

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 214 Session of
1995

INTRODUCED BY WOZNIAK, KING, STABACK, BATTISTO, BROWN, LEH,
TRAVAGLIO, KAISER, TULLI, E. Z. TAYLOR, FLEAGLE,
M. N. WRIGHT, CLYMER, FICHTER, CIVERA, PRESTON, JAROLIN,
TRELLO, DEMPSEY, HERSHEY, HUTCHINSON, WOGAN, SURRA, HALUSKA,
LAUGHLIN, ROBERTS, GEIST, FLICK, SCHRODER, FARGO, ARMSTRONG
AND BELARDI, JANUARY 24, 1995

AS REPORTED FROM COMMITTEE ON INTERGOVERNMENTAL AFFAIRS, HOUSE
OF REPRESENTATIVES, AS AMENDED, JUNE 19, 1995

AN ACT

1 Recognizing the current and historical common language of the
2 citizens of the United States; designating the use of the
3 common language for official acts of this Commonwealth and
4 its municipalities; and providing for a right of action.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Short title.

8 This act shall be known and may be cited as The Pennsylvania
9 Language of Governments Act.

10 Section 2. Legislative findings.

11 The General Assembly finds and declares as follows:

12 (1) The people of the United States have brought to this
13 nation the cultural heritage of many nations.

14 (2) Our communities have been greatly enriched by this
15 cultural diversity, and the government has always taken steps
16 to promote the dignity of all the heritages that form this

1 nation's pluralistic society.

2 (3) The people of the United States, despite their many
3 differences, have lived together harmoniously and
4 productively as citizens of one nation.

5 (4) The traditional and common language of the United
6 States and of this Commonwealth has always been English.

7 (5) A knowledge of the common language is essential to
8 full exercise of constitutional freedoms, informed and
9 knowledgeable empowerment as voters, citizen checks against
10 government abuses and individual prosperity and independence.

11 (6) The English language has been our strongest bond to
12 one another as fellow citizens and has contributed
13 substantially to national unity and societal cohesiveness.

14 (7) English has been this nation's language by custom
15 only and warrants special legal protection.

16 (8) Government has a fiduciary responsibility to the
17 citizenry to ensure that it operates as efficiently as
18 possible, and the growth of multiple language bureaucracies
19 and printing represents an abrogation of this fiduciary
20 responsibility.

21 (9) Government has a responsibility to protect the civil
22 rights of the citizenry, and the development of separate-but-
23 equal bureaucracies operating in multiple languages
24 represents an abrogation of the government's responsibility
25 to provide uniform, consistent services to all citizens.

26 (10) As government has a responsibility to limit the
27 growth of multiple language bureaucracies to prevent the
28 isolation of cultural groups, the Commonwealth and its
29 municipalities and the Federal Government also have a
30 responsibility to ensure that citizens have opportunities to

1 learn English.

2 Section 3. Purpose.

3 (a) Unifying role.--It is the purpose of this act to
4 preserve, protect and strengthen the unifying role of the common
5 language of the United States and of this Commonwealth.

6 (b) Rights preserved.--This act shall not be construed in
7 any way to infringe the rights of citizens, who have every right
8 to choose their own primary language, in the use of language for
9 private conduct, nor shall this act be used to dictate language
10 policies for the operation and administration of organizations
11 or businesses in the unregulated private sector.

12 Section 4. Definitions.

13 The following words and phrases when used in this act shall
14 have the meanings given to them in this section unless the
15 context clearly indicates otherwise:

16 "Official acts of government." Actions of the Commonwealth
17 and of its municipalities that carry the full weight and
18 authority of law, official documents recorded and maintained by
19 the Commonwealth and its municipalities for the public domain,
20 including, but not limited to, tax records, professional
21 licenses, deeds, real estate records, publicly probated wills
22 and other documents of the courts system and public proceedings
23 of the governing bodies of the Commonwealth and its
24 municipalities.

25 Section 5. Designation of language of official acts.

26 English is hereby recognized as the common language of the
27 United States and this Commonwealth and shall also be designated
28 as the language of official acts of government of the
29 Commonwealth and its municipalities.

30 Section 6. Policies.

1 The Commonwealth and its municipalities shall make no
2 policies expressing a preference for any language other than the
3 official language or diminishing or ignoring the unifying role
4 of the official language, as designated in this act, subject to
5 the limitations in section 8.

6 Section 7. Enforcement.

7 Elected and appointed officers of this Commonwealth and its
8 municipalities shall take all reasonable steps to ensure that
9 the role of the common language is preserved and enhanced.

10 Section 8. Limitations.

11 The provisions of this act shall not apply to the following:

12 (1) When Federal law imposes contrary provisions.

13 (2) When the public safety, health or justice requires
14 the use of other languages.

15 (3) Instruction in foreign language courses.

16 (4) Instruction designed to aid students with limited
17 English proficiency in their transition and integration into
18 our education system.

19 (5) The promotion of international commerce or tourism.

20 ~~Section 9. Personal right of action.~~

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21 ~~(a) Creation of right. Any citizen of this Commonwealth~~
22 ~~shall have standing to bring an action against the Commonwealth~~
23 ~~to enforce this act.~~

24 ~~(b) Jurisdiction. The courts of this Commonwealth shall~~
25 ~~have the jurisdiction to hear and decide any action brought~~
26 ~~under subsection (a).~~

27 Section ~~10~~ 9. Appropriations.

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28 The General Assembly and the governing bodies of
29 municipalities shall make no appropriations to promote the use
30 of or demonstrate a preference for any language other than the

1 official language, as designated in this act, subject to the
2 limitations in section 8.

3 Section ~~11~~ 10. Effective date.

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4 This act shall take effect ~~in 60 days~~ July 4, 1996.

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