

MINUTES OF THE HOUSE JUDICIARY COMMITTEE

The meeting was called to order by Senate Judiciary Chairman John Vratil at 3:30 p.m. on January 20, 2004 in Room 313-S of the Capitol.

All members were present except:

Representative Michael O'Neal- excused
Representative Rick Rehorn- excused
Representative Dan Williams- excused

Committee staff present:

Jill Wolters, Revisor of Statutes
Diana Lee, Revisor of Statutes
Jerry Ann Donaldson, Kansas Legislative Research Department
Cindy O'Neal, Secretary

Conferees appearing before the committee:

Ann Morse, National Conference of State Legislators

Ann Morse discussed immigration issues. It is estimated that there are currently 8 million illegal immigrants residing in the United States. The Bush administration has proposed reform to the U.S. immigration law by proposing a temporary worker program which would match foreign workers with U.S. employers when no Americans can be found to fill the jobs. Work visas would be available for a three year period and be renewable, but all workers would be required to return to their country of origin once their period of work was completed. ([Attachment 1](#))

Congress has several proposals to consider:

1. Border Security & Immigration Improvement Act would establish new visa programs for unauthorized immigrants residing in the United States
2. Border Security & Immigration Reform Act establishes a guest worker program for seasonal and nonseasonal work where temporary workers with three years in the program could be adjusted to permanent resident status.
3. Agricultural Job Opportunity, Benefits & Security Act of 2003 would allow certain unauthorized agricultural workers to adjust to lawfully admitted temporary non-immigrant and permanent resident non-immigrant.
4. CLEAR Act would require states to enforce federal immigration laws or lose federal funds.

In terms of education, all children have access to elementary and secondary schools regardless if they are a legal residence or not. However, current federal law places restrictions on residency requirements for higher education. The Student Adjustment Act of 2003 would permit states to determine state residency for higher education and would authorize the Secretary of Homeland Security to cancel the removal and adjust the status of alien college-bound students who are long-term U.S. residents.

Currently 20 states have considered legislation to allow certain long-term unauthorized immigrant students to become eligible for in-state tuition. California, Texas, Utah, and New York have enacted legislation allowing those students to become eligible if they graduated from state high school, have two to three years residence in the state and apply to a state college or university. Washington, Oklahoma, and Illinois have enacted similar legislation. ([Attachment 2](#))

It's estimated that 21 million immigrants speak English "less than very well". This is starting to interfere with physician-patient communications resulting in delays or denials of services. ([Attachment 3](#))

Ms. Mores provided the committee with a copy of "common immigration terms" ([Attachment 4](#)) and a summary of *The Building the New American Community Project* ([Attachment 5](#)) which stresses integration is a two-way process and local private-public partnerships should be made to help with integration.

The Committee watched a clip from a documentary entitled *New Americans* which will be aired on PBS, March 29, 30 & 31st. ([Attachment 6](#))

The committee meeting adjourned at 4:45 p.m. The next meeting is scheduled for January 21, 2004.