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3 illegal-entrant issues may be on ballot

Punishment for employers still under debate

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PHOENIX — Arizona voters may get to decide in November whether several measures aimed at curbing illegal immigration that were vetoed by Gov. Janet Napolitano should become law.

Lawmakers moved Wednesday to put three separate measures on the ballot:

- Denying more services to those not in the country legally;
- Declaring English the state's official language;
- Prohibiting those who entered this country illegally from collecting punitive damages if they win a lawsuit.

But legislators balked at sending two more comprehensive measures to voters: one to punish companies that knowingly hire undocumented workers and a second to allow police to arrest border crossers on state charges of trespass.

Another measure approved by the House Wednesday would limit adult education classes and subsidized child care to legal residents and restrict resident tuition to state universities and community colleges to legal residents.

Rep. Russell Pearce, R-Mesa, said this could be considered an expansion of Proposition 200 approved by voters two years ago which denies "public benefits" to illegal immigrants. A formal legal opinion by Attorney General Terry Goddard concluded the measure only applied to a handful of services like public housing.

Lawmakers rejected amendments offered by Democrats that essentially would have required state agencies to take the names, addresses and employment information of each person who is found ineligible for services and forward that information to the state Industrial Commission.

That list would be used to punish the employers of these undocumented workers by suspending the company's license to do business in Arizona. And those firms also would be ineligible to bid on state contracts and would be disqualified from claiming various state tax credits and deductions.

Rep. Tom Prezelski, D-Tucson, said the refusal of the GOP majority to accept those changes shows the focus of the legislation is wrong. "We're not going after the employers. We're going after the people they hire," he said.

A similar proposal on the 1988 ballot gained narrow approval. But the Arizona Supreme Court declared it illegal, saying it violates federal constitutional rights.

The justices said the measure harmed the ability of non-English-speaking people to obtain access to their government. They also concluded the amendment limited the political speech of elected officials and public employees.

Pearce said this new version allows government employees, including legislators, to communicate "unofficially" with people in any language. But official action must be in English.

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