

# MONTANA

## BOARD OF INVESTMENTS

### BOARD ADOPTED POLICY

POLICY NUMBER: 40.807

EFFECTIVE DATE: June 4, 2025

TITLE: Coal Severance Tax Permanent Fund

SUPERSEDES: June 22, 2023

BOARD ADOPTION: November 30, 2021

REVIEWED: June 4, 2025

#### I. Introduction

A. The purpose of this policy is to provide a framework for the Coal Severance Tax Permanent Fund under the guidance of the Board.

B. All Coal Severance Tax sub-funds are governed by 40.800, Coal Severance Tax Investment Policy Statement.

C. The Coal Severance Tax Permanent Fund was established under Section 17-5-703, MCA, as a sub-fund of the Permanent Coal Severance Tax Trust. Income from the Coal Severance Tax Permanent Fund is distributed to the Coal Severance Tax Income Fund. The Department of Revenue will then transfer the income to various funds based on legislative appropriations.

D. The Board will have full discretion to manage the Coal Severance Tax Permanent Fund consistent with this policy. Compliance with the following guidelines for permitted investments and other restrictions is the sole responsibility of the Staff. Any exceptions or compliance violations are to be reported to the Board at the next scheduled quarterly Board meeting.

E. There are several commercial and residential loan programs that are funded from the Coal Severance Tax Permanent Fund. In addition, the Coal Severance Tax Permanent Fund serves as the backstop for any loan guarantees under the INTERCAP and Facility Finance Loan Programs.

F. Investment staff will work closely with the Director of Commercial Loans, the Director of Municipal Loans for INTERCAP, and the Executive Director of the Montana Facility Finance Authority to address any liquidity needs within the portfolio.

G. If at any time, due to market fluctuations or any other circumstances, any of the guidelines are not maintained, Staff will use its best efforts to conform to these limits in a timely manner, while considering current market conditions and the associated costs of rebalancing. At the Board's next regularly scheduled quarterly meeting, the CIO shall inform the Board of any situations where the allocations were outside the limits and either inform the Board of the actions that were taken to return the portfolio back within guidelines or a plan to do so.

#### II. Statement of Purpose

A. The purpose of this policy is to:

1. Establish the investment objectives and performance standards of the Coal Severance Tax Permanent Fund; and
2. Provide diversified investment exposure within the guidelines in a prudent and cost-effective manner.

#### III. Investment Objectives

A. Strategic - Attain above benchmark total return for all investments within the parameters established in this policy with an emphasis on investment income and preservation of principle.

B. Performance - Success in achieving this objective will be measured by comparing the risk and

return of the account to the Trust Funds Investment Pool (TFIP) benchmark and the Short-Term Investment Pool (STIP) benchmark weighted proportionately to the portfolio's holdings net of any legislatively directed holding of commercial, residential, or infrastructure loans, bonds or other mandated assets, over a five (5) year rolling average.

#### IV. Permitted Investments

A. The Coal Severance Tax Permanent Fund may only invest in:

1. TFIP;
2. STIP; and
3. Any legislatively approved program loan, bond, note, or guarantee.

#### V. Other Restrictions

- A. A maximum of ninety-nine percent (99%) of the market value of the portfolio will be held in the TFIP.
- B. A maximum of \$80 million Montana Infrastructure loans per Sections 17-6-309 & 311, MCA.
- C. A maximum of \$70 million Montana Value Added Loans per Sections 17-6-317 & 311, MCA.
- D. A maximum of \$15 million Montana Facility Finance Authority Loans per Section 17-6-308, MCA.
- E. A maximum of \$10 million Intermediary Relending Loans per Section 17-6-345, MCA.

Authority: Montana Constitution, Article VIII, Section 13  
 Montana Constitution, Article IX, Section 5  
 Section 2-15-1808, MCA  
 Section 17-1-113, MCA  
 Sections 17-5-703 and -704, MCA  
 Sections 17-6-201 through 17-6-205, MCA  
 Sections 17-6-308 and -309, MCA  
 Section 17-6-311, MCA  
 Section 17-6-345, MCA  
 Chapter 774, Laws of 2023 (House Bill No. 819)