

MICHIGAN EDUCATION TRUST ACT (EXCERPT)
Act 316 of 1986

390.1431 Additional powers of board.

Sec. 11.

In addition to the powers granted by other provisions of this act, the board shall have the powers necessary or convenient to carry out and effectuate the purposes, objectives, and provisions of this act, the purposes and objectives of the trust, and the powers delegated by other laws or executive orders, including, but not limited to, the power to:

- (a) Except as provided in section 9(5), invest any money of the trust, at the board's discretion, in any instruments, obligations, securities, or property determined proper by the board, and name and use depositories for its money.
- (b) Pay money to state institutions of higher education from the trust.
- (c) Impose reasonable residency requirements for qualified beneficiaries.
- (d) Impose reasonable limits on the number of participants in the trust.
- (e) Segregate contributions and payments to the trust into various accounts and funds.
- (f) Contract for goods and services and engage personnel as is necessary and engage the services of private consultants, actuaries, managers, legal counsel, and auditors for rendering professional, management, and technical assistance and advice, payable out of any money of the trust.
- (g) Solicit and accept gifts, grants, loans, and other aids from any person or the federal, state, or a local government or any agency of the federal, state, or a local government, or to participate in any other way in any federal, state, or local government program.
- (h) Charge, impose, and collect administrative fees and charges in connection with any transaction and provide for reasonable penalties, including default, for delinquent payment of fees or charges or for fraud.
- (i) Procure insurance against any loss in connection with the trust's property, assets, or activities.
- (j) Sue and be sued; to have a seal and alter the same at pleasure; to have perpetual succession; to make, execute, and deliver contracts, conveyances, and other instruments necessary or convenient to the exercise of its powers; and to make and amend bylaws.
- (k) Enter into contracts on behalf of the state.
- (l) Administer the funds of the trust.
- (m) Indemnify or procure insurance indemnifying any member of the board from personal loss or accountability from liability resulting from a member's action or inaction as a member of the board, including, but not limited to, liability asserted by a person on any bonds or notes of the authority.
- (n) Impose reasonable time limits on use of the tuition benefits provided by the trust, if the limits are made a part of the contract.
- (o) Define the terms and conditions under which money may be withdrawn from the trust, including, but not limited to, reasonable charges and fees for any such withdrawal, if the terms and conditions are made a part of the contract.
- (p) Provide for receiving contributions in lump sums or periodic sums.
- (q) Establish policies, procedures, and eligibility criteria to implement this act.
- (r) Enter into arrangements with Michigan institutions of higher education for the trust to offer on behalf of the institution advance tuition payment contracts under which the Michigan institution of higher education will be contractually obligated to provide a beneficiary under the contract with credit hours of higher education in addition to those required for a baccalaureate degree.

History: 1986, Act 316, Imd. Eff. Dec. 23, 1986 ;-- Am. 2008, Act 239, Imd. Eff. July 17, 2008

Admin Rule: R 390.1801 et seq. of the Michigan Administrative Code.