



The Commonwealth of Massachusetts

OFFICE OF THE STATE TREASURER

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November 2, 2016

Mr. Steven James
Clerk of the House of Representatives
State House, Room 145
Boston, MA 02133

Dear Mr. Clerk:

Pursuant to M.G.L. c. 30 § 33, and on behalf of the Office of the Treasurer and Receiver General, I am transmitting the attached legislative recommendations for consideration during the 190th General Court.

The recommendations are as follows:

- **An Act relative to civil violations**
 - Amends Chapter 138, Section 2 of the General Laws
- **An Act relative to enhancing Alcoholic Beverages Control Commission background checks**
 - Adds Section 70A to Chapter 138 of the General Laws
- **An Act relative to online Lottery**
 - Amends Chapter 10, Sections 24 and 24A & Chapter 137, Section 3 of the General Laws
- **An Act relative to Lottery compliance investigations**
 - Amends Chapter 10, Section 31 of the General Laws
- **An Act relative to Keno licenses**
 - Amends Chapter 10, Section 27A of the General Laws
- **An Act relative to the SMART Plan**
 - Amends Chapter 29, Section 64 & 64B of the General Laws

- **An Act relative to the 401(k) CORE program**
 - Amends Chapter 29,m Section 64E of the General Laws
- **An Act relative to the Massachusetts State Employees Retirement System**
 - Amends Chapter 25, Sections 139 & 159 of the Acts of 2009
- **An Act relative to group classification**
 - Amends Chapter 32, Section 3 of the General Laws
- **An Act relative to eligible prior service**
 - Amends Chapter 32, Section 5 of the General Laws
- **An Act relative to life insurance proceeds**
 - Adds Section 5C to Chapter 200A of the General Laws
- **An Act relative to enhancing consumer protection with respect to unclaimed property**
 - Amends Chapter 200A, Section 13 of the General Laws
- **An Act relative to the deposit of public monies**
 - Amends Chapter 29, Section 34 of the General Laws
- **An Act relative to explosive bonds**
 - Amends Chapter 148, Sections 19, 20, & 40 of the General Laws
- **An Act relative to motor vehicles and aircraft**
 - Amends Chapter 90, Sections 34A & 34D of the General Laws
- **An Act relative to surety bonds**
 - Amends Chapter 93, Sections 24A, 26, & 27; Chapter 167F, Section 4; and Chapter 169, Sections 2, 3, & 4 of the General Laws
- **An Act relative to financial literacy**
 - Amends Chapter 18, Section 2 of the General Laws
- **An Act relative to student debt**
 - Creates a pilot program in cooperation with the University of Massachusetts

Thank you for your attention to this matter

Sincerely,

Deborah B. Goldberg
Treasurer & Receiver General

An Act relative to civil violations

SECTION 1. Section 2 of chapter 138 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by inserting at the end thereof the following:-

“As an alternative to initiating criminal proceedings for violations sections 34, 34A, 34B, and 34C of chapter 138, any investigator of the commission may issue a civil citation for violations of said laws in the amount of the criminal fine provided for said violation, to be paid within 21 days of the date of issuance of such citation. Any person aggrieved by any citation issued pursuant to this section may appeal said citation by filing a notice of appeal with the commission within seven days of the receipt of the citation. Any such appellant shall be granted a hearing before the commission in accordance with chapter 30A. The commission may affirm, vacate or modify the citation. Any person aggrieved by a decision of the commission may file an appeal in superior court pursuant to the provisions of said chapter 30A. If a person fails to comply with the requirement set forth in any citation issued pursuant to this section, or shall fail to pay any civil penalty provided thereby within 21 days of the date of issuance of such citation, or within 30 days following the decision of the commission if such citation has been appealed, excluding any time during which judicial review of the commission’s decision remains pending, the commission may apply for a criminal complaint against such person for the violation, or may initiate a civil action in district court. All monies collected by the commission under said civil citations shall be credited to the general fund.”.

An Act relative to enhancing Alcoholic Beverages Control Commission background checks

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith enhanced background checks for alcohol licenses, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety.

SECTION 1. Chapter 138 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by inserting after section 70 the following section:-

Section 70A. (1) As part of the commission's licensure and background record check process, the commission shall conduct fingerprint-based checks of the state and national criminal history databases pursuant to this chapter before approving any license under sections 12 and 15 under this chapter. Said fingerprint-based checks shall be conducted on any individual applicant, any individual with a direct or indirect beneficial interest in any partnership that is an applicant, any individual with a direct or indirect beneficial interest in any corporation that is an applicant including, but not limited to, any individual who is an officer, director, or stockholder in the corporate applicant, any individual with a direct or indirect beneficial interest in any limited liability company that is an applicant including, but not limited to, any individual who is a member or manager of a limited liability company that is an applicant, and the individual seeking approval to be the license manager required by section 26 of this chapter. Provisions of this section shall not apply to stockholders of a corporation whose stock is listed for sale to the general public with the securities and exchange commission and who hold less than ten per cent of the outstanding stock entitled to vote at the annual meeting of said corporation. The commission shall endeavor to avoid duplicating similar investigations by local licensing authorities. When local licensing authorities do conduct such fingerprint-based checks, the local licensing authorities may appropriately disseminate to the commission all criminal offender record information and the results of checks of state and national criminal information databases, pursuant to this chapter, in accordance with the law.

Authorized commission staff may receive and appropriately disseminate all criminal offender record information and the results of checks of state and national criminal information databases, pursuant to this chapter in accordance with the law. When the commission obtains the results of checks of state and national criminal information databases, it shall treat such information in keeping with the provisions of sections 167 through 178, inclusive, of chapter 6 and the regulations thereto, regarding criminal offender record information.

(2) As part of the commission's licensure and background record check process, the commission may conduct fingerprint-based checks of the state and national criminal history databases , pursuant to this chapter before issuing any license under this chapter that is not a license under section 12 or section 15. Authorized commission staff may receive and appropriately disseminate all criminal offender record information and the results of checks of state and national criminal information databases in accordance with the law. When the commission obtains the results of checks of state and national criminal information databases, it shall treat such information in keeping with the provisions of sections 167 through 178, inclusive, of chapter 6 and the regulations thereto, regarding criminal offender record information.

(3) The commission shall collect from each individual who is subject to a fingerprint-based check all fees associated with conducting fingerprint-based checks of the state and national criminal history databases, pursuant to this chapter as set by the commission.

(4)(a) Fingerprints, as referenced in this section will be submitted to the identification section of the department of state police for a state criminal history check and forwarded to the Federal Bureau of Investigation for a national criminal history check, according to the policies and procedures established by the identification section and by the department of criminal justice information services. Fingerprint submissions and national criminal history checks may be retained by the department of criminal justice information services for the purposes of ensuring the continued suitability for licensure, certification, approval or employment of those individuals, provided that said department is authorized to disseminate the results of a national criminal history check to the commission for the purpose of determining the suitability of any individual identified in paragraph (1) or (2) of this section.

(b) The department of criminal justice information services shall disseminate the results of the criminal background check to the commission. Said department of criminal justice information services shall only disseminate information under this section that would otherwise be available to requesting entities under the provisions of sections 167 through 178, inclusive, of chapter 6 and the regulations thereto, regarding criminal offender record information.

(c) The commission shall amend its regulations in a manner necessary to carry out the provisions of this section, provided that the regulations may reflect a phased-in schedule for the fingerprint-based background checks, provided, however, that such phase-in shall not begin prior to September 1, 2017.

(d) Any and all persons required to undergo the fingerprinting process described in this shall pay a fee, to be established by the commission in consultation with the secretary of public safety and security, to offset the costs of operating and administering a fingerprint-based criminal background check system, provided that said fee shall not exceed 55 dollars per person; provided, further, that the fee may increase accordingly if the federal bureau of investigation increases its fees for fingerprint background checks services. All fees collected under this section, shall be deposited into the Fingerprint-Based Background Check Trust Fund established under section 2HHHH of chapter 29.

(b) The deposits and credits to this fund pursuant to this section shall be utilized for the sole purpose of carrying out pursuant to this section state and national criminal background checks and verifications, including, but not limited to, obtaining or contracting to obtain fingerprints and fees from subjects, making payments charged by the Federal Bureau of Investigation or other entity, staffing the department of state police and the department of criminal justice information services to submit fingerprints and to obtain, verify and disseminate the results of background checks, and maintaining the public safety information systems used to obtain access to fingerprint-based state and national criminal background information.

(c) The department of criminal justice information services shall report annually to the house and senate committees on ways and means and the joint committee on consumer protection and

professional licensure on the cost of operating and administering the fingerprint-based criminal background check system, including expenditures from the fund and their purposes.

An Act relative to online lottery

SECTION 1. Section 24 of chapter 10 of the General Laws, appearing in the 2014 Official Edition, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph: -

The commission may conduct a state lottery, including a lottery conducted online, over the internet or through the use of mobile applications. The commission shall determine: (i) the types of lottery to be conducted; (ii) the prices of tickets, games or shares in the lottery; (iii) the numbers and sizes of the prizes on the winning tickets, games or shares; (iv) the manner of selecting the winning tickets, games or shares; (v) the manner of payment of prizes to the holders of winning tickets, games or shares; (vi) the frequency of the drawings or selections of winning tickets, games or shares; (vii) the types of locations at which tickets, games or shares may be sold; (viii) the method to be used in selling tickets, games or shares; (ix) the licensing of agents to sell tickets, games or shares; provided, however, that no person under the age of 18 shall be licensed as an agent; (x) the manner and amount of compensation, if any, to be paid to licensed sales agents; provided, however, that the amount of compensation, if any, to be paid to licensed sales agents as commission shall be calculated on the total face value of each ticket, game or share sold and not on the discounted price of any ticket, game or share sold; and (xi) such other matters that the commission deems necessary or desirable for the efficient and economical operation and administration of the lottery, for the convenience of the purchasers of tickets, games or shares and for the convenience of the holders of winning tickets, games or shares. The commission may operate the daily numbers game 7 days a week. Each lottery ticket, game or share that is not played online shall have imprinted thereon the seal of the commonwealth and a serial number. The commission may establish and from time to time revise such rules and regulations as it deems necessary or desirable and shall file the same with the office of the state secretary.

The commission shall establish rules and regulations for lotteries conducted online, over the internet or through use of mobile applications that shall, at a minimum:

- (i) require age verification measures to be reasonably designed to block access to and prevent sales of lottery tickets, games or shares online, over the internet or through the use of a mobile application to persons under the age of 18;
- (ii) limit sales of lottery tickets, games or shares online, over the internet or through the use of mobile applications to transactions initiated and received or otherwise made within the commonwealth;
- (iii) allow any player to voluntarily prohibit or otherwise exclude themselves from purchasing a lottery ticket, game or share online, over the internet or through the use of a mobile application;
- (iv) establish maximum limits for account deposits and transactions of lottery tickets, games or shares conducted online, over the internet or through the use of a mobile application and allow players to reduce their own deposit or transaction limit at any time;

(v) limit any electronic deposits made in an online lottery account to the use of a verified bank account, prepaid gift card or debit card; provided, however, that the commission shall not accept credit card payments or deposits for the purchase of any ticket, game or share online, over the internet or through the use of a mobile application;

(vi) clarify that money in an online lottery account belongs solely to the owner of the account and may be withdrawn by the owner at any time; and

(vii) require the commission to implement promotional activities to encourage the purchase of lottery tickets, games or shares through licensed sales agents including, but not limited to, the sale of prepaid gift cards for online transactions through licensed sales agents.

The commission shall advise and make recommendations to the director regarding the operation and administration of the lottery. The commission shall report monthly to the governor, the attorney general and the general court on the total lottery revenues, prize disbursements and other expenses for the preceding month. The commission shall make an annual independently-audited financial report to the governor, the attorney general and the general court which shall include a full and complete statement of lottery revenues, prize disbursements and other expenses, including such recommendations as it may deem necessary or advisable, and the report shall be made available electronically to the general public not later than the earliest date established for reports in section 12 of chapter 7A. The commission shall report immediately to the governor and the general court on any matters that require immediate changes in the law in order to prevent abuses and evasions of the laws relative to lotteries or to rectify undesirable conditions in connection with the administration or operation of the state lottery.

Notwithstanding any general or special law to the contrary, the name, address, transaction history, account balance or other personal or identifying information of an individual who purchases lottery tickets, games or shares online, over the internet or through the use of mobile applications shall not be deemed public records of the commission and shall not be subject to section 10 of chapter 66; provided, however, that this section shall not prohibit the commission from maintaining, using or sharing such information in the course of an investigation by law enforcement or in compliance with sections 28A or 28B.

SECTION 2. Section 24A of said chapter 10, as so appearing, is hereby amended by inserting after the word “games”, in line 8, the following words: - , including multi-jurisdictional lottery games to be conducted online, over the internet or through the use of mobile applications provided that such lotteries games to be conducted online, over the internet or through the use of mobile applications have been properly authorized by each state or other jurisdiction that is part of the group.

SECTION 3. Section 3 of chapter 137 of the General Laws, as so appearing, is hereby amended by inserting after the figure “23K”, in line 7, the following words:- and chapter 10.

An Act relative to Lottery compliance investigations

SECTION 1. Section 31 of chapter 10 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by inserting, in line 3, after the words "any member or employee of the commission" the following words:- except as authorized by the director for investigative purposes,

An Act relative to Keno licenses

SECTION 1. Section 27A of chapter 10 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking, in lines 31 through 33, the words “in a newspaper of general circulation in the area including the municipality where said Keno licensee will operate” and inserting in place thereof the following:- “on the commission’s website”

An Act relative to the SMART Plan

SECTION 1. Section 64 of chapter 29 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking, in line 31, the words “independent contractors” and inserting in place thereof the following:- “contracted employees”

SECTION 2. Said section 64 of said chapter 29 of the General Laws, as so appearing, is hereby further amended by inserting at the end thereof the following paragraphs:-

“The state treasurer, on behalf of the deferred compensation program, may adopt annual budgets and supplemental budgets as necessary. Said budgets may include salaries for treasury employees tasked with working on and/or administering the deferred compensation program, and said budgets may be funded from the administrative expense account of the deferred compensation program. Any such treasury employee whose compensation is sourced from the deferred compensation program shall be an “employee” as that term is defined in section 1 of chapter 32 and shall be a member of the Massachusetts state employees’ retirement system.

The state treasurer, on behalf of commonwealth, may establish an automatic enrollment feature within the deferred compensation program. The automatic enrollment feature does not require advance authorization by an employee, and is hereby deemed to be an exception to the provisions of the Massachusetts Wage Act or any other state law requiring employee authorization for a payroll deduction or any similar ordinance of a governmental body. The details of the automatic enrollment feature shall be set forth in the deferred compensation plan document and shall include:

- (a) A provision that automatic enrollment shall apply only to new employees of the commonwealth hired on or after June 1, 2017;
- (b) A provision that automatic enrollment shall apply only to new employees of a “governmental body”, as defined in section 64B of chapter 29, the governmental body chooses the automatic enrollment feature for its employees;
- (c) A provision that automatic enrollment may not require more than an established maximum contribution per pay period per automatically-enrolled employee;
- (d) A provision that the amount of compensation deferred by an automatically-enrolled employee shall automatically increase by a specified amount each year unless the participating employee elects not to participate in auto escalation or elects to defer a different amount than specified;
- (e) A provision that an employee who is automatically enrolled shall have as long as ninety days after the start of employment to discontinue participation in the plan;
- (f) A provision that an automatically-enrolled employee who discontinues participation in the plan within ninety days of enrollment shall receive a refund of their account as soon as practicable after discontinuing participation;
- (g) A provision that the plan shall specify a designated investment option to receive contributions by any automatically-enrolled employee who does not choose an investment alternative to receive the employee’s contributions; and
- (h) A provision that the plan shall adhere to notice requirements to automatically-enrolled participants in accordance with Internal Revenue Service Rulings 98-30 and 2000-8.”

SECTION 3. Section 64B of chapter 29 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by inserting, in line 45, after the words “under this section” the following:- “, and in the event the treasurer or chief financial officer makes such an election, the governmental body may be subject to the automatic enrollment feature of the deferred compensation program pursuant to the ninth paragraph of section 64 of chapter 29”

An Act relative to the 401(k) CORE program

SECTION 1. Section 64E of chapter 29 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking, in lines 5 and 6, the following:- “and employing not more than 20 persons,”

SECTION 2. Said section 64E of said chapter 29 of the General Laws, as so appearing, is hereby further amended by inserting at the end thereof the following subsection:-

“(g) Notwithstanding any general or special law to the contrary, the state treasurer, or designee, may seek to reduce operating expenses for the plan through private donations or grants, which may include direct and indirect fundraising.”.

An Act relative to the Massachusetts State Employees Retirement System

SECTION 1. Chapter 25 of the Acts of 2009 is hereby amended by striking Section 139 in its entirety and inserting in place thereof the following:-

“SECTION 139. Notwithstanding the provisions of any general or special law to the contrary, employees of the Massachusetts Department of Transportation as defined in Section 8 of this Act who are hired after the effective date of this act shall become members of the Massachusetts State Employees’ retirement system, and notwithstanding the provisions of any general or special law to the contrary including, but not limited to, paragraph (c) of subdivision (8) of section 3 of chapter 32 of the General Laws, said system shall be responsible for all liability attributable to said service of such employees. The liabilities attributable to any other service of such employees shall be recoverable by the commonwealth pursuant to the terms of paragraph (c) of subdivision (8) of section 3 of chapter 32 of the General Laws.”.

SECTION 2. Said chapter 25 of the Acts of 2009 is hereby further amended by striking Section 159 in its entirety and inserting in place thereof the following:

“SECTION 159. (a) Effective upon the date of dissolution of the Massachusetts Turnpike Authority: (1) the Massachusetts Turnpike Authority Employees’ Retirement System shall be dissolved ; (2) all members of the Massachusetts Turnpike Authority Employees’ Retirement System shall become members of the Massachusetts State Employees’ Retirement System; (3) the management of benefits of the dissolved Massachusetts Turnpike Authority employees’ retirement system shall be transferred to the state board of retirement in section 18 of chapter 10 of the General Laws which board shall have with respect thereto the general powers and duties set forth in subdivision (5) of section 20 of said chapter 32, including the reimbursement for liabilities attributable to the service of such members with other governmental units recoverable pursuant to the terms of paragraph (c) of subdivision (8) of section 3 of chapter 32 of the General Laws; (4) all data, files, papers and records and other materials of the Massachusetts Turnpike Authority retirement board provided for in paragraph (b) of subdivision (4 1/2) of said section 20 of said chapter 32 shall be transferred to and held by the state board of retirement; (5) ownership and control of all the assets of the dissolved Massachusetts Turnpike Authority Employees’ Retirement System in the custody of the secretary-treasurer of the authority shall be transferred to the Pension Reserves Investment Management Board and be made assets of the Massachusetts State Employees’ Retirement System; and (6) the Massachusetts Turnpike Authority retirement board in said paragraph (b) of subdivision (4 1/2) of said section 20 of said chapter 43 shall be abolished; provided, however, that the members and officers thereof shall be authorized to do all such things and take all such action as may be necessary or desirable to be done or taken by them to effectuate the transfers to be made pursuant to this section.

(b) Effective upon the date of dissolution of the Massachusetts Turnpike Authority, the payment of all annuities, pensions, retirement allowances and refunds of accumulated total deductions and of any other benefits granted under the sections 1 to 28, inclusive, of said chapter 32 are hereby made obligations of the commonwealth.”.

SECTION 3. Section 1 shall take effect on January 1, 2010.

SECTION 4. Section 2 shall take effect on July 1, 2009.

An Act relative to group classification

SECTION 1. Section 3 of chapter 32 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking, in line 275, the words “and employees of the commonwealth or of any county whose regular and major duties require them to have the care, custody, instruction or other supervision of parolees or persons who are mentally ill or mentally defective or defective delinquents or wayward children and employees of Cushing hospital” and inserting in place thereof the following:- “and employees or former employees of the commonwealth or of any county, and members of the state employees retirement system whose regular and majority of their duties require them to have care, custody, instruction or other supervision, or require them to provide services to parolees, persons who are mentally ill, or persons with physical, functional, intellectual, or developmental disabilities, or delinquent youth, and employees of Cushing hospital.”.

An Act relative to eligible prior service

SECTION 1. Section 5 of chapter 32 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by inserting, in line 126, after the words “rendered in each group;” the following:- “provided, however, that classification of the eligible prior service rendered by the member in each group shall be made by the retirement board from which the member is retiring;”

SECTION 2. Said section 5 of said chapter 32, as so appearing, is hereby further amended by inserting, in line 130, after the words “rendered in each group” the following:- “provided, however, that classification of the eligible prior service rendered by the member in each group shall be made by the retirement board from which the member is retiring”.

An Act relative to life insurance proceeds

SECTION 1. Chapter 200A of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by placing after section 5B the following new section:-

Section 5C. (a) As used in this section, the following words shall, unless context otherwise requires, have the following meanings:

“Contract”, annuity contract; provided, however, the term shall not include any annuity used to fund an employment-based retirement plan or program where the insurer is not committed by terms of the annuity contract to pay death benefits to the beneficiaries of specific plan participants.

“Death Master File”, United States Social Security Administration’s Death Master File or any other database or service that is at least as comprehensive as the United States Social Security Administration’s Death Master File for determining that person has reportedly died.

“Death Master File Match”, a search of the Death Master File that results in a match of the Social Security number or the name and date of birth of an insured, annuity owner, or retained asset account holder.

“Policy”, any policy or certificate of life insurance that provides a death benefit; provided, however, the term shall not include any policy or certificate of life insurance that provides a death benefit under; (a) an employee benefit plan, subject to Employee Retirement Income Security Act of 1974, as defined by 29 U.S.C. sec 1002(3); (b) a governmental plan as defined by 29 U.S.C. sec 1002(32); (c) a church plan as defined by 29 U.S.C. sec 1002(33); or (d) any federal employee benefit program; (d) any policies or certificates of insurance on the life of a debtor pursuant to or in connection with a specific loan or other credit transaction, or any group policy issued to a creditor to insure the lives of the debtors and any certificates issued under such policies.

All other terms used in this section shall be interpreted in a manner consistent with all the definitions used in this chapter.

(b) (1) An insurer shall preform a comparison of its insured’s’ in-force life insurance policies and retained asset accounts against a Death Master File , on at least a semi-annual basis, to identify potential matches of its insureds.

(2) For those potential matches identified as a result of a Death Master File match, the insured shall, within ninety (90) days of a Death Master File Match: (i) Complete a good faith effort, which shall be documented by the insurer, to confirm the death of the insured or retain asset account holder against other available records and information; and (ii) determine whether benefits are due in accordance with the applicable policy or contract, and if benefits are due in accordance with the applicable policy or contract: (iii) use good faith efforts, which shall be documented by the insurer, to locate the beneficiaries; and (iv) provide the appropriate claims

forms or instructions to each beneficiary to make a claim, including the need to provide an official death certificate if applicable under the policy contract.

With respect to group life insurance, insurers are required only to confirm the possible death of an insured when the insurers provide full record-keeping services under the group policy holder,

(c) To the extent permitted by law, the insurer may disclose minimum necessary personal information about the insured to a beneficiary or to a person who the insurer reasonably believes may be able to assist the insurer to locate the beneficiary or a person otherwise entitled to payment of the claims proceeds.

(d) An insurer shall not charge insureds, account holders or beneficiaries for any fees or costs associated with a search or verification conducted pursuant to this section.

(e) The benefits from a life insurance policy or retained asset account, plus any applicable accrued interest, shall first be payable to the designated beneficiaries or owners and in the event those beneficiaries or owners cannot be found, shall escheat to the state as unclaimed property pursuant to this chapter. For purposes of this section, the dormancy period shall be the date of death of the insured.

(f) The insurer shall submit the unclaimed life insurance benefits or unclaimed retained asset accounts, plus any applicable accrued interest, to the treasurer.

An Act relative to enhancing consumer protection with respect to unclaimed property

SECTION 1. Section 13 of chapter 200A of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out the section and inserting in place thereof the following section:-

Section 13. (a) Agreements covered by this section shall be agreements by which the owner is a natural person, estate or rightful heir of a property and such natural person, estate or rightful heir contracts with a third-party for the primary purpose to locate, deliver, recover, or assist in the recovery of property that is distributable to the owner or presumed abandoned.

(b) An agreement covered by this section is void and unenforceable if it was entered into during the period commencing on the date the property was distributable to the owner and extending to a time that is 24 months after the date the property is paid or delivered to the treasurer.

(c) An agreement covered by this section is enforceable only if it meets all of the following criteria: (1) is in writing and clearly sets forth the nature and underlying value of the property; (2) clearly identifies the services which will be rendered and performed by the contracting parties; (3) is signed by the owner, with signature notarized; (4) describes the property, and must include the type of property, the original holder of the property, the property identification assigned by the treasurer as well as the value or amount of the property; (5) clearly states the fees and costs for services which shall not exceed ten percent of the value of the property which is recovered; (6) discloses that the property is being held by the unclaimed property division.

(d) Any person who enters into an agreement covered by this section with an owner, or any individual who requests owner information for property from the treasurer for the purpose of locating and contracting for a fee to assist an individual or business entity in the recovery of said property, shall register each calendar year with the unclaimed property division. The information required under this section shall include the individual's name, address, telephone number, state of incorporation along with supporting documents from the government agency of the incorporated state which oversee such activity, the individual's federal identification number, a signed and notarized affidavit attesting to the understanding of the laws governing fee for service locators in the commonwealth as well as any other requirement determined by the treasurer pursuant to regulation. A registration fee of one hundred dollars shall be paid to the treasurer at the time of each annual filing. Fees received under this section shall be credited to the Unclaimed Property Trust Fund.

(e) This section shall not apply property subject to section 32 of chapter 29 of the General Laws.

An Act relative to the deposit of public monies

Section 34 of chapter 29 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking, in line 8, the figure:- “6” and inserting in place thereof the figure:- “12”.

An Act relative to explosive bonds

SECTION 1. Chapter 148 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking sections 19 to 20B, inclusive, and inserting in place thereof the following sections:-

“Section 19. No person shall conduct blasting operations unless such person has applied for and obtained a certificate of competency issued by the marshal. Any person wishing to obtain said certificate shall make application on a form approved by the marshal. A fee set annually by the secretary of administration and finance, pursuant to section 3B of chapter 7, shall accompany said application. The fee shall cover the costs of the application and certificate if issued. No portion of said fee shall be refundable. Upon receipt of said application and fee, the marshal shall arrange for the applicant to be examined as to the applicant’s experience and ability to conduct blasting operations. If the applicant is found to be qualified, said applicant shall forthwith be issued a certificate of competency. Said certificate shall be valid throughout the commonwealth for a period not to exceed 24 months from the date of issue. Once issued, said certificate may be renewed after its expiration and without examination, upon payment of a fee as determined by the secretary of administration and finance. However, no certificate may be renewed without examination and fee if said certificate has been in effect in excess of 7 years from the date of original issue. The holder of a certificate of competency whose certificate is lost, misplaced or stolen may obtain a duplicate certificate from the marshal upon payment of a fee as determined by the secretary of administration and finance pursuant to said chapter 7.

Section 20. No person shall conduct any blasting operations in any city or town unless said person has applied for and been issued an explosive user’s certificate issued by the marshal and in accordance with the rules and regulations of the board of fire prevention regulations.

No explosive user’s certificate shall be issued without the applicant having first obtained and filed with the marshal, a certificate of insurance demonstrating the issuance of a comprehensive general liability insurance policy providing coverage for bodily injury and property damage, with limits of no less than \$1 million per person, \$5 million per occurrence, and \$5 million in the aggregate, for bodily injury, and no less than \$1 million per occurrence, and \$5 million in the aggregate, for property damage for loss, damage or injury which results from the blasting of rock or keeping of explosives. As a continuing condition of maintaining a valid explosive user’s certificate, the insurance policy shall be maintained by the holder and kept in force at all times. In the event the required insurance is terminated or expires, the explosive user’s certificate will become void until full coverage is restored.

The insurance policy shall be issued by an insurance company authorized to do business in the commonwealth. Each insurance policy shall provide for at least a 30 day notice by certified mail to the marshal as a condition of the policy, of any material change, cancellation or expiration of the policy. The insurance policy shall be in effect for a minimum of one year from the date of the issuance of the explosive user’s certificate. The city or town where the blasting is to be done shall be named as additional insureds under the insurance policy.”.

SECTION 2. Said chapter 148, as so appearing, is hereby further amended by striking sections 40 to 43, inclusive, and inserting in place thereof the following section:-

“Section 40. No person shall manufacture, keep or store fireworks, in any quantity, except as permitted by the board of fire prevention regulations, in any building or structure unless said person has applied for and been issued a fireworks users certificate. In addition, no person shall use, discharge, fire off, explode or display fireworks by himself or his agents unless said person has applied for and been issued a fireworks users certificate by the marshal in accordance with the rules and regulations of the board.

No fireworks user’s certificate shall be issued without the applicant having first obtained and filed with the marshal, a certificate of insurance demonstrating the issuance of a comprehensive general liability insurance policy providing coverage for bodily injury and property damage, with limits of no less than \$1 million per person, \$2 million per occurrence, and \$2 million in the aggregate, for bodily injury, and no less than \$1 million per occurrence, and \$2 million in the aggregate, for property damage for loss, damage, or injury which results from the keeping, discharging, firing off, exploding or display of fireworks. As a continuing condition of maintaining a valid fireworks user’s certificate, the insurance policy shall be maintained by the holder and kept in force at all times. In the event the required insurance is terminated or expires, the fireworks user’s certificate will become void until full coverage is restored.

The insurance policy shall be issued by an insurance company authorized to do business in the commonwealth. Each insurance policy shall provide for at least a 30 day notice by certified mail to the marshal as a condition of the policy, of any material change, cancellation or expiration of the policy. The insurance policy shall be in effect for a minimum of one year from the date of the issuance of the fireworks user’s certificate.

For purposes of this section, the word “loss” shall include the reasonable expense of a city or town incurred in the extinguishing of fires caused by the discharging, firing off, exploding, displaying or keeping of fireworks.”.

An Act relative to motor vehicles and aircraft

SECTION 1. Section 34A of chapter 90 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking, in lines 23 through 25, the following words:- “: or the certificate of the state treasurer stating that cash or securities have been deposited with said treasurer as provided in section thirty-four D”.

SECTION 2. Said chapter 90, as so appearing, is hereby further amended by striking section 34D in its entirety.

SECTION 3. Notwithstanding and general or special law to the contrary, any cash or securities that have been deposited with the state treasurer shall be retained for a period of 3 years after the effective date of this Act. After 3 years, provided no claim is pending against the applicant, any cash or securities that have been deposited may be refunded by the state treasurer.

An Act relative to surety bonds

SECTION 1. Section 24A of chapter 93 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by inserting after the words “sufficient bond” the following:- “or acceptable bond documentation”.

SECTION 2. Section 26 of said chapter 93 of the General Laws, as so appearing, is hereby amended by striking, in lines 3 through 7 the words “The bond shall not be accepted unless it is approved by the state treasurer after having been examined and approved by the commissioner of banks. Upon its approval by the treasurer, it shall be filed in his office.” and inserting in place thereof the following:- “The bond shall not be accepted unless it or acceptable bond documentation is made accessible to the state treasurer after having been examined and approved by the commissioner of banks. Upon approval by the commissioner of banks, the said bond or acceptable bond documentation shall be accessible to the state treasurer.”.

SECTION 3. Said chapter 93, as so appearing, is hereby amended by striking section 27 and inserting in place thereof the following new section:-
“Section 27. The state treasurer shall keep a record open to public inspection of the approved bonds or applicable bond documentation accessible to the treasurer under the preceding section.”

SECTION 4. Section 4 of chapter 167F of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking, in lines 12 through 14, the words “Such person shall deposit and maintain with the state treasurer a surety bond, cash or securities, in a sum of one hundred thousand dollars.” and inserting in place thereof the following:- “Such person shall make, execute and, through the commissioner, make accessible to the state treasurer a surety bond or acceptable surety bond documentation, cash or securities, in the sum of one hundred thousand dollars.”.

SECTION 5. Section 2 of chapter 169 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking, in lines 5 and 6, the words “execute and deliver to the state treasurer a bond” and inserting in place thereof the following:- “execute and, through the commissioner of banks, make accessible to the state treasurer a bond or acceptable bond documentation,”.

SECTION 6. Section 3 of said chapter 169, as so appearing, is hereby amended by striking, in lines 26 through 28, the words “and the state treasurer and, upon such approval by the state treasurer, it shall be filed in his office. Upon notice of such approval by the state treasurer” and inserting in place thereof the following:- “and, upon such approval, the bond or acceptable bond documentation shall be made accessible to the state treasurer. Upon acceptance of the bond by the commissioner”.

SECTION 7. Section 4 of said chapter 169, as so appearing, is hereby amended by inserting, in line 2, after the words “of such bonds” the following:- “or applicable bond documentation.”

An Act relative to financial literacy

SECTION 1. Section 2 of chapter 18 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended in subsection (e) by inserting, in line 43, after the word “correctional” the following: - “, financial literacy”.

An Act relative to student debt

SECTION 1. Notwithstanding any general or special law to the contrary, the University of Massachusetts, in consultation with the office of the state treasurer and the department of higher education, shall develop a pilot program on a single campus that provides enrolled students with an estimate of their total outstanding or pending student loan obligations. Said notice shall include, but not be limited to: (i) an estimate of the total amount of education loans incurred by the student; (ii) an estimate of the total potential payoff amount of the educational loans incurred or a range of the total payoff amount; and (iii) an estimate of the monthly repayment amounts that a similarly situated borrower may incur, including principal and interest, for the amount of loans the student has taken out at the time the information is provided. The University of Massachusetts shall report the results of said pilot program, together with any recommendations regarding whether such a notice should be provided to additional students, to the clerks of the house and senate, who shall forward the same to the joint committee on higher education, not later than July 1, 2018.