

## 2007 SENATE BILL 93

March 13, 2007 – Introduced by Senators LASSA, DARLING, GROTHMAN and OLSEN, cosponsored by Representatives GOTTLIEB, BALLWEG, FIELDS, HAHN, MURSAU, A. OTT, PETROWSKI and VAN ROY. Referred to Committee on Labor, Elections and Urban Affairs.

1     **AN ACT to create** 66.0603 (1m) (b) 5., 66.0603 (1m) (b) 6. and 66.0603 (3) (c) of  
 2           the statutes; **relating to:** the investment by certain local units of government  
 3           of funds held in trust to provide post–employment benefits.

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### *Analysis by the Legislative Reference Bureau*

Under current law, a school district may invest and reinvest funds that are held in trust, other than funds held in the public employee trust fund, solely to provide post–employment benefits in the manner provided under the Uniform Prudent Investor Act, which took effect in Wisconsin on April 30, 2004. This bill requires that such funds be held in segregated accounts, and extends the same provisions to other local governmental units, including cities, villages, towns, counties, and technical college districts.

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

4           **SECTION 1.** 66.0603 (1m) (b) 5. of the statutes is created to read:  
 5           66.0603 (**1m**) (b) 5. A city, village, town, county, drainage district, technical  
 6           college district, or other governing board as defined by s. 34.01 (1) may invest and

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1 reinvest funds that are held in trust, other than funds held in the public employee  
2 trust fund, solely to provide any of the following benefits, in the same manner as is  
3 authorized for investments under s. 881.01:

4 a. Post–employment health care benefits provided either separately or through  
5 a defined benefit pension plan.

6 b. Other post–employment benefits provided separately from a defined benefit  
7 pension plan.

8 **SECTION 2.** 66.0603 (1m) (b) 6. of the statutes is created to read:

9 66.0603 **(1m)** (b) 6. Funds that are held in trust to provide the benefits  
10 described in subds. 3. and 5. shall be held in a trust fund or account that is separate  
11 from all other trust funds or accounts created by, or under the control of, the local  
12 governmental unit.

13 **SECTION 3.** 66.0603 (3) (c) of the statutes is created to read:

14 66.0603 **(3)** (c) 1. In addition to the authority granted under sub. (2), a city,  
15 village, town, county, drainage district, technical college district, or other governing  
16 board as defined by s. 34.01 (1) may delegate the investment authority over the funds  
17 described under sub. (1m) (b) 5. to an investment manager who meets the  
18 requirements and qualifications specified in the trust’s investment policy and who  
19 is registered as an investment adviser under 15 USC 80b–3.

20 2. If a unit of government described under subd. 1. has established a trust  
21 described in sub. (1m) (b) 5., it shall annually publish a written report that states the  
22 amount in the trust, the investment return earned by the trust since the last report  
23 was published, the total disbursements made from the trust since the last report was

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1 published, and the name of the investment manager if investment authority has  
2 been delegated under subd. 1.

3 (END)