

## 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.