

It's tough to get tough, state finds

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Byline: By Virginia Young POST-DISPATCH JEFFERSON CITY BUREAU CHIEF The Associated Press contributed to this report.

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Body

Businesses Opposed • Databases are unreliable, they say.

Legislators Leery • They say it would be easy to get around laws.

Some back it • Problems can be worked out, supporters say.

Getting tough on illegal immigrants has been a popular rallying cry for Republican leaders. But two months into the legislative session, no bills have advanced.

A public hearing on Wednesday showed why.

On the agenda were measures requiring residency checks before people could get jobs on taxpayer-funded construction projects, attend state colleges and universities or receive state or local public services.

But a parade of witnesses representing employers, nonprofits and universities testified that the bills would pose practical problems. They ranged from conflicts with federal law to reliance on a flawed federal database for checking residency.

Sen. Jason Crowell, who chaired the committee hearing, said those problems could be addressed, and changes discussed at the hearing neutralized some of the big-business opposition.

For example, no longer would the measure include \$25,000 fines for each "unauthorized alien" hired on a state-subsidized project if the contractor or subcontractor knew or "should have known" that a person lacked federal work papers.

Under the new wording, businesses with state contracts would be penalized for hiring an undocumented worker only if "clear and convincing evidence" proved that the employer knew the worker was in the country illegally.

While making concessions to business, Crowell, R-Cape Girardeau, and other Republicans dismissed philosophical objections to the bills from a pro-immigrant coalition called Missouri Immigrant and Refugee Advocates.

The coalition, which includes civil rights and labor groups, said that in addition to being unworkable, the proposals would encourage discrimination against legal immigrants.

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Another opponent, the Missouri Catholic Conference, singled out a provision barring illegal immigrants from attending state colleges and universities. The group's lobbyist, Mike Hoey, said youths who are brought here at age 2 or 3 lack legal status "through no fault of their own."

"As Americans, we believe in the rule of law," Hoey said. "But we also believe in compassion and we also believe in rewarding people that work hard."

Senators said they have a duty to make sure taxpayer-paid benefits don't go to illegal immigrants.

"There's nothing against immigration in general in this bill," said Sen. Gary Nodler, R-Joplin. "We're dealing with illegal, undocumented aliens."

State Treasurer Sarah Steelman urged legislators to enact tough penalties. She chaired the Missouri Housing Development Commission when subsidized housing projects in St. Charles County were found to be employing undocumented workers.

Steelman said a study shows that illegal workers cost the state between \$26.4 million and \$49.1 million in lost income taxes.

"We're heading in the right direction, to make sure we strengthen the law because it's up to us to protect the taxpayers of Missouri," she said. Her office later backed off the numbers Steelman cited while maintaining the cost to the state was "significant."

Rep. Ryan McKenna, D-Crystal City, questioned whether the proposed penalties would do any good. For example, if they are caught with illegal workers, employers could lose their state business licenses. But nothing would prevent them from reorganizing and getting new licenses.

"It would be kind of a cat-and-mouse game, where you just change the name of your company and keep doing the same thing," McKenna said.

Jack Atterberry, who lobbies for the Associated General Contractors of Missouri, said the federal verification system, known as E-verify, uses a Social Security database, which has a 4 percent error rate.

"You have a good intention, and if the system worked as it should, it would be a good tool for employers," he said. "But only the federal government can make the investment to make sure the system works."

In other testimony, nonprofit groups worried that they would have to check everyone's residency before providing services to the poor. Colleges and universities worried that they'd have to verify the residency of everyone who applied for admission, even though many will never enroll. And public libraries worried that they would have to check every patron's residency before loaning them books.

Crowell drew the line at that.

"I don't think the issue we're trying to get to is illegals checking out library books," he said. Crowell said he hopes to have a comprehensive immigration bill ready for a vote next week.

The bills are: SBs 751, 858, 927, 1186 and 1255.

Notes

The Issue of Immigration

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