

**ONE HUNDREDTH LEGISLATURE - SECOND SESSION -
2008**

COMMITTEE STATEMENT

LB963

Hearing Date: February 27, 2008

Committee On: Judiciary

Introducer(s): (Friend)

Title: Require verification of lawful presence in the United States to receive public benefits

Roll Call Vote - Final Committee Action:

Indefinitely Postponed

Vote Results:

5	Yes	Senators Chambers, McDonald, McGill, Pedersen, Schimek
1	No	Senators Pirsch,
0	Absent	
2	Present, not voting	Senators Ashford, Lathrop

Proponents:

Representing:

Senator Friend
Governor Heineman
Jon Bruning
Christine Peterson
John Albin
Doug Kagan
John Goodmen
Michael McAlpine
John Copenhavsek

Introducer
Governor's Office
Attorney General's Office
Self
Department of Labor
Nebraska Tax Payers Freedom
Self
Self
Self

Opponents:

Chuck Hasslebrook
James Milliken
Jonathan Alvarado
Stan Carpenter
Lawrence Bradley
Sam Franco
Darcey Tromanhauser
Ryan Murphy

Lisa Euchner
Cecilia Huerta

Representing:

Self
University of Nebraska
University of Nebraska Omaha
NSCS
American GI Forum
Self
Nebraska Appleseed
LPAAC Latino Political Awareness Action
Committee
Nebraska Equal Opportunity
Mexian American Commission

Neutral:

Amy Peck
Marshall Hill

Representing:

Self
Coordinating Commission for Postsecondary
Education

Summary of purpose and/or change:

Legislative Bill 963 prohibits state agencies and political subdivisions from providing federal, state or local public benefits to individuals not lawfully present in the United States. The prohibition does not apply to benefits exempted under federal law, emergency medical benefits, short-term emergency disaster relief, public health assistance for prevention and treatment of communicable diseases, and programs, services, or assistance necessary for the protection of life and safety.

Under the proposal, state agencies and political subdivisions must verify the lawful status of all applicants for public benefits. The verification process requires each applicant to execute an affidavit stating their status as a citizen or alien. If the affidavit indicates alien status, that person's legal status must be verified through the United States Department of Homeland Security's Systematic Alien Verification for Entitlements program.

LB 963 requires all state agencies that administer federal, state or local public benefits to file a report regarding their compliance with the provisions of this proposal.

LB 963 also repeals provisions for in-state tuition at public postsecondary institutions for illegal aliens who graduated from a public or private high school or received the equivalent of a high school diploma in this state and have resided in this state for at least 3 years. This proposal requires an otherwise qualified student to be lawfully present in the U.S. in order to receive in-state tuition rates.

Explanation of amendments, if any:

Senator Brad Ashford, Chairperson