It's taken six tries, but supporters believe the seventh will be the charm, and the last. Legislation to grant in-state college tuition rates to illegal immigrant students was introduced at the Colorado General Assembly last week. And this time, supporters are certain nothing will stand in their way.

On Jan. 14, flanked by dozens of students and cheered by dozens more, the sponsors of Senate Bill 13-033 unveiled the 2013 version of ASSET, or Advancing Students for a Stronger Economy Tomorrow.

The bill states that for tuition purposes, colleges and universities must classify any student as in-state if the student attends a public or private high school in Colorado for at least three years, graduates or obtains a general equivalency diploma. Students without lawful immigration status must submit an affidavit stating he or she has applied for lawful presence or intends to do so as soon as possible.

Under the bill, students classified as in-state would be eligible for the College Opportunity Fund stipend, which for 2012-13 is $930 for 30 credit hours.

"We have invested in these students' [K-12] educations," Rep. Angela Williams (D-Denver) said at the Jan. 14 press conference. "We are continuing that investment." Supporters also noted that allowing all students to go to college under ASSET can contribute to the state's long-term economic recovery.

SB 33 co-sponsor Sen. Michael Johnston (D-Denver) said 60,000 Colorado high school seniors who are illegal immigrants are "buoyed by the belief that at the end of the climb [to graduation] there is something meaningful for them." Johnston said what they see instead is two valedictorians from high schools in his district "flipping burgers" in a fast-food restaurant instead of going to college.

"This May, I will not go back to the high schools in my district and look kids in the eye and say 'I'm sorry,'" after yet another defeat for ASSET, Johnston said. Instead, he will tell them, "Congratulations—the world is wide open."

"No student should wait seven years for their dreams to come true," said Victor Galvan, one of

the many students who support SB 33.

While the bill would grant illegal immigrants the same in-state tuition rate available to any Colorado resident, paying for college is another matter. The bill does not affect the federal prohibition on awarding Pell grants (up to $5,500 annually) or federal student loans to illegal immigrants.

And while colleges can award illegal immigrants institutional scholarships or other aid, they will not get state-funded need-based aid, either. Johnston told this reporter that state need-based aid is a fixed pot of dollars, and to include illegal immigrants would reduce the amount of money available to resident students.

The intent with ASSET is to “create opportunity for all kids without taking opportunity away from other kids,” Johnston said. He added that the Legislature will seek an increase in the COF stipend to help all students pay for college. SB 33 co-sponsor Sen. Angela Giron (D-Pueblo) also said that other efforts are underway to provide private dollars to help students pay for college.

The 2013 version of ASSET is pretty different from the 2012 version that lost by one vote in a House committee last April. That bill, SB 12-015, was a compromise version that would not have given COF money to illegal immigrants.

The bill passed the Senate on a straight party-line vote, with all Democrats in favor and all Republicans opposed. It picked up one Republican vote in the House Education Committee, enough to keep it moving forward. But it died on another party-line vote in the then-Republican-controlled House Finance Committee.

Now with Democrats in control of the House and Senate at the State Capitol, there are enough votes for SB 33 to pass without Republican support. But bill sponsors are hopeful that even with the changes contained in SB 33, they can gain some Republican votes.

Sen. Greg Brophy (R-Wray) said earlier this month that he is re-evaluating his position

regarding the ASSET bill. However, most Republicans, including their House and Senate leaders, are opposed, as is Rep. Jerry Sonnenberg (R-Sterling).

SB 33 is scheduled for the Senate Education Committee on January 24.

In other news at the Capitol:

This week, the Senate Local Government Committee is scheduled to take up the issue of a misplaced comma.

Last May, the Colorado Supreme Court ruled against Sinclair Transportation Company in a case involving a right-of-way for oil and gas pipelines. SB 21 would overturn the Larson v. Sinclair Transportation Company decision, which denied the company a right-of-way easement for a gas pipeline.

Sen. Mary Hodge (D-Brighton) said the problem is a misplaced comma in a statute that dates back to the late 1800s. Under the statute, the right of eminent domain applies to pipeline companies dealing with electric power or natural gas, but not for oil, gasoline or other petroleum or hydrocarbon products.

In the Larson case, Sinclair had a right-of-way easement for properties in Berthoud and Johnstown. In 2006, the company attempted to negotiate new easements, adjacent to the existing easements, to run a second pipeline. Those negotiations failed, and the company petitioned the court for their property rights. A lower court and appeals court both ruled in favor of Sinclair. However, the Colorado Supreme Court ruled that the statute in question grants condemnation authority to companies for construction of pipelines only for electrical infrastructure, not for oil or gasoline.

SB 21 would clarify the definition of “pipeline company” to include companies that construct pipelines for gas, oil or other petroleum or hydrocarbon products.

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