



Written by [Daniel Sayani](#) on February 24, 2011

## New Arizona Immigration Bill Dubbed “SB 1070 on Steroids”

Arizona has once again flexed its federalist muscle in defense of its state’s rights against a federal government weak on immigration. Acknowledging that the federal government will not perform its constitutional and legal duty to defend the borders of the United States against the onslaught of foreign invasion — the constant influx of immigrants illegally entering the United States — the Grand Canyon State, under the stalwart leadership of Republican Governor Jan Brewer, has taken numerous steps toward safeguarding the border it shares with Mexico.



The best known of these measures is SB 1070, the controversial law that gives Arizona the authority to effectively enforce immigration laws, allowing its state troopers to crack down on illegal immigrants. The bill makes it a state misdemeanor for individuals to be in Arizona without the required identification documents, bars state or local officials and agencies from restricting enforcement of federal immigration laws, and cracks down on those transporting, sheltering, and hiring illegal immigrants — practices already prohibited under federal immigration laws.

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Arizona is now considering further restrictions on the abuse by illegal immigrants of public, taxpayer-funded human and social services, which has placed an insurmountable economic strain on its human services departments and healthcare agencies. As non-taxpayers disproportionately utilizing taxpayer-funded services, illegal immigrants in Arizona, Texas, New Mexico, California, and elsewhere are leading these respective states into economic insolvency, and are depriving those legally entitled to such services of their right to them.

Recent legislation introduced in Arizona serves to further amplify the potency of SB 1070 by remedying these precise problems. State Senators have introduced SB 1611, an [“Omnibus” immigration bill](#) that would deny illegal immigrants access to taxpayer-funded services to which they — as non-citizens and non-taxpayers — are not legally entitled. The new bill would deny all public benefits to undocumented immigrants in Arizona. It would also make proof of citizenship a requirement for those applying for public housing and vehicle registration as well as for public school enrollment from kindergarten through college. It would also make it illegal for an undocumented immigrant to operate a motor vehicle in the state and make failure to enforce immigration laws a class 2 misdemeanor.

Earlier on Tuesday, the committee also passed SB 1308, which seeks the approval of Congress to create separate birth certificates for children born to at least one parent with legal status and those born to undocumented parents — a system that would be a first nationwide. The aim of the bill, backers have said, is to force the U.S. Supreme Court to revisit the 14th Amendment, which has been interpreted as



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granting automatic citizenship to any child born in the country.

The champion behind the measure is Arizona State Senate President Russell Pearce (R-Mesa, pictured above). Pearce is beloved by constitutionalists and conservatives and reviled by liberals. (The ultra-leftist website <http://www.dailykos.com> includes a section listing the “Top 20 Reasons To Recall Senator Russell Pearce,” including his support of comprehensive measures safeguarding Arizona’s border and economy from the onslaught of rampant illegal immigration, as well as his support of legislation that would promote family values in the state.)

Most notable about Sen. Pearce is his affinity for constitutionalist principles. He is a staunch supporter of the Second Amendment, is pro-life (having consistently earned ratings of “zero” from the Planned Parenthood Federation of Arizona), and has opposed the environmentalist agenda. Pearce is also a defender of America’s Western cultural heritage, and has worked to end the collectivization of social studies instruction in Arizona schools by opposing so-called “Ethnic Studies” programs, which focus on critiques of American history from racist perspectives, and has urged funding for state higher learning institutions to be contingent on whether instruction adheres to certain balanced criteria (such as presenting multiple perspectives on history), raising the ire of the liberal academic elitist establishment. He is also a disciple of W. Cleon Skousen, author of the constitutionalist classic [The 5000 Year Leap](#), which highlights the numerous threats posed to the integrity of the U.S. Constitution. (Skousen was also a close ally of the John Birch Society, as well as a friend of Pearce.)

According to the [Arizona Capitol Times](#), SB 1611 would bar children from K-12 education if their parents could not produce a U.S.-issued birth certificate or naturalization document. Under current law, parents need provide only some proof of a child’s age, such as a certified copy of a birth certificate. But nothing stipulates that the birth certificate be from the United States. SB 1611 alters that requirement, with a parent now having to provide either a birth certificate from U.S. states or territories, a U.S. passport, a certificate of naturalization, or one of several other documents. What could make it a deterrent to illegals taking advantage of public education is existing law, which states that if a parent doesn’t provide the document — in this case, one of the new documents — the school is required to notify law enforcement.

The bill would also forbid undocumented immigrants from driving in the state or accessing public benefits. Those who are caught driving would face a month of jail time and would have to turn over the car they’re driving. The bill also seeks to crack down on the immigrant community’s enablers by making it a Class 1 misdemeanor if a public employee failed to report any violation of national immigration laws — such a violation is currently a Class 2 misdemeanor. Identity theft would result in 180 days of jail time.

SB 1611 would also bar undocumented immigrants from enrolling in community colleges — entirely. Current law states that those who cannot prove legal presence in this country cannot receive the discounted tuition available to Arizona residents. But they may enroll if they pay the full out-of-state tuition and fees. SB 1611 would preclude their admission entirely. Pearce said it is irrelevant that the fees these students are paying may help keep tuition down for Arizona residents. “They can’t be employed” in this country, he explained, making their education not a benefit to Arizona. And he disputed the contention that out-of-state tuition covers the full cost of educating students at universities or community colleges.

According to the *East Valley Tribune*, the section of the bill [aimed](#) at employers is designed to put teeth into a 2007 law allowing a state judge to suspend or revoke the business licenses of firms found guilty



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of knowingly hiring undocumented workers. That law requires companies to use E-Verify, a federal database of authorized workers, though there is no penalty for failing to comply. The result, said Pearce, is that only about 25 percent of Arizona firms actually check to see if new workers are in the country legally. Lastly, SB 1611 would require that the state attorney general sanction any business that does not make use of the database. Companies would be forced to get with the program or face suspension of their business licenses. Failure to sign up within six months would let the attorney general ask a judge to suspend any and all licenses that allow the firm to remain in business. Pearce said, though, that the mandate would apply only to companies that actually are hiring. "If you're a mom-and-pop shop, only work with family ... that was meant to be an exception," he noted.

Business-oriented groups that classically support Republicans, due to the GOP's support of economic policies that are generally conducive to economic growth and free enterprise, are finding themselves at odds with Republicans who are more focused on issues of enforcement of immigration laws, capping immigration rates, and preserving America's heritage and Western culture — business-oriented groups such as those in the paleoconservative camp, according to Fox's Phoenix affiliate. Some in the business community [believe that](#) the increased restrictions will adversely affect their economic competitiveness and success:

But at the State Capitol, the President of the Arizona Chamber of Commerce, a business group, fears these new immigration bills will be a job killer.

"We know our tourism industry employs 200,000 Arizonans and is very, very concerned about what these measures will do," said Glenn Hamer.

The Chamber of Commerce says SB 1070 made Arizona business take a \$150 million hit. They claim that Arizona, one of the top five states for conventions and tourism, has slipped. Senate President, Republican Russell Pearce doesn't believe it.

"Oh, you know they love to throw out that information. It is not true. They know it is not true. Tourism is up if America supports us. Three to one across America. That is really going to hurt Arizona," said Pearce.

However, Sen. Pearce's legislation also fulfills an important economic purpose, and a highly significant benefit of its provisions is the sheer amount of money and resources the state of Arizona will be saving, since illegal immigrants will no longer be permitted to take advantage of free public education. According to [Edwin S. Rubenstein](#), president of the Indiana-based ERS Research Economic Consultants, public education is by far the largest expense that state and local governments incur on behalf of illegal aliens. The average low-income immigrant household — a category that includes illegal aliens and their U.S.-born children — receives an estimated \$7,737 each year in K-12 education services. That amount is more than twice the combined annual cost of Medicaid, welfare and other means-tested benefits for such households (\$2,957). Education is also several times the expense of providing immigrant households with police and fire protection (\$2,198), transportation (\$572), sewer and utilities (\$411), and unemployment insurance (\$488).

Arizonans fork out nearly \$1.3 billion annually to pay for all of the costs incurred from illegal immigration: around \$810 million for education, \$400 million for health care-related expenses, \$80 million in incarceration costs, and the remainder in welfare benefits. All of this is required while Arizona runs a \$500 million deficit annually. According to the [Federation for American Immigrant Reform](#) (FAIR), Arizonans shelled out over \$312 million annually to educate illegal alien students, and a



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whopping \$437 million annually to educate the U.S.-born children of illegal immigrants in 2004, as illegal immigrants and their children constitute over 10 percent of the student body in the K-12 public school system.

SB 1611 is legislation that further serves to save billions of dollars for tax-paying Arizonans by upholding the integrity of immigration laws and of the Arizonan border with Mexico, and also serves as a much-needed measure to continue effectively combating illegal immigration. By eliminating the seductive inducements to illegally inhabit another country, SB 1611 protects the Arizonan taxpayer from illicit spending, and imbues all patriotic Americans with a sense of comfort and pride in knowing that at least one state in the Union is upholding the rule of law and the sanctity of the U.S. Constitution.



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