

# N.J. legislature denies in-state tuition for illegal immigrants

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TRENTON - A proposal to let illegal immigrants pay in-state tuition at state colleges and universities failed to get enough support in the Legislature last night, ending its chance of becoming law in the near future.

Sen. Ronald Rice (D., Essex), a sponsor, said he believed the plan was five votes short in the Democratic-controlled Senate. The measure was discussed in closed-door meetings, but was not put up for a vote in either the Senate or Assembly on the final day of the legislative session.

With that, the measure lost its last chance to be voted on before Gov.-elect Christopher J. Christie takes office next Tuesday. He opposes the plan.

Advocates said the measure would help the children of illegal immigrants who attend high school in New Jersey afford college and give them the chance to become more productive members of society. They said children brought to New Jersey by their parents should not be punished for that decision.

Supporters now must regroup after an eight-year push to see the measure approved. Some hope for national immigration reform. Rice said he hoped to discuss the measure with Christie to see if a compromise could be worked out.

Opponents balked at voting for a measure that would provide benefits to illegal immigrants during a time of economic turbulence and angst. Democrats control both houses, but were unable to muster the votes needed in the Senate, where they hold a 22-17 edge with one seat vacant. Republicans had promised uniform opposition.

"There are legal immigrants and U.S. citizens who are struggling today to provide for their children in the highest-taxed state in the country, and they're going to find that they have fewer seats [at public colleges] for their children" if the bill were to be approved, Assemblyman Scott Rudder (R., Burlington) said.

Daniel Santo Pietro, executive director of the Hispanic Directors' Association, an umbrella group for Latino nonprofits, said the difficulty securing votes showed that "the tone" in the public debate was unfavorable for the proposal.

"We just have to overcome the concept, the knee-jerk reaction, to immigration being a problem," Santo Pietro said.

In-state tuition at some schools, including Rutgers, is half as much as out-of-state rates.

Opponents argued that the lower rates were subsidized by legal residents who paid taxes here. Rudder said that if the bill were approved, a Delaware resident who lives in the country legally would pay more to attend Rutgers than an illegal immigrant.

While supporters said they hoped for national changes, the tide on the issue appears to be against them. Ten states allow illegal immigrants to pay in-state rates at public colleges.

But since 2006, at least four states have barred the practice and at least one, South Carolina, has blocked illegal immigrants from enrolling in public colleges.

Under the New Jersey bill, illegal immigrants could have qualified for in-state tuition if they attended a high school in the state for at least three years, graduated or received the equivalent of a diploma from a New Jersey school, and submitted an affidavit that they had applied to legalize their immigration status.

Monmouth University Polling Institute director Patrick Murray said the showdown carried more lasting political implications than the same-sex marriage vote last week. In bad economic times, he said, blame often falls on immigration.

"There is a public anger out there about benefits to illegal immigrants that could come back to bite some of these legislators in two years when they're running for reelection," Murray said.

After emerging from a closed discussion on the bill in which Democrats realized they did not have enough support, Sen. Raymond Lesniak (D., Union) said it was "a shame" the measure would not pass.

"People were afraid politically that they would be considered to be helping illegal aliens," Lesniak said.