



MISSOURI SENATE
JEFFERSON CITY
JIM LEMBKE
1ST DISTRICT

January 28, 2009

Ms. Linda Martinez
Department of Economic
Development

Dear Ms. Martinez:

I appreciate your answering some of the Senate Committee's questions regarding your nomination to Director of the Department of Economic Development. I cannot think of a more imperative time than now to have an effective and responsible DED. That being said, I have a few questions regarding the correlation between job protection and illegal immigration that I would like answered prior to the Senate confirmation.

-Over the last two years, the Legislature has worked on measures to curb the proliferation of illegal immigration in Missouri. How will you work with the legislature to see that illegal immigration is curbed in Missouri?

-Do you think Missouri has the constitutional authority to enact any laws regarding undocumented workers/illegal aliens? If so give an example.

-How would you protect the prevailing wage from being devalued by undocumented workers?

-Do you believe state-funded welfare benefits should be available to illegal immigrants?

I feel these questions should be answered to my satisfaction prior to Senate confirmation. Thank you for your time and willingness to serve.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Lembke", written over a large, stylized flourish.

Senator Jim Lembke
1st District

"Serving the people of Missouri's 1st District"

M I S S O U R I

Department of Economic Development

Jeremiah W. (Jay) Nixon
GovernorLinda M. Martinez
Acting Director

January 28, 2009

The Honorable Jim Lembke
Missouri Senate
State Capitol – Room 428
Jefferson City, MO 65101

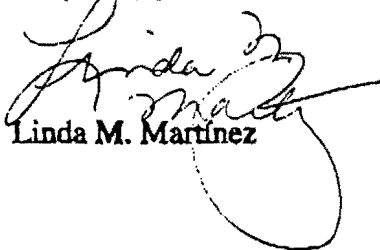
Dear Senator Lembke:

I received your inquiry and appreciate the opportunity to address your questions – I will address them in the order they were submitted:

1. I will abide by and act to enforce all Missouri laws including, but not limited to those related to immigration. As an attorney I am an officer of the court and never have and never will advocate that anyone violate the law.
2. It is up to the Legislature and the Courts to determine the scope of Missouri's statutory and constitutional authority – to my knowledge, the Missouri courts have not ruled on this issue and therefore Missouri's laws on immigration are the law of the land and must be enforced - as I said before, I will abide by and act to enforce all Missouri laws.
3. The Legislature is tasked with setting forth in law the parameters it believes are necessary to protect Missouri citizens and their wages – again, I will enforce all Missouri laws including, but not limited to any existing or new laws adopted that protect Missouri's citizens and their wages.
4. All policies of the Department of Economic Development and the enforcement thereof will be in conformance with state law, including those that relate to limitations on state-funded benefits.

Should the Senate confirm, I look forward to serving - in the interim, if you have any additional questions or comments on any other matters, please do not hesitate to contact me.

Very truly yours,


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