

SENATE BILL REPORT

SB 6339

As of January 22, 1998

Title: An act relating to a common language.

Brief Description: Declaring English to be the common language.

Sponsors: Senators Benton, Oke, Rossi, Deccio, Stevens, Schow, Morton, Roach, Swecker, Johnson, McCaslin, Strannigan, Hochstatter and Zarelli.

Brief History:

Committee Activity: Education: 1/29/98.

SENATE COMMITTEE ON EDUCATION

Staff: Aldo Melchiori (786-7439)

Background: Twenty-three states have some legislation making English their official language. In addition, the United State Congress continues to consider the issue. The exact language in the various states ranges from simply declaring English the official language of the state to more restrictive language requiring that political subdivisions shall act in English and no other language. When similar legislation was discussed during the 1997 session, there was a case pending in Arizona regarding its official English statutes. That case was dismissed by the United States Supreme Court because the petitioner had voluntarily quit her job as a state employee.

The city council in Sunnyside, Washington has just decided to translate its meetings and agendas into Spanish, becoming the first city in Washington to conduct business in both English and Spanish.

Summary of Bill: The Legislature finds that the state is enriched by diversity and that the government should always promote the dignity of all heritages. Language has the power to unite people of differing backgrounds and heritages. It is further found that full political, economic, and social empowerment depends upon proficiency in a common language. The intent of the act is to establish a uniform policy for access to public documents and communications in the state to ensure fair, consistent, and equal practices throughout the state.

English is designated as the language of official public documents and records and official public meetings. "Official documents and records" are defined. "Meeting" is defined as a meeting at which official business of a public agency by a governing body is transacted. The private sector is not restricted in any way other than when communicating or submitting documents directed to government agencies or officers.

The provisions of the bill do not apply to: foreign language instruction; instruction designed to aid students with limited English proficiency in transition and integration; to the promotion

of international commerce, tourism, and sporting events; the justice system; and when public safety, health or emergency services require foreign language use. All official records of testimony must be in English. Decisions by a governing body to use a language other than English in materials or publications must be made in a meeting and recorded in publicly available minutes.

All costs of preparation, translation, printing, and recording materials in languages other than English must be delineated as a separate budget line item in budgets. No person may be denied employment with the state or other governmental unit based solely upon that person's lack of facility in a foreign language, except where related to the enumerated exemptions. Any citizen of the state has standing to bring an action, in state court, against the state to enforce the section.

The Secretary of State must submit the act to the people for adoption and ratification, or rejection, at the next general election.

Appropriation: None.

Fiscal Note: Requested on January 22, 1998.

Effective Date: Thirty days after the election at which it is approved.