

SENATE, No. 206

STATE OF NEW JERSEY 209th LEGISLATURE

INTRODUCED OCTOBER 3, 2001

Sponsored by:

Senator JOHN O. BENNETT

District 12 (Monmouth)

Senator RICHARD J. CODEY

District 27 (Essex)

Co-Sponsored by:

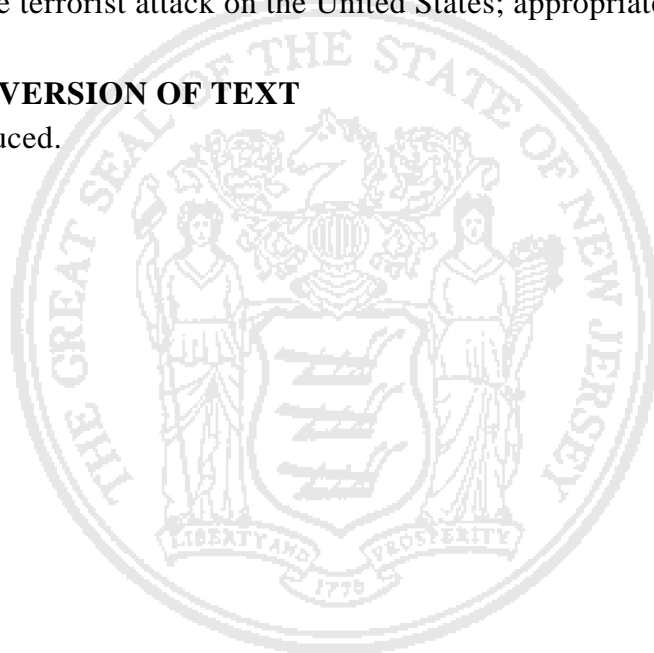
Senators Kosco, Palaia, Ciesla, Matheussen, Martin, Cardinale, Kyrillos, Littell, Robertson, Zane, Bark, Connors, Bucco, Inverso, Allen, Cafiero, O'Toole, Gormley, Singer, Kavanaugh, McNamara, Bryant, Adler, Turner, Lynch, Vitale, Lesniak, Rice, James, O'Connor, Sacco, Kenny, Girgenti, Furnari and Baer

SYNOPSIS

Establishes a college scholarship program for the children and spouses of victims of the terrorist attack on the United States; appropriates \$250,000.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 10/4/2001)

1 AN ACT establishing a college scholarship program, supplementing
2 chapter 71B of Title 18A of the New Jersey Statutes and making an
3 appropriation.

4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7

8 1. This act shall be known and may be cited as the "New Jersey
9 World Trade Center Scholarship Program Act."

10

11 2. As used in this act:

12 "Institution of higher education" means an institution of higher
13 education licensed by the appropriate agency or department and
14 accredited or preaccredited by a nationally recognized accrediting
15 association. An institution of higher education shall also include
16 certain proprietary institutions but only for degree granting programs
17 approved by the Commission on Higher Education or other proprietary
18 institutions as determined by the authority.

19 "Authority" means the Higher Education Student Assistance
20 Authority established pursuant to N.J.S.18A:71A-1 et seq.

21

22 3. a. There is established in the Higher Education Student
23 Assistance Authority a nonlapsing fund which shall be known as the
24 New Jersey World Trade Center Scholarship Fund. The fund shall be
25 administered by the board of trustees established pursuant to section
26 4 of this act.

27 b. The fund shall consist of: all moneys appropriated by the
28 Legislature for inclusion in the fund; investment earnings of the fund;
29 and moneys contributed to the fund by private sources, to be used for
30 the purposes of this act.

31 The moneys in the fund shall be invested and reinvested by the
32 Director of the Division of Investment in the Department of the
33 Treasury.

34

35 4. a. The board of trustees of the New Jersey World Trade Center
36 Scholarship Fund shall consist of the State Treasurer, or a designee,
37 and ten public members appointed as follows: two by the President of
38 the Senate, two by the Speaker of the General Assembly and six by the
39 Governor, with the advice and consent of the Senate. Seven of the
40 public members shall be persons who were directly affected by the
41 terrorist attacks on the United States on September 11, 2001. Two of
42 the public members shall be named by the Governor to serve as co-
43 chairpersons of the board.

44 b. Each public member of the board shall serve for a term of four
45 years and until his successor shall have been appointed and qualified;
46 except that of the first members appointed, two shall serve for one

1 year, two shall serve for two years, three shall serve for three years
2 and three shall serve for four years. Any vacancy in the membership
3 of the board shall be filled in the same manner as the original
4 appointment for the remainder of the unexpired term.

5 c. Members of the board shall serve without compensation but shall
6 be entitled to be reimbursed for all reasonable and necessary expenses
7 incurred in the discharge of their duties.

8 d. The board shall have the following duties and responsibilities:

9 (1) establish criteria for the determination of eligibility for a
10 scholarship from the fund;

11 (2) establish procedures for determining the amount of each
12 scholarship award, based on the financial need of the applicant and the
13 resources available to the applicant to meet his higher education costs;

14 (3) report annually to the Governor and the Legislature on the
15 performance of its duties in accordance with the provisions of this act;

16 (4) solicit and raise private funds to finance the New Jersey World
17 Trade Center Scholarship Program; and

18 (5) receive and disburse such contributions to the fund as may be
19 forthcoming from private and public sources.

20

21 5. a. The board is hereby authorized to award scholarships from
22 the fund for the costs of undergraduate study at an institution of higher
23 education to the dependent children or surviving spouses of persons
24 who were New Jersey residents on September 11, 2001 and who were
25 killed in the terrorist attack on the United States on September 11,
26 2001, or who died as a result of injuries received in the attack, or who
27 are missing and officially presumed dead as a direct result of the
28 attack. The terrorist attack on the United States shall include the
29 hijackings of American Airlines Flight 11, American Airlines Flight 77,
30 United Airlines Flight 93 and United Airlines Flight 175 and the
31 subsequent crashes at the World Trade Center in New York City, the
32 Pentagon in Washington, D.C. and in Somerset County, Pennsylvania.

33 b. Scholarships from the fund may be awarded annually upon
34 proper application to the fund to any student who qualifies under the
35 criteria developed by the board.

36

37 6. a. A New Jersey World Trade Center scholarship shall not be
38 awarded to an applicant unless the applicant has demonstrated to the
39 satisfaction of the board that the applicant:

40 (1) will be or is enrolled in a full-time undergraduate program of
41 study leading to a degree at an institution of higher education; and

42 (2) has complied with all rules and regulations adopted pursuant to
43 this act for the award, regulation and administration of scholarships
44 from the fund.

45 b. Eligibility for a scholarship, in the case of a surviving spouse,
46 shall be limited to a period of eight years from the date of death of the

1 person for initial receipt of the benefits under the program. In the case
2 of a dependent child, eligibility shall be limited to a period of eight
3 years following graduation from high school.

4
5 7. The Higher Education Student Assistance Authority shall adopt
6 rules and regulations pursuant to the "Administrative Procedure Act,"
7 P.L.1968, c.410 (C.52:14B-1 et seq.), necessary for the administration
8 of this act.

9
10 8. There shall be appropriated from the General Fund to the Higher
11 Education Student Assistance Authority for deposit in the New Jersey
12 World Trade Center Scholarship Fund \$250,000 to effectuate the
13 provisions of this act.

14
15 9. This act shall take effect immediately.

16
17
18 STATEMENT

19
20 This bill establishes in the Higher Education Student Assistance
21 Authority the New Jersey World Trade Center Scholarship Fund. The
22 fund will be administered by a eleven-member board consisting of the
23 State Treasurer and ten public members, seven of whom are persons
24 who were directly affected by the terrorist attack on the United States.
25 Two of the public members will be named by the Governor as co-
26 chairpersons of the board. The board is authorized to award
27 scholarships from the fund for the costs of undergraduate study at any
28 institution of higher education in this State or any other state, to the
29 dependent children or surviving spouses of persons who were New
30 Jersey residents on September 11, 2001 and who were killed in the
31 terrorist attack on the United States, or who died as a result of injuries
32 received in the attack, or who are missing and officially presumed dead
33 as a direct result of the attack. The terrorist attack on the United
34 States includes the hijackings of American Airlines Flight 11,
35 American Airlines Flight 77, United Airlines Flight 93 and United
36 Airlines Flight 175 and the subsequent crashes at the World Trade
37 Center in New York City, the Pentagon in Washington, D.C. and in
38 Somerset County, Pennsylvania.

39 Pursuant to the bill the board will establish criteria for the
40 determination of eligibility for a scholarship from the fund; establish
41 procedures for determining the amount of each scholarship award,
42 based on the financial need of the applicant and the resources available
43 to the applicant to meet his higher education costs; report annually to
44 the Governor and the Legislature on the performance of its duties in
45 accordance with the bill's provisions; solicit and raise private funds to
46 finance the program; and receive and disburse such contributions to

S206 BENNETT, CODEY

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- 1 the fund as may be forthcoming from private and public sources.
- 2 The bill includes a \$250,000 appropriation from the General Fund
- 3 for deposit in the New Jersey World Trade Center Scholarship Fund
- 4 to effectuate the provisions of the bill.

LEGISLATIVE FISCAL ESTIMATE
SENATE, No. 206
STATE OF NEW JERSEY
209th LEGISLATURE

DATED: JANUARY 10, 2002

SUMMARY

Synopsis: Establishes a college scholarship program for the children and spouses of New Jersey residents who were victims of the September 11, 2001 terrorist attack on the United States; appropriates \$250,000.

Type of Impact: General Fund Expenditure Increase.

Agencies Affected: Department of State; Higher Education Student Assistance Authority.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost	Indeterminate--See Comments Below		

- ! Senate Bill No. 206 of 2001 establishes the New Jersey World Trade Center Scholarship Fund to provide college scholarships to dependent children or surviving spouses of persons who were New Jersey residents on September 11, 2001 and who were killed in the terrorist attack on the United States, or who died as a result of injuries received in the attack or who are missing and officially presumed dead as a direct result of the attack. The scholarships would fund the costs of undergraduate study at any institution of higher education in this State or any other state.
- ! The bill appropriates \$250,000 for deposit into the New Jersey World Trade Center Scholarship Fund. The fund will be administered by an eleven-member board which is authorized to establish the procedures for determining the amount of each scholarship award, based on the financial need of the applicant and the resources available to the applicant to meet his higher education costs. The board is also authorized to solicit and raise private funds to finance the program and receive and disburse public and private contributions to the fund.
- ! The Office of Legislative Services (OLS) cannot estimate the potential cost of this program due to a lack of information regarding the number of surviving spouses and dependent children who may qualify and apply for a scholarship, actual tuition costs at the time of enrollment and the amount of the scholarships awarded to individual students, the ratio of students who are enrolled in two-year versus four-year institutions or public versus independent institutions or in-state versus out-of-state institutions during that fiscal year, the amount of private contributions to the fund and the rate of interest the fund may earn,

and the number of students who may receive TAG awards and other forms of financial aid, which could offset scholarship awards to those students.

BILL DESCRIPTION

Senate Bill No. 206 of 2001 establishes the New Jersey World Trade Center Scholarship Fund within the Higher Education Student Assistance Authority. The fund will be administered by an eleven-member board consisting of the State Treasurer and ten public members, seven of whom are persons who were directly affected by the September 11, 2001 terrorist attack on the United States. Two of the public members will be named by the Governor as co-chairpersons of the board. The board is authorized to award scholarships from the fund for the costs of undergraduate study at any institution of higher education in this State or any other state, to the dependent children or surviving spouses of persons who were New Jersey residents on September 11, 2001 and who were killed in the terrorist attack on the United States, or who died as a result of injuries received in the attack, or who are missing and officially presumed dead as a direct result of the attack. The terrorist attack on the United States includes the hijackings of American Airlines Flight 11, American Airlines Flight 77, United Airlines Flight 93 and United Airlines Flight 175 and the subsequent crashes at the World Trade Center in New York City, the Pentagon in Washington, D.C. and in Somerset County, Pennsylvania.

Under the bill, the board will establish criteria for the determination of eligibility for a scholarship from the fund; establish procedures for determining the amount of each scholarship award, based on the financial need of the applicant and the resources available to the applicant to meet his higher education costs; report annually to the Governor and the Legislature on the performance of its duties in accordance with the bill's provisions; solicit and raise private funds to finance the program; and receive and disburse such contributions to the fund as may be forthcoming from private and public sources.

The bill includes a \$250,000 appropriation from the General Fund for deposit in the New Jersey World Trade Center Scholarship Fund to effectuate the provisions of the bill.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The Office of Legislative Services (OLS) cannot estimate the cost that the State would incur to establish a college scholarship program for the surviving children and spouses of the victims of the terrorist attack on the United States on September 11, 2001. While the New Jersey State Police estimate that there were over 500 New Jersey residents who were victims of the September 11, 2001 terrorist attack, the actual cost of this program will be dependent on the number of surviving spouses and dependent children who may qualify and apply for a scholarship, actual tuition costs at the time of enrollment and the amount of the scholarships awarded to individual students, the ratio of students who are enrolled in two-year versus four-year institutions or public versus independent institutions or in-state versus out-of-state

institutions during that fiscal year, the amount of private contributions to the fund and the rate of interest the fund may earn, and the number of students who receive TAG awards and other forms of financial aid, which could offset scholarship awards to those students.

Section: *Education*

Analyst: *Cindy Grant*
Associate Fiscal Analyst

Approved: *Alan R. Kooney*
Legislative Budget and Finance Officer

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 206

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 19, 2001

The Assembly Appropriations Committee reports favorably Senate Bill No. 206 with committee amendments.

Senate Bill No. 206, as amended, amends the existing statute on State tuition assistance for the survivors of policemen, firemen and rescue squad personnel killed in the line of duty, to provide the same benefits to the survivors of the victims of the terrorist attack on the United States on September 11, 2001.

The bill provides that any dependent child or surviving spouse of a person who was a resident of New Jersey and who was killed in the terrorist attack, including the hijackings of American Airlines Flight 11, American Airlines Flight 77, United Airlines Flight 93 and United Airlines Flight 175 and the subsequent crashes at the World Trade Center in New York City, the Pentagon in Washington, D.C. and in Somerset County, Pennsylvania, will be eligible for a college scholarship at any public institution of higher education in this State at which the student is enrolled. If the dependent child or surviving spouse is enrolled at an independent institution of higher education located in this State, the child or spouse will be eligible to have paid that part of the tuition which is not more than the highest tuition charged at the public institutions in this State paid by the State. In the case of a surviving spouse, eligibility for the receipt of initial benefits under the program is limited to eight years from the date of the person's death. In the case of a child, eligibility for the receipt of benefits under the program is limited to eight years following graduation from high school.

This bill, as amended and reported by the committee, is identical to the Assembly Committee Substitute for Assembly Bill Nos. 26, 3823, 3827 and 3906 as reported by the committee.

FISCAL IMPACT:

The potential costs of the substitute cannot be estimated at this time, because of a lack of information about the number of surviving spouses and dependents who might be accepted at institutions of higher education in New Jersey.

The bill requires the Higher Education Student Assistance

Authority to conduct, within one year of the effective date of the substitute, an analysis to determine the number of scholarship recipients that may be eligible for the program and the estimated total cost of the program, and to report its findings to the Governor and the Legislature. Each five years after the initial report, the authority will reevaluate its cost estimate for the scholarship program.

Separate statute, N.J.S.18A:71B-24, requires the Legislature to appropriate annually the amounts necessary to carry out the purposes of the program.

COMMITTEE AMENDMENTS:

The amendments delete provisions that would have established an entirely new program with independent administrative procedures and replace it with a program that is an expansion of the existing program of State tuition assistance for the survivors of policemen, firemen and rescue squad personnel killed in the line of duty.

The amendments also delete a preliminary appropriation of \$250,000.

[First Reprint]

SENATE, No. 206

STATE OF NEW JERSEY
209th LEGISLATURE

INTRODUCED OCTOBER 3, 2001

Sponsored by:

Senator JOHN O. BENNETT

District 12 (Monmouth)

Senator RICHARD J. CODEY

District 27 (Essex)

Co-Sponsored by:

Senators Kosco, Palaia, Ciesla, Matheussen, Martin, Cardinale, Kyrillos, Littell, Robertson, Zane, Bark, Connors, Bucco, Inverso, Allen, Cafiero, O'Toole, Gormley, Singer, Kavanaugh, McNamara, Bryant, Adler, Turner, Lynch, Vitale, Lesniak, Rice, James, O'Connor, Sacco, Kenny, Girgenti, Furnari, Baer, Assemblymen Azzolina, DiGaetano, Kean, Bagger, Wisniewski, Assemblywoman Friscia, Assemblymen Cohen, Doria, Arnone, Merkt, Munoz and Gusciora

SYNOPSIS

Provides tuition assistance for children and spouses of the victims of the terrorist attack of September 11, 2001.

CURRENT VERSION OF TEXT

As reported by the Assembly Appropriations Committee on November 19, 2001, with amendments.

(Sponsorship Updated As Of: 11/30/2001)

1 AN ACT ¹[establishing a college scholarship program, supplementing
2 chapter 71B of Title 18A of the New Jersey Statutes and making an
3 appropriation]concerning tuition assistance for certain dependent
4 children and surviving spouses and amending N.J.S.18A:71B-23 ¹.

5
6 **BE IT ENACTED** *by the Senate and General Assembly of the State*
7 *of New Jersey:*

8
9 ¹[1. This act shall be known and may be cited as the "New Jersey
10 World Trade Center Scholarship Program Act."]¹

11
12 ¹[2. As used in this act:

13 "Institution of higher education" means an institution of higher
14 education licensed by the appropriate agency or department and
15 accredited or preaccredited by a nationally recognized accrediting
16 association. An institution of higher education shall also include
17 certain proprietary institutions but only for degree granting programs
18 approved by the Commission on Higher Education or other proprietary
19 institutions as determined by the authority.

20 "Authority" means the Higher Education Student Assistance
21 Authority established pursuant to N.J.S.18A:71A-1 et seq.]¹

22
23 ¹[3. a. There is established in the Higher Education Student
24 Assistance Authority a nonlapsing fund which shall be known as the
25 New Jersey World Trade Center Scholarship Fund. The fund shall be
26 administered by the board of trustees established pursuant to section
27 4 of this act.

28 b. The fund shall consist of: all moneys appropriated by the
29 Legislature for inclusion in the fund; investment earnings of the fund;
30 and moneys contributed to the fund by private sources, to be used for
31 the purposes of this act.

32 The moneys in the fund shall be invested and reinvested by the
33 Director of the Division of Investment in the Department of the
34 Treasury.]¹

35
36 ¹[4. a. The board of trustees of the New Jersey World Trade
37 Center Scholarship Fund shall consist of the State Treasurer, or a
38 designee, and ten public members appointed as follows: two by the
39 President of the Senate, two by the Speaker of the General Assembly
40 and six by the Governor, with the advice and consent of the Senate.
41 Seven of the public members shall be persons who were directly

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly AAP committee amendments adopted November 19, 2001.

1 affected by the terrorist attacks on the United States on September 11,
2 2001. Two of the public members shall be named by the Governor to
3 serve as co-chairpersons of the board.

4 b. Each public member of the board shall serve for a term of four
5 years and until his successor shall have been appointed and qualified;
6 except that of the first members appointed, two shall serve for one
7 year, two shall serve for two years, three shall serve for three years
8 and three shall serve for four years. Any vacancy in the membership
9 of the board shall be filled in the same manner as the original
10 appointment for the remainder of the unexpired term.

11 c. Members of the board shall serve without compensation but shall
12 be entitled to be reimbursed for all reasonable and necessary expenses
13 incurred in the discharge of their duties.

14 d. The board shall have the following duties and responsibilities:

15 (1) establish criteria for the determination of eligibility for a
16 scholarship from the fund;

17 (2) establish procedures for determining the amount of each
18 scholarship award, based on the financial need of the applicant and the
19 resources available to the applicant to meet his higher education costs;

20 (3) report annually to the Governor and the Legislature on the
21 performance of its duties in accordance with the provisions of this act;

22 (4) solicit and raise private funds to finance the New Jersey World
23 Trade Center Scholarship Program; and

24 (5) receive and disburse such contributions to the fund as may be
25 forthcoming from private and public sources.]¹

26

27 ¹[5. a. The board is hereby authorized to award scholarships from
28 the fund for the costs of undergraduate study at an institution of higher
29 education to the dependent children or surviving spouses of persons
30 who were New Jersey residents on September 11, 2001 and who were
31 killed in the terrorist attack on the United States on September 11,
32 2001, or who died as a result of injuries received in the attack, or who
33 are missing and officially presumed dead as a direct result of the
34 attack. The terrorist attack on the United States shall include the
35 hijackings of American Airlines Flight 11, American Airlines Flight 77,
36 United Airlines Flight 93 and United Airlines Flight 175 and the
37 subsequent crashes at the World Trade Center in New York City, the
38 Pentagon in Washington, D.C. and in Somerset County, Pennsylvania.

39 b. Scholarships from the fund may be awarded annually upon
40 proper application to the fund to any student who qualifies under the
41 criteria developed by the board.]¹

42

43 ¹[6. a. A New Jersey World Trade Center scholarship shall not be
44 awarded to an applicant unless the applicant has demonstrated to the
45 satisfaction of the board that the applicant:

46 (1) will be or is enrolled in a full-time undergraduate program of

1 study leading to a degree at an institution of higher education; and
2 (2) has complied with all rules and regulations adopted pursuant to
3 this act for the award, regulation and administration of scholarships
4 from the fund.

5 b. Eligibility for a scholarship, in the case of a surviving spouse,
6 shall be limited to a period of eight years from the date of death of the
7 person for initial receipt of the benefits under the program. In the case
8 of a dependent child, eligibility shall be limited to a period of eight
9 years following graduation from high school.]¹

10

11 ¹[7. The Higher Education Student Assistance Authority shall
12 adopt rules and regulations pursuant to the "Administrative Procedure
13 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), necessary for the
14 administration of this act.]¹

15

16 ¹[8. There shall be appropriated from the General Fund to the
17 Higher Education Student Assistance Authority for deposit in the New
18 Jersey World Trade Center Scholarship Fund \$250,000 to effectuate
19 the provisions of this act.]¹

20

21 ¹1. N.J.S.18A:71B-23 is amended to read as follows:

22 18A:71B-23. a. Any child or surviving spouse of a member or
23 officer of a New Jersey volunteer fire company, volunteer first aid or
24 rescue squad or municipal fire, police, county police or park police
25 department, State fire service or of the division of State police, or of
26 a permanent, active and full-time officer employee of this State or any
27 political subdivision thereof holding the following titles: State
28 investigator, correction officer, recruit, senior correction officer,
29 sergeant, lieutenant, captain, correction officer duty keeper, court
30 attendant and sheriff's officer, court attendant and sheriff's officer
31 lieutenant, court attendant and sheriff's officer captain, court attendant
32 and sheriff's officer deputy chief, prosecutor's detective, prosecutor's
33 investigator, narcotics officer, marine patrolman, senior marine
34 patrolman, principal marine patrolman, chief, bureau of marine law
35 enforcement, or who is an inspector, assistant, technician, supervisor
36 or superintendent with respect to the enforcement and regulation of
37 weights and measures, or civil defense or disaster control worker,
38 which member, officer or worker was killed in the performance of his
39 duties as a member of such company, squad or fire or police
40 department or division, or worker in a civil defense or disaster control
41 unit, upon such child or surviving spouse being accepted to pursue a
42 course of undergraduate study in any public institution of higher
43 education of this State, as enumerated in N.J.S.18A:62-1, shall, while
44 enrolled as an undergraduate student in good standing at the
45 institution, have the tuition paid by the State; or upon that child or
46 surviving spouse being accepted to pursue a course of undergraduate

1 study at any independent institution of higher education located in the
2 State, shall, while enrolled as an undergraduate in good standing at
3 that independent institution of higher education, have that part of the
4 tuition which is not more than the highest tuition charged at the public
5 institutions of higher education in this State, enumerated in
6 N.J.S.18A:62-1, paid by the State.

7 b. (1) Any dependent child or surviving spouse of a person who
8 was a New Jersey resident on September 11, 2001 and who was killed
9 as a result of the terrorist attack on the United States on September
10 11, 2001, which included the hijackings of American Airlines Flight
11 11, American Airlines Flight 77, United Airlines Flight 93 and United
12 Airlines Flight 175 and the subsequent crashes at the World Trade
13 Center in New York City, the Pentagon in Washington, D.C. and in
14 Somerset County, Pennsylvania, upon such dependent child or
15 surviving spouse being accepted to pursue a course of undergraduate
16 study in any public institution of higher education of this State, as
17 enumerated in N.J.S.18A:62-1, shall, while enrolled as an
18 undergraduate student in good standing at the institution, have the
19 tuition paid by the State; or upon the dependent child or surviving
20 spouse being accepted to pursue a course of undergraduate study at
21 any independent institution of higher education located in the State,
22 shall, while enrolled as an undergraduate in good standing at that
23 independent institution of higher education, have that part of the
24 tuition which is not more than the highest tuition charged at the public
25 institutions of higher education in this State, enumerated in
26 N.J.S.18A:62-1, paid by the State.

27 (2) The Higher Education Student Assistance Authority shall,
28 within one year of the effective date of P.L. , c. (now pending
29 before the Legislature as this bill), conduct an analysis to determine
30 the number of scholarship recipients that may be eligible for the
31 program under this subsection and the estimated total cost to the State
32 of funding the program under this subsection. The authority shall
33 report the findings of the analysis and the estimated costs of the
34 program to the Governor and the presiding officer of each House of
35 the Legislature. Each five years after the initial report, the authority
36 shall reevaluate its cost estimate for the scholarship program and
37 provide the information to the Governor and the presiding officer of
38 each House of the Legislature..

39 c. Eligibility for [this program] tuition assistance under
40 subsections a. and b. of this section shall be limited to a period of
41 eight years from the date of death of the [member, officer or worker]
42 person for initial receipt of benefits, in the case of the surviving
43 spouse, and eight years following graduation from high school, in the
44 case of a child, pursuant to rules and regulations established by the
45 authority.¹

46 (cf: N.J.S.18A:71B-23)

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6

1 ¹[9.] 2.¹ This act shall take effect immediately.

STATEMENT TO
[First Reprint]
SENATE, No. 206

with Assembly Floor Amendments
(Proposed By Assemblyman BAGGER)

ADOPTED: NOVEMBER 29, 2001

The bill expands the program of State tuition assistance for the survivors of policemen, firemen and rescue squad personnel killed in the line of duty to provide the same benefits to the survivors of the victims of the terrorist attack on the United States on September 11, 2001. These amendments clarify the treatment of the police officers of bi-state agencies, allow scholarships for attendance at certain proprietary institutions, and make a technical clarification of the determination of the date of death of the person.

The amendments clarify that dependents and surviving spouses police officers of the Port Authority of New York and New Jersey, the Delaware River Port Authority of Pennsylvania and New Jersey police, or any other New Jersey police officer at any other agency commission, board, authority, or other governmental entity that is established and is allocated to a State department or any bi-state governmental entity of which this State is a member are allowed scholarship benefits.

The amendments extend the definition of the higher education institutions of this State (in which a dependent or surviving spouse may be enrolled to receive a tuition scholarship) to include certain proprietary institutions located in this State, but only for degree granting programs approved by the Commission on Higher Education or other proprietary institutions as determined by the Higher Education Student Assistance Authority.

For a surviving spouse, eligibility for the receipt of initial benefits under the program is limited to eight years from the date of the person's death. The amendments clarify that this eligibility may be measured from the date upon which the person is legally presumed dead.

[Second Reprint]

SENATE, No. 206

STATE OF NEW JERSEY
209th LEGISLATURE

INTRODUCED OCTOBER 3, 2001

Sponsored by:

Senator JOHN O. BENNETT

District 12 (Monmouth)

Senator RICHARD J. CODEY

District 27 (Essex)

Co-Sponsored by:

Senators Kosco, Palaia, Ciesla, Matheussen, Martin, Cardinale, Kyrillos, Littell, Robertson, Zane, Bark, Connors, Bucco, Inverso, Allen, Cafiero, O'Toole, Gormley, Singer, Kavanaugh, McNamara, Bryant, Adler, Turner, Lynch, Vitale, Lesniak, Rice, James, O'Connor, Sacco, Kenny, Girgenti, Furnari, Baer, Assemblymen Azzolina, DiGaetano, Kean, Bagger, Wisniewski, Assemblywoman Friscia, Assemblymen Cohen, Doria, Arnone, Merkt, Munoz and Gusciora

SYNOPSIS

Provides tuition assistance for children and spouses of the victims of the terrorist attack of September 11, 2001.

CURRENT VERSION OF TEXT

As amended by the General Assembly on November 29, 2001.

(Sponsorship Updated As Of: 11/30/2001)

1 AN ACT ¹[establishing a college scholarship program, supplementing
2 chapter 71B of Title 18A of the New Jersey Statutes and making an
3 appropriation]concerning tuition assistance for certain dependent
4 children and surviving spouses and amending N.J.S.18A:71B-23¹.

5
6 **BE IT ENACTED** *by the Senate and General Assembly of the State*
7 *of New Jersey:*

8
9 ¹[1. This act shall be known and may be cited as the "New Jersey
10 World Trade Center Scholarship Program Act."]¹

11
12 ¹[2. As used in this act:

13 "Institution of higher education" means an institution of higher
14 education licensed by the appropriate agency or department and
15 accredited or preaccredited by a nationally recognized accrediting
16 association. An institution of higher education shall also include
17 certain proprietary institutions but only for degree granting programs
18 approved by the Commission on Higher Education or other proprietary
19 institutions as determined by the authority.

20 "Authority" means the Higher Education Student Assistance
21 Authority established pursuant to N.J.S.18A:71A-1 et seq.]¹

22
23 ¹[3. a. There is established in the Higher Education Student
24 Assistance Authority a nonlapsing fund which shall be known as the
25 New Jersey World Trade Center Scholarship Fund. The fund shall be
26 administered by the board of trustees established pursuant to section
27 4 of this act.

28 b. The fund shall consist of: all moneys appropriated by the
29 Legislature for inclusion in the fund; investment earnings of the fund;
30 and moneys contributed to the fund by private sources, to be used for
31 the purposes of this act.

32 The moneys in the fund shall be invested and reinvested by the
33 Director of the Division of Investment in the Department of the
34 Treasury.]¹

35
36 ¹[4. a. The board of trustees of the New Jersey World Trade
37 Center Scholarship Fund shall consist of the State Treasurer, or a
38 designee, and ten public members appointed as follows: two by the
39 President of the Senate, two by the Speaker of the General Assembly
40 and six by the Governor, with the advice and consent of the Senate.

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly AAP committee amendments adopted November 19, 2001.

² Assembly floor amendments adopted November 29, 2001.

1 Seven of the public members shall be persons who were directly
2 affected by the terrorist attacks on the United States on September 11,
3 2001. Two of the public members shall be named by the Governor to
4 serve as co-chairpersons of the board.

5 b. Each public member of the board shall serve for a term of four
6 years and until his successor shall have been appointed and qualified;
7 except that of the first members appointed, two shall serve for one
8 year, two shall serve for two years, three shall serve for three years
9 and three shall serve for four years. Any vacancy in the membership
10 of the board shall be filled in the same manner as the original
11 appointment for the remainder of the unexpired term.

12 c. Members of the board shall serve without compensation but shall
13 be entitled to be reimbursed for all reasonable and necessary expenses
14 incurred in the discharge of their duties.

15 d. The board shall have the following duties and responsibilities:

16 (1) establish criteria for the determination of eligibility for a
17 scholarship from the fund;

18 (2) establish procedures for determining the amount of each
19 scholarship award, based on the financial need of the applicant and the
20 resources available to the applicant to meet his higher education costs;

21 (3) report annually to the Governor and the Legislature on the
22 performance of its duties in accordance with the provisions of this act;

23 (4) solicit and raise private funds to finance the New Jersey World
24 Trade Center Scholarship Program; and

25 (5) receive and disburse such contributions to the fund as may be
26 forthcoming from private and public sources.]¹

27

28 ¹[5. a. The board is hereby authorized to award scholarships from
29 the fund for the costs of undergraduate study at an institution of higher
30 education to the dependent children or surviving spouses of persons
31 who were New Jersey residents on September 11, 2001 and who were
32 killed in the terrorist attack on the United States on September 11,
33 2001, or who died as a result of injuries received in the attack, or who
34 are missing and officially presumed dead as a direct result of the
35 attack. The terrorist attack on the United States shall include the
36 hijackings of American Airlines Flight 11, American Airlines Flight 77,
37 United Airlines Flight 93 and United Airlines Flight 175 and the
38 subsequent crashes at the World Trade Center in New York City, the
39 Pentagon in Washington, D.C. and in Somerset County, Pennsylvania.

40 b. Scholarships from the fund may be awarded annually upon
41 proper application to the fund to any student who qualifies under the
42 criteria developed by the board.]¹

43

44 ¹[6. a. A New Jersey World Trade Center scholarship shall not be
45 awarded to an applicant unless the applicant has demonstrated to the
46 satisfaction of the board that the applicant:

1 (1) will be or is enrolled in a full-time undergraduate program of
2 study leading to a degree at an institution of higher education; and

3 (2) has complied with all rules and regulations adopted pursuant to
4 this act for the award, regulation and administration of scholarships
5 from the fund.

6 b. Eligibility for a scholarship, in the case of a surviving spouse,
7 shall be limited to a period of eight years from the date of death of the
8 person for initial receipt of the benefits under the program. In the case
9 of a dependent child, eligibility shall be limited to a period of eight
10 years following graduation from high school.]¹

11

12 ¹[7. The Higher Education Student Assistance Authority shall
13 adopt rules and regulations pursuant to the "Administrative Procedure
14 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), necessary for the
15 administration of this act.]¹

16

17 ¹[8. There shall be appropriated from the General Fund to the
18 Higher Education Student Assistance Authority for deposit in the New
19 Jersey World Trade Center Scholarship Fund \$250,000 to effectuate
20 the provisions of this act.]¹

21

22 ¹1. N.J.S.18A:71B-23 is amended to read as follows:

23 18A:71B-23. a. Any child or surviving spouse of a member or
24 officer of a New Jersey volunteer fire company, volunteer first aid or
25 rescue squad or municipal fire, police, county police or park police
26 department, State fire service or of the division of State police, ²or of
27 either the Port Authority of New York and New Jersey or the
28 Delaware River Port Authority of Pennsylvania and New Jersey police,
29 or any other New Jersey police officer at any other agency
30 commission, board, authority, or other governmental entity that is
31 established and is allocated to a State department or any bi-state
32 governmental entity of which this State is a member,² or of a
33 permanent, active and full-time officer employee of this State or any
34 political subdivision thereof holding the following titles: State
35 investigator, correction officer, recruit, senior correction officer,
36 sergeant, lieutenant, captain, correction officer duty keeper, court
37 attendant and sheriff's officer, court attendant and sheriff's officer
38 lieutenant, court attendant and sheriff's officer captain, court attendant
39 and sheriff's officer deputy chief, prosecutor's detective, prosecutor's
40 investigator, narcotics officer, marine patrolman, senior marine
41 patrolman, principal marine patrolman, chief, bureau of marine law
42 enforcement, or who is an inspector, assistant, technician, supervisor
43 or superintendent with respect to the enforcement and regulation of
44 weights and measures, or civil defense or disaster control worker,
45 which member, officer or worker was killed in the performance of his
46 duties as a member of such company, squad or fire or police

1 department or division, or worker in a civil defense or disaster control
2 unit, upon such child or surviving spouse being accepted to pursue a
3 course of undergraduate study in any public institution of higher
4 education of this State, as enumerated in N.J.S.18A:62-1, shall, while
5 enrolled as an undergraduate student in good standing at the
6 institution, have the tuition paid by the State; or upon that child or
7 surviving spouse being accepted to pursue a course of undergraduate
8 study at any independent institution of higher education located in the
9 State, shall, while enrolled as an undergraduate in good standing at
10 that independent institution of higher education, have that part of the
11 tuition which is not more than the highest tuition charged at the public
12 institutions of higher education in this State, enumerated in
13 N.J.S.18A:62-1, paid by the State. ²An institution of higher education
14 shall also include certain proprietary institutions located in this State,
15 but only for degree granting programs approved by the Commission
16 on Higher Education or other proprietary institutions as determined by
17 the Higher Education Student Assistance Authority.²

18 b. (1) Any dependent child or surviving spouse of a person who
19 was a New Jersey resident on September 11, 2001 and who was killed
20 as a result of the terrorist attack on the United States on
21 September 11, 2001, which included the hijackings of American
22 Airlines Flight 11, American Airlines Flight 77, United Airlines Flight
23 93 and United Airlines Flight 175 and the subsequent crashes at the
24 World Trade Center in New York City, the Pentagon in Washington,
25 D.C. and in Somerset County, Pennsylvania, upon such dependent
26 child or surviving spouse being accepted to pursue a course of
27 undergraduate study in any public institution of higher education of
28 this State, as enumerated in N.J.S.18A:62-1, shall, while enrolled as
29 an undergraduate student in good standing at the institution, have the
30 tuition paid by the State; or upon the dependent child or surviving
31 spouse being accepted to pursue a course of undergraduate study at
32 any independent institution of higher education located in the State,
33 shall, while enrolled as an undergraduate in good standing at that
34 independent institution of higher education, have that part of the
35 tuition which is not more than the highest tuition charged at the public
36 institutions of higher education in this State, enumerated in
37 N.J.S.18A:62-1, paid by the State.

38 (2) The Higher Education Student Assistance Authority shall,
39 within one year of the effective date of P.L. , c. (now pending
40 before the Legislature as this bill), conduct an analysis to determine
41 the number of scholarship recipients that may be eligible for the
42 program under this subsection and the estimated total cost to the State
43 of funding the program under this subsection. The authority shall
44 report the findings of the analysis and the estimated costs of the
45 program to the Governor and the presiding officer of each House of
46 the Legislature. Each five years after the initial report, the authority

1 shall reevaluate its cost estimate for the scholarship program and
2 provide the information to the Governor and the presiding officer of
3 each House of the Legislature..

4 c. Eligibility for [this program] tuition assistance under subsections
5 a. and b. of this section shall be limited to a period of eight years from
6 the date of death of the [member, officer or worker] person ²or the
7 date upon which the person is legally presumed to be dead² for initial
8 receipt of benefits, in the case of the surviving spouse, and eight years
9 following graduation from high school, in the case of a child, pursuant
10 to rules and regulations established by the authority.¹
11 (cf: N.J.S.18A:71B-23)

12

13 ¹[9.] 2.¹ This act shall take effect immediately.

STATEMENT TO
[Second Reprint]
SENATE, No. 206

with Senate Floor Amendments
(Proposed By Senator BENNETT)

ADOPTED: DECEMBER 17, 2001

These amendments conform the text of the bill to the original text of Senate Bill No. 206.

The amendments establish in the Higher Education Student Assistance Authority the New Jersey World Trade Center Scholarship Fund. The fund would be administered by an eleven-member board consisting of the State Treasurer and ten public members, seven of whom are persons who were directly affected by the terrorist attack on the United States. Two of the public members would be named by the Governor as co-chairpersons of the board.

The board is authorized to award scholarships from the fund for the costs of undergraduate study at any institution of higher education in this State or any other state to the dependent children or surviving spouses of persons who were New Jersey residents on September 11, 2001 and who were killed in the terrorist attack on the United States, or who died as a result of injuries received in the attack, or who are missing and officially presumed dead as a direct result of the attack. The terrorist attack on the United States includes the hijackings of American Airlines Flight 11, American Airlines Flight 77, United Airlines Flight 93 and United Airlines Flight 175, and the subsequent crashes at the World Trade Center in New York City, the Pentagon in Washington, D.C. and in Somerset County, Pennsylvania.

Pursuant to the amendments, the board would establish criteria for the determination of eligibility for a scholarship from the fund; establish procedures for determining the amount of each scholarship award, based on the financial need of the applicant and the resources available to the applicant to meet higher education costs; report annually to the Governor and the Legislature on the performance of its duties; solicit and raise private funds to finance the program; and receive and disburse such contributions to the fund as may be forthcoming from private and public sources.

The amendments provide for an appropriation of \$250,000.

[Third Reprint]

SENATE, No. 206

STATE OF NEW JERSEY
209th LEGISLATURE

INTRODUCED OCTOBER 3, 2001

Sponsored by:

Senator JOHN O. BENNETT

District 12 (Monmouth)

Senator RICHARD J. CODEY

District 27 (Essex)

Co-Sponsored by:

Senators Kosco, Palaia, Ciesla, Matheussen, Martin, Cardinale, Kyrillos, Littell, Robertson, Zane, Bark, Connors, Bucco, Inverso, Allen, Cafiero, O'Toole, Gormley, Singer, Kavanaugh, McNamara, Bryant, Adler, Turner, Lynch, Vitale, Lesniak, Rice, James, O'Connor, Sacco, Kenny, Girgenti, Furnari, Baer, Assemblymen Azzolina, DiGaetano, Kean, Bagger, Wisniewski, Assemblywoman Friscia, Assemblymen Cohen, Doria, Arnone, Merkt, Munoz and Gusciora

SYNOPSIS

Provides tuition assistance for children and spouses of the victims of the terrorist attack of September 11, 2001.

CURRENT VERSION OF TEXT

As amended by the Senate on December 17, 2001.

(Sponsorship Updated As Of: 11/30/2001)

1 AN ACT ¹[establishing a college scholarship program, supplementing
2 chapter 71B of Title 18A of the New Jersey Statutes and making an
3 appropriation] ³[concerning tuition assistance for certain
4 dependent children and surviving spouses and amending
5 N.J.S.18A:71B-23¹] establishing a college scholarship program,
6 supplementing chapter 71B of Title 18A of the New Jersey Statutes
7 and making an appropriation³ .
8

9 **BE IT ENACTED** by the Senate and General Assembly of the State
10 of New Jersey:

11
12 ¹[1. This act shall be known and may be cited as the "New Jersey
13 World Trade Center Scholarship Program Act."]¹
14

15 ¹[2. As used in this act:

16 "Institution of higher education" means an institution of higher
17 education licensed by the appropriate agency or department and
18 accredited or preaccredited by a nationally recognized accrediting
19 association. An institution of higher education shall also include
20 certain proprietary institutions but only for degree granting programs
21 approved by the Commission on Higher Education or other proprietary
22 institutions as determined by the authority.

23 "Authority" means the Higher Education Student Assistance
24 Authority established pursuant to N.J.S.18A:71A-1 et seq.]¹
25

26 ¹[3. a. There is established in the Higher Education Student
27 Assistance Authority a nonlapsing fund which shall be known as the
28 New Jersey World Trade Center Scholarship Fund. The fund shall be
29 administered by the board of trustees established pursuant to section
30 4 of this act.

31 b. The fund shall consist of: all moneys appropriated by the
32 Legislature for inclusion in the fund; investment earnings of the fund;
33 and moneys contributed to the fund by private sources, to be used for
34 the purposes of this act.

35 The moneys in the fund shall be invested and reinvested by the
36 Director of the Division of Investment in the Department of the
37 Treasury.]¹
38

39 ¹[4. a. The board of trustees of the New Jersey World Trade
40 Center Scholarship Fund shall consist of the State Treasurer, or a

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly AAP committee amendments adopted November 19, 2001.

² Assembly floor amendments adopted November 29, 2001.

³ Senate floor amendments adopted December 17, 2001.

1 designee, and ten public members appointed as follows: two by the
2 President of the Senate, two by the Speaker of the General Assembly
3 and six by the Governor, with the advice and consent of the Senate.
4 Seven of the public members shall be persons who were directly
5 affected by the terrorist attacks on the United States on September 11,
6 2001. Two of the public members shall be named by the Governor to
7 serve as co-chairpersons of the board.

8 b. Each public member of the board shall serve for a term of four
9 years and until his successor shall have been appointed and qualified;
10 except that of the first members appointed, two shall serve for one
11 year, two shall serve for two years, three shall serve for three years
12 and three shall serve for four years. Any vacancy in the membership
13 of the board shall be filled in the same manner as the original
14 appointment for the remainder of the unexpired term.

15 c. Members of the board shall serve without compensation but shall
16 be entitled to be reimbursed for all reasonable and necessary expenses
17 incurred in the discharge of their duties.

18 d. The board shall have the following duties and responsibilities:

19 (1) establish criteria for the determination of eligibility for a
20 scholarship from the fund;

21 (2) establish procedures for determining the amount of each
22 scholarship award, based on the financial need of the applicant and the
23 resources available to the applicant to meet his higher education costs;

24 (3) report annually to the Governor and the Legislature on the
25 performance of its duties in accordance with the provisions of this act;

26 (4) solicit and raise private funds to finance the New Jersey World
27 Trade Center Scholarship Program; and

28 (5) receive and disburse such contributions to the fund as may be
29 forthcoming from private and public sources.]¹

30

31 ¹[5. a. The board is hereby authorized to award scholarships from
32 the fund for the costs of undergraduate study at an institution of higher
33 education to the dependent children or surviving spouses of persons
34 who were New Jersey residents on September 11, 2001 and who were
35 killed in the terrorist attack on the United States on September 11,
36 2001, or who died as a result of injuries received in the attack, or who
37 are missing and officially presumed dead as a direct result of the
38 attack. The terrorist attack on the United States shall include the
39 hijackings of American Airlines Flight 11, American Airlines Flight 77,
40 United Airlines Flight 93 and United Airlines Flight 175 and the
41 subsequent crashes at the World Trade Center in New York City, the
42 Pentagon in Washington, D.C. and in Somerset County, Pennsylvania.

1 b. Scholarships from the fund may be awarded annually upon
2 proper application to the fund to any student who qualifies under the
3 criteria developed by the board.]]¹

4
5 ¹[6. a. A New Jersey World Trade Center scholarship shall not be
6 awarded to an applicant unless the applicant has demonstrated to the
7 satisfaction of the board that the applicant:

8 (1) will be or is enrolled in a full-time undergraduate program of
9 study leading to a degree at an institution of higher education; and

10 (2) has complied with all rules and regulations adopted pursuant to
11 this act for the award, regulation and administration of scholarships
12 from the fund.

13 b. Eligibility for a scholarship, in the case of a surviving spouse,
14 shall be limited to a period of eight years from the date of death of the
15 person for initial receipt of the benefits under the program. In the case
16 of a dependent child, eligibility shall be limited to a period of eight
17 years following graduation from high school.]]¹

18
19 ¹[7. The Higher Education Student Assistance Authority shall
20 adopt rules and regulations pursuant to the "Administrative Procedure
21 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), necessary for the
22 administration of this act.]]¹

23
24 ¹[8. There shall be appropriated from the General Fund to the
25 Higher Education Student Assistance Authority for deposit in the New
26 Jersey World Trade Center Scholarship Fund \$250,000 to effectuate
27 the provisions of this act.]]¹

28
29 ³[¹1. N.J.S.18A:71B-23 is amended to read as follows:

30 18A:71B-23. a. Any child or surviving spouse of a member or
31 officer of a New Jersey volunteer fire company, volunteer first aid or
32 rescue squad or municipal fire, police, county police or park police
33 department, State fire service or of the division of State police,² or of
34 either the Port Authority of New York and New Jersey or the
35 Delaware River Port Authority of Pennsylvania and New Jersey police,
36 or any other New Jersey police officer at any other agency
37 commission, board, authority, or other governmental entity that is
38 established and is allocated to a State department or any bi-state
39 governmental entity of which this State is a member,² or of a
40 permanent, active and full-time officer employee of this State or any
41 political subdivision thereof holding the following titles: State
42 investigator, correction officer, recruit, senior correction officer,
43 sergeant, lieutenant, captain, correction officer duty keeper, court
44 attendant and sheriff's officer, court attendant and sheriff's officer
45 lieutenant, court attendant and sheriff's officer captain, court attendant
46 and sheriff's officer deputy chief, prosecutor's detective, prosecutor's

1 investigator, narcotics officer, marine patrolman, senior marine
2 patrolman, principal marine patrolman, chief, bureau of marine law
3 enforcement, or who is an inspector, assistant, technician, supervisor
4 or superintendent with respect to the enforcement and regulation of
5 weights and measures, or civil defense or disaster control worker,
6 which member, officer or worker was killed in the performance of his
7 duties as a member of such company, squad or fire or police
8 department or division, or worker in a civil defense or disaster control
9 unit, upon such child or surviving spouse being accepted to pursue a
10 course of undergraduate study in any public institution of higher
11 education of this State, as enumerated in N.J.S.18A:62-1, shall, while
12 enrolled as an undergraduate student in good standing at the
13 institution, have the tuition paid by the State; or upon that child or
14 surviving spouse being accepted to pursue a course of undergraduate
15 study at any independent institution of higher education located in the
16 State, shall, while enrolled as an undergraduate in good standing at
17 that independent institution of higher education, have that part of the
18 tuition which is not more than the highest tuition charged at the public
19 institutions of higher education in this State, enumerated in
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21 shall also include certain proprietary institutions located in this State,
22 but only for degree granting programs approved by the Commission
23 on Higher Education or other proprietary institutions as determined by
24 the Higher Education Student Assistance Authority.²

25 b. (1) Any dependent child or surviving spouse of a person who
26 was a New Jersey resident on September 11, 2001 and who was killed
27 as a result of the terrorist attack on the United States on
28 September 11, 2001, which included the hijackings of American
29 Airlines Flight 11, American Airlines Flight 77, United Airlines Flight
30 93 and United Airlines Flight 175 and the subsequent crashes at the
31 World Trade Center in New York City, the Pentagon in Washington,
32 D.C. and in Somerset County, Pennsylvania, upon such dependent
33 child or surviving spouse being accepted to pursue a course of
34 undergraduate study in any public institution of higher education of
35 this State, as enumerated in N.J.S.18A:62-1, shall, while enrolled as
36 an undergraduate student in good standing at the institution, have the
37 tuition paid by the State; or upon the dependent child or surviving
38 spouse being accepted to pursue a course of undergraduate study at
39 any independent institution of higher education located in the State,
40 shall, while enrolled as an undergraduate in good standing at that
41 independent institution of higher education, have that part of the
42 tuition which is not more than the highest tuition charged at the public
43 institutions of higher education in this State, enumerated in
44 N.J.S.18A:62-1, paid by the State.

1 (2) The Higher Education Student Assistance Authority shall,
2 within one year of the effective date of P.L. , c. (now pending
3 before the Legislature as this bill), conduct an analysis to determine
4 the number of scholarship recipients that may be eligible for the
5 program under this subsection and the estimated total cost to the State
6 of funding the program under this subsection. The authority shall
7 report the findings of the analysis and the estimated costs of the
8 program to the Governor and the presiding officer of each House of
9 the Legislature. Each five years after the initial report, the authority
10 shall reevaluate its cost estimate for the scholarship program and
11 provide the information to the Governor and the presiding officer of
12 each House of the Legislature..

13 c. Eligibility for [this program] tuition assistance under subsections
14 a. and b. of this section shall be limited to a period of eight years from
15 the date of death of the [member, officer or worker] person ²or the
16 date upon which the person is legally presumed to be dead² for initial
17 receipt of benefits, in the case of the surviving spouse, and eight years
18 following graduation from high school, in the case of a child, pursuant
19 to rules and regulations established by the authority.¹
20 (cf: N.J.S.18A:71B-23)]³

21
22 ³1. This act shall be known and may be cited as the "New Jersey
23 World Trade Center Scholarship Program Act."³

24
25 ³2. As used in this act:
26 "Institution of higher education" means an institution of higher
27 education licensed by the appropriate agency or department and
28 accredited or preaccredited by a nationally recognized accrediting
29 association. An institution of higher education shall also include
30 certain proprietary institutions, but only for degree granting programs
31 approved by the Commission on Higher Education or other proprietary
32 institutions as determined by the authority.

33 "Authority" means the Higher Education Student Assistance
34 Authority established pursuant to N.J.S.18A:71A-1 et seq. ³

35
36 ³3. a. There is established in the Higher Education Student
37 Assistance Authority a nonlapsing fund which shall be known as the
38 New Jersey World Trade Center Scholarship Fund. The fund shall be
39 administered by the board of trustees established pursuant to section
40 4 of this act.

41 b. The fund shall consist of: all moneys appropriated by the
42 Legislature for inclusion in the fund; investment earnings of the fund;
43 and moneys contributed to the fund by private sources, to be used for
44 the purposes of this act.

1 The moneys in the fund shall be invested and reinvested by the
2 Director of the Division of Investment in the Department of the
3 Treasury.³

4
5 ³4. a. The board of trustees of the New Jersey World Trade Center
6 Scholarship Fund shall consist of the State Treasurer, or a designee,
7 and ten public members appointed as follows: two by the President of
8 the Senate, two by the Speaker of the General Assembly and six by the
9 Governor, with the advice and consent of the Senate. Seven of the
10 public members shall be persons who were directly affected by the
11 terrorist attacks on the United States on September 11, 2001. Two of
12 the public members shall be named by the Governor to serve as co-
13 chairpersons of the board.

14 b. Each public member of the board shall serve for a term of four
15 years and until a successor shall have been appointed and qualified;
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17 year, two shall serve for two years, three shall serve for three years
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19 of the board shall be filled in the same manner as the original
20 appointment for the remainder of the unexpired term.

21 c. Members of the board shall serve without compensation but shall
22 be entitled to be reimbursed for all reasonable and necessary expenses
23 incurred in the discharge of their duties.

24 d. The board shall have the following duties and responsibilities:

25 (1) establish criteria for the determination of eligibility for a
26 scholarship from the fund;

27 (2) establish procedures for determining the amount of each
28 scholarship award, based on the financial need of the applicant and the
29 resources available to the applicant to meet his higher education costs;

30 (3) report annually to the Governor and the Legislature on the
31 performance of its duties in accordance with the provisions of this act;

32 (4) solicit and raise private funds to finance the New Jersey World
33 Trade Center Scholarship Program; and

34 (5) receive and disburse such contributions to the fund as may be
35 forthcoming from private and public sources.³

36
37 ³5. a. The board is hereby authorized to award scholarships from
38 the fund for the costs of undergraduate study at an institution of higher
39 education to the dependent children or surviving spouses of persons
40 who were New Jersey residents on September 11, 2001 and who were
41 killed in the terrorist attack on the United States on September 11,
42 2001, or who died as a result of injuries received in the attack, or who
43 are missing and officially presumed dead as a direct result of the
44 attack. The terrorist attack on the United States shall include the
45 hijackings of American Airlines Flight 11, American Airlines Flight 77,
46 United Airlines Flight 93 and United Airlines Flight 175 and the

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2 Pentagon in Washington, D.C. and in Somerset County, Pennsylvania.

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13 this act for the award, regulation and administration of scholarships
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15 b. Eligibility for a scholarship, in the case of a surviving spouse,
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17 person for initial receipt of the benefits under the program. In the case
18 of a dependent child, eligibility shall be limited to a period of eight
19 years following graduation from high school.³

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21 ³7. The Higher Education Student Assistance Authority shall
22 adopt rules and regulations pursuant to the "Administrative Procedure
23 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), necessary for the
24 administration of this act.³

25
26 ³8. There shall be appropriated from the General Fund to the
27 Higher Education Student Assistance Authority for deposit in the New
28 Jersey World Trade Center Scholarship Fund \$250,000 to effectuate
29 the provisions of this act.³

30
31 ¹[9.] ³[2.1] 9. ³ This act shall take effect immediately.

ASSEMBLY, No. 26

STATE OF NEW JERSEY 209th LEGISLATURE

INTRODUCED OCTOBER 3, 2001

Sponsored by:

Assemblyman JOSEPH AZZOLINA

District 13 (Middlesex and Monmouth)

Assemblyman PAUL DIGAETANO

District 36 (Bergen, Essex and Passaic)

Co-Sponsored by:

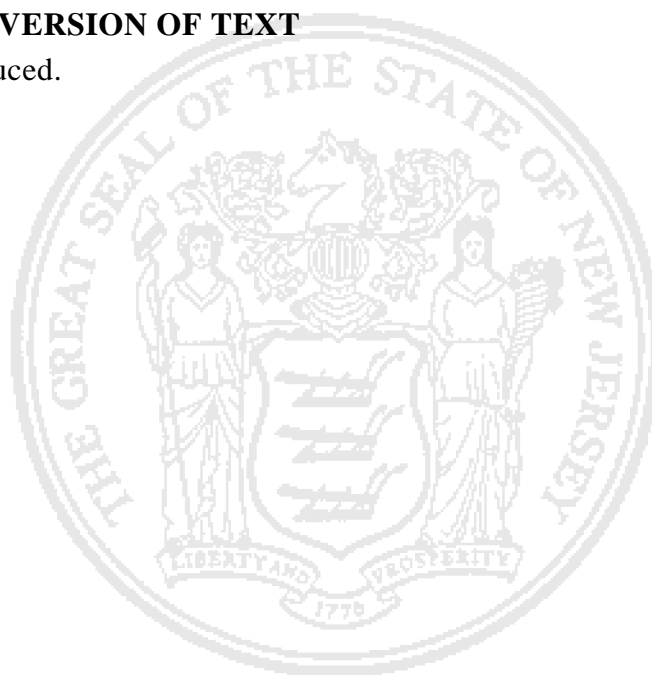
Assemblymen Doria, Arnone and Merkt

SYNOPSIS

Establishes a college scholarship program for children and spouses of New Jersey residents who were victims of the terrorist attack on the United States on September 11, 2001.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 11/9/2001)

1 ANACT establishing a college scholarship program and supplementing
2 chapter 71B of Title 18A of the New Jersey Statutes.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. a. Any dependent child or surviving spouse of a person who
8 was a New Jersey resident on September 11, 2001 and who was killed
9 as a result of the terrorist attack on the United States on September
10 11, 2001, which included the hijackings of American Airlines Flight
11 11, American Airlines Flight 77, United Airlines Flight 93 and United
12 Airlines Flight 175 and the subsequent crashes at the World Trade
13 Center in New York City, the Pentagon in Washington, D.C. and in
14 Somerset County, Pennsylvania, upon the child or spouse being
15 accepted to pursue a course of undergraduate study in any public
16 institution of higher education of this State, as enumerated in
17 N.J.S.18A:62-1, shall, while enrolled as an undergraduate student in
18 good standing at the institution, have the tuition paid by the State; or
19 upon that child or spouse being accepted to pursue a course of
20 undergraduate study at any independent institution of higher education
21 located in the State, shall, while enrolled as an undergraduate in good
22 standing at that independent institution of higher education, have that
23 part of the tuition which is not more than the highest tuition charged
24 at the public institutions of higher education in this State, enumerated
25 in N.J.S.18A:62-1, paid by the State.

26 In the case of a surviving spouse, eligibility shall be limited to a
27 period of eight years from the date of death of the person for initial
28 receipt of benefits under this program. In the case of a dependent
29 child, eligibility shall be limited to a period of eight years following
30 graduation from high school.

31 b. The Higher Education Student Assistance Authority shall, within
32 one year of the effective date of this act, conduct an analysis to
33 determine the number of scholarship recipients that may be eligible for
34 the program and the estimated total cost to the State of funding the
35 program. The authority shall report the findings of the analysis and
36 the estimated costs of the scholarship program to the Governor and
37 the Legislature. Every five years after the initial report, the authority
38 shall reevaluate its cost estimate for the scholarship program and
39 provide the information to the Governor and the Legislature.

40
41 2. The Legislature shall appropriate annually to the Higher
42 Education Student Assistance Authority the amount necessary to carry
43 out the purposes of section 1 of P.L. , c. (C.)(now pending before
44 the Legislature as this bill), based on the cost analysis conducted by
45 the Higher Education Student Assistance Authority pursuant to
46 subsection b. of section 1 of P.L. , c. (C.)(now pending before the
47 Legislature as this bill).

1 3. This act shall take effect immediately.

2

3

STATEMENT

4

5 This bill provides that any dependent child or surviving spouse of
6 a person who was a New Jersey resident on September 11, 2001 and
7 who was killed as a result of the terrorist attack on the United States
8 on September 11, 2001, which included the hijackings of American
9 Airlines Flight 11, American Airlines Flight 77, United Airlines Flight
10 93 and United Airlines Flight 175 and the subsequent crashes at the
11 World Trade Center in New York City, the Pentagon in Washington,
12 D.C. and in Somerset County, Pennsylvania, will be eligible for a
13 college scholarship to any public institution of higher education in the
14 State. If the child or spouse chooses to attend an independent
15 institution of higher education in the State, the child or spouse will be
16 eligible to have that part of the tuition which is not more than the
17 highest tuition charged at the public institutions of higher education in
18 this State paid by the State. Eligibility for the program will be limited
19 to a period of eight years following graduation from high school, for
20 a child. In the case of a surviving spouse, eligibility will be limited to
21 a period of eight years from the date of death of the person for initial
22 receipt of benefits under this program.

23 The bill requires the Higher Education Student Assistance
24 Authority to conduct, within one year of the effective date of the bill,
25 an analysis to determine the number of scholarship recipients that may
26 be eligible for the program and the estimated total cost of the program,
27 and to report its findings to the Governor and the Legislature. Every
28 five years after the initial report, the authority will reevaluate its cost
29 estimate for the scholarship program.

30 Pursuant to the provisions of the bill, the Legislature is required to
31 appropriate annually to the Higher Education Student Assistance
32 Authority the amount necessary to carry out the purposes of the bill,
33 based on the cost analysis conducted by the authority.

ASSEMBLY, No. 3823

STATE OF NEW JERSEY 209th LEGISLATURE

INTRODUCED NOVEMBER 8, 2001

Sponsored by:

Assemblyman JOHN S. WISNIEWSKI

District 19 (Middlesex)

Assemblywoman ARLINE M. FRISCIA

District 19 (Middlesex)

SYNOPSIS

Establishes college scholarship program to pay tuition, room and board and certain other costs of children and spouses of persons killed or injured in the terrorist attack on 9/11/01.

CURRENT VERSION OF TEXT

As introduced.



1 ANACT establishing a college scholarship program and supplementing
2 chapter 71B of Title 18A of the New Jersey Statutes.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. a. Any dependent child or surviving spouse of a person who
8 was killed or totally and permanently disabled as a result of the
9 terrorist attack on the United States on September 11, 2001 or who
10 died as a result of injuries received in the attack, upon the child or
11 surviving spouse being accepted to pursue a course of undergraduate
12 study in any public institution of higher education of this State, as
13 enumerated in N.J.S.18A:62-1, shall, while enrolled as an
14 undergraduate student in good standing at the institution, have the
15 tuition, room and board, and an allowance for fees, books, supplies
16 and transportation paid by the State; or upon the dependent child or
17 surviving spouse being accepted to pursue a course of undergraduate
18 study at any independent institution of higher education located in the
19 State, shall, while enrolled as an undergraduate in good standing at the
20 independent institution of higher education, have that part of the
21 tuition, room and board, and the allowance for fees, books, supplies
22 and transportation which is not more than the highest amount paid for
23 these items on behalf of a dependent child or surviving spouse
24 attending a public institution of higher education, paid by the State.

25 b. Eligibility for this program, in the case of a surviving spouse,
26 shall be limited to a period of eight years from the date of death of the
27 person or the date upon which the person is totally and permanently
28 disabled for initial receipt of benefits under this program. In the case
29 of a dependent child, eligibility shall be limited to a period of eight
30 years following graduation from high school.

31 c. The Higher Education Student Assistance Authority shall
32 promulgate rules and regulations pursuant to the "Administrative
33 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), to effectuate
34 the purposes of this section, including determining the annual
35 allowance permitted for the cost of fees, books, supplies and
36 transportation.

37 d. For purposes of this section, the terrorist attack on the United
38 States on September 11, 2001 shall include the hijackings of American
39 Airlines Flight 11, American Airlines Flight 77, United Airlines Flight
40 93 and United Airlines Flight 175 and the subsequent crashes at the
41 World Trade Center in New York City, the Pentagon in Washington,
42 D.C. and in Somerset County, Pennsylvania.

43
44 2. This act shall take effect immediately.

STATEMENT

1

2

3 This bill provides a college scholarship to any dependent child or
4 surviving spouse of a person who was killed or totally and permanently
5 disabled as a result of the terrorist attack on the United States on
6 September 11, 2001 or who died as a result of injuries received in the
7 attack. The terrorist attack includes the hijackings of American
8 Airlines Flight 11, American Airlines Flight 77, United Airlines Flight
9 93 and United Airlines Flight 175 and the subsequent crashes at the
10 World Trade Center in New York City, the Pentagon in Washington,
11 D.C. and in Somerset County, Pennsylvania. For the purposes of this
12 program, the person killed, disabled or injured in the attack need not
13 have been a resident of this State.

14 Pursuant to the bill the child or surviving spouse would be eligible
15 to be reimbursed for tuition, room and board, fees, books, supplies
16 and transportation while attending a public institution of higher
17 education in the State. If the dependent child or surviving spouse
18 chooses to attend an independent institution of higher education in the
19 State, the State would pay that part of the tuition, room and board,
20 fees, books, supplies and transportation which is not more than the
21 highest amount paid for a dependent child or surviving spouse
22 attending a public institution of higher education. The Higher
23 Education Student Assistance Authority would determine annually the
24 allowance permitted for the cost of the fees, books, supplies and
25 transportation incurred while attending the institution of higher
26 education.

27 The bill provides that eligibility for the program, in the case of a
28 surviving spouse, will be limited to a period of eight years from the
29 date of death of the person or the date upon which the person is totally
30 and permanently disabled for initial receipt of benefits under the
31 program. In the case of a dependent child, eligibility will be limited to
32 a period of eight years following graduation from high school.

33 The provisions of this bill are similar to the scholarship program
34 being proposed in the State of New York to aid persons affected by
35 the terrorist attack on our country on September 11, 2001.

ASSEMBLY, No. 3827

STATE OF NEW JERSEY 209th LEGISLATURE

INTRODUCED NOVEMBER 8, 2001

Sponsored by:

Assemblyman NEIL M. COHEN

District 20 (Union)

SYNOPSIS

Establishes the September 11, 2001 Scholarship Fund; appropriates \$2 million.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT establishing a college scholarship fund, supplementing chapter
2 71B of Title 18A of the New Jersey Statutes and making an
3 appropriation.

4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7

8 1. This act shall be known and may be cited as the "September 11,
9 2001 Scholarship Fund Act."

10

11 2. a. There is established in the Higher Education Student
12 Assistance Authority a nonlapsing fund which shall be known as the
13 September 11, 2001 Scholarship Fund.

14 b. The fund shall consist of: all moneys appropriated by the
15 Legislature for inclusion in the fund; investment earnings of the fund;
16 and moneys contributed to the fund by private sources, to be used for
17 the purposes of this act.

18 c. The moneys in the fund shall be invested and reinvested by the
19 Director of the Division of Investment in the Department of the
20 Treasury.

21 d. The authority is authorized to solicit and raise moneys from
22 private sources for inclusion in the fund to be used for the purposes of
23 this act.

24

25 3. a. The authority is authorized to award scholarships from the
26 fund for the costs of tuition and room and board at New Jersey public
27 institutions of higher education to the dependent children or surviving
28 spouses of persons who were New Jersey residents on September 11,
29 2001 and who were killed or totally and permanently disabled as a
30 result of the terrorist attack on the United States on September 11,
31 2001. The terrorist attack on the United States shall include the
32 hijackings of American Airlines Flight 11, American Airlines Flight 77,
33 United Airlines Flight 93 and United Airlines Flight 175 and the
34 subsequent crashes at the World Trade Center in New York City, the
35 Pentagon in Washington, D.C. and in Somerset County, Pennsylvania.

36 b. The authority shall develop criteria for the determination of
37 eligibility for a scholarship from the fund and procedures for
38 determining the amount of each scholarship.

39 c. Scholarships from the fund may be awarded annually upon
40 proper application to any student who qualifies under the criteria
41 developed by the authority.

42

43 4. A September 11, 2001 Scholarship shall not be awarded to an
44 applicant unless the applicant has demonstrated to the satisfaction of
45 the authority that the applicant:

1 a. will be or is enrolled in a full-time undergraduate program of
2 study leading to a degree at a public institution of higher education;
3 and

4 b. has complied with all rules and regulations adopted by the
5 authority for the award, regulation and administration of scholarships
6 from the fund.

7

8 5. Eligibility for a September 11, 2001 Scholarship, in the case
9 of a surviving spouse, shall be limited to a period of eight years from
10 the date of death of the person or the date upon which the person is
11 determined to have been totally and permanently disabled for initial
12 receipt of the benefits under the program. In the case of a dependent
13 child, eligibility shall be limited to a period of eight years following
14 graduation from high school.

15

16 6. The Higher Education Student Assistance Authority shall adopt
17 rules and regulations pursuant to the "Administrative Procedure Act,"
18 P.L.1968, c.410 (C.52:14B-1 et seq.), necessary to effectuate the
19 purposes of this act.

20

21 7. There shall be appropriated from the General Fund to the Higher
22 Education Student Assistance Authority for deposit in the September
23 11, 2001 Scholarship Fund \$2,000,000 to effectuate the provisions of
24 this act.

25

26 8. This act shall take effect immediately.

27

28

29

STATEMENT

30

31 This bill establishes in the Higher Education Student Assistance
32 Authority the September 11, 2001 Scholarship Fund. The fund will
33 be used to provide scholarships to the dependent children and
34 surviving spouses of persons who were New Jersey residents on
35 September 11, 2001 and who were killed or totally and permanently
36 disabled as a result of the terrorist attack on the United States on
37 September 11, 2001. The scholarships will be provided to pay for the
38 costs of tuition and room and board at public institutions of higher
39 education in this State. Scholarships from the fund will be awarded
40 annually according to criteria developed by the authority.

41 In order to receive a scholarship the applicant will have to
42 demonstrate that he will be or is enrolled in a full-time undergraduate
43 program of study leading to a degree at a public institution of higher
44 education and that he has complied with all rules and regulations
45 adopted by the authority for the award, regulation and administration
46 of scholarships from the fund. Eligibility for the scholarship program,

A3827 COHEN

4

1 in the case of a surviving spouse, will be limited to a period of eight
2 years from the date of death of the person or the date upon which the
3 person is determined to have been totally and permanently disabled for
4 initial receipt of the benefits. In the case of a dependent child,
5 eligibility will be limited to a period of eight years following
6 graduation from high school.

7 The bill includes a \$2,000,000 appropriation from the General Fund
8 for deposit in the September 11, 2001 Scholarship Fund to effectuate
9 the provisions of the bill.

10 For purposes of this act, the terrorist attack on the United States
11 includes the hijackings of American Airlines Flight 11, American
12 Airlines Flight 77, United Airlines Flight 93 and United Airlines Flight
13 175 and the subsequent crashes at the World Trade Center in New
14 York City, the Pentagon in Washington, D.C. and in Somerset County,
15 Pennsylvania.

ASSEMBLY, No. 3906

STATE OF NEW JERSEY 209th LEGISLATURE

INTRODUCED NOVEMBER 8, 2001

Sponsored by:

Assemblyman THOMAS H. KEAN

District 22 (Middlesex, Morris, Somerset and Union)

Assemblyman RICHARD H. BAGGER

District 22 (Middlesex, Morris, Somerset and Union)

Co-Sponsored by:

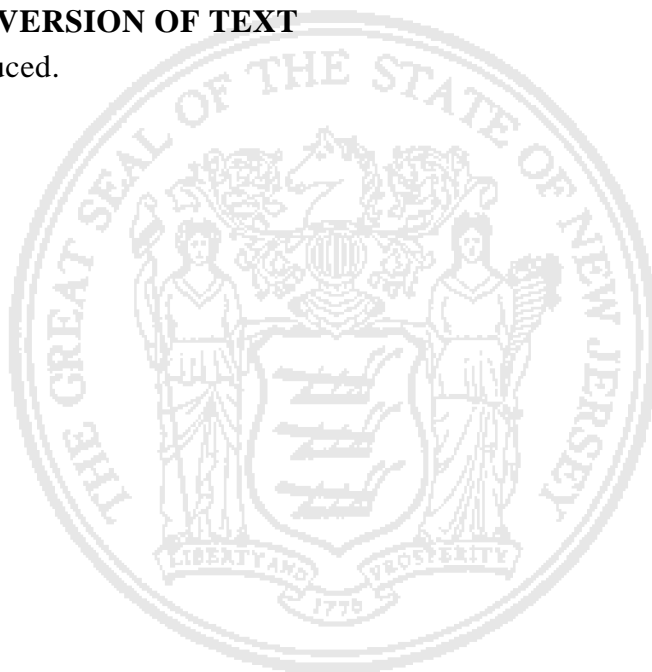
Assemblyman Munoz

SYNOPSIS

Provides tuition assistance for children and spouses of the victims of the terrorist attack of September 11, 2001.

CURRENT VERSION OF TEXT

As introduced.



A3906 KEAN, BAGGER

2

1 AN ACT concerning tuition assistance for certain dependent children
2 and surviving spouses and amending N.J.S.18A:71B-23.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. N.J.S.18A:71B-23 is amended to read as follows:

8 18A:71B-23. a. Any child or surviving spouse of a member or
9 officer of a New Jersey volunteer fire company, volunteer first aid or
10 rescue squad or municipal fire, police, county police or park police
11 department, State fire service or of the division of State police, or of
12 a permanent, active and full-time officer employee of this State or any
13 political subdivision thereof holding the following titles: State
14 investigator, correction officer, recruit, senior correction officer,
15 sergeant, lieutenant, captain, correction officer duty keeper, court
16 attendant and sheriff's officer, court attendant and sheriff's officer
17 lieutenant, court attendant and sheriff's officer captain, court attendant
18 and sheriff's officer deputy chief, prosecutor's detective, prosecutor's
19 investigator, narcotics officer, marine patrolman, senior marine
20 patrolman, principal marine patrolman, chief, bureau of marine law
21 enforcement, or who is an inspector, assistant, technician, supervisor
22 or superintendent with respect to the enforcement and regulation of
23 weights and measures, or civil defense or disaster control worker,
24 which member, officer or worker was killed in the performance of his
25 duties as a member of such company, squad or fire or police
26 department or division, or worker in a civil defense or disaster control
27 unit, upon such child or surviving spouse being accepted to pursue a
28 course of undergraduate study in any public institution of higher
29 education of this State, as enumerated in N.J.S.18A:62-1, shall, while
30 enrolled as an undergraduate student in good standing at the
31 institution, have the tuition paid by the State; or upon that child or
32 surviving spouse being accepted to pursue a course of undergraduate
33 study at any independent institution of higher education located in the
34 State, shall, while enrolled as an undergraduate in good standing at
35 that independent institution of higher education, have that part of the
36 tuition which is not more than the highest tuition charged at the public
37 institutions of higher education in this State, enumerated in
38 N.J.S.18A:62-1, paid by the State.

39 b. Any dependent child or surviving spouse of a person who was
40 killed as a result of the terrorist attack on the United States on
41 September 11, 2001, which included the hijackings of American
42 Airlines Flight 11, American Airlines Flight 77, United Airlines Flight
43 93 and United Airlines Flight 175 and the subsequent crashes at the

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 World Trade Center in New York City, the Pentagon in Washington,
2 D.C. and in Somerset County, Pennsylvania, upon such dependent
3 child or surviving spouse being accepted to pursue a course of
4 undergraduate study in any public institution of higher education of
5 this State, as enumerated in N.J.S.18A:62-1, shall, while enrolled as
6 an undergraduate student in good standing at the institution, have the
7 tuition paid by the State; or upon the dependent child or surviving
8 spouse being accepted to pursue a course of undergraduate study at
9 any independent institution of higher education located in the State,
10 shall, while enrolled as an undergraduate in good standing at that
11 independent institution of higher education, have that part of the
12 tuition which is not more than the highest tuition charged at the public
13 institutions of higher education in this State, enumerated in
14 N.J.S.18A:62-1, paid by the State.

15 c. Eligibility for [this program] tuition assistance under
16 subsections a. and b. of this section shall be limited to a period of
17 eight years from the date of death of the [member, officer of worker]
18 person for initial receipt of benefits, in the case of the surviving
19 spouse, and eight years following graduation from high school, in the
20 case of a child, pursuant to rules and regulations established by the
21 authority.

22 (cf: N.J.S.18A:71B-23)

23

24 2. This act shall take effect immediately.

25

26

27

STATEMENT

28

29 This bill amends the existing statute on State tuition assistance for
30 the survivors of policemen, firemen and rescue squad personnel killed
31 in the line of duty, to provide the same benefits to the survivors of the
32 victims of the terrorist attack on the United States on September 11,
33 2001. The tuition assistance would be provided even if the victim was
34 not a resident of New Jersey.

35 The bill provides that any dependent child or surviving spouse of a
36 person who was killed in the terrorist attack, including the hijackings
37 of American Airlines Flight 11, American Airlines Flight 77, United
38 Airlines Flight 93 and United Airlines Flight 175 and the subsequent
39 crashes at the World Trade Center in New York City, the Pentagon in
40 Washington, D.C. and in Somerset County, Pennsylvania, would be
41 eligible for a college scholarship at any public institution of higher
42 education in this State. If the dependent child or surviving spouse
43 chooses to attend an independent institution of higher education
44 located in this State, the child or spouse would be eligible to have that
45 part of the tuition which is not more than the highest tuition charged
46 at the public institutions in this State paid by the State. In the case of

A3906 KEAN, BAGGER

4

1 a surviving spouse, eligibility for the receipt of initial benefits under
2 the program is limited to eight years from the date of the person's
3 death. In the case of a child, eligibility for the receipt of benefits under
4 the program is limited to eight years following graduation from high
5 school.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR ASSEMBLY, Nos. 26, 3823, 3827 and 3906

STATE OF NEW JERSEY

DATED: NOVEMBER 19, 2001

The Assembly Appropriations Committee reports favorably an Assembly Committee Substitute for Assembly Bill Nos. 26, 3823, 3827 and 3906.

This Assembly Committee Substitute for Assembly Bill Nos. 26, 3823, 3827 and 3906 amends the existing statute on State tuition assistance for the survivors of policemen, firemen and rescue squad personnel killed in the line of duty, to provide the same benefits to the survivors of the victims of the terrorist attack on the United States on September 11, 2001.

The substitute provides that any dependent child or surviving spouse of a person who was a resident of New Jersey and who was killed in the terrorist attack, including the hijackings of American Airlines Flight 11, American Airlines Flight 77, United Airlines Flight 93 and United Airlines Flight 175 and the subsequent crashes at the World Trade Center in New York City, the Pentagon in Washington, D.C. and in Somerset County, Pennsylvania, will be eligible for a college scholarship at any public institution of higher education in this State at which the student is enrolled. If the dependent child or surviving spouse is enrolled at an independent institution of higher education located in this State, the child or spouse will be eligible to have paid that part of the tuition which is not more than the highest tuition charged at the public institutions in this State paid by the State. In the case of a surviving spouse, eligibility for the receipt of initial benefits under the program is limited to eight years from the date of the person's death. In the case of a child, eligibility for the receipt of benefits under the program is limited to eight years following graduation from high school.

This substitute, as reported by the committee, is identical to Senate Bill No. 206, as amended and reported by the committee

FISCAL IMPACT:

The potential costs of the substitute cannot be estimated at this time, because of a lack of information about the number of surviving spouses and dependents who might be accepted at institutions of higher education in New Jersey.

The substitute requires the Higher Education Student Assistance Authority to conduct, within one year of the effective date of the substitute, an analysis to determine the number of scholarship recipients that may be eligible for the program and the estimated total cost of the program, and to report its findings to the Governor and the Legislature. Each five years after the initial report, the authority will reevaluate its cost estimate for the scholarship program.

Separate statute, N.J.S.18A:71B-24, requires the Legislature to appropriate annually the amounts necessary to carry out the purposes of the program.

ASSEMBLY COMMITTEE SUBSTITUTE FOR
**ASSEMBLY, Nos. 26, 3823, 3827 and
3906**

STATE OF NEW JERSEY
209th LEGISLATURE

ADOPTED NOVEMBER 19, 2001

Sponsored by:

Assemblyman JOSEPH AZZOLINA
District 13 (Middlesex and Monmouth)
Assemblyman PAUL DIGAETANO
District 36 (Bergen, Essex and Passaic)
Assemblyman THOMAS H. KEAN
District 22 (Middlesex, Morris, Somerset and Union)
Assemblyman RICHARD H. BAGGER
District 22 (Middlesex, Morris, Somerset and Union)
Assemblyman JOHN S. WISNIEWSKI
District 19 (Middlesex)
Assemblywoman ARLINE M. FRISCIA
District 19 (Middlesex)
Assemblyman NEIL M. COHEN
District 20 (Union)

Co-Sponsored by:

Assemblymen Doria, Arnone, Merkt, Munoz and Gusciora

SYNOPSIS

Provides tuition assistance for children and spouses of the victims of the terrorist attack of September 11, 2001.

CURRENT VERSION OF TEXT

Substitute as adopted by the Assembly Appropriations Committee.

(Sponsorship Updated As Of: 11/30/2001)

1 AN ACT concerning tuition assistance for certain dependent children
2 and surviving spouses and amending N.J.S.18A:71B-23.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. N.J.S.18A:71B-23 is amended to read as follows:

8 18A:71B-23. a. Any child or surviving spouse of a member or
9 officer of a New Jersey volunteer fire company, volunteer first aid or
10 rescue squad or municipal fire, police, county police or park police
11 department, State fire service or of the division of State police, or of
12 a permanent, active and full-time officer employee of this State or any
13 political subdivision thereof holding the following titles: State
14 investigator, correction officer, recruit, senior correction officer,
15 sergeant, lieutenant, captain, correction officer duty keeper, court
16 attendant and sheriff's officer, court attendant and sheriff's officer
17 lieutenant, court attendant and sheriff's officer captain, court attendant
18 and sheriff's officer deputy chief, prosecutor's detective, prosecutor's
19 investigator, narcotics officer, marine patrolman, senior marine
20 patrolman, principal marine patrolman, chief, bureau of marine law
21 enforcement, or who is an inspector, assistant, technician, supervisor
22 or superintendent with respect to the enforcement and regulation of
23 weights and measures, or civil defense or disaster control worker,
24 which member, officer or worker was killed in the performance of his
25 duties as a member of such company, squad or fire or police
26 department or division, or worker in a civil defense or disaster control
27 unit, upon such child or surviving spouse being accepted to pursue a
28 course of undergraduate study in any public institution of higher
29 education of this State, as enumerated in N.J.S.18A:62-1, shall, while
30 enrolled as an undergraduate student in good standing at the
31 institution, have the tuition paid by the State; or upon that child or
32 surviving spouse being accepted to pursue a course of undergraduate
33 study at any independent institution of higher education located in the
34 State, shall, while enrolled as an undergraduate in good standing at
35 that independent institution of higher education, have that part of the
36 tuition which is not more than the highest tuition charged at the public
37 institutions of higher education in this State, enumerated in
38 N.J.S.18A:62-1, paid by the State.

39 b. (1) Any dependent child or surviving spouse of a person who
40 was a New Jersey resident on September 11, 2001 and who was killed
41 as a result of the terrorist attack on the United States on September
42 11, 2001, which included the hijackings of American Airlines Flight
43 11, American Airlines Flight 77, United Airlines Flight 93 and United

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 Airlines Flight 175 and the subsequent crashes at the World Trade
2 Center in New York City, the Pentagon in Washington, D.C. and in
3 Somerset County, Pennsylvania, upon such dependent child or
4 surviving spouse being accepted to pursue a course of undergraduate
5 study in any public institution of higher education of this State, as
6 enumerated in N.J.S.18A:62-1, shall, while enrolled as an
7 undergraduate student in good standing at the institution, have the
8 tuition paid by the State; or upon the dependent child or surviving
9 spouse being accepted to pursue a course of undergraduate study at
10 any independent institution of higher education located in the State,
11 shall, while enrolled as an undergraduate in good standing at that
12 independent institution of higher education, have that part of the
13 tuition which is not more than the highest tuition charged at the public
14 institutions of higher education in this State, enumerated in
15 N.J.S.18A:62-1, paid by the State.

16 (2) The Higher Education Student Assistance Authority shall,
17 within one year of the effective date of P.L. , c. (now pending
18 before the Legislature as this bill), conduct an analysis to determine
19 the number of scholarship recipients that may be eligible for the
20 program under this subsection and the estimated total cost to the State
21 of funding the program under this subsection. The authority shall
22 report the findings of the analysis and the estimated costs of the
23 program to the Governor and the presiding officer of each House of
24 the Legislature. Each five years after the initial report, the authority
25 shall reevaluate its cost estimate for the scholarship program and
26 provide the information to the Governor and the presiding officer of
27 each House of the Legislature..

28 c. Eligibility for [this program] tuition assistance under
29 subsections a. and b. of this section shall be limited to a period of
30 eight years from the date of death of the [member, officer or worker]
31 person for initial receipt of benefits, in the case of the surviving
32 spouse, and eight years following graduation from high school, in the
33 case of a child, pursuant to rules and regulations established by the
34 authority.

35 (cf: N.J.S.18A:71B-23)

36

37 2. This act shall take effect immediately.

LEGISLATIVE FISCAL ESTIMATE
ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, Nos. 26, 3823, 3827 and 3906
STATE OF NEW JERSEY
209th LEGISLATURE

DATED: JANUARY 22, 2002

SUMMARY

Synopsis: Provides tuition assistance for children and spouses of the victims of the terrorist attack of September 11, 2001.

Type of Impact: General Fund expenditure increase.

Agencies Affected: Department of State; Higher Education Student Assistance Authority.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost	Indeterminate-See Comments Below.		

- ! Assembly Committee Substitute for Assembly Bill Nos. 26, 3823, 3827 and 3906 of 2001 amends the existing statute on State tuition assistance for the survivors of policemen, firemen and rescue squad personnel killed in the line of duty, to provide the same benefits to the survivors of the victims of the terrorist attack on the United States on September 11, 2001. Eligibility for tuition assistance will be limited to a period of eight years from the date of death in the case of a surviving spouse and eight years following graduation from high school, in the case of a dependent child.
- ! Under this program, a surviving spouse or dependent child would receive a college scholarship to finance undergraduate study at any public institution of higher education in the State. If the spouse or child is accepted at an independent institution of higher education, then the State would finance tuition costs up to the highest tuition charged at a public institution of higher education located in the State.
- ! The Office of Legislative Services (OLS) cannot estimate the potential cost of this program due to a lack of information regarding the number of surviving spouses and dependent children who may be accepted at an institution of higher education in New Jersey and apply for a scholarship. According to statistics provided by the New Jersey State Police, the number of New Jersey residents killed in the September 11, 2001 terrorist attack exceeds 700.
- ! Other factors that would influence the potential cost of this scholarship program include actual tuition costs at the time of enrollment, the ratio of students who are enrolled in two-year versus four-year institutions of higher education and public versus independent

institutions during that fiscal year, and the number of students who receive TAG awards and other forms of financial aid, which could offset scholarship awards to those students.

BILL DESCRIPTION

The Assembly Committee Substitute for Assembly Bill Nos. 26, 3823, 3827 and 3906 of 2001 amends the existing statute on State tuition assistance for the survivors of policemen, firemen and rescue squad personnel killed in the line of duty, to provide the same benefits to the survivors of the victims of the terrorist attack on the United States on September 11, 2001.

The substitute provides that any dependent child or surviving spouse of a person who was a resident of New Jersey and who was killed in the terrorist attack, including the hijackings of American Airlines Flight 11, American Airlines Flight 77, United Airlines Flight 93 and United Airlines Flight 175 and the subsequent crashes at the World Trade Center in New York City, the Pentagon in Washington, D.C. and in Somerset County, Pennsylvania, would be eligible for a college scholarship at any public institution of higher education in this State. If the dependent child or surviving spouse chooses to attend an independent institution of higher education located in this State, the child or spouse would be eligible to have that part of the tuition which is not more than the highest tuition charged at the public institutions in this State paid by the State. In the case of a surviving spouse, eligibility for the receipt of initial benefits under the program is limited to eight years from the date of the person's death. In the case of a child, eligibility for the receipt of benefits under the program is limited to eight years following graduation from high school. Under the existing State tuition assistance program for the survivors of policemen, firemen and rescue squad personnel killed in the line of duty, an undergraduate degree must be completed within eight semesters, unless the recipient is enrolled in a five-year undergraduate degree program, in which case a scholarship will be awarded for ten semesters. Presumably these regulations will apply to this scholarship benefit as well.

The bill also requires HESAA to conduct, within one year of the effective date of the bill, an analysis to determine the number of scholarship recipients that may be eligible for the program and the estimated total cost of the program, and to report its findings to the Governor and the Legislature. Every five years after the initial report, the authority will re-evaluate its cost estimate for the scholarship program.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The Office of Legislative Services (OLS) cannot estimate the cost that the State would incur to expand the existing tuition assistance program for the survivors of policemen, firemen and rescue squad personnel killed in the line of duty to include the surviving spouses and dependent

children of victims of the terrorist attack on the United States on September 11, 2001. While the New Jersey State Police estimate that there were over 700 New Jersey residents who were victims of the September 11, 2001 terrorist attack, the actual cost of this program will be dependent on the number of surviving spouses and dependent children who may be accepted at an institution of higher education in New Jersey and apply for a scholarship, actual tuition costs, the ratio of students who are enrolled in two-year versus four-year institutions and public versus independent institutions during that fiscal year, and the number of students who receive TAG awards and other forms of financial aid, which could offset scholarship awards to those students.

Office of Legislative Services notes that the tuition costs for the 2000-2001 academic year ranged from \$3,375 to \$5,758 at the four-year public institutions of higher education and from \$1,572 to \$2,250 at the two-year public institutions of higher education. According to the Higher Education Student Assistance Authority, the existing State tuition assistance program for the survivors of policemen, firemen and rescue squad personnel killed in the line of duty provided a total of eleven scholarships at an average cost of \$3,617 per scholarship in the 2000-2001 academic year. If this scholarship program is expanded to include the survivors of the victims of the terrorist attack on the United States, future costs for this program are likely to increase as the potential pool of applicants would appear to be larger.

In order to ascertain the potential cost of this scholarship program, the bill directs the Higher Education Student Assistance Authority to conduct, within one year of the effective date of the bill, an analysis to determine the number of potential scholarship recipients and the estimated total cost of the program and to report its findings to the Governor and the Legislature.

Section: *Education*

Analyst: *Cindy Grant*
Associate Fiscal Analyst

Approved: *Alan R. Kooney*
Legislative Budget and Finance Officer

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.

P.L. 2001, CHAPTER 442, *approved January 11, 2002*
Senate, No. 206 (*Third Reprint*)

1 **AN ACT** ¹[establishing a college scholarship program, supplementing
2 chapter 71B of Title 18A of the New Jersey Statutes and making an
3 appropriation] ³[concerning tuition assistance for certain
4 dependent children and surviving spouses and amending
5 N.J.S.18A:71B-23¹] establishing a college scholarship program,
6 supplementing chapter 71B of Title 18A of the New Jersey Statutes
7 and making an appropriation³ .
8

9 **BE IT ENACTED** *by the Senate and General Assembly of the State*
10 *of New Jersey:*
11

12 ¹[1. This act shall be known and may be cited as the "New Jersey
13 World Trade Center Scholarship Program Act."]¹
14

15 ¹[2. As used in this act:

16 "Institution of higher education" means an institution of higher
17 education licensed by the appropriate agency or department and
18 accredited or preaccredited by a nationally recognized accrediting
19 association. An institution of higher education shall also include
20 certain proprietary institutions but only for degree granting programs
21 approved by the Commission on Higher Education or other proprietary
22 institutions as determined by the authority.

23 "Authority" means the Higher Education Student Assistance
24 Authority established pursuant to N.J.S.18A:71A-1 et seq.]¹
25

26 ¹[3. a. There is established in the Higher Education Student
27 Assistance Authority a nonlapsing fund which shall be known as the
28 New Jersey World Trade Center Scholarship Fund. The fund shall be
29 administered by the board of trustees established pursuant to section
30 4 of this act.

31 b. The fund shall consist of: all moneys appropriated by the
32 Legislature for inclusion in the fund; investment earnings of the fund;
33 and moneys contributed to the fund by private sources, to be used for
34 the purposes of this act.

35 The moneys in the fund shall be invested and reinvested by the
36 Director of the Division of Investment in the Department of the

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly AAP committee amendments adopted November 19, 2001.

² Assembly floor amendments adopted November 29, 2001.

³ Senate floor amendments adopted December 17, 2001.

1 Treasury.]}¹

2

3 ¹[4. a. The board of trustees of the New Jersey World Trade
4 Center Scholarship Fund shall consist of the State Treasurer, or a
5 designee, and ten public members appointed as follows: two by the
6 President of the Senate, two by the Speaker of the General Assembly
7 and six by the Governor, with the advice and consent of the Senate.
8 Seven of the public members shall be persons who were directly
9 affected by the terrorist attacks on the United States on September 11,
10 2001. Two of the public members shall be named by the Governor to
11 serve as co-chairpersons of the board.

12 b. Each public member of the board shall serve for a term of four
13 years and until his successor shall have been appointed and qualified;
14 except that of the first members appointed, two shall serve for one
15 year, two shall serve for two years, three shall serve for three years
16 and three shall serve for four years. Any vacancy in the membership
17 of the board shall be filled in the same manner as the original
18 appointment for the remainder of the unexpired term.

19 c. Members of the board shall serve without compensation but shall
20 be entitled to be reimbursed for all reasonable and necessary expenses
21 incurred in the discharge of their duties.

22 d. The board shall have the following duties and responsibilities:

23 (1) establish criteria for the determination of eligibility for a
24 scholarship from the fund;

25 (2) establish procedures for determining the amount of each
26 scholarship award, based on the financial need of the applicant and the
27 resources available to the applicant to meet his higher education costs;

28 (3) report annually to the Governor and the Legislature on the
29 performance of its duties in accordance with the provisions of this act;

30 (4) solicit and raise private funds to finance the New Jersey World
31 Trade Center Scholarship Program; and

32 (5) receive and disburse such contributions to the fund as may be
33 forthcoming from private and public sources.]}¹

34

35 ¹[5. a. The board is hereby authorized to award scholarships from
36 the fund for the costs of undergraduate study at an institution of higher
37 education to the dependent children or surviving spouses of persons
38 who were New Jersey residents on September 11, 2001 and who were
39 killed in the terrorist attack on the United States on September 11,
40 2001, or who died as a result of injuries received in the attack, or who
41 are missing and officially presumed dead as a direct result of the
42 attack. The terrorist attack on the United States shall include the
43 hijackings of American Airlines Flight 11, American Airlines Flight 77,
44 United Airlines Flight 93 and United Airlines Flight 175 and the
45 subsequent crashes at the World Trade Center in New York City, the
46 Pentagon in Washington, D.C. and in Somerset County, Pennsylvania.

1 b. Scholarships from the fund may be awarded annually upon
2 proper application to the fund to any student who qualifies under the
3 criteria developed by the board.]]¹

4
5 ¹[6. a. A New Jersey World Trade Center scholarship shall not be
6 awarded to an applicant unless the applicant has demonstrated to the
7 satisfaction of the board that the applicant:

8 (1) will be or is enrolled in a full-time undergraduate program of
9 study leading to a degree at an institution of higher education; and

10 (2) has complied with all rules and regulations adopted pursuant to
11 this act for the award, regulation and administration of scholarships
12 from the fund.

13 b. Eligibility for a scholarship, in the case of a surviving spouse,
14 shall be limited to a period of eight years from the date of death of the
15 person for initial receipt of the benefits under the program. In the case
16 of a dependent child, eligibility shall be limited to a period of eight
17 years following graduation from high school.]]¹

18
19 ¹[7. The Higher Education Student Assistance Authority shall
20 adopt rules and regulations pursuant to the "Administrative Procedure
21 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), necessary for the
22 administration of this act.]]¹

23
24 ¹[8. There shall be appropriated from the General Fund to the
25 Higher Education Student Assistance Authority for deposit in the New
26 Jersey World Trade Center Scholarship Fund \$250,000 to effectuate
27 the provisions of this act.]]¹

28
29 ³[¹1. N.J.S.18A:71B-23 is amended to read as follows:

30 18A:71B-23. a. Any child or surviving spouse of a member or
31 officer of a New Jersey volunteer fire company, volunteer first aid or
32 rescue squad or municipal fire, police, county police or park police
33 department, State fire service or of the division of State police,² or of
34 either the Port Authority of New York and New Jersey or the
35 Delaware River Port Authority of Pennsylvania and New Jersey police,
36 or any other New Jersey police officer at any other agency
37 commission, board, authority, or other governmental entity that is
38 established and is allocated to a State department or any bi-state
39 governmental entity of which this State is a member,² or of a
40 permanent, active and full-time officer employee of this State or any
41 political subdivision thereof holding the following titles: State
42 investigator, correction officer, recruit, senior correction officer,
43 sergeant, lieutenant, captain, correction officer duty keeper, court
44 attendant and sheriff's officer, court attendant and sheriff's officer
45 lieutenant, court attendant and sheriff's officer captain, court attendant
46 and sheriff's officer deputy chief, prosecutor's detective, prosecutor's

1 investigator, narcotics officer, marine patrolman, senior marine
2 patrolman, principal marine patrolman, chief, bureau of marine law
3 enforcement, or who is an inspector, assistant, technician, supervisor
4 or superintendent with respect to the enforcement and regulation of
5 weights and measures, or civil defense or disaster control worker,
6 which member, officer or worker was killed in the performance of his
7 duties as a member of such company, squad or fire or police
8 department or division, or worker in a civil defense or disaster control
9 unit, upon such child or surviving spouse being accepted to pursue a
10 course of undergraduate study in any public institution of higher
11 education of this State, as enumerated in N.J.S.18A:62-1, shall, while
12 enrolled as an undergraduate student in good standing at the
13 institution, have the tuition paid by the State; or upon that child or
14 surviving spouse being accepted to pursue a course of undergraduate
15 study at any independent institution of higher education located in the
16 State, shall, while enrolled as an undergraduate in good standing at
17 that independent institution of higher education, have that part of the
18 tuition which is not more than the highest tuition charged at the public
19 institutions of higher education in this State, enumerated in
20 N.J.S.18A:62-1, paid by the State. ²An institution of higher education
21 shall also include certain proprietary institutions located in this State,
22 but only for degree granting programs approved by the Commission
23 on Higher Education or other proprietary institutions as determined by
24 the Higher Education Student Assistance Authority.²

25 b. (1) Any dependent child or surviving spouse of a person who
26 was a New Jersey resident on September 11, 2001 and who was killed
27 as a result of the terrorist attack on the United States on
28 September 11, 2001, which included the hijackings of American
29 Airlines Flight 11, American Airlines Flight 77, United Airlines Flight
30 93 and United Airlines Flight 175 and the subsequent crashes at the
31 World Trade Center in New York City, the Pentagon in Washington,
32 D.C. and in Somerset County, Pennsylvania, upon such dependent
33 child or surviving spouse being accepted to pursue a course of
34 undergraduate study in any public institution of higher education of
35 this State, as enumerated in N.J.S.18A:62-1, shall, while enrolled as
36 an undergraduate student in good standing at the institution, have the
37 tuition paid by the State; or upon the dependent child or surviving
38 spouse being accepted to pursue a course of undergraduate study at
39 any independent institution of higher education located in the State,
40 shall, while enrolled as an undergraduate in good standing at that
41 independent institution of higher education, have that part of the
42 tuition which is not more than the highest tuition charged at the public
43 institutions of higher education in this State, enumerated in
44 N.J.S.18A:62-1, paid by the State.

45 (2) The Higher Education Student Assistance Authority shall,
46 within one year of the effective date of P.L. , c. (now pending

1 before the Legislature as this bill), conduct an analysis to determine
2 the number of scholarship recipients that may be eligible for the
3 program under this subsection and the estimated total cost to the State
4 of funding the program under this subsection. The authority shall
5 report the findings of the analysis and the estimated costs of the
6 program to the Governor and the presiding officer of each House of
7 the Legislature. Each five years after the initial report, the authority
8 shall reevaluate its cost estimate for the scholarship program and
9 provide the information to the Governor and the presiding officer of
10 each House of the Legislature..

11 c. Eligibility for [this program] tuition assistance under subsections
12 a. and b. of this section shall be limited to a period of eight years from
13 the date of death of the [member, officer or worker] person ²or the
14 date upon which the person is legally presumed to be dead² for initial
15 receipt of benefits, in the case of the surviving spouse, and eight years
16 following graduation from high school, in the case of a child, pursuant
17 to rules and regulations established by the authority.¹
18 (cf: N.J.S.18A:71B-23)]³

19
20 ³1. This act shall be known and may be cited as the "New Jersey
21 World Trade Center Scholarship Program Act."³

22
23 ³2. As used in this act:

24 "Institution of higher education" means an institution of higher
25 education licensed by the appropriate agency or department and
26 accredited or preaccredited by a nationally recognized accrediting
27 association. An institution of higher education shall also include
28 certain proprietary institutions, but only for degree granting programs
29 approved by the Commission on Higher Education or other proprietary
30 institutions as determined by the authority.

31 "Authority" means the Higher Education Student Assistance
32 Authority established pursuant to N.J.S.18A:71A-1 et seq.³

33
34 ³3. a. There is established in the Higher Education Student
35 Assistance Authority a nonlapsing fund which shall be known as the
36 New Jersey World Trade Center Scholarship Fund. The fund shall be
37 administered by the board of trustees established pursuant to section
38 4 of this act.

39 b. The fund shall consist of: all moneys appropriated by the
40 Legislature for inclusion in the fund; investment earnings of the fund;
41 and moneys contributed to the fund by private sources, to be used for
42 the purposes of this act. The moneys in the fund shall be invested and
43 reinvested by the Director of the Division of Investment in the
44 Department of the Treasury.³

45
46 ³4. a. The board of trustees of the New Jersey World Trade Center

1 Scholarship Fund shall consist of the State Treasurer, or a designee,
2 and ten public members appointed as follows: two by the President of
3 the Senate, two by the Speaker of the General Assembly and six by the
4 Governor, with the advice and consent of the Senate. Seven of the
5 public members shall be persons who were directly affected by the
6 terrorist attacks on the United States on September 11, 2001. Two of
7 the public members shall be named by the Governor to serve as co-
8 chairpersons of the board.

9 b. Each public member of the board shall serve for a term of four
10 years and until a successor shall have been appointed and qualified;
11 except that of the first members appointed, two shall serve for one
12 year, two shall serve for two years, three shall serve for three years
13 and three shall serve for four years. Any vacancy in the membership
14 of the board shall be filled in the same manner as the original
15 appointment for the remainder of the unexpired term.

16 c. Members of the board shall serve without compensation but shall
17 be entitled to be reimbursed for all reasonable and necessary expenses
18 incurred in the discharge of their duties.

19 d. The board shall have the following duties and responsibilities:

20 (1) establish criteria for the determination of eligibility for a
21 scholarship from the fund;

22 (2) establish procedures for determining the amount of each
23 scholarship award, based on the financial need of the applicant and the
24 resources available to the applicant to meet his higher education costs;

25 (3) report annually to the Governor and the Legislature on the
26 performance of its duties in accordance with the provisions of this act;

27 (4) solicit and raise private funds to finance the New Jersey World
28 Trade Center Scholarship Program; and

29 (5) receive and disburse such contributions to the fund as may be
30 forthcoming from private and public sources.³

31
32 ^{35.} a. The board is hereby authorized to award scholarships from
33 the fund for the costs of undergraduate study at an institution of higher
34 education to the dependent children or surviving spouses of persons
35 who were New Jersey residents on September 11, 2001 and who were
36 killed in the terrorist attack on the United States on September 11,
37 2001, or who died as a result of injuries received in the attack, or who
38 are missing and officially presumed dead as a direct result of the
39 attack. The terrorist attack on the United States shall include the
40 hijackings of American Airlines Flight 11, American Airlines Flight 77,
41 United Airlines Flight 93 and United Airlines Flight 175 and the
42 subsequent crashes at the World Trade Center in New York City, the
43 Pentagon in Washington, D.C. and in Somerset County, Pennsylvania.

44 b. Scholarships from the fund may be awarded annually upon
45 proper application to the fund to any student who qualifies under the
46 criteria developed by the board.³

1 ³6. a. A New Jersey World Trade Center scholarship shall not be
2 awarded to an applicant unless the applicant has demonstrated to the
3 satisfaction of the board that the applicant:

4 (1) will be or is enrolled in a full-time undergraduate program of
5 study leading to a degree at an institution of higher education; and

6 (2) has complied with all rules and regulations adopted pursuant to
7 this act for the award, regulation and administration of scholarships
8 from the fund.

9 b. Eligibility for a scholarship, in the case of a surviving spouse,
10 shall be limited to a period of eight years from the date of death of the
11 person for initial receipt of the benefits under the program. In the case
12 of a dependent child, eligibility shall be limited to a period of eight
13 years following graduation from high school.³

14
15 ³7. The Higher Education Student Assistance Authority shall
16 adopt rules and regulations pursuant to the "Administrative Procedure
17 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), necessary for the
18 administration of this act.³

19
20 ³8. There shall be appropriated from the General Fund to the
21 Higher Education Student Assistance Authority for deposit in the New
22 Jersey World Trade Center Scholarship Fund \$250,000 to effectuate
23 the provisions of this act.³

24
25 ¹[9.] ³[2.1] 9. ³ This act shall take effect immediately.

26

27

28

29

30 Provides tuition assistance for children and spouses of the victims of
31 the terrorist attack of September 11, 2001.

CHAPTER 442

An Act establishing a college scholarship program, supplementing chapter 71B of Title 18A of the New Jersey Statutes and making an appropriation .

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.18A:71B-23.1 Short title.

1. This act shall be known and may be cited as the "New Jersey World Trade Center Scholarship Program Act."

C.18A:71B-23.2 Definitions relative to "New Jersey World Trade Center Scholarship Program Act."

2. As used in this act:

"Institution of higher education" means an institution of higher education licensed by the appropriate agency or department and accredited or preaccredited by a nationally recognized accrediting association. An institution of higher education shall also include certain proprietary institutions, but only for degree granting programs approved by the Commission on Higher Education or other proprietary institutions as determined by the authority.

"Authority" means the Higher Education Student Assistance Authority established pursuant to N.J.S.18A:71A-1 et seq.

C.18A:71B-23.3 New Jersey World Trade Center Scholarship Fund.

3. a. There is established in the Higher Education Student Assistance Authority a nonlapsing fund which shall be known as the New Jersey World Trade Center Scholarship Fund. The fund shall be administered by the board of trustees established pursuant to section 4 of this act.

b. The fund shall consist of: all moneys appropriated by the Legislature for inclusion in the fund; investment earnings of the fund; and moneys contributed to the fund by private sources, to be used for the purposes of this act.

The moneys in the fund shall be invested and reinvested by the Director of the Division of Investment in the Department of the Treasury.

C.18A:71B-23.4 Board of Trustees; membership; duties; responsibilities.

4. a. The board of trustees of the New Jersey World Trade Center Scholarship Fund shall consist of the State Treasurer, or a designee, and ten public members appointed as follows: two by the President of the Senate, two by the Speaker of the General Assembly and six by the Governor, with the advice and consent of the Senate. Seven of the public members shall be persons who were directly affected by the terrorist attacks on the United States on September 11, 2001. Two of the public members shall be named by the Governor to serve as co-chairpersons of the board.

b. Each public member of the board shall serve for a term of four years and until a successor shall have been appointed and qualified; except that of the first members appointed, two shall serve for one year, two shall serve for two years, three shall serve for three years and three shall serve for four years. Any vacancy in the membership of the board shall be filled in the same manner as the original appointment for the remainder of the unexpired term.

c. Members of the board shall serve without compensation but shall be entitled to be reimbursed for all reasonable and necessary expenses incurred in the discharge of their duties.

d. The board shall have the following duties and responsibilities:

(1) establish criteria for the determination of eligibility for a scholarship from the fund;

(2) establish procedures for determining the amount of each scholarship award, based on the financial need of the applicant and the resources available to the applicant to meet his higher education costs;

(3) report annually to the Governor and the Legislature on the performance of its duties in accordance with the provisions of this act;

(4) solicit and raise private funds to finance the New Jersey World Trade Center Scholarship Program; and

(5) receive and disburse such contributions to the fund as may be forthcoming from private and public sources.

C.18A:71B-23.5 Awarding of scholarships.

5. a. The board is hereby authorized to award scholarships from the fund for the costs of undergraduate study at an institution of higher education to the dependent children or surviving spouses of persons who were New Jersey residents on September 11, 2001 and who were killed in the terrorist attack on the United States on September 11, 2001, or who died as a result of injuries received in the attack, or who are missing and officially presumed dead as a direct result of the attack. The terrorist attack on the United States shall include the hijackings of American Airlines Flight 11, American Airlines Flight 77, United Airlines Flight 93 and United Airlines Flight 175 and the subsequent crashes at the World Trade Center in New York City, the Pentagon in Washington, D.C. and in Somerset County, Pennsylvania.

b. Scholarships from the fund may be awarded annually upon proper application to the fund to any student who qualifies under the criteria developed by the board.

C.18A:71B-23.6 Conditions for awarding of scholarship.

6. a. A New Jersey World Trade Center scholarship shall not be awarded to an applicant unless the applicant has demonstrated to the satisfaction of the board that the applicant:

(1) will be or is enrolled in a full-time undergraduate program of study leading to a degree at an institution of higher education; and

(2) has complied with all rules and regulations adopted pursuant to this act for the award, regulation and administration of scholarships from the fund.

b. Eligibility for a scholarship, in the case of a surviving spouse, shall be limited to a period of eight years from the date of death of the person for initial receipt of the benefits under the program. In the case of a dependent child, eligibility shall be limited to a period of eight years following graduation from high school.

C.18A:71B-23.7 Rules, regulations.

7. The Higher Education Student Assistance Authority shall adopt rules and regulations pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), necessary for the administration of this act.

8. There shall be appropriated from the General Fund to the Higher Education Student Assistance Authority for deposit in the New Jersey World Trade Center Scholarship Fund \$250,000 to effectuate the provisions of this act.

9. This act shall take effect immediately.

Approved January 11, 2002.