

18A:71-64 ET SEQ.

LEGISLATIVE HISTORY CHECKLIST

NJSA 18A:71-64 to 76

COPY NO. 2

Laws of 1975 Chapter 356

Bill No. A93

Sponsor(s) Hamilton

Date Introduced Pre-filed

Committee: Assembly Education

Senate Education

Amended during passage Yes  Amendments during passage denoted by asterisks

Date of passage: Assembly May 6, 1974

Senate Jan. 6, 1975

Date of approval March 3, 1976

Following statements are attached if available:

Sponsor statement  No

Committee Statement: Assembly  No

Senate  No

Fiscal Note  No

Veto message  No

Message on signing  No

Following were printed:

Reports  No

Hearings  No

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10/4/76  
MAY 1977

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## ASSEMBLY, No. 93

## STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1974 SESSION

By Assemblyman HAMILTON

AN ACT to provide reimbursement to educational institutions for tuition credit to certain veterans of the Armed Forces of the United States.

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

1 1. As used in this act:

2 a. "Eligible veteran" means any veteran of the Armed Forces  
3 of the United States residing in New Jersey who is or was eligible  
4 for Veterans Educational Assistance pursuant to Federal Law and  
5 who (1) was domiciled in New Jersey either at the time of his  
6 induction into the armed forces or at the time of his discharge  
7 therefrom, or (2) has been domiciled in New Jersey for a period  
8 of not less than 2 consecutive years, \***[has been a resident of New**  
9 **Jersey for 1 year,]**\* exclusive of any time spent on active duty.

10 b. \***[(1)]**\* "Approved educational institution" means \*(1)\* any  
11 academic, professional or vocational school operating within this  
12 State or \*(2)\* any graduate level school operating within the  
13 United States \***[which has]**\* \*or (3) any academic, professional  
14 or vocational school operating outside of this State; provided,  
14A however, that any such institution shall have made a prior written  
14B agreement to accept the tuition credit and reimbursement provided  
14C for in sections 6 and 7 of this act; provided further, that no more  
14D than 20% of the eligible veterans under (1) and (3) of this sub-  
14E section shall attend an approved educational institution operating  
14F outside of this State. To qualify as an "approved educational  
14G institution" under this act, and such institution must have been

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

14H approved for Veteran's Educational Assistance pursuant to Fed-  
14I eral Law.

15 \*[(2) "Approved educational institution" also means any aca-  
16 demic, professional or vocational school operating outside of this  
17 State which has been approved for Veteran's Educational Assist-  
18 ance pursuant to Federal Law; provided, however, that any such  
19 institution operating outside of this State shall have made a prior  
20 written agreement to extend the tuition credits earned in a New  
21 Jersey institution as provided in this act.]\*

22 c. "Approved course of study" means any curriculum or any  
23 combination of unit courses or subjects pursued at an educational  
24 institution which is accepted for Veteran's Educational Assistance  
25 pursuant to the Federal Law.

26 d. \*\*["Commissioner" means the Commissioner of Institutions  
27 and Agencies,]\*\* \*\**"Chancellor" means the Chancellor of Higher*  
28 *Education, "Commissioner" means the Commissioner of Educa-*  
29 *tion\*\** \*["Chancellor" means the Chancellor of Higher Educa-  
30 tion, "Commissioner" means the Commissioner of Institutions and  
31 Agencies]\* and includes any deputies or employees of the depart-  
32 ment designated by him to administer and enforce this act.

1 2. \*\*[a.]\*\* For the purposes of this act:

2 \*\*[(1)]\*\* \*\*a.\*\* an institutional trade or technical course offered  
3 on a clock-hour basis below the college level involving shop practice  
4 as an integral part thereof, shall be considered a full-time course  
5 when a minimum of 30 hours per week of attendance is required  
6 with no more than 2½ hours of rest periods per week allowed;

7 \*\*[(2)]\*\* \*\*b.\*\* an institutional course offered on a clock-hour  
8 basis below the college level in which theoretical or classroom in-  
9 struction predominates shall be considered a full-time course when  
10 a minimum of 25 hours per week net of instruction (which may  
11 include customary intervals not to exceed 10 minutes between hours  
12 of instruction) is required;

13 \*\*[(3)]\*\* \*\*c.\*\* an academic high school course requiring 16  
14 units for a full course shall be considered a full-time course when  
15 a minimum of four units per year is required. For the purpose of  
16 this clause, a unit is defined to be not less than 120 60-minute hours  
17 or their equivalent of study in any subject in 1 academic year; and

18 \*\*[(4)]\*\* \*\*d.\*\* an institutional undergraduate course offered  
19 by a college or university on a quarter- or semester-hour basis shall  
20 be considered a full-time course when a minimum of 14 semester  
21 hours or the equivalent thereof, for which credit is granted toward  
22 a standard college degree (including those for which no credit is  
23 granted but which are required to be taken to correct an educational

24 deficiency), is required, except that where such college or university  
 25 certifies, upon the request of the **["commissioner"]** *chancel-*  
 26 *lor*, that (a) full-time tuition is charged to all undergraduate  
 27 students carrying a minimum of less than 14 such semester hours  
 28 or the equivalent thereof, or (b) all undergraduate students carry-  
 29 ing a minimum of less than 14 such semester hours or the equivalent  
 30 thereof, are considered to be pursuing a full-time course for other  
 31 administrative purposes, then such an institutional undergraduate  
 32 course offered by such college or university with such minimum  
 33 number of such semester hours shall be considered a full-time  
 34 course, but in the event such minimum number of semester hours is  
 35 less than 12 semester hours or the equivalent thereof, then 12  
 36 semester hours or the equivalent thereof shall be considered a  
 36A full-time course**["; and**

37 **["b. The commissioner shall define part-time training in the types**  
 38 **of courses referred to in subsection a. and shall define full-time and**  
 39 **part-time training in the case of all other types *["or"] of* courses**  
 40 **pursued under this act]."**

1 3. Each eligible veteran may select an approved course of study  
 2 at any approved educational institution selected by him, which will  
 3 accept and retain him as a student or trainee in any field or branch  
 4 of knowledge which the institution finds him qualified to undertake  
 5 or pursue.

6 4. Any eligible veteran who desires tuition credit pursuant to  
 7 this act, within 8 years from the date of (a) his separation from  
 8 active duty or (b) the effective date of this act, whichever is later,  
 9 shall submit an application to the **["commissioner"]** *chancel-*  
 10 *lor* which shall be in a form and contain information as the  
 11 **["commissioner"]** *chancellor* shall prescribe. The **["com-**  
 12 **missioner"]** *chancellor* shall approve the application unless  
 13 he finds that the veteran is ineligible for or not entitled to tuition  
 14 credit or that his course of study is not approved pursuant to this  
 15 act, or that he has already been approved. The **["commissioner"]**  
 16 *chancellor* shall notify the veteran and his selected educational  
 17 institution of the approval of his application.

1 5. a. Each eligible veteran shall be entitled to tuition credit  
 2 pursuant to this act in accordance with the following schedule:

3 (1) For a period of one semester (or the equivalent thereof in  
 4 part-time tuition credit), in the case of educational institutions  
 5 regularly operated on the semester system, for each 3 months or  
 6 fraction thereof of the veteran's service on active duty after

7 December 31, 1960 and before the date of termination as proclaimed  
 8 by the Governor. If an eligible veteran has served a period of 18  
 9 months or more on active duty during such period of time, he shall  
 10 be entitled to tuition credit pursuant to this act for a period of  
 11 eight semesters (or the equivalent thereof in part-time tuition  
 12 credit): the maximum credit hereunder shall be for a period of  
 13 eight semesters; or

14 (2) For a period of one-quarter (or the equivalent thereof in  
 15 part-time tuition credit) in the case of educational institutions  
 16 regularly operated on the quarter system, for each 2 months or  
 17 fraction thereof of the veteran's service on active duty after De-  
 18 cember 31, 1960 and before the date of termination as proclaimed  
 19 by the Governor. If an eligible veteran has served a period of 18  
 20 months or more on active duty during such period of time, he shall  
 21 be entitled to tuition credit pursuant to this act for a period of 12  
 22 quarters; the maximum credit hereunder shall be for a period of  
 23 12 quarters; or

24 (3) For a period of 1½ months of any tuition period (or the  
 25 equivalent thereof in part-time tuition credit) in the case of educa-  
 26 tional institutions not operated on the quarter or semester system,  
 27 for each month or fraction thereof of the veteran's service on active  
 28 duty after December 31, 1960 and before the date of termination  
 29 as proclaimed by the Governor. If an eligible veteran has served  
 30 a period of 18 months or more on active duty during such period  
 31 of time, he shall be entitled to tuition credit pursuant to this act  
 32 for 36 months of tuition credit (or the equivalent thereof in part-  
 33 time tuition credit). The maximum credit hereunder shall be for  
 34 a period of 36 months.

35 b. If an eligible veteran shall change his program of study from  
 36 an educational institution regularly operated on the quarter or se-  
 37 mester system or otherwise, to an educational institution regularly  
 38 operated on a different system, the remainder of his credit shall  
 39 accordingly be redistributed by the **\*\*[commissioner]\*\*** *chancel-*  
 40 *lor* in such manner as to carry out the intent of this act.

1 6. Benefits hereunder shall be in the form of tuition credits  
 2 limited by the lesser of full tuition or:

3 a. For educational institutions regularly operated on the semes-  
 4 ter system, **\*\*[\$250.00]\*\*** *\$200.00* per semester.

5 b. For educational institutions regularly operated on the quarter  
 6 system, **\*\*[\$166.67]\*\*** *\$100.00* per quarter.

7 c. For educational institutions not regularly operated on the  
 8 semester or quarter system, **\*\*[\$500.00]\*\*** *\$400.00* per full school

9 year prorated *\*\*on an equal basis\*\** as the **\*\*[commissioner]\*\***  
 9A **\*\*chancellor\*\*** shall determine.

10 d. For veterans pursuing a program of part-time education,  
 11 the tuition credit shall be in such amounts as the **\*\*[commis-  
 12 sioner]\*\*** **\*\*chancellor\*\*** shall determine.

1 7. Reimbursement for tuition credit shall be made by the State  
 2 Treasurer to the approved educational institution upon certifica-  
 3 tion by the institution that the veteran is enrolled for the current  
 4 period and upon certification by the **\*\*[commissioner]\*\*** **\*\*chancel-  
 5 lor\*\*** that the veteran is both eligible and entitled to tuition credit  
 6 hereunder *\*\*subject to the provisions of section 12 of this act\*\**.  
 7 Reimbursement for tuition credit shall be made out of funds ac-  
 8 cumulated from the State Lottery.

1 8. The **\*\*chancellor, in consultation with the commissioner as  
 2 to matters under the jurisdiction of the\*\*** commissioner shall  
 3 promulgate such rules and regulations in accordance with the  
 4 “Administrative Procedure Act” (P. L. 1968, c. 410) (C. 52:14B-1  
 5 et seq.) as he deems necessary to effectuate the purposes of this act.

1 9. Any benefits granted to eligible veterans pursuant to this  
 2 act shall not be considered income or an asset in determining  
 3 financial need for any financial assistance provided pursuant to  
 4 chapter 71 of Title 18A of the New Jersey Statutes.

1 10. The **\*\*[commissioner]\*\*** **\*\*chancellor\*\*** is authorized and  
 2 empowered to consult with the **\*\*[Chancellor]\*\*** **\*\*Commissioner\*\***  
 3 of the Department of **\*\*[Higher]\*\*** Education in order to effectu-  
 4 ate the purposes of this act.

1 **\*\*[11. Any benefits granted to eligible veterans pursuant to this  
 2 act shall not be considered income or an asset in determining  
 3 financial need for any financial assistance provided pursuant to  
 4 chapter 71 of Title 18A of the New Jersey Statutes.]\*\***

1 **\*\*[12. No more than 20% of the eligible veterans under this act  
 2 shall attend an approved educational institution operating outside  
 3 of this State.]\*\***

1 **\*\*[13.] \*11.\*** If any provision of this act or the application of  
 2 such provision to any person or circumstance is declared invalid,  
 3 such invalidity shall not affect other provisions or applications of  
 4 this act which can be given effect; and, to this end, the provisions of  
 5 this act are declared to be severable.

1 **\*\*[14.] \*12.\*** This act shall take effect July 1 following its  
 2 enactment.]\*\*

1 **\*\*12. In the event that the amount appropriated in any fiscal  
 2 year is insufficient to carry out in full the provisions of this act,**

3 *the chancellor shall apportion such amount among the eligible*  
4 *veterans applying for tuition credit pursuant to the act in pro-*  
5 *portion to the amount each such veteran would be allocated if the*  
6 *full amount were appropriated.*

1 *13. Nothing in this act shall be construed to abrogate any*  
2 *previous authority granted to either the Department of Higher*  
3 *Education or the Department of Education.*

1 *14. This act shall take effect immediately.\*\**