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VIEWPOINTS

An in-depth discussion with state Sen. Ron Gould, foe of guest-worker bill

The chief opponent of a state guest-worker bill is Sen. Ron Gould, a Lake Havasu City Republican. Gould has offered 15 hostile amendments, among them prohibiting the hiring of pregnant workers and requiring a secure border before workers can be recruited. *Arizona Republic* Editorial Page Editor Phil Boas talked with Gould on Thursday about his opposition. Here are excerpts:

Republic: Are your objections based on the concept of guest-worker programs or the specifics of this bill?

Gould: I don't have a problem against guest-worker programs for agricultural workers. The bill as it's originally drafted has no control.

Republic: If this bill were narrowed to agricultural workers, would you support it?

Gould: Well, provided the rest of my amendments are adopted. The amendments actually make it a workable guest-worker program.

Republic: These are hostile amendments.

Gould: They're hostile because the sponsors don't want them. Because they would rather have a plan that they get to make the rules. There's no controls on them. And they continue to shift their chief labor burden on to the Arizona taxpayer.

Republic: But hostile also implies they're intended to kill the bill.

Gould: If it kills the bill, then it kills the bill.

Republic: Is that your intent?

Gould: Not really. I'll vote for a guest-worker program provided that it's a good guest-worker program. See, this is a bad bill even for the guest worker. The guest worker is recruited by the

employer in Mexico, so that they are essentially betrothed to that employer. And if the employer fires them, they're deported in two days. So, one of my amendments gives them 14 days to find a new job with another qualified employer.

Republic: Some are saying that your amendments look like they have (Rep.) Russell Pearce's handprints on them. Did he help you draft them?

Gould: There's one amendment that is Russell Pearce's amendment that I mirrored and put my name on it.

Republic: Did you work with him on the other amendments?

Gould: Not the additional amendments. There's a House version of this bill that (Rep. Bill) Konopnicki sponsored and a Senate version. I provided Russell with my amendments, also. Because what they try to do is run it through one body . . . they'll try to get one or the other of the bills through and then try to substitute it, trying to speed up the process.

Republic: Are you going to be able to stop it?

Gould: Oh, I can filibuster it. They haven't seen a filibuster down here in years. And I can talk for a long time about a lot of boring things.

Republic: And you'll do that?

Gould: Yeah, if the amendments aren't adopted. The problem is this is model legislation. This is not just an Arizona bill. They're pushing this bill in, I believe, 12 states. Because what they're trying to do is put the states out there in front of the federal government trying to create a guest-worker plan. And that's why it's so important that what Arizona does is done correctly.

Republic: Why do you accept the argument that we need guest workers for agriculture?

Gould: I don't really accept it. I'm not sure that we have a labor shortage, to tell you the truth.

Republic: Then why are you comfortable with agriculture being part of this bill?

Gould: Historically, you've seen that most Americans don't want to work in the fields anymore.

Republic: So you accept that argument?

Gould: To a certain extent. I believe you could get Americans to work in the field if the pay was high enough.

Republic: Growers argue if they can't get labor here, they'll take the business to where the labor is.

Gould: You're going to outsource the production of food, which is a bad thing.

Republic: You accept that argument then?

Gould: To a certain extent.

Republic: On the one hand, I hear that you're OK with agriculture being part of this, but you're not persuaded we need outside labor for those jobs.

Gould: No.

Republic: So, why are you comfortable with agriculture being part of this?

Gould: I'm just willing to give them that. If I've got to make a concession, then I'm going to make a concession on that.

Republic: Business in Arizona is not only arguing that Arizona has great labor needs in agriculture but also in other industries: hospitality, construction. Do you reject that?

Gould: With the construction market down, I'm not convinced that you need outside labor.

Republic: But it won't always be down.

Gould: No. Well, what you've seen through illegal immigration is the depression of wages in the construction business.

Republic: Do you think it has depressed wages in agriculture, as well?

Gould: Probably. Because if they didn't have an endless supply of labor, they would have to pay higher wages.

Republic: Why are you willing to accept the suppression of wages in agriculture but not construction?

Gould: Because construction actually traditionally paid a decent wage. Farm labor, ever since the invention of the tractor, you've pretty much depressed farm labor.

Republic: One of the really fascinating aspects of immigration reform as it is taking place in Arizona right now is the split you're seeing between Republicans and business. They've historically had a warm relationship.

Gould: Not with conservatives.

Republic: So, you haven't experienced that?

Gould: No. You have a split among Republicans. You have conservative Republicans, and you have business Republicans. Business Republicans are willing to loot the taxpayer for the benefit of business. And to give special handouts to business.

Republic: We have an estimated half-million immigrants in this state, an estimated 12 million to 14 million in the country. What should happen to those folks?

Gould: Well, if you put employer sanctions on hiring they'll self-deport.

Republic: And you expect 12 million people to self-deport?

Gould: Yes. They self-immigrated. So, I'm assuming they could go back the other way if you dry up the jobs.

Republic: What do you do with those who don't leave?

Gould: If you run across them, you should deport them. But you have to do it constitutionally.

Republic: Would you split families? Those that have had children here?

Gould: I don't believe that the children are citizens. Because I don't agree with the Supreme Court ruling that says that if you're born in the United States that you're a citizen.

Republic: Does it matter that you don't agree with it, it is the law?

Gould: A new court can make a different ruling. Currently, they should go with their parents. Their parents violated the law to bring them here. And if their parents are deported, they should go home with their parents.

Republic: Can you see how a policy of moving out all illegal immigrants, either through self-deportation or forced deportation is going to split families?

Gould: Sure it would. And the people that came across the border at that time should have thought about that. They knowingly broke the law.

Republic: Do you have any sympathy for people living in a Third World country across a border from probably the most enlightened and one of the richest nations in the world wanting to get there and improve their lives? And not being able to do it legally?

Gould: Sure. I have a lot of sympathy. I would probably do the exact same thing that they're doing. But that doesn't mean that this (would then be) my country and I get to make the rules.

Republic: The amendment among your 15 really raising eyebrows is the one that would prohibit an employer from recruiting a woman who is pregnant. What is your great concern about pregnant workers?

Gould: Because of the improper interpretation of the 14th Amendment, that if that child is born in the United States he's a citizen.

Republic: Why does that concern you?

Gould: Because this isn't an immigration program. It's a guest-worker program.

Republic: Do you think we should have that (pregnancy) prohibition on all foreign visas?

Gould: Yes, because I don't agree . . . well you could come into the country. There are two ways to address it. The proper way is that the Supreme Court should rule that just because you're here as a tourist or you're a non-citizen, that just because you happen to be born in the United States, doesn't necessarily make you an American citizen.

Republic: Bill sponsor (Sen.) Marsha Arzberger is arguing the pregnancy amendment would violate the Civil Rights Act. Have you investigated that at all?

Gould: It probably would.

Republic: So why is it an amendment you're offering?

Gould: It might violate the Civil Rights Act. But does that Civil Rights Act apply to guest workers, is the question.

Republic: Why is it OK for you to disregard federal law on your amendment, and it's not OK for an immigrant from Mexico to disregard our immigration law?

Gould: Because I'm elected to make law.

Republic: Are you elected to put up (challenges) to federal law?

Gould: Watch the bills that are on the floor. They violate the Constitution all the time. If it does violate the Constitution, somebody sues on it and they try to take it up to the Supreme Court to make a ruling. That's just how it works.

Republic: OK. That would be your hope?

Gould: Sure. Let's say that that amendment got on there, got adopted and then somebody would sue on it and it would end up in the Supreme Court and we could take a look at the 14th Amendment and whether it's properly applied.

Republic: Your amendment No. 5 would require a proclamation by the governor that the state's border with Mexico is secure. Why do you have that in there?

Gould: Because I'm afraid that you only need a guest-worker program when you actually have a secure border.

Republic: And you would accept Janet Napolitano's estimation of when the border is secure?

Gould: Sure.