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Official-English bills gain in Legislature

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CAPITOL MEDIA SERVICES

PHOENIX - Both the House and Senate voted Tuesday to declare English the official language of the state.

But the version passed by the House actually would amend the state constitution, including prohibiting ballots and election materials from being printed in any other language.

House Concurrent Resolution 2030, which would have to be ratified by voters next year, also would bar printing most other documents in different languages and even would let someone sue the government or its employees and officials for violations.

By contrast, state senators approved what might be considered a ceremonial declaration: While it declares English the official language, Senate Bill 1364 would neither require nor prohibit governments' producing documents or providing services in any language.

That is why the Senate version slipped through without dissent while the House proposal provoked often-heated debate before gaining preliminary approval on a 23-20 vote.

Each of the bills needs a final roll-call vote before going to the other legislative chamber.

The debate on the House bill included the question of whether the proposal would survive a legal challenge. An earlier constitutional amendment narrowly approved by voters in 1988 eventually was struck down by the Arizona Supreme Court as violating federal constitutional provisions. The U.S. Supreme Court refused to disturb that ruling.

How to comment

- By phone: Legislature's Tucson satellite office is at 398-6000.
- Online: www.azleg.state.az.us

Rep. Russell Pearce, R-Mesa, said the new language does not have the same flaws. He pointed to a provision that says public employees and officials could continue to speak with constituents and residents in any language. There also are exceptions for public health and safety, protecting the rights of criminal defendants and crime victims, and documents necessary for international trade.

He also said nothing in federal law requires ballots in other languages. Pearce said it simply prohibits states from requiring that voters be fluent in English.

But Rep. Steve Gallardo, D-Phoenix, said even if Pearce is legally correct - a point he did not concede - "it will put a barrier in front of voters. It will keep them from actually being able to read a ballot and understand what's on the ballot."

Rep. Tom Prezelski, D-Tucson, said the measure ignores the reality that Arizona originally was part of Mexico. In fact, he said, his mother's family already was here when that change of control occurred.

Prezelski said his mother grew up in a house where Spanish was the primary language.

He, by contrast, was surrounded by English.

"That means that I was the first generation since 1856 to grow up in a house where English was the primary language," Prezelski said.

He said that implies that Arizona wasn't doing its job to make sure that English was taught - and that the Spanish-speaking families were able to participate in society.

"We never really fulfilled that promise," Prezelski said. "And this bill seems to make an assumption that we did fulfill that promise and that somehow everyone here is somehow magically going to be able to speak English."

Pearce said the families who have been here a long time are not the problem. He also said it is wrong to see this as an attack on Hispanic culture.

"I'm a little tired of those arguments being thrown," he said. "You come to America. What we're doing is going to protect this culture."

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