

HOUSE No. 3347

Section 4A contained in the engrossed Bill making appropriations for the fiscal year 2011 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 3318), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see House, No. 3345). April 13, 2011.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act establishing a financial literacy trust fund.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to promote financial lieteracy and education in the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 10 of the General Laws is hereby amended by inserting after section 35PP the
2 following section:-

3 Section 35QQ. (a) There shall be established and set up on the books of the
4 commonwealth a Financial Literacy Trust Fund to encourage financial literacy and education for
5 residents, institutions, community organizations and entities that will promote financial literacy.
6 The fund shall be administered by the state treasurer, in consultation with the board of trustees
7 established under subsection (b). The fund shall accept private contributions, publicly or
8 privately-funded grants and funds appropriated by the state or federal government. No
9 expenditure from the fund shall cause the fund to be in deficiency at the close of the fiscal year.
10 Monies deposited in the fund that are unexpended at the end of the fiscal year shall not revert to

11 the General Fund and shall be available for expenditure in the subsequent fiscal year. The fund
12 shall be an expendable trust fund and shall not be subject to appropriation or allotment.

13 (b) There shall be established a board of trustees to consist of 20 members, 2 of whom
14 shall be appointed by the senate president and 1 of whom shall be appointed by the minority
15 leader of the senate; 2 of whom shall be appointed by the speaker of the house and 1 of whom
16 shall be appointed by the minority leader of the house; the state treasurer or a designee, who shall
17 serve as chair; the attorney general or a designee; the undersecretary of consumer affairs and
18 business regulation or a designee; the secretary of education or a designee; the commissioner of
19 elementary and secondary education or a designee; the secretary of housing and economic
20 development or a designee; and 8 persons to be appointed by the governor who shall have
21 experience in fundraising, education or financial services. All non-elected members shall serve
22 for terms of 3 years, but they may be reappointed. The board of trustees shall develop by-laws
23 and may develop regulations for the implementation of the trust. The trust may expend funds for
24 the purposes of administering the fund, which may include an annual independent audit of the
25 financial activities of the fund. The trust may also enter into contracts with private corporations
26 for the purposes of managing and implementing the programmatic fiduciary or administrative
27 goals of the trust, subject to the approval of the board of trustees. The trust may also, to the
28 extent necessary, create a 501(c)3 corporation to fulfill the purposes of the trust. The state
29 treasurer shall annually report to the general court all programmatic and financial activities and
30 balances of the fund on or before the last Wednesday in December.

31 (c) Notwithstanding any general or special law or rule or regulation to the contrary, the
32 state treasurer, members of the board of trustees or their designees shall maximize the balance in

- 33 the trust by soliciting private donations, gifts, grants and bequests of the trust, including direct
- 34 and indirect fundraising.