

Immigrants Could Face Tighter Rules in Michigan

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Correction Appended

Several Michigan lawmakers, frustrated with the defeat in Congress of an immigration law overhaul, are proposing state laws to punish employers who hire illegal immigrants.

The lawmakers, all Democrats from the state House, offered a package of bills late last week intended to crack down on employers, making it a felony to hire an illegal immigrant knowingly. Violation could mean fines of up to \$250,000 and as much as five years in prison for repeat offenders.

The sponsors said the legislation would be formally introduced this month in the House. "We have no legal weapons right now in the state of Michigan," said State Representative Kate Ebli, one of the sponsors. "What we're doing is giving our state the tools that we need."

Adrian Vazquez, who works for the Michigan Organizing Project, an immigrant rights group, said such a plan would destroy the lives of people who had raised their families in Michigan and contributed to the economy. Illegal immigrants, Mr. Vazquez said, should not have to pay for a broken immigration system; the federal government should fix it.

A proposed change of federal immigration law was defeated in June. But at least 20 states have enacted laws this year addressing the employment of immigrants. But the rush of state laws has also spurred a series of legal clashes with federal law.

In Arizona, immigrant rights advocates and business groups sued the state in federal court over a new law to force employers to check their workers' legal status or risk having their business licenses suspended or revoked.

"These types of laws are very clearly pre-empted by federal law," said Tyler Moran, the employment policy director with the National Immigration Law Center, a plaintiff in the Arizona case. The State of Arizona has called for dismissal of the case.

In Illinois, legislators passed a law that was sympathetic to illegal immigrants, barring employers from using a federal database to verify if potential employees were authorized to work. The Department of Homeland Security has sued to block the law, arguing that it is unconstitutional because it seeks to pre-empt federal law.

For now, states will most likely continue to pass their own immigration-related laws, even as the legal turf remains murky, said Dirk Hegen, a policy associate with the National Conference of State Legislatures.

Lawmakers in Michigan said they were aware of the potential for legal clashes but confident of their proposals.

“We’re going to word everything as correctly as we possibly can to make sure that we pass state and federal constitutional muster,” said Representative Mike Simpson, another sponsor of the proposed legislation.

Correction: November 20, 2007

An article on Sunday about Michigan lawmakers who are proposing state measures to punish employers who hire illegal immigrants misspelled the surname of one lawmaker. She is State Representative Kate Ebli, not Elbi.