

Permanent School Fund

Report to the Legislature

October 2020

As required by M.S. 16A.06

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Estimated Costs of Preparing this Report

This report provides information that Minnesota Management & Budget normally collects as part of its business functions. The cost reported below is the estimated cost of preparing the report.

Special funding was not appropriated for the costs of preparing this report.

In accordance with M.S. 3.197, the estimated cost incurred by Minnesota Management and Budget in preparing this report is \$200.

This report is provided in accordance with M.S. 16A.06, which requires that Minnesota Management & Budget “annually report to the Permanent School Fund Advisory Committee and the legislature the amount of the permanent school fund transfer and information about the investment of the permanent school fund provided by the State Board of Investment.”

Certified Transfers

The State Board of Investment calculated that the Permanent School Fund earned \$19,900,511.58 for the period of September 2019 through February 2020, and \$18,473,803.12 for the period of March 2020 through August 2020. Table 1 shows certified earnings by time period since March 2016.

Table 1. Permanent School Fund Certified Earnings by Time Period

| Time Period | Certified Earnings |
|---------------------------------------|------------------------|
| March 2020 – August 2020 | \$18,473,803.12 |
| September 2019 – February 2020 | \$19,900,511.58 |
| March 2019 – August 2019 | \$19,189,135.43 |
| September 2018 – February 2019 | \$18,792,752.32 |
| March 2018 – August 2018 | \$17,202,885.02 |
| September 2017 – February 2018 | \$16,603,229.07 |
| March 2017 – August 2017 | \$16,420,253.62 |
| September 2016 - February 2017 | \$15,167,861.18 |
| March 2016 – August 2016 | \$14,790,523.63 |

Investment of the Permanent School Fund

The State Board of Investment, per M.S. 11A.16, is assigned investment responsibilities over the Permanent School Fund. Information about the investment of the corpus of the fund is included in the State Board of Investment Annual Report. The most recent State Board of Investment Annual Report is linked at the end of this report and relevant information can be found on pages 114-115.

Additional background information about the Permanent School Fund is provided below.

Permanent School Fund Overview

The Permanent School Fund is a trust fund created by the Minnesota Constitution (article XI, Section 8) and designated as a long-term source of revenue for public schools. The fund “consists of (a) the proceeds of lands granted by the United States for the use of schools within each township, (b) the proceeds derived from swamp lands granted to the state, (c) all cash and investments credited to the permanent school fund and to the swamp land fund, and (d) all cash and investments credited to the internal improvement land fund and the lands

therein.” Proceeds from the school trust land are generated through land sales, mining royalties, timber sales, lake shore, and other leases. The goal of the fund, as stated in M.S. 127A.31, is to “secure the maximum long-term economic return from the school trust lands consistent with fiduciary responsibilities imposed by the trust relationship established in the Minnesota Constitution, with sound natural resource conservation and management principles, and with other specific policy provided in state law.”

The Commissioner of Natural Resources, per M.S. 84.027, has authority and responsibility for the management of school trust lands, including the land and timber sales, royalties, and leases that fund the Permanent School Fund. While much of the initial land granted to the state has been sold, the Department of Natural Resources manages the remaining 2.5 million acres of school trust land and 1 million acres of school trust mineral rights. Administrative costs incurred by the department are deducted from the gross proceeds of land management activities (M.S. 16A.125 & M.S. 93.2236). The net proceeds are added to the principal, or corpus, of the Permanent School Fund monthly. The Department of Natural Resources reports biannually to the Permanent School Fund Advisory Committee (M.S. 127A.30) and the Legislature on the management of the land¹.

Table 2. School Trust Land by Original Grant Type

| Type of Grant | Original Acres | Current Acres |
|-----------------------|------------------|------------------|
| School | 2,900,000 | 966,705 |
| Swamp | 4,706,503 | 1,540,347 |
| Internal Improvements | 500,000 | 6,510 |
| Total | 8,106,503 | 2,513,562 |

Source: DNR, [Minnesota’s School Trust Lands: Biennial Report for Fiscal Years 2018-2019](#)

In accordance with the Minnesota Constitution, the principal of the Permanent School Fund cannot be spent and instead must remain “perpetual and inviolate.” The fund is invested to produce a growing level of spendable income within the constraints of maintaining adequate portfolio quality and liquidity. Prior to FY 1998, the fund had been invested entirely in fixed income securities which maximized current income but limited long term growth. In 1997 the State Board of Investment presented alternative investment scenarios to the legislature. The decision was made to reallocate the investment to 50% stock, 48% fixed income and 2% cash; this allocation remains today².

Every month the State Board of Investment transfers the net school trust land proceeds deposited by the Department of Natural Resources into the corpus of the Permanent School Fund. Twice a year, in March and September, the State Board of Investment certifies the interest and dividends earned from the fund, and informs Minnesota Management & Budget (MMB). This certification includes any interest earned by the net school trust land proceeds while awaiting transfer into the corpus for investment. MMB then transfers the certified earnings to the School Endowment Fund created under M.S. 127A.32. The Department of Education then allocates funds in the School Endowment Fund to school districts in two semi-annual payments under M.S.

¹ See [DNR Website](#) for additional information on school trust land management (www.dnr.state.mn.us).

² See [SBI Website](#) for additional information on Permanent School Fund investments (www.sbi.state.mn.us).

127A.33, which requires apportionment based on “the number of pupils in average daily membership during the preceding year.”

The Commissioner of Management & Budget, per M.S. 11A.16, has overall management responsibilities for the fund. MMB works with the Department of Natural Resources to estimate administrative expenses charged back to the fund, oversees the monthly transfers of interest to the appropriation, and transfers the earnings to the Department of Education semiannually. In addition, per M.S. 16A.06, the State Board of Investment provides information about how they have maximized the long-term economic return of the permanent school fund.

Recent Legislative Changes

Minnesota Statutes 11A.16 was amended under Laws 2011, 1st special session, chapter 11, article 1, section 1 to clarify that the invested treasurer’s cash (ITC) interest earned on the Permanent School fund earnings is included in the investment income certified and paid to school districts. Sections 8, 25, and 26 include charter schools in the definition of a “school district” in order to enable charter schools to qualify for Permanent School fund payments. The new law changed the distribution of permanent school fund revenue from resident ADM pupils to adjusted ADM pupils and excluded charter schools from the definition of a school district for purposes of aid anticipation borrowing. The law became effective March 1, 2012. Additionally, Laws 2011, 1st special session, chapter 2, article 1, section 4 appropriated \$200,000 in FY 2012 and \$200,000 in FY 2013 from the Permanent School Fund to the Department of Natural Resources for accelerating land exchanges, land sales, and commercial leasing of school trust lands in order to maximize the long-term economic return of the school trust lands. In 2017 \$206,000 was appropriated in FY2018 and \$212,000 was appropriated in FY2019 to the Department of Natural Resources for the same purpose.

Minnesota Statutes 127A.351 to 127A.353 were created under Laws 2012, chapter 249, article 1, sections 8 – 11. The purpose of the new statutes was to establish a school trust lands director position to recommend management policies for Minnesota’s school trust lands in accordance with the provisions of the Minnesota Constitution, article XI, section 8. The management of the school trust lands must take into consideration long-term interests of the funds, so benefits are not lost in an effort to maximize short-term gains. Laws 2014, chapter 312, article 13, section 2 specified that the revenues to the Permanent School Fund are to be reduced by the cost incurred by the Legislative Permanent School Fund Commission and the school trust lands director. In the 2016 session \$250,000 was appropriated to the Department of Administration to provide funding to the school trust lands director to initiate real estate development projects on school trust lands. In the 2017 session \$300,000 was appropriated for the same purpose for FY2018 and FY2019. An additional \$500,000 was appropriated in 2018 to initiate the private sale of surplus school trust lands as determined by the school trust lands director. Finally, Laws 2019, 1st special session, chapter 4, article 1, section 3 subdivision 9 moved the funding and the fiscal agent responsibilities for the Office of School Trust Lands (OSTL) from the Department of Administration to the Department of Natural Resources. This move did not alter the mission or work of the OSTL.

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Attached:

State Board of Investment Annual Report 2019: [Permanent School Fund](#) (see pages 114-115)