



# WISCONSIN'S DIRTY DEALS

*How Wall Street Drains Taxpayer  
Money Out of Public Budgets,  
and What We Can Do About It*

Report by  
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## EXECUTIVE SUMMARY

Wisconsin faces a revenue crisis after irresponsible tax cuts produced a huge budget deficit. State leaders are attempting to deal with the crisis through drastic cuts to vital infrastructure, such as public education. These proposed cuts follow years of reductions to these same crucial services.

For years, Wall Street and other big corporations have engaged in a systematic effort to suppress taxes, making it difficult for cities and states to advance progressive revenue solutions to properly fund public services. Banks have taken advantage of this crisis that they helped create by targeting state and local governments with predatory municipal finance deals, just like they targeted cash-strapped homeowners with predatory mortgages during the housing boom. Predatory financing deals prey upon the weaknesses of borrowers, are characterized by high costs and high risks, are typically overly complex, and are often designed to fail.

Predatory bank deals have cost Wisconsin and Milwaukee Public Schools hundreds of millions of dollars, and banks continue to siphon tens of millions more each year. But the state and our schools have numerous options available to get out of or renegotiate these toxic deals, and even to recoup losses.

Wisconsin leaders have a clear choice: disinvest in education and other vital services, which hurts ordinary working people and their communities; or hold Wall Street accountable for its destructive effect on our economy and take action to get taxpayer money back from banks. It is time we start making our money work for us.

## RECOMMENDATIONS

Wisconsin and Milwaukee Public Schools (MPS) should do everything in their power to renegotiate or exit bad deals without paying termination penalties, and to recoup losses. Some options include:

- 1. Conduct a thorough, independent investigation, and issue subpoenas if necessary.** Wisconsin legislature and MPS should conduct a thorough oversight investigation of the bond deals that involved either swaps or auction rate securities.
- 2. Petition the Securities and Exchange Commission for disgorgement.** Wisconsin state agencies and school districts could seek remedy through an SEC enforcement action including disgorgement, which could mean recouping millions of dollars.
- 3. Seek relief under state law.** The state may also be able to pursue similar remedies under Wisconsin law in court. The disclosures required by MSRB Rule G-17 were also required by the contracts between the State of Wisconsin and the banks.
- 4. Petition the Attorney General to take legal action.** The state could petition the Wisconsin AG to conduct an investigation and bring legal action on behalf of all municipal issuers within the state who have been adversely impacted by interest rate swaps and auction rate securities.

**AS WISCONSIN STATE LEGISLATORS** debate a budget proposal that reckons with the consequences of the nearly \$2 billion in tax cuts that Governor Scott Walker has enacted since taking office, Wisconsin cities, counties, and school districts face huge cuts to essential community services. The state faces budget deficits of up to \$2 billion.<sup>1</sup> Public education is set to take a particularly destructive hit, as Governor Walker's proposed budget includes \$300 million in cuts to the University of Wisconsin (UW). That's a funding reduction of about 13 percent. This follows significant cuts in five of the last six budget cycles, a situation one UW Regent called "an enormous hatchet job".<sup>2</sup> The proposed budget also calls for \$127 million in cuts to public K-12.

This is a revenue crisis, and it's a scenario that has played out across the country since the financial crisis of 2008, when the financial industry crashed the economy and revenues shrank drastically. The public conversation has focused on which sacrifices ordinary people and their communities will make to pay the price for balancing shrinking budgets. What is rarely part of the conversations about these tough budget choices is the role Wall Street has played in draining public budgets, and how elected officials and communities can hold banks accountable.

Both before and after the financial crisis, Wall Street and other big corporations have engaged in a systematic effort to suppress taxes, making it difficult for cities and states to advance progressive revenue solutions to properly fund public services. Banks take advantage of this crisis, which they helped create, by targeting state and local governments with predatory municipal finance deals, just like they targeted cash-strapped homeowners with predatory mortgages during the housing boom. Predatory financing deals are ones that prey upon the weaknesses of borrowers. They are characterized by high costs and high risks, are typically overly complex, and are often designed to fail. States, cities, and school districts across the country are trapped in predatory municipal finance deals that cost them millions of dollars every year. There is reason to believe that the banks violated regulatory requirements in negotiating many of these deals from their inception, and there is a strong legal case for why Wisconsin public entities should be able to pursue legal remedies and claw back losses.

Governor Walker has announced delays in payments on some short-term debt, to temporarily free up some desperately needed cash. But this will just kick the can down the road, adding \$545,000 to debt-service bills in the next budget year, and \$18.7 million in the following budget year.<sup>3</sup> Instead of delaying the inevitable while letting Wall Street off the hook for its role in the crisis, the State of Wisconsin and Milwaukee Public Schools (MPS) should take concrete action to get out of the existing bad deals, and to recoup payments made thus far (See the Recommendations section of this document for details).



We took a close look at some of the bad deals the State of Wisconsin and the Milwaukee Public Schools have made with banks. This is a preliminary investigation and what we've found is likely just the tip of the iceberg in the state. We identified the following costs in the deals we examined:

- The State of Wisconsin and Milwaukee Public Schools have spent a combined \$200 million in interest on toxic swaps deals, and they would have to pay the banks nearly \$200 million more to end the deals and stop the hemorrhaging. That's \$400 million in taxpayer money.
- The State of Wisconsin lost \$55 million just in fees – including swap termination fees – and interest rate spikes on its Auction Rate Securities deals after the market for those bonds crashed in early 2008.
- MPS has a Capital Appreciation Bond on which the district will pay the equivalent of a 600 percent interest rate over 37 years. The District will ultimately pay \$110.5 million in balloon payments.

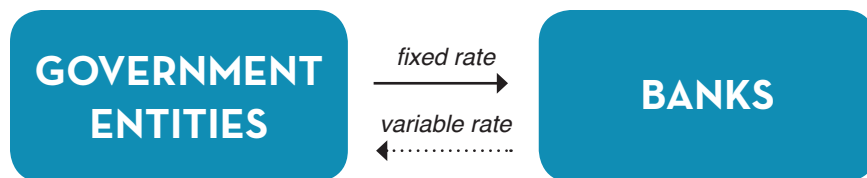
Some details of Wisconsin's dirty deals are provided below.

## INTEREST RATE SWAPS

Interest rate swaps are a type of derivative instrument that banks often pitched to municipal borrowers as a way to protect against rising interest rates on variable-rate bonds. Banks sold these complicated, risky deals to state and local governments and school districts by convincing them they would save money on borrowing costs. However, these deals were laden with a whole host of risks. Perhaps the biggest risk was posed by the egregious termination clauses embedded in the swap agreements. Because these clauses are typically triggered when cities and states fall under financial distress, they serve to compound financial woes by hitting municipalities with stiff penalties when they can least afford them.

## HOW AN INTEREST RATE SWAP WORKS

When governments and other public entities issued variable-rate bonds, banks offered up a deal. The banks said that if the agencies would pay them a steady, fixed interest rate, then the banks would pay back a variable rate that could be used to pay the interest on the bonds. Banks sold these deals as insurance policies for investors, giving bond issuers a “synthetic” fixed rate that would let taxpayers lock in lower interest rates without having to worry about those rates shooting up in the future.



However, for the bond issuers, these deals were actually more of a gamble than an insurance policy. If variable rates fell really low, then the banks could take millions of dollars from the public entities. That is exactly what happened when the banks crashed the economy in 2008 and the Federal Reserve slashed interest rates in response to the financial crisis. Not only did the net payments on the swaps rise when the Fed stepped in to bail out the banks, but many cities and states were unable to take advantage of the low interest rate environment to refinance because they could not get out of their 20- or 30-year interest rate swaps without paying harsh penalties. Furthermore, the sharp decline in variable interest rates actually caused the termination penalties on these deals to balloon, so at precisely the time that it would have been most advantageous for cities and states to refinance their bonds, the penalties to get out of the corresponding swap deals were higher than ever before. In essence, banks trapped public entities into deals that became immensely profitable for the banks at taxpayer's expense.

The federal "fair dealing" rule prohibits financial institutions from misrepresenting or omitting "facts, risks, potential benefits, or other material information" when doing business with municipal clients like MPS. It is likely that the banks that pitched interest rate swaps to Wisconsin and MPS violated this rule. For example, several of the banks that sold swap deals to the state and MPS were manipulating the interest rates that the swaps were linked to,<sup>4</sup> which cost taxpayers millions. These banks included JPMorgan Chase, UBS, and Bank of America. This is a violation of the fair dealing rule.

Cities, states and school districts all over the country found themselves stuck in these toxic deals, the State of Wisconsin and Milwaukee Public Schools among them.

**Table 1 below illustrates the costs of these bad deals to Wisconsin taxpayers and our communities.**

**Table 1: Wisconsin and MPS Interest Rate Swap Payments to Banks**

STATE OF WISCONSIN & MILWAUKEE PUBLIC SCHOOLS SWAP PAYMENTS TO BANKS					
	Estimated Net Payments thru March 2015	Potential Penalties with Termination <sup>5</sup>	Total Net Payments And Potential Penalties	Annual Net <sup>6</sup> Payments	Projected Payments Over Life of Swaps After Fiscal Year 2015 <sup>7</sup>
Milwaukee Public Schools	\$54,348,309 <sup>8</sup>	\$42,666,000	\$96,206,271	\$7,137,606	\$133,267,460
State of Wisconsin	\$162,381,790 <sup>9</sup>	\$145,500,000	\$308,804,615	\$25,100,000	\$328,500,000
<b>TOTAL</b>	\$216,730,099	\$188,166,000	\$405,010,886	\$32,237,606	\$461,767,460

Milwaukee Public Schools has 2 swaps with PNC Bank and one swap with Morgan Stanley. The State of Wisconsin has three active swaps, with JPMorgan Chase, Citigroup, and UBS. The total cost of the net payments to banks and the fees to get out of the deals is nearly \$400 million. The fees the State of Wisconsin has paid to get out of some swaps add another \$40 million, bringing the total to \$440 million.

- The State of Wisconsin pays the banks a net total of \$25.1 million per year on three big General Fund swaps – that’s nearly \$2.1 million every month.<sup>10</sup>
- Milwaukee Public Schools is paying the banks more than \$594,800 each month, more than \$7.1 million a year, on its three swaps.<sup>11</sup>
- Banks have already taken more than \$162 million from the State and more than \$54 million from Milwaukee schools, totaling more than \$216 million.
- To get out of these toxic deals, the State of Wisconsin would have to pay more than \$145 million in termination penalties, and MPS more than \$42 million.<sup>12</sup> The banks would want a total of more than \$188 million to let the State and the District out of these deals.
- The State estimates that it will pay the banks an additional \$328 million over the life of these deals. MPS estimates it will give the banks another \$133 million.<sup>13</sup>
- The State and MPS are locked into incredibly long deals with terms of up to 39 years. Interest rate swaps in the private sector are rarely longer than 5 to 7 years.

These deals would be radically off-market in the corporate world. The State's swaps terminate in 2032; MPS's swaps do not terminate until 2044.

- In addition, in 2008, the State of Wisconsin paid banks \$40 million in termination fees on swaps in order to refinance the underlying bad deal.

## WISCONSIN GENERAL FUND ANNUAL APPROPRIATION BONDS SWAPS

The State of Wisconsin has three active swaps – with JPMorgan Chase, UBS, and Citigroup – covering most of its 2008 General Fund Annual Appropriation Series B and C bonds. These swaps cover the underlying bonds until their maturity in 2030. The state issued the bonds to refund its 2003 and 2005 auction rate certificate bonds (see section on Auction Rate Securities). According to the state's Comprehensive Annual Financial Report (CAFR) for Fiscal Year 2014, the underlying bond value on these swaps totaled \$481.4 million as of June 2014. The fair value – termination fee – of the swaps was \$145.5 million.<sup>14</sup> On both Series B and Series C, the banks pay the state a variable interest rate that was about 2.5 percent at the time the deal originated, but had fallen to 0.18 percent by March 2015. The State pays the banks 5.47 percent on the Series B swaps, and 4.661 percent on the Series C swaps.

### State of Wisconsin and Bank Payments on General Fund Annual Appropriation Bonds 2008B/2008C Swaps

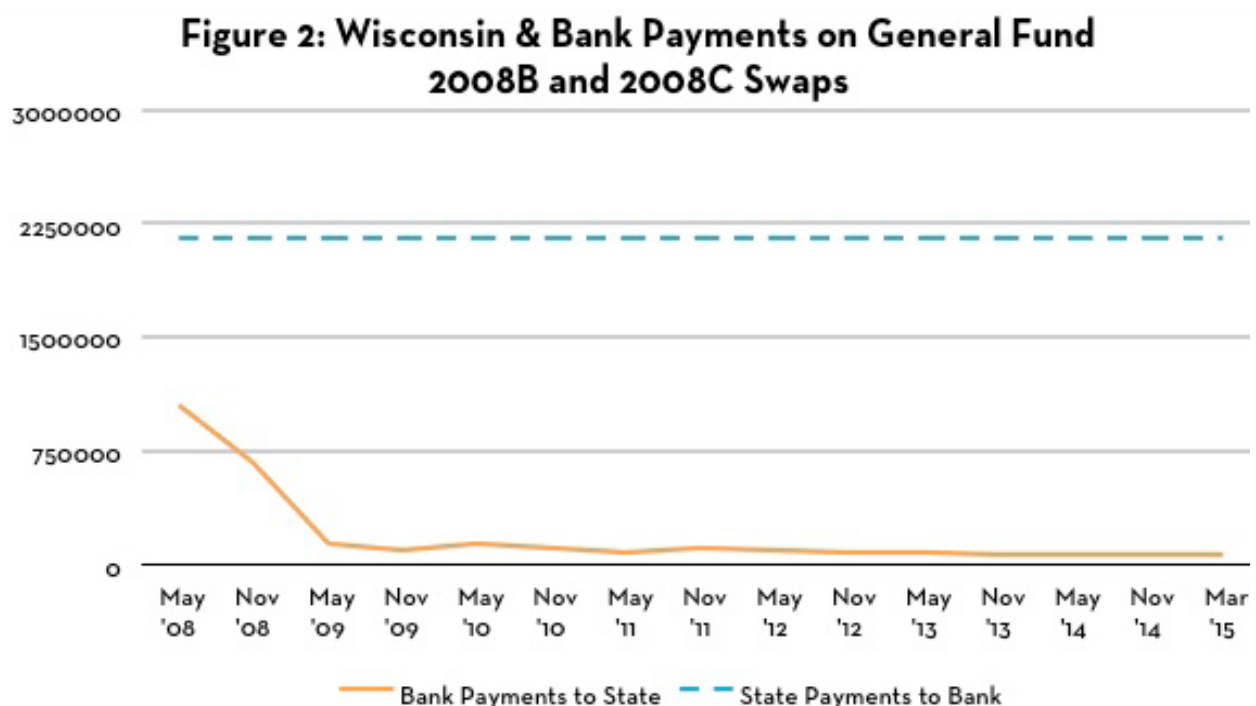




Figure 2 clearly illustrates the disparity in payments and the advantage to the bank since the beginning of these swaps, and illustrates a typical curve of payment disparity over the life of a swap. As of Wisconsin's 2014 CAFR, the State's estimated net payments to the banks on just these 3 swaps are more than \$2.1 million per month, or about \$25 million per year.<sup>15</sup>

## THE AUCTION RATE SECURITY DISASTER

Auction rate securities (ARS) are variable-rate bonds whose interest rates typically reset every seven, 28, or 35 days (there are also other, less common reset periods). At the end of every reset period, bondholders who want to sell their ARS auction them off to investors who bid the lowest interest rate they are willing to accept for the bond. The interest rate therefore resets at every auction. Banks collect exorbitant fees for conducting these auctions.<sup>16</sup>

However, ARS require bidders. If no investors submit bids at the auctions, then the state and local governments that issued the debt could be forced to pay double-digit penalty interest rates to the bondholders that are unable to sell. That is precisely what happened in 2008. In February 2008, these auctions started to fail because there were no bidders for many ARS. The Port Authority of New York and New Jersey saw interest rates on their ARS jump from 4.3 percent to 20 percent in just one week.<sup>17</sup> At the height of the crisis, on February 13-15, 2008, more than 80 percent of all auctions failed.<sup>18</sup>

We now know that before the market crashed, banks were quietly propping up the ARS market for years by bidding in auctions so that the auctions wouldn't fail, creating an illusion of a strong, safe market. We also know that banks continued to push these deals to public entities even when they knew the market was shaky. And finally, when the market did start to melt down, banks stopped propping it up – in other words, they stopped intervening in the auctions by bidding on the bonds.<sup>19</sup> ARS were packed with hidden risks that were not widely understood by municipal borrowers, and ended up costing taxpayers millions of dollars.

In 2003, Wisconsin issued \$950 million in ARS,<sup>20</sup> divided into nine different segments known as tranches. The State paired this variable rate debt with interest rate swaps. The underwriters who sold the State the deals included UBS, Citigroup, JPMorgan Chase, and Bear Stearns.<sup>21</sup> All of these banks were also counterparties to the swaps on the ARS, meaning that these banks both sold the deals and profited from the swaps. Though none of these bonds had auction failures when the market went into meltdown in early 2008, the interest rates on all of them spiked severely as bidders demanded higher rates as it became clear that ARS were a risky product. Three of the tranches went at least as

high as 14 percent, and all but one of the others went as high as at least 10 percent.<sup>22</sup> Wisconsin was not able to get out of these bonds until June of 2008, when the State was finally able to issue new bonds to refund the ARS. Between mid-February 2008 and early June, the state paid an extra \$10 million in higher interest charges and \$5 million in additional finance charges.<sup>23</sup> And because the ARS were paired with interest rate swaps, while they were paying these incredibly high interest rates on the ARS, they were also paying interest on the swaps, at rates that were up to 3 percent higher than what they were receiving from the counterparty banks.<sup>24</sup> To get out of these money-hemorrhaging deals, the State had to pay huge termination fees – \$40 million<sup>25</sup> – in order to end the swaps so it could refinance the underlying debt. That’s a cost of \$55 million dollars to the State just in swap termination fees, finance charges, and higher interest on the ARS, not including the costs of the interest on the swaps themselves.

## MILWAUKEE PUBLIC SCHOOLS GETTING GOUGED ON CAPITAL APPRECIATION BONDS

In December 2003, at the same time that the Redevelopment Authority of the City of Milwaukee (RACM), on behalf of Milwaukee Public Schools, issued the bonds its three swaps are connected to, it issued approximately \$16 million in capital appreciation bonds. A capital appreciation bond (CAB) is a long-term bond with compounding interest on which the borrower is unable to make any principal or interest payments for the first several years, and, in some cases, until the final maturity of the bond. In this way, it is similar to a negative amortization mortgage, in which the outstanding principal actually grows over time because the unpaid interest gets tacked on to the amount owed and compounds. Because of this structure, borrowers often end up paying extraordinarily high interest rates over the life of the bonds.

Banks aggressively pitched CABs to public officials as a way to fill budget holes without having to worry about making payments in the near term. It is an appealing way to access cash without having to pay for it, since it is likely that the public officials who sign the deal are not the ones who will have to pay for them ten or twenty years later. However, because of the balloon payments down the line, these deals often become ticking time bombs. Because these deals are especially prevalent among school districts, California State Treasurer Bill Lockyer has called CABs the “school district equivalent of a payday loan or a balloon payment that you might obligate yourself for. So you don’t pay for, maybe 20 years – and suddenly you have a spike in interest rates that’s extraordinary.”<sup>26</sup>

According to the terms of the CABs, MPS cannot begin paying off these bonds until 2026,

and cannot finish paying them off until 2041. MPS used CABs to borrow just \$15.7 million, but by the end of the deal, it will have paid out about \$110.5 million in balloon payments. That amounts to more than 600 percent in interest over about 37 years.<sup>27</sup> Banks have collected millions in fees on these deals.

## RECOMMENDATIONS

The Municipal Securities Rulemaking Board (MSRB) is one of the federal regulatory agencies charged with protecting municipal borrowers. Under MSRB Rule G-17, known as the fair dealing rule, the banks that pitch financial products like interest rate swaps to municipal borrowers have a duty to deal fairly with them. That includes making sure that public officials actually understand the risks they are taking on, not simply asking them sign a disclosure. As a general practice, the banks did not do this. They downplayed the risks and highlighted the savings that the public would enjoy if none of the risks associated with the risky deals materialized. This was disingenuous, and likely violated Rule G-17.

### **Banks likely violated rule G-17 by:**

- Failing to adequately explain and quantify the risk that payments on the bonds might exceed the payments received under the swaps;
- Encouraging the public entities to enter swaps with extremely long durations that would have been radically off-market in the private sector;
- Failing to explain and quantify to public entities exactly how known risks, such as downgrades of bond insurers, might affect the value of interest rate swaps;
- Failing to disclose that several of the underwriting banks were themselves rigging the interest rates (i.e., the LIBOR Index) that the floating payments on the swaps were based on.
- Failing to disclose that several of the underwriting banks were themselves rigging the interest rates (i.e., the ISDAfix rate) that the termination fees on the swaps would be based on.

### **The State of Wisconsin and Milwaukee Public Schools have several options for remedies:**

**1. Petition the Securities and Exchange Commission for Disgorgement.** The Securities and Exchange Commission (SEC) has enforcement authority for violation of the MSRB's fair dealing rule, and it routinely seeks and courts routinely grant disgorgement of ill-gotten gains from violations of the federal securities laws. Disgorgement actions generally are not subject to the five-year statute of limitations for "a fine, penalty, or forfeiture." This likely means that Wisconsin state agencies and school districts could seek remedy through an SEC enforcement action. The SEC has taken action on behalf

of investors who lost money on ARS, for example. The State and MPS should petition the SEC to bring an enforcement action on the banks, to undo the deals and get money back.

**2. Seek Relief Under State Law.** The State may also be able to pursue similar remedies under Wisconsin law in court. The disclosures required by MSRB Rule G-17 were also required by the contracts between the Wisconsin municipal bond issuers and the banks, so the State may have a breach of contract claim. In addition, the law of misrepresentation does not allow silence when there is a legal “duty to speak.” The disclosure requirements of MSRB Rule G-17 constituted a legal duty for the bankers to “speak” on the risks of the deals before the contracts were signed.

**3. Petition the Attorney General to Take Legal Action.** The State of Wisconsin could also petition the Wisconsin Attorney General to conduct an investigation and bring legal action on behalf of all municipal issuers within the state who have been adversely impacted by interest rate swaps and auction rate securities.

**4. Conduct a thorough, independent investigation, and issue subpoenas if necessary.** In addition to the remedies above, the Wisconsin legislature should conduct a thorough oversight investigation of the bond deals that involved either swaps or auction rate securities, including all communications between the State and State entities, any municipal or swaps advisors, and the banks, as well as the profits to the banks, all payments to advisors, and any bonuses paid by banks for the bond deals.

**5. Set maximum terms and interest rates on securities such as Capital Appreciation Bonds.** Wisconsin Lawmakers should follow the lead of other states and enact policies to protect bond issuers and taxpayers from these costly products. For example, term limits of maximum 25 years and a maximum debt service to principal ratio close to 1:1 would prevent the type of gouging we’ve seen with CABS. CABS with terms longer than 10 years should also have an early call option so that the issuer can pay back the bond early if able to, thus avoiding the continuance of compounding interest.

# CONCLUSION

We know that banks relied on deceptive, dishonest, or unfair practices to sell risky deals such as auction rate securities and swap agreements. The deals described here are just the tip of the iceberg. The truth is that we need transparency and better disclosure so that we can understand the full scope of the predatory municipal finance problem in Wisconsin and hold Wall Street accountable for the hundreds of millions banks are draining from our communities. Public officials throughout the state of Wisconsin should publicly disclose all payments they make for financial services and borrowing and they should conduct an independent investigation into all financial deals to determine whether they are trapped in any with features that could be considered predatory.

When it comes to interest rate swaps and auction rate securities in particular, we have options for recovering our money. Governor Walker and MPS should make every effort to get out of these toxic swap deals without paying termination fees. Governor Walker and MPS should aggressively pursue every option to exit the deals and recoup money the banks have taken on swaps and ARS, and to hold banks accountable for their failure to disclose risks as required by law.



# END NOTES

- 1** Wisconsin to Skip Debt Payments to Make up For Walker's Tax Cut. Tim Jones, Bloomberg, February 18, 2015
- 2** UW Regents Push Back Against Walker's Budget Cuts. Associated Press, Green Bay Press Gazette, March 5, 2015.
- 3** Wisconsin to Skip Debt Payments to Make up For Walker's Tax Cut. Tim Jones, Bloomberg, February 18, 2015
- 4** U.S. Regulators Sue 16 Banks for Rigging LIBOR Rate, Nate Raymon and Aruna Viswanatha, Reuters March 14, 2015
- 5** Fair value figures for MPS are from its Comprehensive Annual Financial Report for fiscal year 2014, pp 59. For State of Wisconsin, they are from the State of Wisconsin Comprehensive Annual Financial Report (CAFR) for fiscal year 2014, pp. 110
- 6** Annual net payment estimates for Fiscal Year 2015 are from, for MPS, the MPS Comprehensive Annual Financial Report for fiscal year 2014, pp 61. For the State, State of Wisconsin Comprehensive Annual Financial Report (CAFR) for fiscal year 2014, pp. 110.
- 7** We used the projected net payments over life of existing swaps for Milwaukee Public Schools, from MPS 2014 CAFR pp 61; for State of Wisconsin, from 2014 CAFR pp. 110. The CAFR's estimates include Fiscal Year 2015, which ends in June 2015, so we subtracted one full year of estimated payments figures to account for the period covered by our up-to-date calculations of net payments to date.
- 8** We calculated costs to date, as of March 2015, by calculating the MPS monthly payments and subtracting the banks' payments from that. To calculate MPS payments, we multiplied their fixed interest rate by the swaps' notional amounts. For the banks' payments, we used historical LIBOR interest rates to calculate the variable interest rate paid by the banks and multiplied that by each swap's notional amount. CAFR's prior to 2009 are not available on MPS website so we do not have access to the district's own annual estimates prior to 2009.
- 9** Net payment estimates come from Wisconsin's own calculations, as presented in CAFRs for fiscal years 2008-2013 and from calculations we did to determine 2008 payments on the General Fund bond swaps 2008B/2008C. To calculate monthly payments on these swaps, we used the Original Statements on the underlying bonds to determine the sinking schedule/period reduction in the swap notionals. We then used the interest rate information from the state CAFRs to calculate payments over time. Because the information in the State's publicly disclosed documents is incomplete, we had to make an informed estimate as to the distribution of the underlying bond notional across the three swaps, so we then cross referenced our calculations with the net payment information in the CAFRs for fiscal years 2008-2013 to check for accuracy.
- 10** Annual figure in State of Wisconsin Comprehensive Annual Financial Report (CAFR) for fiscal year 2014, pp. 110.
- 11** Estimate of annual net payments on the swaps for 2015 from MPS Comprehensive Annual Financial Report for fiscal year 2014, pp 61. Monthly figure is a result of dividing annual figures by twelve.
- 12** The fair value/termination fee for the MPS swaps as of the 2014 CAFR is \$42,666,000, pp. 59. For the State of Wisconsin's fiscal year 2014 CAFR it is \$145.5 million, on pp 110
- 13** Projected net payments over life of existing swaps for Milwaukee Public Schools, from MPS 2014 CAFR pp 61; for State of Wisconsin, from 2014 CAFR, pp. 110. The CAFR's estimates include Fiscal Year 2015, which ends in June 2015, so we subtracted one full year of estimated payments figures to account for the period covered by our up-to-date calculations of net payments to date.
- 14** State of Wisconsin Comprehensive Annual Financial Report for fiscal year 2014, pp. 110
- 15** To calculate monthly payments on these swaps for the purpose of the graph, we used the Original Statements on the underlying bonds to determine the sinking schedule/period reduction in the swap notionals. We then used the interest rate information from the state CAFRs to calculate payments over time by multiplying each party's interest rates by the notional value and then subtracting one from the other. Because the information in the State's publicly disclosed documents is incomplete, we had to make an informed estimate as to the distribution of the underlying bond notional across the three swaps, so we then cross referenced our calculations with the net payment information in the CAFRs for fiscal years 2008-2013 to check for accuracy. Our estimates are conservative.
- 16** Auction Rate Securities: A Crisis Foretold Glenn S. Gitomer, Securities Arbitration 2008: Evolving and Improving, The Practicing Law Institute, 2008.
- 17** Auction-Bond Failures Roil Munis, Pushing Rates Up, Martin Z. Braun, Bloomberg, February 13, 2008.
- 18** Auction-Rate Securities: Bidder's Remorse?, Stephanie Lee, NERA Economic Consulting, May 6, 2008, 2.
- 19** See, for example, Some Have Recouped Millions from Risky Type of Debt That Plagues CPS. Heather Gillers, Chicago Tribune, December 26, 2014. Online at: <http://www.chicagotribune.com/news/watchdog/cpsbonds/ct-cps-bonds-recoup-met-20141226-story.html#page=1>
- 20** Also known as Auction Rate Certificates (ARCs)
- 21** These banks are listed as swap counterparties in the State of Wisconsin C Comprehensive Annual Financial Report for Fiscal Year 2005, pp 107. Underwriters are disclosed in the Official Statements on the 2003 Auction Rate Certificates .
- 22** Auction-Rate Fireworks: Ooh, Aah, Ouch. Ronald A Wirtz, FedGazette of the Minneapolis Federal Reserve, November 1, 2008. <https://www.minneapolisfed.org/publications/fedgazette/auctionrate-fireworks-ooh-aah-ouch>
- 23** Auction-Rate Fireworks: Ooh, Aah, Ouch. Ronald A Wirtz, FedGazette of the Minneapolis Federal Reserve, November 1, 2008. <https://www.minneapolisfed.org/publications/fedgazette/auctionrate-fireworks-ooh-aah-ouch>
- 24** The 1 Month LIBOR rate between February and June of 2008 ranged from 2.47 percent to 3.13 percent, while the State was locked into fixed rates ranging from 4.666 percent to 5.47 percent. Historical LIBOR rates available here: <http://www.moneycafe.com/personal-finance/1-month-libor/>
- 25** Termination fee amount of \$40,000,000 disclosed in State of Wisconsin Comprehensive Annual Financial Report for Fiscal Year 2014, pp 110
- 26** School District Owes \$1 Billion On \$100 Million Loan, Richard Gonzalez, National Public Radio, December 7, 2012.
- 27** The Official Statement on the bond issue Taxable Pension Funding Bonds 2003 Series C & D. Maturity schedule for Series C RACM Capital Appreciation Bonds is on pp 3 of PDF (OS pages are unnumbered).

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