

New Missouri law goes after illegal immigrants

Forbes.com



Associated Press

By CHRIS BLANK 07.07.08

JEFFERSON CITY, MO. -

Gov. Matt Blunt was signing legislation Monday that creates new restrictions on illegal immigrants and new requirements for businesses that employ them.

The governor was scheduled to make stops in Joplin and Kansas City to publicize the legislation. Lawmakers passed the bill on the final day of their annual session under a threat from Blunt that he would call a special session if no bill were passed.

Under the immigration legislation, applicants for food stamps, housing and other public benefits will need to prove they are U.S. citizens or are legally in the country; the Highway Patrol will need to seek special federal immigration training; commercial driver's license tests will be given in English with no translation assistance; and cities would risk some state aid and grants if community leaders adopt policies to not cooperate with federal immigration authorities.

The Washington-based Pew Hispanic Center estimates from U.S. census data that 35,000 to 65,000 illegal immigrants live in Missouri - roughly the equivalent of the populations of Cape Girardeau or St. Charles. Missouri is projected to have less than 1 percent of the 12 million people estimated to be in the United States illegally.

The immigration bill passed the Legislature with wide majorities. Only Democrats living in and around Kansas City and St. Louis voted against the bill.

But the thorniest provision left Republican lawmakers and Missouri's business community arguing over how to address what bill supporters called "the magnet" attracting illegal immigrants to Missouri - the prospect of a job from an employer who does not care whether the applicant is legally in the country.

Under the legislation, all public employers, including state and local governments, will need to use a federal database that searches records from the Social Security Administration and the U.S. Department of Homeland Security to determine whether someone is authorized to work in the country.

So will businesses that have a government contract worth more than \$5,000 or that receive state loans or tax breaks. But private employers won't have to use the E-Verify system unless they are caught hiring an illegal immigrant.

Lawmakers initially sought to require everyone to use E-Verify, but business leaders balked, pointing to database errors and uncertainty about the system's future. They accused lawmakers of trying to turn the state's employers into immigration agents.

About a dozen states require that some employers use E-Verify, with Arizona and Mississippi going the furthest in mandating it for all. Illinois has gone the opposite direction, limiting how E-Verify can be used until database errors can be corrected.

The E-Verify system was created in 1996 to give employers an electronic way to determine whether employees can work in the United States. But misspelled names, last names entered as middle names and outdated information have led to mistakes.

The Government Accountability Office reported to Congress last month that about 92 percent of all E-Verify checks are confirmed within seconds. About 7 percent cannot be immediately confirmed by the Social Security databases and about 1 percent can't be confirmed by U.S. Citizenship and Immigration Services.

As of April 2008, 61,000 employers nationwide were registered for E-Verify, with the roughly 28,000 active users making more than 2 million queries from October 2007 to April 2008. The GAO reported it would cost more than \$1 billion to update the system for the estimated 63 million annual queries that would come from making E-Verify mandatory nationwide.

Besides deciding whether to require employers to use the federal database, Missouri lawmakers also battled over whether to punish employers who misclassify their workers as contractors. For contractors, employers don't have to pay withholding taxes, provide other benefits or take responsibility if the worker is an illegal immigrant.

The immigration bill allows fines of up to \$50,000, for businesses that misclassify workers and have at least five employees performing public works.