

**JIM DOYLE** GOVERNOR

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January 7, 2009

To the Users of This Report:

Re: Monthly Financial Information—November 2008

Please find attached the Report of Monthly General Fund Financial Information for the period ending November 30, 2008. All footnotes and additional information for the tables appear on the last two pages as endnotes to this report. This cover letter provides comment on the attached tables of General Fund financial information.

• <u>Updated Revenue Estimates.</u> The Department of Administration (DOA) released a report on November 20, 2008 that included updated projections of General Fund tax revenues for FY09, as provided by the Department of Revenue (DOR). The total updated projection of General Fund tax revenues for FY09 is \$12.762 billion, which is approximately \$281 million, or 2.2%, lower than the actual General Fund tax collections for FY08, and \$509 million less than the Legislative Fiscal Bureau (LFB) projections from February 2008.

The attached reports that include projections of General Fund cash flow reflect the updated projections of General Fund General Fund tax revenues, as provided by DOR on November 20, 2008. A complete copy of the DOA report is available from the Capital Finance Office website (www.doa.state.wi.us/capitalfinance) or at the above address.

- <u>Continuing Disclosure Annual Report and Comprehensive Annual</u> <u>Financial Report - FY08.</u> The State of Wisconsin's Continuing Disclosure Annual Report and Comprehensive Annual Financial Report (CAFR) for FY08 are now available. Both documents are available from the Capital Finance Office website (www.doa.state.wi.us/capitalfinance) or at the above address.
- **<u>Projected Negative Cash Balance.</u>** The largest projected negative cash balance in FY09 is currently negative \$1.179 billion. This is expected to occur on June 15, 2009 and improves to negative \$510 million within 15 days.

Pursuant to Wisconsin Statutes, temporary reallocations (previously referred to as interfund borrowing) and other additional remedies are available to deal with periods when the cash balance is negative. The temporary reallocation limit for FY09 is \$706 million with an additional \$424 million for a period of up to 30 days, which in aggregate is \$1.130 billion. If the amount of temporary allocation available to the General Fund is insufficient, the Secretary of Administration is authorized to set priorities for payments from the General Fund and to prorate or defer certain payments.

Sincerety

Frank R. Hoadley Y Capital Finance Director

# Monthly General Fund Financial Information State of Wisconsin

## For the Period Ending November 30, 2008

#### Prepared by the Wisconsin Department of Administration

#### Prepared on January 7, 2009

The following tables of General Fund financial information are provided with respect to securities issued by the State of Wisconsin. The information may be material to an investment decision in the securities, although the presence of information here does not imply the State of Wisconsin has made a determination of its materiality.

PROJECTED GENERAL FUND CASH FLOW FOR FY09 REFLECTS THE BIENNIAL BUDGET FOR 2007-09 (2007 WISCONSIN ACT 20), THE BUDGET ADJUSTMENT BILL FOR THE 2007-09 BIENNIUM (2007 WISCONSIN ACT 226), \$800 MILLION OF OPERATING NOTES ISSUED ON JULY 1, 2008, AND UPDATED PROJECTIONS OF GENERAL FUND TAX REVENUES PROVIDED BY THE DEPARTMENT OF REVENUE (DOR) ON NOVEMBER 20, 2008.

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3. General Fund Cash Flow Year-To-Date Compared to Estimates and Previous Fiscal Year (Cash Basis)

This corresponds to Table II-9, page 44, of the State of Wisconsin Continuing Disclosure Annual Report, December 26, 2008.

4. General Fund Monthly Cash Position (Cash Basis)

This corresponds to Table II-10, page 45, of the State of Wisconsin Continuing Disclosure Annual Report, December 26, 2008.

5. Actual and Projected Cash Balances in Funds Available for Temporary Reallocation

This corresponds to Table II-11, page 46, of the State of Wisconsin Continuing Disclosure Annual Report, December 26, 2008.

6. General Fund Recorded Revenues Year-to-Date Compared to Previous Fiscal Year (Agency Recorded Basis)

This corresponds to Table II-12, page 47, of the State of Wisconsin Continuing Disclosure Annual Report, December 26, 2008.

7. General Fund Recorded Expenditures Year-to-Date Compared to Previous Fiscal Year (Agency Recorded Basis)

This corresponds to Table II-13, page 48, of the State of Wisconsin Continuing Disclosure Annual Report, December 26, 2008.

8. Endnotes and Additional Information

## **Cautionary Information!**

#### Users of this information should be cautioned about several points:

The General Fund financial information in this document has been prepared using what is believed to be the best available data for these purposes. The tables in this document have been prepared using the same procedures used to prepare similar information for the State of Wisconsin Continuing Disclosure Annual Report, Official Statements prepared for specific securities, or reports filed in conjunction with various securities. This information is, however, preliminary in nature and subject to change.

- This information is unaudited and is not a "financial statement." None of the data presented here has been subjected to customary fiscal period closing procedures or the procedures used in the preparation of a financial statement, including verification, reconciliation, and identified adjustments.
- This information only speaks as of the date on which it was prepared.
- Statements of information for dates before the date this information is prepared will most likely be restated or revised. Information classified as "actual", and any difference from any prior estimate, does not signify a change to official estimates. Any official revenue or expenditure re-estimates that do occur will be separately identified, and if material, appropriately noted.
- The information does not intend to reflect the State's projected budgetary balance for FY09.
- Projections of results for dates after the date this information is prepared are forward looking. Actual results will almost certainly differ.
  - It is important to note that cash flow projections are expressed on a *cash basis* while the revenue estimates released by DOR are expressed on a *budgetary basis* and net of any refunds.
  - The projected General Fund cash flow for FY09 reflects the 2007-09 budget (2007 Wisconsin Act 20), the budget adjustment bill for the 2007-09 biennium (2007 Wisconsin Act 226), \$800 million of operating notes issued on July 1, 2008, and updated projections of General Fund tax revenues as provided by DOR on November 20, 2008.
  - Projections are not adjusted to reflect actual revenues and expenditures and routine variability in the timing of receipts and disbursements, but may be adjusted to reflect unique events.
  - Projections of remaining fiscal year cash flow may be adjusted when necessary to reflect unforeseen events or additional revised forecasts of the General Fund condition statement.
- Data in the tables of financial information are subject to revision and reclassification for prior periods. This is particularly true for revenue data, where proper classification depends on tax returns which are received and processed significantly after the tax payments are received through electronic transfers.
- Some information is presented on a cash basis of accounting while other data is presented on a budgetary or agency recorded basis. Users should not compare information that is presented on one basis of accounting with information that is presented on a different basis of accounting.
- Comparison of monthly General Fund financial information has many inherent problems. Unforeseen events (including even a change in weather conditions) or variations from underlying assumptions may cause a decrease in receipts or an increase in disbursements from those projected for a given month.
- The State of Wisconsin is not obligated to provide this information or make it available on its website.
- None of the information in these tables of financial information is required by the State of Wisconsin's continuing disclosure undertakings pursuant to SEC rule 15c2-12.
  - This information is not, and does not replace, a notice of a material event required by SEC rule 15c2-12.
  - This information is not, and does not replace, the annual financial information required by SEC rule 15c2-12.

#### ACTUAL GENERAL FUND CASH FLOW; JULY 1, 2008 TO NOVEMBER 30, 2008 PROJECTED GENERAL FUND CASH FLOW; DECEMBER 1, 2008 TO JUNE 30, 2009<sup>(a) (b)</sup>

						(In	Thousands of	of Do	ollars)											
	 July 2008	August 2008		ptember 2008	October 2008	ľ	November 2008	1	December 2008		January 2009		bruary 2009		March 2009	April 2009		May 2009		June 2009
BALANCES <sup>(c)</sup>																				
Beginning Balance	\$ 24,835	\$ 172,120	\$	464,375	\$ 895,808	\$	1,403,014	\$	1,127,538	\$	395,366 \$	5 1	,119,407 \$	\$	905,985 \$	(432,1	17) \$	91,741	\$	235,809
Ending Balance <sup>(d)</sup>	172,120	464,375		895,808	1,403,014		1,127,538		395,366		1,119,407		905,985		(432,117)	91,74	41	235,809		(510,317)
Lowest Daily Balance (d)	 17,165	(74,304)		125,448	395,498		868,079		(461,641)		237,594		722,651		(432,117)	(816,3	77)	(181,429)		(1,179,231)
RECEIPTS																				
TAX RECEIPTS																				
Individual Income	\$ 599,419	\$ 416,459	\$	852,654	\$ 635,921	\$	448,743	\$	514,243	\$	1,080,572 \$	5	540,918 5	\$	648,884 \$	1,195,9	93 \$	402,710	\$	865,592
Sales & Use	424,497	414,465		400,891	405,299		372,531		321,500		391,700		295,100		284,200	324,40	00	328,700		359,900
Corporate Income	29,250	34,416		144,769	36,415		25,102		144,700		20,100		18,000		182,200	30,50	00	19,900		135,600
Public Utility	61	150		1,178	4,977		166,701		500		700		-		200	2,60	00	161,200		500
Excise	68,383	58,369		61,880	62,978		52,292		54,200		55,800		52,200		46,000	51,90	00	56,000		59,300
Insurance	712	1,106		37,504	440		1,372		46,702		3,348		25,383		31,173	36,73	37	1,732		39,960
Inheritance	12,093	10,971		7,118	3,216		458		-		-		-		-	-		-		-
Subtotal Tax Receipts	\$ 1,134,415	\$ 935,936	\$	1,505,994	\$ 1,149,246	\$	1,067,199	\$	1,081,845	\$	1,552,220 \$	5	931,601 \$	\$	1,192,657 \$	1,642,13	30 \$	970,242	\$	1,460,852
NON-TAX RECEIPTS																				
Federal	563,248	566,365		480,475	697,621		505,320		530,200		623,700		583,500		598,800	525,40	00	699,000		520,800
Other & Transfers	514,783	206,097		514,202	574,653		260,962		313,300		446,400		580,000		311,300	346,30	00	282,800		517,601
Note Proceeds <sup>(e)</sup>	801,840	-		-	-		-		-		-		-		-	-		-		-
Subtotal Non-Tax Receipts	\$ 1,879,871	\$ 772,462	\$	994,677	\$ 1,272,274	\$	766,282	\$	843,500	\$	1,070,100 \$	5 1	,163,500 \$	\$	910,100 \$	871,70	)0 \$	981,800	\$	1,038,401
TOTAL RECEIPTS	\$ 3,014,286	\$ 1,708,398	\$	2,500,671	\$ 2,421,520	\$	1,833,481	\$	1,925,345	\$	2,622,320 \$	\$ 2	2,095,101	\$	2,102,757 \$	2,513,8	30 \$	1,952,042	\$	2,499,253
DISBURSEMENTS																				
Local Aids	1,172,822	130,313		881,727	181,686		1,026,759		1,316,400		258,700		303,500		1,385,900	150,20	00	191,900		2,001,200
Income Maintenance	636,352	425,402		352,616	720,279		433,319		450,789		443,039		418,166		410,209	448,2		338,725		229,859
Payroll and Related	474,451	427,624		275,539	508,109		287,731		444,575		503,063		368,834		251,350	412,7		386,805		384,723
Tax Refunds	76,352	67,223		47,309	69,728		92,804		120,400		142,100		593,400		511,200	435,10		174,300		172,100
Debt Service	104,317	-		158,589	-		-		-		-		1,537		327,165			28,837		-
Miscellaneous	392,867	365,581		353,458	434,512		268,344		325,353		551,377		427,193		349,302	338,00	07	481,674		457,497
Note Repayment <sup>(e)</sup>	9,840			-	-				-		-		195,893		205,733	205,7		205,733		-
TOTAL DISBURSEMENTS	\$ 2.867.001	\$ 1,416,143	¢	2.069.238	\$ 1,914,314	\$	2,108,957	\$	2.657.517	¢	1.898.279 \$		2.308.523	¢	3,440,859 \$	1,989,9		1.807.974	¢	3,245,379

Note: All footnotes to this table appear at the end of this report in the section entitled "Endnotes and Additional Information".

#### GENERAL FUND CASH RECEIPTS AND DISBURSEMENTS YEAR-TO-DATE COMPARED TO ESTIMATES AND PREVIOUS FISCAL YEAR<sup>(a)</sup> (Cash Basis) As of November 30, 2008

(Amounts in Thousands)

	FY08 through November 2007			7 FY09 through November 2008							
		Actual		Actual		Estimate <sup>(b)</sup>		Variance	 	Adjusted Variance <sup>(f)</sup>	
RECEIPTS											
Tax Receipts											
Individual Income	\$	3,051,492	\$	2,953,196	\$	3,041,860	\$	(88,664)		(88,664)	
Sales		2,011,466		2,017,683		1,991,800		25,883		25,883	
Corporate Income		292,423		269,952		270,300		(348)		(348)	
Public Utility		151,206		173,067		161,300		11,767		11,767	
Excise		166,277		303,902		276,700		27,202		27,202	
Insurance		36,937		41,134		36,162		4,972		4,972	
Inheritance		73,710		33,856		30,953		2,903		2,903	
Total Tax Receipts	\$	5,783,511	\$	5,792,790	\$	5,809,075	\$	(16,285)	\$	(16,285)	
Non-Tax Receipts											
Federal	\$	2,687,618	\$	2,813,029	\$	2,781,575	\$	31,454	\$	31,454	
Other and Transfers		1,726,666		2,070,697		1,742,220		328,477		328,477	
Note Proceeds (e)		594,000		801,840		801,840		-		-	
Total Non-Tax Receipts	\$	5,008,284	\$	5,685,566	\$	5,325,635	\$	359,931	\$	359,931	
TOTAL RECEIPTS	\$	10,791,795	\$	11,478,356	\$	11,134,710	\$	343,646	\$	343,646	
DISBURSEMENTS											
Local Aids	\$	3,149,609	\$	3,393,307	\$	3,421,408	\$	28,101	\$	28,101	
Income Maintenance		2,331,289		2,567,968		2,381,946		(186,022)		(186,022)	
Payroll & Related		1,832,394		1,973,454		1,975,774		2,320		2,320	
Tax Refunds		389,478		353,416		224,900		(128,516)		(128,516)	
Debt Service		274,896		262,906		282,661		19,755		19,755	
Miscellaneous		1,727,736		1,814,762		1,777,002		(37,760)		(37,760)	
Note Repayment (e)		4,213		9,840		9,840		-		-	
TOTAL DISBURSEMENT	TS \$	9,709,615	\$	10,375,653	\$	10,073,531	\$	(302,122)	\$	(302,122)	
VARIANCE FY09 YEA	AR-TO-	DATE					\$	41,524	\$	41,524	

Note: All footnotes to this table appear at the end of this report in the section entitled "Endnotes and Additional Information".

#### GENERAL FUND MONTHLY CASH POSITION<sup>(c)</sup> July 1, 2006 through November 30, 2008 — Actual December 1, 2008 through June 30, 2009 — Estimated<sup>(b)</sup> (Amounts in Thousands)

	Starting Date	Starting Balance		Receipts <sup>(e)</sup>	Dis	bursements <sup>(e)</sup>
2006	July	\$ 4,563	(d)	\$ 1,920,630	\$	2,121,122
	August	(195,929)	(d)	1,695,545		1,391,455
	September	108,161	(d)	2,288,498		2,041,092
	October	355,567		2,130,549		1,373,404
	November	1,112,712		1,856,520		2,086,743
	December	882,489	(d)	1,791,636		2,501,552
2007	January	172,573		2,570,733		1,717,796
	February	1,025,510		1,949,875		1,947,201
	March	1,028,184	(d)	1,869,287		2,934,724
	April	(37,253)	(d)	2,548,712		1,896,578
	May	614,881		2,009,550		1,525,908
	June	1,098,523	(d)	2,307,089		3,356,463
	July	49,149		2,746,602		2,446,001
	August	349,750	(d)	1,772,536		1,483,505
	September	638,781		2,185,645		2,100,805
	October	723,621		2,124,755		1,430,699
	November	1,417,677	<i>(</i> <b>1</b> )	1,962,257		2,248,605
	December	1,131,329	(d)	1,769,558		2,454,032
2008	January	446,855		2,699,255		1,782,044
	February	1,364,066		2,155,175		2,401,752
	March	1,117,489	(d)	1,953,094		3,283,120
	April	(212,537)	(d)	2,462,984		1,837,549
	May	412,898		1,987,901		1,816,466
	June	584,333	(d)	2,614,345		3,173,842
	July	24,836		3,014,286		2,867,001
	August	172,121	(d)	1,708,398		1,416,143
	September	464,376		2,500,671		2,069,238
	October	895,809		2,421,520		1,914,314
	November	1,403,015		1,833,481		2,108,957
	December	1,127,539	(d)	1,925,345		2,657,517
2009	January	395,367		2,622,320		1,898,279
	February	1,119,408		2,095,101		2,308,523
	March	905,986	(d)	2,102,757		3,440,859
	April	(432,116)	(d)	2,513,830		1,989,972
	May	91,742	(d)	1,952,042		1,807,974
	June	235,810	(d)	2,499,253		3,245,379

Note: All footnotes to this table appear at the end of this report in the section entitled "Endnotes and Additional Information".

#### CASH BALANCES IN FUNDS AVAILABLE FOR TEMPORARY REALLOCATION<sup>(g)</sup> July 31, 2006 to November 30, 2008 — Actual December 31, 2008 to June 30, 2009 — Projected<sup>(b)</sup> (Amounts in Millions)

The following two tables show, on a monthly basis, the cash balances available for temporary reallocations, which was previously referred to as interfund borrowing. The first table does not include balances in the Local Government Investment Pool (LGIP) and the second table does include such balances. Though the LGIP is available for temporary reallocations, funds in the LGIP are deposited and withdrawn by local units of government, and thus are outside the control of the State. The monthly average daily balances in the LGIP for the past five years have ranged from a low of \$2.2 billion during November 2005 to a high of \$4.2 billion during August 2008. The Secretary of Administration may not exercise the authority to use temporary reallocation if doing so would jeopardize the cash flow of any fund or account from which a temporary reallocation would be made.

Available Balances; Does Not Include Balances in the LGIP									
<u>Month (Last Day)</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>					
January		\$ 1,048	\$ 1,203	\$ 1,203					
February		1,131	1,265	1,265					
March		1,154	1,298	1,298					
April		1,114	1,211	1,211					
May		1,202	1,166	1,166					
June		1,208	1,079	1,079					
July	\$ 932	1,141	910						
August	1,052	1,204	944						
September	1,067	1,204	1,081						
October	925	1,110	906						
November	966	1,229	1,011						
December	1,019	1,244	1,244						

Available Balances; Includes Balances in the LGIP								
<u>Month (Last Day)</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>				
January		\$ 4,509	\$ 4,943	\$ 4,943				
February		4,773	5,255	5,255				
March		4,860	5,453	5,453				
April		4,593	5,273	5,273				
May		4,408	5,010	5,010				
June		4,536	4,813	4,813				
July	\$ 4,218	4,862	5,422					
August	3,978	4,383	4,589					
September	3,845	4,264	4,479					
October	3,361	3,900	3,900					
November	3,477	4,017	3,936					
December	3,764	4,141	4,141					

Note: All footnotes to this table appear at the end of this report in the section entitled "Endnotes and Additional Information".

	<b>Revenues</b> 2007-08 FY <sup>(h)</sup>	Projected Revenues 2008-09 FY <sup>(i)</sup>	Recorded Revenues July 1, 2007 to <u>November 30, 2007 <sup>(j)</sup></u>	Recorded Revenues July 1, 2008 to <u>November 30, 2008 <sup>(k)</sup></u>
Individual Income Tax	\$ 6,713,681,000	\$ 6,965,000,000	\$ 2,457,371,164	\$ 2,499,872,478
General Sales and Use Tax	4,268,045,000	4,295,000,000	1,508,654,001	1,484,361,279
Corporate Franchise				
and Income Tax	837,807,000	830,000,000	249,244,884	169,499,549
Public Utility Taxes	297,460,000	316,200,000	145,972,770	159,743,861
Excise Taxes	540,259,000	617,300,000	133,075,742	234,088,349
Inheritance Taxes	158,789,000	30,000,000	71,065,662	20,566,928
Insurance Company Taxes	156,606,000	160,000,000	34,863,161	37,865,240
Miscellaneous Taxes	70,296,000	73,000,000	31,308,997	48,205,881
SUBTOTAL	13,042,943,000	13,286,500,000	4,631,556,380	4,654,203,566
Federal and Other Inter-				
Governmental Revenues <sup>(1)</sup>	6,803,292,000	6,440,545,100	2,651,627,372	2,839,454,355
Dedicated and				
Other Revenues <sup>(m)</sup>	4,151,603,000	4,699,152,000	1,786,190,835	1,886,442,627
TOTAL	\$23,997,838,000	\$ 24,426,197,100	\$ 9,069,374,587	\$ 9,380,100,549

#### GENERAL FUND RECORDED REVENUES<sup>(a)</sup> (Agency Recorded Basis) July 1, 2008 to November 30, 2008 compared with previous year

#### GENERAL FUND RECORDED EXPENDITURES BY FUNCTION<sup>(a)</sup> (Agency Recorded Basis)

July 1, 2008 to November 30, 2008 compared with previous year

	Expenditures 2007–08 FY <sup>(h)</sup>	Appropriations 2008–09 FY <sup>(i)</sup>	Recorded Expenditures July 1, 2007 to <u>November 30, 2007<sup>(n)</sup></u>	Recorded Expenditures July 1, 2008 to <u>November 30, 2008<sup>(0)</sup></u>
Commerce	\$ 240,689,000	\$ 294,526,200	\$ 95,917,789	\$ 94,825,317
Education	10,853,809,000	11,205,194,400	3,143,375,977	3,334,834,947
Environmental Resources	321,892,000	352,393,100	112,439,195	111,752,530
Human Relations & Resources	9,645,679,000	9,328,560,500	3,925,204,035	4,215,696,844
General Executive	802,326,000	1,127,630,700	389,278,794	414,728,119
Judicial	126,563,000	128,761,600	54,412,332	56,991,717
Legislative	65,047,000	71,588,000	23,206,921	21,221,851
General Appropriations	2,047,768,000	2,188,558,500	1,698,282,390	1,780,496,890
TOTAL	\$ 24,103,773,000	\$ 24,697,213,000	\$ 9,442,117,433	\$ 10,030,548,214

Note: All footnotes to these tables appear at the end of this report in the section entitled "Endnotes and Additional Information".

#### ENDNOTES AND ADDITIONAL INFORMATION

- (a) Please refer to the cautionary statements at the beginning of this document. The cautionary statements are an integral part of this table. None of the data presented here has been subjected to customary fiscal period closing procedures or other procedures used in the preparation of a financial statement, including verification, reconciliation, and identified adjustments. In addition, comparison of monthly General Fund financial information has many inherent problems. Unforeseen events (including even a change in weather conditions) or variations from underlying assumptions may cause a decrease in receipts or an increase in disbursements from those projected for a given month.
- (b) The projections or estimates for FY09 reflect (i) the budget (2007 Wisconsin Act 20), (ii) the budget adjustment bill (2007 Wisconsin Act 226), (iii) proceeds of \$800 million in operating notes issued on July 1, 2008 and the resulting impoundment payments to be made on February 28, 2009, March 31, 2009, April 30, 2009, and May 29, 2009, (vi) updated projections of General Fund tax revenues as provided by DOR on November 20, 2008, and (v) assumption that the State will receive approximately \$75 million pursuant to the amended gaming compacts with tribal governments. General Fund cash flow projections for September 2008 and subsequent months also reflect receipt of \$60 million to be made by a tribal government pursuant to settlement of a new gaming compact amendment, and additional receipts resulting from lapses and timing of transfers during May and June 2009. Amounts do not reflect temporary reallocations.
- (c) The General Fund cash balances presented are not based on Generally Accepted Accounting Principles (GAAP). The General Fund includes funds designated for operations and capital purposes of certain proprietary programs of the State's universities. Receipts and disbursements of such funds for the designated programs and the disbursement of such funds for other purposes are reflected in the cash flow. A use of the designated funds for purposes other than the proprietary programs is, in effect, a borrowing of such funds. Therefore, at any time that the balance in the General Fund is less than the balance of such designated funds, the State is obligated to replenish the designated funds to the extent of the shortfall. The designated funds are expected to range from \$206 to \$350 million during FY09. In addition, the General Fund holds deposits for several escrow accounts pursuant to court orders or federal rulings. These funds are expected to average \$10 million during FY09.
- (d) The Statutes provide certain administrative remedies to deal with periods when the General Fund is in a negative cash position. The Secretary of Administration may temporarily reallocate cash in other funds (up to 5% of the general-purpose revenue appropriations then in effect) to the General Fund. This amount is approximately \$706 million for FY09. In addition, the Secretary of Administration may also temporarily reallocate an additional amount up to 3% of the general-purpose revenue appropriations then in effect (approximately \$424 million for FY09) for a period of up to 30 days. If the amount of temporary reallocation available to the General Fund is not sufficient, the Secretary of Administration is authorized to prorate and defer certain payments.
- (e) Operating notes were not issued for FY07, \$600 million of operating notes were issued on July 2, 2007 for FY08 and \$800 million of operating notes were issued on July 1, 2008 for FY09. The February 28, 2009 impoundment payment reflects the premium received on July 1, 2008 and deposited into the Operating Note Redemption Fund.
- (f) Changes are sometimes made after the beginning of the fiscal year to the projected revenues and disbursements. Depending on when these changes occur, there are situations in which prior estimates can not be changed and the result is a large variance. This column may include adjustments to the variances to more accurately reflect the variance between the estimated and actual amounts.
- (g) The amounts shown reflect a reduction in the aggregate cash balances available to the extent any fund had a negative balance and temporary reallocation was used for such fund.
- (h) The amounts are from the Annual Fiscal Report (unaudited, budgetary basis) for FY08, dated October 15, 2008. A complete copy of the Annual Fiscal Report (unaudited, budgetary basis) for FY08 can be obtained by contacting the State of Wisconsin Capital Finance Office.
- (i) The projections or estimates for FY09 reflect (i) the budget (2007 Wisconsin Act 20), (ii) updated General Fund revenue estimates released by the Legislative Fiscal Bureau (LFB) on February 13, 2008, and (iii) the budget adjustment bill (2007 Wisconsin Act 226). The projections or estimates *do not* reflect (i) the updated projections of General Fund tax revenues as provided by DOR on November 20, 2008, and (ii) receipt of \$60 million to be made by a tribal government pursuant to settlement of a new gaming compact amendment.
- (j) The amounts shown are FY08 general purpose revenues and program revenues taxes as recorded by state agencies. There may be differences between the tax revenues shown in this report and those that may be reported by the Department of Revenue from time to time in their monthly general purpose revenue collections report; the Department of Revenue report (i) only includes general purpose revenues or taxes that are actually collected by the Department of Revenue, and (ii) may include accruals or other adjustments that may not be recorded by state agencies until a subsequent month.
- (k) The amounts shown are FY09 general purpose revenues and program revenue taxes as recorded by state agencies. There may be differences between the tax revenues shown in this report and those that may be reported by the Department of Revenue from time to time in their monthly general purpose revenue collections report; the Department of Revenue report (i) only includes general purpose revenues or taxes that are actually collected by the Department of Revenue, and (ii) may include accruals or other adjustments that may not be recorded by state agencies until a subsequent month.
- (1) This category includes intergovernmental transfers. The amount of these transfers may vary greatly between fiscal years, and therefore, this category may not be comparable on a historical basis.

- (m) Certain transfers between General Fund appropriations are recorded as both revenues and expenditures of the General Fund. The amount of these transfers may vary greatly between fiscal years, and therefore, this category may not be comparable on a historical basis.
- (n) The amounts shown are FY08 expenditures as recorded by state agencies.
- (o) The amounts shown are FY09 expenditures as recorded by state agencies.

Additional information regarding the tables on the previous pages:

<u>Tribal Government Payments.</u> In May 2004, the Wisconsin Supreme Court ruled that certain amendments to the gaming compacts with tribal governments were unconstitutional. Although this decision concerned only an amendment to a gaming compact with one tribal government, the reasoning of the opinion applied to similar amendments to other gaming compacts that were executed on or after January 1, 2003. Subsequent to the Wisconsin Supreme Court's decision, the State still received in FY04 the expected payments from all but one tribal government, which did not make its payment of about \$30 million.

In FY05, the State received the expected payments from all but two tribal governments. One tribal government placed its payment of nearly \$44 million in escrow for release to the State upon completion of a new amendment to its gaming compact. The other tribal government did not make its payment of about \$30 million.

In FY06, budget and General Fund cash receipts assumed that the State would receive approximately \$146 million pursuant to the amended gaming compacts with tribal governments. This amount reflected (i) \$73 million, which was the estimate of all payments due in FY06, and (ii) \$74 million, which was an estimate of payments due in previous fiscal years that were expected to be made in FY06 by two tribal governments. With respect to the estimated \$73 million of payments due in FY06, the estimated amount due was subsequently revised downward to \$67 million to reflect provisions of the compacts with the tribal governments, and the State received payments totaling \$44 million from all but one tribal government. The State and this tribal government continue arbitration with respect to this tribal government's amended gaming compact. With respect to the estimated \$74 million of payments due in previous fiscal years that were expected to made in FY06, the State received payments from the two tribal governments that equal this amount.

On July 14, 2006, the Wisconsin Supreme Court held that a 1993 amendment to the gambling provision of the Wisconsin Constitution did not invalidate or affect the extension, renewal, or amendment of State-tribal compacts originally executed in 1991 and 1992. In addition, the Wisconsin Supreme Court overruled a portion of its earlier decision from 2004 that had invalidated compact amendments from 2003 that allowed tribes to offer additional games beyond those agreed to in the original tribal compacts.

In FY07, budget and General Fund cash receipts assumed that the State will receive approximately \$112 million pursuant to the amended gaming compacts with tribal governments. This amount reflected (i) \$82 million, which is the estimate of all payments due in FY07, and (ii) \$30 million, which is an estimate of a payment due in the previous biennium that is expected to be made in FY07 by a tribal government. With respect to the estimated \$82 million of payments due in FY07, the estimated amount was subsequently revised downward to \$70 million pursuant to provisions of the compacts and the State received payments totaling \$51 million from all but one tribal government. With respect to the estimated \$30 million payment due in a previous biennium, the State did not receive such payment. It is the same tribal government that did not make its scheduled payment in FY07, the \$30 million payment due in a previous biennium, and its scheduled payment due in FY06. The State and this tribal government continue arbitration with respect to this tribal government's amended gaming compact.

In FY08, budget and General Fund cash receipts assumed that the State will receive approximately \$124 million pursuant to the amended gaming compacts with tribal governments. This amount reflected (i) \$72 million, which is the estimate of all payments due in FY08, and (ii) \$52 million, which is an estimate of payments due in previous years from a tribal government that are expected to be made in FY08. With respect to the estimated \$72 million of payments due in FY08, the State received payments totaling \$44 million from all but one tribal government. With respect to the estimated \$52 million of payments due in previous years, the State had not received such payments.

It is the same tribal government that did not make its scheduled payment in FY08 and the payments due in previous years. On September 17, 2008, the State and this tribal government reached agreement on a new gaming compact amendment. As part of this new gaming compact amendment, (i) this tribal government will make a \$60 million payment to the State upon notice of the gaming compact amendment being published in the Federal Register, and (ii) the parties agree on the methodology for payments due from the tribal government for each fiscal year, beginning with FY09.

The FY09 budget and projected General Fund cash flows assume that the State will receive approximately \$75 million pursuant to the amended gaming compacts with tribal governments. The projected General Fund cash flows further assume receipt of the \$60 million payment to be made by a tribal government pursuant to settlement of a new gaming compact amendment; the State received this \$60 million payment on December 15, 2008.