

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action: Do Pass the A-Engrossed Measure

Vote: 3 - 2 - 0

Yeas: Beyer, Roblan, Hass

Nays: Knopp, Kruse

Exc.: 0

Prepared By: Richard Donovan, Administrator

Meeting Dates: 3/19

WHAT THE MEASURE DOES: Provides certain students are entitled to exemption from nonresident tuition and fees at public universities, given specific criteria. Requires annual report from Oregon University System to Legislative Assembly on number of students exempted. Allows for direct Supreme Court review of challenge to Act.

ISSUES DISCUSSED:

- Legislative history of measure and similar measures
- Bi-partisan support in vote in House of Representatives
- Concerns with calculations regarding projected fiscal impact, calculations of impact of other measures in other committees
- Ability of individuals not of lawful permanent resident status to obtain legal employment after graduation
- Access to Education as a human right
- Potential conflict of laws issue: federal law vs. Oregon state law
- Cost, short- and long-term of the measure

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: House Bill 2787-A directs the State Board of Higher Education to exempt students who are not citizens or lawful permanent residents from paying nonresident tuition at state universities if they meet the following criteria:

1. Attendance at an Oregon elementary or high school for three years immediately prior to receiving a high school diploma (or leaving school without receiving a diploma);
2. Attendance at a school in any U.S. state or territory during each of the five years immediately prior to receiving a high school diploma (or leaving school without receiving a diploma);
3. Receipt of a high school diploma from an Oregon school no more than three years prior to initial enrollment in a state university; and
4. Demonstration of intent to become a citizen or lawful permanent resident of the United States.

Previous versions of this measure passed the Senate in both 2003 and 2011.