

ENROLLED ACT NO. 85, HOUSE OF REPRESENTATIVES

SIXTY-SIXTH LEGISLATURE OF THE STATE OF WYOMING
2021 GENERAL SESSION

AN ACT relating to public funds; providing for a study and report regarding alternative measures for managing the investment of state funds; making legislative findings; outlining issues to be covered in the study and report; providing for recommendations for a plan to provide for alternative measures; providing for filing of the report; providing for staffing and requiring assistance by state executive and legislative entities; providing an appropriation; providing for subsequent legislation; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1.

(a) The legislature finds there is a consensus among the state treasurer's office, the governor's office, the investment funds committee and the legislature that the investment funds committee should undertake a study to assess options for improving the investment operations relating to state funds and to address the following goals and objectives:

(i) To bring Wyoming's management of its sovereign wealth funds and other permanent and nonpermanent funds into the top tier in each field thereby ensuring the state and its citizens are receiving the best possible value from these key public resources;

(ii) To identify legal and fiduciary requirements of the state in investing various fund types and clarify best practices regarding the state's oversight role as owner or trustee of invested funds;

ENROLLED ACT NO. 85, HOUSE OF REPRESENTATIVES

SIXTY-SIXTH LEGISLATURE OF THE STATE OF WYOMING
2021 GENERAL SESSION

(iii) Development of an investment management structure that will most likely achieve the best long-term returns for the state, taking into account:

(A) Legal and fiduciary requirements, risk tolerance, spending requirements and the volatile revenues characteristic of the state;

(B) Needs to ensure accuracy, transparency and timeliness in reporting in light of those requirements, while being as efficient as possible under those requirements.

(b) In conducting the study, the investment funds committee shall:

(i) Review alternatives for the investment management structure including, but not limited to, a public state corporation, a state owned investment management company or state created investment council or quasi-governmental entity;

(ii) Recommend an organization and management structure that it determines best meets the goals and objectives specified in subsection (a) of this section;

(iii) Include in its recommendation:

(A) An outline of the duties, makeup and responsibilities of all parties involved in the management of investments, including the state loan and investment board, and how each party would interrelate with the other parties;

ENROLLED ACT NO. 85, HOUSE OF REPRESENTATIVES

SIXTY-SIXTH LEGISLATURE OF THE STATE OF WYOMING
2021 GENERAL SESSION

(B) An outline of the appropriate revenue and expense model adequate to support the staffing and technology needed for the recommended organization and management structure;

(C) How to best implement the recommendation in a manner which enables investment professionals and their colleagues in operations, accounting and legal compliance to function independently and consistently with accepted industry standards;

(D) How the investment management operations would be conducted in light of the state's status as the organization's only client;

(E) Other recommendations the investment funds committee determines would assist the legislature or entities managing state investments in achieving the goals and objectives specified in subsection (a) of this section or would otherwise benefit the state in its management of investments.

(c) The investment funds committee shall submit the report to the select committee on capital financing and investments not later than November 1, 2021. The select committee on capital financing and investments shall work with the investment funds committee during the preparation and review of the report required under this section. The select committee may prepare legislation regarding the study and report under this act as it determines appropriate. The select committee shall collaborate with the investment funds committee during each interim, monitor its practices and recommendations and assist as necessary to facilitate improved investment practices by the state.

ENROLLED ACT NO. 85, HOUSE OF REPRESENTATIVES

SIXTY-SIXTH LEGISLATURE OF THE STATE OF WYOMING
2021 GENERAL SESSION

(d) There is appropriated ten thousand dollars (\$10,000.00) that would otherwise be deposited to the general fund, to the state treasurer's office for purposes of supporting the investment funds committee study and report under this act. This appropriation shall be for the period beginning with the effective date of this act and ending June 30, 2022. This appropriation shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation shall revert as provided by law on June 30, 2022.

(e) The state treasurer's office shall provide the investment funds committee with support as specified in W.S. 9-4-720. The state treasurer's office and the office of state lands and investments shall provide assistance to the investment funds committee as requested in conducting the study and providing the report required by this act. The investment funds committee shall consider input provided by members of the state loan and investment board in conducting the study and preparing the report. The legislative service office shall provide assistance to the investment funds committee as requested by the committee and as approved by the management council of the legislature.

ORIGINAL HOUSE
BILL NO. HB0244

ENGROSSED

ENROLLED ACT NO. 85, HOUSE OF REPRESENTATIVES

SIXTY-SIXTH LEGISLATURE OF THE STATE OF WYOMING
2021 GENERAL SESSION

Section 2. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk