businesses, as defined in s. 227.114 (1), Stats. Therefore, the Department did not submit the proposed rule to the Small Business Regulatory Review Board (SBRRB) and a final regulatory analysis is not required.