

Honolulu, Hawaii

MAR 23 2012

RE: H.B. No. 1457
H.D. 1
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Education, to which was referred H.B.
No. 1457, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HIGHER EDUCATION,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require the University of Hawaii System to report annually to the Director of Finance for each semester of the previous school year:
 - (A) The number of undergraduate students who had sufficient credits to graduate but have not yet graduated;
 - (B) The number of undergraduate students who have completed more than an unspecified number of credits but have not yet declared a major; and
 - (C) The additional cost to the University of Hawaii directly attributable to each student reported pursuant to subparagraphs (A) and (B);
- (2) Authorize the Director of Finance to assess the University of Hawaii for the additional cost to the State attributable to the students reported in paragraph (1); and



- (3) Require the University of Hawaii to transfer the amount assessed pursuant to paragraph (2) to the general fund.

Prior to holding a hearing on this measure, a proposed S.D. 1 was prepared and made available for public review.

The proposed S.D. 1 amended this measure by deleting its contents and replacing it with the contents of H.B. No. 1674, H.D. 1, Regular Session of 2012, which extends the eligibility for financial aid, university services, and resident tuition to students of the University of Hawaii without lawful immigration status who meet certain specified criteria. In order to qualify for resident tuition, a resident noncitizen must have:

- (1) Attended a public or private high school in Hawaii for three or more years;
- (2) Graduated from a public or private high school in Hawaii or attained the equivalent thereof;
- (3) Registered at or be attending a campus within the University of Hawaii System; and
- (4) Filed an affidavit with the university stating that the student has filed an application to legalize the student's immigration status or will file an application as soon as the student is able to do so.

Your Committee received testimony in support of the proposed S.D. 1 from the University of Hawai'i System; Hawaii Commission on the Status of Women; American Civil Liberties Union of Hawai'i; Hawaii Catholic Conference; Faith Action for Community Equity Maui; Hawai'i Friends of Civil Rights; United Filipino Council of Hawaii; Oahu Filipino Community Council; Nursing Advocates and Mentors, Inc.; Filipinos for Affirmative Action; Filipino Coalition for Solidarity; Filipino American Citizens League; Catholic Charities of Hawai'i; Hawaii Coalition for Immigration Reform; Congress of Visayan Organizations; Progressive States Network; and thirteen individuals.

Your Committee finds that students who do not hold a lawful immigration status encounter extreme hardship attending public institutions of higher education in the State even though many of



these students have lived in the State for the majority of their lives, have thrived socially and academically, and were unaware of their immigration status until they applied for admission to institutions of higher education. Permitting these students to access higher education with the same benefits as resident citizens is in the public interest as it will allow these students to fully realize their potential as productive members of society.

In addition, the University of Hawaii Associate Vice President for Student Affairs estimates that college graduates earn more than \$1,000,000 over their lifespan. Based on the calculations of the Associate Vice President, allowing students without lawful immigration status to receive higher education in Hawaii would enable them to earn approximately \$1,800,000,000 after graduation. Assuming that these graduates pay approximately twenty percent of their earnings in taxes to the State, the amount in taxes these graduates would contribute to the State over the course of their lives would equal approximately \$360,000,000. Therefore, failure to pass this measure would result in significant lost revenue for the State.

Your Committee has amended this measure by adopting the proposed S.D. 1 and further amending the measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1457, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1457, H.D. 1, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Education,



JILL TOKUDA, Chair

The Senate
Twenty-Sixth Legislature
State of Hawai'i

Record of Votes
Committee on Education
EDU

Bill / Resolution No.:* <div style="font-size: 1.2em; font-family: cursive;">HB1457 HD1</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">EDU, WAM</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">3-19-12</div>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312 </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311 </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310 </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313 </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
TOKUDA, Jill N. (C)	✓			
KIDANI, Michelle N. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
NISHIHARA, Clarence K.	✓			
TANIGUCHI, Brian T.				✓
SLOM, Sam			✓	
TOTAL	4	0	1	1
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: <div style="font-size: 1.5em; font-family: cursive; margin-left: 50px;">Michelle N. Kidani</div>				
<div style="display: flex; justify-content: space-between; font-size: 0.8em;"> <div>Distribution:</div> <div>Original</div> <div>Yellow</div> <div>Pink</div> <div>Goldenrod</div> </div> <div style="display: flex; justify-content: space-between; font-size: 0.7em; margin-top: 2px;"> <div>File with Committee Report</div> <div>Clerk's Office</div> <div>Drafting Agency</div> <div>Committee File Copy</div> </div>				

***Only one measure per Record of Votes**