

## **ILLEGAL WORKERS ON STATE AGENDA**

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**Highlight:** Six bills target illegal immigration in Florida as national efforts stumble.

### **Body**

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In the two years since immigration reform legislation stalled in Congress, many states have passed their own laws targeting illegal immigrants.

And soon Florida could join them.

Legislators have filed six bills that would, among other things, penalize farms and government contractors that hire undocumented immigrants or require local officials to report their arrests to federal authorities.

Come spring, legislators could debate whether to make it harder for an estimated 850,000 undocumented immigrants to live and work in Florida.

"Our federal government, in my opinion, has failed our citizens in dealing with the crisis of illegal immigration," said state Sen. Mike Fasano, R-New Port Richey, who filed two bills. "I went to an event today, and when I asked for questions, it was about taxes, but it was also about illegal immigration."

The Florida bills follow a trend of cities and states proposing local laws related to immigration.

The National Conference of State Legislatures reported last week that so far this year, more than 1,500 pieces of legislation were introduced in state legislatures. Of those, 244 became laws in 46 states, triple the number passed in 2006.

Nationally, the proposals touch predominantly on employment, law enforcement, drivers licenses and public benefits.

In Florida, Fasano and Rep. Don Brown, R-DeFuniak Springs, have filed three of the most comprehensive bills.

Fasano's proposals - Senate Bills 124 and 388 - would target agribusinesses and government contractors that employ undocumented workers. One also would require local governments and police to determine immigrants' status and enforce immigration laws.

Brown said he modeled his proposal (House Bill 73) after a comprehensive and tough law that went into effect in Oklahoma in November.

If passed, it would force local officials to share information with the federal government about the legal status of immigrants. It also would ban so-called sanctuary policies, which some cities have used to stop the sharing of that information.

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"I'm concerned about the sovereignty of the nation and the state," Brown said. "This country has an incredibly rich heritage of immigration. ... In recent years, we have allowed untold millions ... to come into the country" illegally.

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Nationally, activists opposed to illegal immigration view the state laws as a way to force undocumented immigrants to leave.

"The most significant part of the legislation is that illegal aliens are leaving those states in large numbers," said William Gheen, president of the Americans for Legal Immigration PAC, based in North Carolina.

The new state laws bother advocates for immigrants.

Joan Friedland, immigration policy director of the National Immigration Law Center, said she worries about federal agents and local police working together outside of jails.

Such arrangements, Friedland said, could increase racial profiling and discourage immigrants from cooperating with police or asking for help.

Undocumented immigrants already are not eligible for most public benefits, said Tanya Broder, the law center's public benefits policy director. She said the state laws mainly require that people show documentation, which simply adds a hurdle for citizens.

"Colorado spent \$2-million to implement their law," Broder said. "They had zero savings because there's no evidence that undocumented immigrants were getting services."

In Florida, however, activists opposed to illegal immigration like the proposals.

"There's a number of articles about how illegal aliens are moving out of Oklahoma," said David Caulkett, vice president for Floridians for Immigration Reform.

He said his group opposes illegal immigrants, not legal ones.

"Surprise, surprise," Caulkett said. "Enforcement works. I would expect the effects ... in Florida will be the same" as in Oklahoma.

Those preparing to fight the bills say undocumented immigrants are important to the state's economy and should be legalized.

"We are benefitting from their labor," said Sheila Hopkins, associate director for social concerns for the Florida Catholic Conference of Bishops in Tallahassee. "We need to pass immigration reform so these people have the opportunity to make it right."

John Horan, an Orlando attorney who represents clients in construction, said both sides have valid points.

"You have people justifiably saying these people have broken the law," Horan said.

But "by the same token you have 15-million people who are working and ... an unemployment rate of (only) a little over 4 percent. In Florida, it's much lower," said Horan. "The demand of labor is being met by the supply. The only problem is that the supply is not here legally."

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Will any of the bills pass?

"I think there's a good chance that they would pass in Florida," Horan said. "This is a very important issue to the Republican base."

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But Sean Foreman, an assistant professor of political science at Barry University in Miami Shores, said the "anti-immigrant" mood is not as strong in Florida as in mid-Atlantic states and the Midwest.

Florida's power structure has recently shifted from the northern part of the state to the south, Foreman said in an e-mail, adding that Republican Cuban-American legislators such as House Speaker Marco Rubio are likely to have more liberal views on immigration.

He also noted that Gov. Charlie Crist is also a moderate Republican. "Attempts at immigration reform in Florida will probably fall short," Foreman predicted.

Information from Congressional Quarterly was used in this report. Jose Cardenas can be reached at [jcardenas@sptimes.com](mailto:jcardenas@sptimes.com) or (727) 445-4224.

## FAST FACTS

## Immigration bills at a glance

Under state Sen. Mike Fasano's "Aliens/Unauthorized Employment" bill (Senate Bill 124), businesses that lose their agricultural designation also would face fines of up to \$25,000 for each undocumented worker.

Fasano's other bill is called the Security and Immigration Compliance Act (Senate Bill 388). Most prominently, the bill would:

- Prohibit public employers from hiring contractors and subcontractors who do not participate in a federal program to verify the legal status of workers.

- Require Florida's chief of domestic security to work with the U.S. Department of Homeland Security to enforce immigration laws jointly. Increasingly, law enforcement agencies around the country are having federal agents train and deputize local officers to enforce immigration laws, including those on deportation.

- Require law enforcement officers to determine the legal status of people arrested. If those arrested are found to be undocumented, officers would have to notify Homeland Security.

- Require local and state governments to verify the legal status of people 18 and older who apply for public local, state and federal benefits.

Among other things, Rep. Don Brown's bill, House Bill 73, would:

- Allow public employees to request and share information with federal agents and other local and state agencies regarding the legal status of people. If local governments refuse to cooperate with the provision, any citizen of Florida could go to court to compel compliance.

- Prohibit municipal and county governments from establishing so-called sanctuary policies. Nationwide, a few cities have policies preventing police or other public employees from communicating with federal officials regarding the legal status of people.

- Require public employers and the contractors and subcontractors they hire to participate in a federal program to verify the legal status of workers.

- Make it an unfair trade practice for any employer to hire an undocumented worker on the same day the employer fires a legal one.

- Require law enforcement officers to determine the legal status of people arrested for driving or boating under the influence. If found to be in the country illegally, those arrested would be reported to Homeland Security and considered flight risks for the purpose of setting bail.

- Make it a first-degree misdemeanor for a person to knowingly shelter or transport an undocumented immigrant.

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Three other immigration-related bills:

- Senate Bill 540 by Carey Baker, R-Eustis.
- House Bill 107 by Rep. William Snyder, R-Stuart.
- House Bill 159 by Rep. Sandra Adams, R-Oviedo.

## Graphic

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PHOTO: Rep. Don Brown said he modeled his proposal after a tough, comprehensive new law in Oklahoma.  
PHOTO: Sen. Mike Fasano's bill focuses on agri-businesses and government contractors.

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