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## WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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**Ronald Sklansky**  
*Clearinghouse Director*

**Richard Sweet**  
*Clearinghouse Assistant Director*

**Terry C. Anderson**  
*Legislative Council Director*

**Laura D. Rose**  
*Legislative Council Deputy Director*

### CLEARINGHOUSE RULE 08-009

#### Comments

**[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated January 2005.]**

#### 1. Statutory Authority

Section 49.155 (6) (a), Stats., provides that a county must set the maximum child care reimbursement rate so that at least 75% of the number of places for children within the licensed capacity of all child care providers in that county can be purchased at or below that maximum rate. Arguably, this provision will be violated if the maximum rate is set at the rate that was set in 2006. The implication of the rule’s analysis is that the proposed rule complies with funding levels provided in 2007 Wisconsin Act 20. However, Act 20 does not modify the current law relating to setting maximum reimbursement rates for child care subsidies.