

REPRINTED

STATE GOVERNMENT

FILED FEB 12 '01

SENATE FILE 165
BY KING, GREINER, BARTZ,
SCHUERER, DRAKE, MCKINLEY,
ZIEMAN, JENSEN, BEHN,
McKEAN, IVERSON, ANGELO,
VEENSTRA, REDWINE, REHBERG,
BOETTGER, FREEMAN, McLAREN,
SEXTON, RITTMER, LAMBERTI,
MILLER, and JOHNSON

Passed Senate, Date ^(p.575) 3-7-01 Passed House, Date ^(p.503) 2/25/02
Vote: Ayes 27 Nays 23 Vote: Ayes 56 Nays 42
Approved March 1, 2002

A BILL FOR

1 An Act enacting the Iowa English language reaffirmation Act of
2 2001.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 165

STATE GOVERNMENT

1 Section 1. NEW SECTION. 1.18 IOWA ENGLISH LANGUAGE
2 REAFFIRMATION.

3 1. The general assembly of the state of Iowa finds and
4 declares the following:

5 a. The state of Iowa is comprised of individuals from
6 different ethnic, cultural, and linguistic backgrounds. The
7 state of Iowa encourages the assimilation of Iowans into
8 Iowa's rich culture.

9 b. Throughout the history of Iowa and of the United
10 States, the common thread binding individuals of differing
11 backgrounds together has been the English language.

12 c. Among the powers reserved to each state is the power to
13 establish the English language as the official language of the
14 state, and otherwise to promote the English language within
15 the state, subject to the prohibitions enumerated in the
16 Constitution of the United States and in laws of the state.

17 2. In order to encourage every citizen of this state to
18 become more proficient in the English language, thereby
19 facilitating participation in the economic, political, and
20 cultural activities of this state and of the United States,
21 the English language is hereby declared to be the official
22 language of the state of Iowa.

23 3. Except as otherwise provided for in subsections 4 and
24 5, the English language shall be the language of government in
25 Iowa. All official documents, regulations, orders,
26 transactions, proceedings, programs, meetings, publications,
27 or actions taken or issued, which are conducted or regulated
28 by, or on behalf of, or representing the state and all of its
29 political subdivisions shall be in the English language.

30 For the purposes of this section, "official action" means
31 any action taken by the government in Iowa or by an authorized
32 officer or agent of the government in Iowa that does any of
33 the following:

34 a. Binds the government.

35 b. Is required by law.

1 c. Is otherwise subject to scrutiny by either the press or
2 the public.

3 4. This section shall not apply to:

4 a. The teaching of languages.

5 b. Requirements under the federal Individuals with
6 Disabilities Education Act.

7 c. Actions, documents, or policies necessary for trade,
8 tourism, or commerce.

9 d. Actions or documents that protect the public health and
10 safety.

11 e. Actions or documents that facilitate activities
12 pertaining to compiling any census of populations.

13 f. Actions or documents that protect the rights of victims
14 of crimes or criminal defendants.

15 g. Use of proper names, terms of art, or phrases from
16 languages other than English.

17 h. Any language usage required by or necessary to secure
18 the rights guaranteed by the Constitution and laws of the
19 United States of America or the Constitution of the State of
20 Iowa.

21 5. Nothing in this section shall be construed to do any of
22 the following:

23 a. Prohibit an individual member of the general assembly
24 or officer of state government, while performing official
25 business, from communicating through any medium with another
26 person in a language other than English, if that member or
27 officer deems it necessary or desirable to do so.

28 b. Limit the preservation or use of Native American
29 languages, as defined in the federal Native American Languages
30 Act of 1992.

31 c. Disparage any language other than English or discourage
32 any person from learning or using a language other than
33 English.

34 Sec. 2. NEW SECTION. 4.14 GENERAL RULES OF CONSTRUCTION
35 FOR ENGLISH LANGUAGE LAWS.

1 It is presumed that English language requirements in the
2 public sector are consistent with the laws of Iowa and any
3 ambiguity in the English language text of the laws of Iowa
4 shall be resolved, in accordance with the ninth and tenth
5 amendments of the Constitution of the United States, not to
6 deny or disparage rights retained by the people, and to
7 reserve powers to the states or to the people.

8 Sec. 3. CITATION. This Act may be cited as the "Iowa
9 English Language Reaffirmation Act of 2001".

10 EXPLANATION

11 This bill adds a new section to Code chapter 1 that
12 declares that English is the official language of the state
13 and that requires all state and local official government
14 business to be conducted in English with certain exceptions.

15 The bill also adds a new section to Code chapter 4 that
16 establishes a statutory presumption that English language
17 requirements in the public sector are consistent with Iowa
18 law. The bill also provides that any ambiguities in the Iowa
19 English language requirements are to be resolved in accordance
20 with the ninth and tenth amendments of the Bill of Rights of
21 the United States Constitution not to deny or disparage rights
22 retained by the people and to reserve powers to the states or
23 to the people.

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SENATE FILE 165**S-3121**

1 Amend Senate File 165 as follows:
2 1. Page 1, line 1, by inserting before the word
3 "ENGLISH" the following: "STANDARD AMERICAN".
4 2. Page 1, line 11, by inserting before the word
5 "English" the following: "standard American".
6 3. Page 1, line 13, by inserting before the word
7 "English" the following: "standard American".
8 4. Page 1, line 14, by inserting before the word
9 "English" the following: "standard American".
10 5. Page 1, line 18, by inserting before the word
11 "English" the following: "standard American".
12 6. Page 1, line 21, by inserting before the word
13 "English" the following: "standard American".
14 7. Page 1, line 24, by inserting before the word
15 "English" the following: "standard American".
16 8. Page 1, line 29, by inserting before the word
17 "English" the following: "standard American".
18 9. Page 2, line 16, by inserting before the word
19 "English" the following: "standard American".
20 10. Page 2, line 26, by inserting before the word
21 "English" the following: "standard American".
22 11. Page 2, line 31, by inserting before the word
23 "English" the following: "standard American".
24 12. Page 2, line 33, by inserting before the word
25 "English" the following: "standard American".
26 13. Page 2, line 35, by inserting before the word
27 "ENGLISH" the following: "STANDARD AMERICAN".
28 14. Page 3, line 1, by inserting before the word
29 "English" the following: "standard American".
30 15. Page 3, line 3, by inserting before the word
31 "English" the following: "standard American".
32 16. Page 3, line 9, by inserting before the word
33 "English" the following: "standard American".
34 17. Title page, line 1, by inserting before the
35 word "English" the following: "standard American".

By STEVEN D. HANSEN**S-3121 FILED FEBRUARY 27, 2001**

lost
3-7-01
(p 568)

SENATE FILE 165**S-3122**

1 Amend Senate File 165 as follows:
2 1. Page 1, line 1, by inserting before the word
3 "ENGLISH" the following: "OXFORD".
4 2. Page 1, line 11, by inserting before the word
5 "English" the following: "Oxford".
6 3. Page 1, line 13, by inserting before the word
7 "English" the following: "Oxford".
8 4. Page 1, line 14, by inserting before the word
9 "English" the following: "Oxford".
10 5. Page 1, line 18, by inserting before the word
11 "English" the following: "Oxford".
12 6. Page 1, line 21, by inserting before the word
13 "English" the following: "Oxford".
14 7. Page 1, line 24, by inserting before the word
15 "English" the following: "Oxford".
16 8. Page 1, line 29, by inserting before the word
17 "English" the following: "Oxford".
18 9. Page 2, line 16, by inserting before the word
19 "English" the following: "Oxford".
20 10. Page 2, line 26, by inserting before the word
21 "English" the following: "Oxford".
22 11. Page 2, line 31, by inserting before the word
23 "English" the following: "Oxford".
24 12. Page 2, line 33, by inserting before the word
25 "English" the following: "Oxford".
26 13. Page 2, line 35, by inserting before the word
27 "ENGLISH" the following: "OXFORD".
28 14. Page 3, line 1, by inserting before the word
29 "English" the following: "Oxford".
30 15. Page 3, line 3, by inserting before the word
31 "English" the following: "Oxford".
32 16. Page 3, line 9, by inserting before the word
33 "English" the following: "Oxford".
34 17. Title page, line 1, by inserting before the
35 word "English" the following: "Oxford".

By STEVEN D. HANSEN

S-3122 FILED FEBRUARY 27, 2001

W/AD
3-7-01
(p. 569)

SENATE FILE 165

S-3130

- 1 Amend Senate File 165 as follows:
2 1. Page 3, by inserting after line 7 the
3 following:
4 "Sec. ____ Section 7A.1, unnumbered paragraph 1,
5 Code 2001, is amended to read as follows:
6 State officials, boards, commissions, and heads of
7 departments shall prepare and file written official
8 reports, in simple English language and in the most
9 concise form consistent with clearness and
10 comprehensiveness of matter, required by law or by the
11 governor."
12 2. By renumbering as necessary.

By STEVEN D. HANSEN

S-3130 FILED MARCH 6, 2001

3-7-01 (p.572) Lott **SENATE FILE 165**

S-3131

- 1 Amend Senate File 165 as follows:
2 1. Page 2, by inserting after line 20 the
3 following:
4 "i. Programming broadcast on an Iowa public radio
5 station."

By STEVEN D. HANSEN

S-3131 FILED MARCH 6, 2001

*W/D
3-7-01 (p.571)*

SENATE FILE 165

S-3073

- 1 Amend Senate File 165 as follows:
2 1. Page 2, by inserting after line 20 the
3 following:
4 "i. Any oral or written communications,
5 examinations, or publications produced or utilized by
6 a driver's license station, provided public safety is
7 not jeopardized."
8
9
10 COMMITTEE ON STATE GOVERNMENT
11 STEVE KING, Chair

S-3073 FILED FEBRUARY 22, 2001

Adopted 3-7-01 (p.568)

SENATE FILE 165

S-3156

1 Amend Senate File 165 as follows:
2 1. Page 2, by inserting after line 20 the
3 following:
4 "____. Communications in braille, communications
5 utilizing American sign language, or any other form or
6 method of communication intended for persons who are
7 deaf, hard-of-hearing, blind, or visually impaired."

By MICHAEL E. GRONSTAL

S-3156 FILED MARCH 7, 2001

LOST

*3-7-01
(P.571)*

S-3154

1 Amend Senate File 165 as follows:

2 1. By striking page 1, line 3, through page 3,
3 line 9, and inserting the following:

4 "The general assembly of the state of Iowa finds
5 and declares the following:

6 1. English is the unifying language of the United
7 States, and all members of society recognize the
8 importance of the English language to national
9 prosperity and individual accomplishment.

10 2. The people of Iowa promote the spirit of
11 diversity with harmony represented by the various
12 cultures that make up the fabric of the state of Iowa
13 and American society.

14 3. The people of Iowa acknowledge that "English
15 Plus" best serves the national interest since it
16 promotes the concept that all members of society have
17 full access to opportunities to effectively learn
18 English plus develop proficiency in a second or
19 multiple languages.

20 4. According to the 1990 United States census,
21 ninety-four percent of United States citizens speak
22 English.

23 5. Multilingualism has historically been an
24 essential element of national security, including the
25 use of Navajo in the development of coded
26 communications during World War II, the Korean
27 Conflict, and the Vietnam Conflict.

28 6. Multilingualism promotes greater cross-cultural
29 understanding and benefit between racial and ethnic
30 groups.

31 7. Iowa will experience more than three hundred
32 thousand Iowans retiring from a variety of occupations
33 in the first decade of the twenty-first century.

34 8. Iowa is engaged in an effort to encourage
35 newcomers to the state to assist in maintaining a
36 strong economy.

37 9. The state of Iowa hereby affirms its advocacy
38 of the teaching of other languages in the United
39 States and its belief that the position of English is
40 not threatened. Proficiency on the part of Iowa
41 citizens in more than one language is to the economic
42 and cultural benefit of the state and the nation,
43 whether that proficiency derives from second language
44 maintenance plus English acquisition by speakers of
45 other languages. Proficiency in English plus other
46 languages should be encouraged throughout the state."

By JOE BOLKCOM

S-3154 FILED MARCH 7, 2001

LOST

3-7-01

SENATE FILE 165**S-3157**

1 Amend Senate File 165 as follows:

2 1. By striking page 1, line 1, through page 3,
3 line 9, and inserting the following:

4 "Section 1. NEW SECTION. 1.18 ENGLISH PLUS
5 REAFFIRMATION.

6 1. The general assembly of the state of Iowa finds
7 and declares the following:

8 a. English is and will remain the primary language
9 of the state of Iowa, and all members of the state
10 recognize the importance of English to state life,
11 individual accomplishment, and personal enrichment.

12 b. Many United States citizens have native
13 languages other than English, including many languages
14 indigenous to the North American continent, and many
15 members of society have not had an equal opportunity
16 to learn English.

17 c. The ability to communicate in English and other
18 languages has promoted and can further enhance Iowa's
19 economic, political, and cultural vitality, and
20 contributes to the state's productivity and nationwide
21 competitiveness.

22 d. Fundamental values and state and national
23 documents ensure tolerance and respect for diversity
24 and guarantee all persons equal protection under the
25 law.

26 e. A need exists for a vastly expanded network of
27 facilities for comprehensive English language
28 instruction and services to ensure that all persons in
29 the state have the ability to exercise the rights and
30 responsibilities of full participation in society. A
31 need exists to offer English as a primary language in
32 classes at Iowa community colleges, state
33 universities, and public schools.

34 f. A need exists to foster multiple language
35 skills among all people in the state in order to
36 promote Iowa's position in the world marketplace and
37 to strengthen Iowa's conduct of relations with other
38 countries.

39 g. A need exists to endorse the concept of English
40 Plus in order to promote public civility and the
41 fundamental values and objectives of society.

42 2. Laws containing restrictionist language shall
43 not be enacted in Iowa that will impede a citizen's
44 right to vote, infringe on a citizen's civil rights,
45 foster governmental interference in private activity
46 and free commerce, or cause social disunity."

47 2. Title page, line 1, by inserting after the
48 word "English" the word "plus".

By MIKE CONNOLLY

S-3157 FILED MARCH 7, 2001

LOST

3-7-01

SENATE FILE 165

S-3158

- 1 Amend Senate File 165 as follows:
- 2 1. Page 3, by inserting after line 9 the
- 3 following:
- 4 "Sec. ____ . COMMITTEE APPOINTED TO TRANSLATE CODE
- 5 OF IOWA.
- 6 1. The governor shall appoint a committee
- 7 consisting of fifty-four citizens of this state who
- 8 meet the criteria of "learned persons" to translate
- 9 the Code of Iowa into American English. The committee
- 10 shall complete its duties no later than June 30, 2003.
- 11 2. One-fifth of the members of the committee, as
- 12 nearly as possible, shall be residents of each
- 13 congressional district of this state and each one-
- 14 fifth portion of the committee shall serve as a
- 15 subcommittee. The committee shall meet to determine
- 16 the duties assigned to each of the five subcommittees.
- 17 3. The guidelines that the committee shall use in
- 18 its translation of the Code of Iowa are:
- 19 a. Follow the Code of Iowa so far as the fidelity
- 20 to the original sources will allow.
- 21 b. Maintain the current chapters, only reordering
- 22 chapters where strictly necessary.
- 23 c. Where especially difficult passages occur,
- 24 preference shall be given to the most commonly
- 25 accepted translation by the average learned Iowan.
- 26 d. Any words that need to be inserted for
- 27 colloquial reasons shall be printed in italics.
- 28 e. Inclusive language efforts shall be made to
- 29 reach gender neutrality.
- 30 f. Final recommendations of the committee shall
- 31 include the recognition of the definitive "English
- 32 language" reference books to be used for future
- 33 volumes and state documents.
- 34 4. The committee shall issue its final report in
- 35 writing to the governor and to the general assembly."
- 36 2. By numbering as necessary.

By STEVEN D. HANSEN

S-3158 FILED MARCH 7, 2001

WITHDRAWN

3-7-01
(p. 572)

SENATE FILE 165**S-3159**

- 1 Amend Senate File 165 as follows:
2 1. Page 1, by striking lines 1 through 30 and
3 inserting the following:
4 "Section 1. NEW SECTION. 1E.1 STANDARD LANGUAGE.
5 1. The standard language in this state is American
6 English. All official documents, regulations, orders,
7 transactions, proceedings, programs, meetings,
8 publications, or actions taken or issued, which are
9 conducted or regulated by, or on behalf of, or
10 representing the state shall be in the English
11 language.
12 2. For the purposes of this section, "official
13 action" means".
14 2. Page 3, by inserting after line 9 the
15 following:
16 "Sec. ____ . The Code editor is directed to codify
17 section 1E.1 as enacted by this Act as a new section
18 in a new chapter 1E entitled "State Symbols."
19 3. By renumbering as necessary.

By STEVEN D. HANSEN**S-3159** FILED MARCH 7, 2001

LOST

*2-7-01
(P.569)***SENATE FILE 165****S-3160**

- 1 Amend Senate File 165 as follows:
2 1. Page 1, by inserting after line 22 the
3 following:
4 "Under the minimum educational program for grades
5 nine through twelve specified in section 256.11,
6 subsection 5, paragraph "c", all students shall
7 complete a minimum of two units of the English
8 language, including one-half unit of the history and
9 evolution of the English language from old English to
10 American English."

By STEVEN D. HANSEN**S-3160** FILED MARCH 7, 2001

WITHDRAWN

*3-7-01**(P.570)***SENATE FILE 165****S-3161**

- 1 Amend Senate File 165 as follows:
2 1. Page 2, line 4, by inserting after the word
3 "languages" the following: ", including but not
4 limited to the teaching of American sign language
5 (ASL)".

By STEVEN D. HANSEN**S-3161** FILED MARCH 7, 2001

WITHDRAWN

*3-7-01**(P.570)*

SENATE FILE 165**S-3162**

- 1 Amend Senate File 165 as follows:
 2 1. Page 1, by striking lines 12 through 16.
 By STEVEN D. HANSEN

S-3162 FILED MARCH 7, 2001

WITHDRAWN

(P. 570)

SENATE FILE 165**S-3163**

- 1 Amend Senate File 165 as follows:
 DIV 2 1. Page 1, line 9, by striking the word "Iowa"
 A 3 and inserting the following: "Iowa's statehood".
 DIV 4 2. Page 1, line 10, by striking the words
 B 5 "States, the" and inserting the following: "States of
 6 America, a".

By STEVEN D. HANSEN

S-3163 FILED MARCH 7, 2001

DIV A-WITHDRAWN; DIV B-LOST

(P. 570)

SENATE FILE 165**S-3164**

- 1 Amend Senate File 165 as follows:
 2 1. Page 1, line 6, by striking the word "The".
 3 2. Page 1, by striking lines 7 and 8.
 4 3. Page 1, lines 28 and 29, by striking the words
 5 "and all of its political subdivisions".
 6 4. Page 3, by striking lines 8 and 9.

By STEVEN D. HANSEN

S-3164 FILED MARCH 7, 2001

LOST

3-7-01

p. 569

SENATE FILE 165**S-3165**

- 1 Amend Senate File 165 as follows:
 2 1. Page 1, line 29, by inserting after the word
 3 "language." the following: "In addition, the names of
 4 all counties in this state shall be in the English
 5 language or translated into the English language
 6 equivalent."

By JOHNIE HAMMOND

S-3165 FILED MARCH 7, 2001

WITHDRAWN

3-7-01

(P. 570)

SENATE FILE 165**S-3166**

- 1 Amend Senate File 165 as follows:
- 2 1. Page 2, line 33, by inserting after the word
- 3 "English" the following: "other than the
- 4 disparagement and discouragement caused by this
- 5 section".

By JOHNIE HAMMOND**S-3166** FILED MARCH 7, 2001

LOST

3-7-01

(P.572)

SENATE FILE 165**S-3167**

- 1 Amend Senate File 165 as follows:
- 2 1. Page 3, by inserting after line 9, the
- 3 following:
- 4 "Sec. ____ . CONTINGENT EFFECTIVE DATE. This Act
- 5 shall only take effect upon a decision by the United
- 6 States supreme court in Alexander v. Sandoval, No. 99-
- 7 1908, upholding the constitutionality of the provision
- 8 of the Constitution of the State of Alabama that
- 9 establishes English as the official language of the
- 10 state of Alabama."
- 11 2. Title page, line 2, by inserting after the
- 12 figure "2001" the following: "and providing a
- 13 contingent effective date".
- 14 3. By renumbering as necessary.

By THOMAS FIEGEN**S-3167** FILED MARCH 7, 2001

LOST

3-7-01

(P.573)

SENATE FILE 165**S-3168**

- 1 Amend Senate File 165 as follows:
- 2 1. Page 3, by inserting after line 9, the
- 3 following:
- 4 "Sec. ____ . Section 618.1, Code 2001, is repealed."
- 5 2. By renumbering as necessary.

By MICHAEL E. GRONSTAL**S-3168** FILED MARCH 7, 2001

LOST

3-7-01

SENATE FILE 165**S-3169**

- 1 Amend Senate File 165 as follows:
- 2 1. Page 2, line 24, by striking the words "or
- 3 officer of state government" and inserting the
- 4 following: ", officer of state government, or officer
- 5 of a governmental subdivision, including but not
- 6 limited to county, city, township, school district, or
- 7 any other special purpose district".
- 8 2. Page 2, by striking lines 26 and 27, and
- 9 inserting the following: "person in a language other
- 10 than English."

By MARK SHEARER**S-3169 FILED MARCH 7, 2001**

LOST

3-7-01

(P 571)

S-3170**SENATE FILE 165**

- 1 Amend Senate File 165 as follows:
- 2 1. Page 2, by inserting after line 27 the
- 3 following:
- 4 "This paragraph "a" also applies to employees of
- 5 the department of corrections and employees of
- 6 judicial district departments of correctional
- 7 services."

By ROBERT E. DVORSKY**S-3170 FILED MARCH 7, 2001**

LOST

3-7-01

(P 575)

SENATE FILE 165

S-3171

1 Amend Senate File 165 as follows:

2 1. Page 1, by striking lines 3 through 16 and
3 inserting the following:

4 "____. The general assembly of the state of Iowa
5 finds and declares the following:

6 a. The state of Iowa is comprised of individuals
7 from different ethnic, cultural, and linguistic
8 backgrounds. The state of Iowa celebrates their
9 contributions to Iowa's rich culture.

10 b. Throughout the history of Iowa and of the
11 United States, a common thread binding individuals of
12 differing backgrounds together has been the English
13 language.

14 _____. The citizenry of Iowa welcomes new Iowans and
15 seeks to encourage and help every person in this state
16 to become more proficient in the English language,
17 thereby facilitating participation in the economic,
18 political, and cultural activities of this state and
19 of the United States."

20 2. Page 3, by inserting after line 9 the
21 following:

22 "Sec. _____. Section 280.4, subsection 3, Code 2001,
23 is amended to read as follows:

24 3. In order to provide funds for the excess costs
25 of instruction of limited English proficient students
26 above the costs of instruction of pupils in a regular
27 curriculum, students identified as limited English
28 proficient shall be assigned an additional weighting
29 that shall be included in the weighted enrollment of
30 the school district of residence for a period not
31 exceeding ~~three~~ five years. However, the school
32 budget review committee may grant supplemental aid or
33 modified allowable growth to a school district to
34 continue funding a program for students after the
35 expiration of the ~~three-year~~ five-year period. The
36 school budget review committee shall calculate the
37 additional amount for the weighting to the nearest
38 one-hundredth of one percent so that to the extent
39 possible the moneys generated by the weighting will be
40 equivalent to the moneys generated by the two-tenths
41 weighting provided prior to July 2, 1991."

42 3. Page 3, by inserting after line 9 the
43 following:

44 "Sec. _____. In addition to any moneys appropriated
45 by the general assembly to the department of education
46 for community colleges for the fiscal year beginning
47 July 1, 2001, and ending June 30, 2002, there is
48 appropriated from the general fund of the state to the
49 department of education for the fiscal year beginning
50 July 1, 2001, and ending June 30, 2002, the amount of

S-3171

-1-

S-3171

Page 2

1 seven hundred fifty thousand dollars to be allocated.
2 by the department in an amount of fifty thousand
3 dollars to each community college for the development
4 of English language instruction programs to be offered
5 in the workplaces of employees."

6 4. Title page, line 2, by inserting after the
7 figure "2001" the following: "and making an
8 appropriation".

By MICHAEL E. GRONSTAL
BETTY A. SOUKUP
TOM FLYNN
DENNIS H. BLACK
MARK SHEARER

STEVEN D. HANSEN
EUGENE S. FRAISE
PATRICK J. DELUHERY
THOMAS FIEGEN

S-3171 FILED MARCH 7, 2001
RULED OUT OF ORDER

*3-7-01
(P. 568)*

SENATE FILE 165

S-3172

1 Amend Senate File 165 as follows:

DIV 2 1. Page 1, line 7, by striking the word
A 3 "assimilation" and inserting the following:
4 "inclusion".

DIV 5 2. Page 1, line 10, by striking the words "the
B 6 common" and inserting the following: "a common".

By MIKE CONNOLLY

S-3172 FILED MARCH 7, 2001
DIV A-LOST; DIV B-WITHDRAWN

(P. 574)

H. 4/4/01 Amend/Do Pass
W/H 1430

H. 4/12/01 UNFINISHED BUSINESS CALENDAR
2/4/02

H. 2/4/02 Do Pass

SENATE FILE 165 H. 2/13/02 Do Pass
H. 2/21/02 Unfinished
BY KING, GREINER, BARTZ, Behrens Col.

SCHUERER, DRAKE, MCKINLEY,
ZIEMAN, JENSEN, BEHN,
MCKEAN, IVERSON, ANGELO,
VEENSTRA, REDWINE, REHBERG,
BOETTGER, FREEMAN, McLAREN,
SEXTON, RITTMER, LAMBERTI,
MILLER, and JOHNSON

(AS AMENDED AND PASSED BY THE SENATE MARCH 7, 2001)

~~-----~~ - New Language by the Senate

Passed Senate, Date ^(P. 575) 3-07-01 Passed House, Date ^(P. 504) 2/25/02
Vote: Ayes 27 Nays 23 Vote: Ayes 56 Nays 42
Approved March 1, 2002

A BILL FOR

1 An Act enacting the Iowa English language reaffirmation Act of
2 2001.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. 165

1 Section 1. NEW SECTION. 1.18 IOWA ENGLISH LANGUAGE
2 REAFFIRMATION.

3 1. The general assembly of the state of Iowa finds and
4 declares the following:

5 a. The state of Iowa is comprised of individuals from
6 different ethnic, cultural, and linguistic backgrounds. The
7 state of Iowa encourages the assimilation of Iowans into
8 Iowa's rich culture.

9 b. Throughout the history of Iowa and of the United
10 States, the common thread binding individuals of differing
11 backgrounds together has been the English language.

12 c. Among the powers reserved to each state is the power to
13 establish the English language as the official language of the
14 state, and otherwise to promote the English language within
15 the state, subject to the prohibitions enumerated in the
16 Constitution of the United States and in laws of the state.

17 2. In order to encourage every citizen of this state to
18 become more proficient in the English language, thereby
19 facilitating participation in the economic, political, and
20 cultural activities of this state and of the United States,
21 the English language is hereby declared to be the official
22 language of the state of Iowa.

23 3. Except as otherwise provided for in subsections 4 and
24 5, the English language shall be the language of government in
25 Iowa. All official documents, regulations, orders,
26 transactions, proceedings, programs, meetings, publications,
27 or actions taken or issued, which are conducted or regulated
28 by, or on behalf of, or representing the state and all of its
29 political subdivisions shall be in the English language.

30 For the purposes of this section, "official action" means
31 any action taken by the government in Iowa or by an authorized
32 officer or agent of the government in Iowa that does any of
33 the following:

34 a. Binds the government.

35 b. Is required by law.

- 1 c. Is otherwise subject to scrutiny by either the press or
- 2 the public.
- 3 4. This section shall not apply to:
- 4 a. The teaching of languages.
- 5 b. Requirements under the federal Individuals with
- 6 Disabilities Education Act.
- 7 c. Actions, documents, or policies necessary for trade,
- 8 tourism, or commerce.
- 9 d. Actions or documents that protect the public health and
- 10 safety.
- 11 e. Actions or documents that facilitate activities
- 12 pertaining to compiling any census of populations.
- 13 f. Actions or documents that protect the rights of victims
- 14 of crimes or criminal defendants.
- 15 g. Use of proper names, terms of art, or phrases from
- 16 languages other than English.
- 17 h. Any language usage required by or necessary to secure
- 18 the rights guaranteed by the Constitution and laws of the
- 19 United States of America or the Constitution of the State of
- 20 Iowa.
- 21 i. Any oral or written communications, examinations, or
- 22 publications produced or utilized by a driver's license
- 23 station, provided public safety is not jeopardized.
- 24 5. Nothing in this section shall be construed to do any of
- 25 the following:
- 26 a. Prohibit an individual member of the general assembly
- 27 or officer of state government, while performing official
- 28 business, from communicating through any medium with another
- 29 person in a language other than English, if that member or
- 30 officer deems it necessary or desirable to do so.
- 31 b. Limit the preservation or use of Native American
- 32 languages, as defined in the federal Native American Languages
- 33 Act of 1992.
- 34 c. Disparage any language other than English or discourage
- 35 any person from learning or using a language other than

1 English.

2 Sec. 2. NEW SECTION. 4.14 GENERAL RULES OF CONSTRUCTION
3 FOR ENGLISH LANGUAGE LAWS.

4 It is presumed that English language requirements in the
5 public sector are consistent with the laws of Iowa and any
6 ambiguity in the English language text of the laws of Iowa
7 shall be resolved, in accordance with the ninth and tenth
8 amendments of the Constitution of the United States, not to
9 deny or disparage rights retained by the people, and to
10 reserve powers to the states or to the people.

11 Sec. 3. CITATION. This Act may be cited as the "Iowa
12 English Language Reaffirmation Act of 2001".

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SENATE FILE 165

H-1430

1 Amend Senate File 165, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. By striking everything after the enacting
4 clause and inserting the following:

5 "Section 1. NEW SECTION. 1.18 ENGLISH -- IOWA'S
6 COMMON LANGUAGE.

7 The general assembly of the state of Iowa
8 recognizes that English is the common language used in
9 Iowa and recognizes that fluency in English is
10 necessary for full integration into the American
11 culture."

12 2. Title page, by striking lines 1 and 2 and
13 inserting the following: "An Act affirming that
14 English is Iowa's common language."

By COMMITTEE ON LOCAL GOVERNMENT
HOUSER of Pottawattamie, Chairperson

H-1430 FILED APRIL 4, 2001

W/D 2/25/02

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SENATE FILE 165**H-1771**

1 Amend Senate File 165, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. By striking everything after the enacting
4 clause and inserting the following:

5 "Section 1. NEW SECTION. 1.18 ENGLISH PLUS.

6 1. The general assembly of the state of Iowa finds
7 and declares the following:

8 a. Many United States citizens have native
9 languages other than English, including many languages
10 indigenous to the North American continent, and many
11 members of society have not had an equal opportunity
12 to learn English.

13 b. The ability to communicate in English and other
14 languages has promoted and can further enhance Iowa's
15 economic, political, and cultural vitality, and
16 contributes to the state's productivity and nationwide
17 competitiveness.

18 c. Fundamental values and state and national
19 documents ensure tolerance and respect for diversity
20 and guarantee all persons equal protection under the
21 law.

22 d. A need exists for a vastly expanded network of
23 facilities for comprehensive English language
24 instruction and services to ensure that all persons in
25 the state have the ability to exercise the rights and
26 responsibilities of full participation in society. A
27 need exists to offer English as a primary language in
28 classes at Iowa community colleges, state
29 universities, and public schools.

30 e. A need exists to foster multiple language
31 skills among all people in the state in order to
32 promote Iowa's position in the world marketplace and
33 to strengthen Iowa's conduct of relations with other
34 countries.

35 f. A need exists to endorse the concept of English
36 Plus in order to promote public civility and the
37 fundamental values and objectives of society.

38 2. Laws containing restrictionist language shall
39 not be enacted in Iowa that will impede a citizen's
40 right to vote, infringe on a citizen's civil rights,
41 foster governmental interference in private activity
42 and free commerce, or cause social disunity."

43 2. Title page, line 1, by striking the word
44 "reaffirmation" and inserting the following: "plus".

By HATCH of Polk

H-1771 FILED APRIL 30, 2001

W/D
2/15/02

SENATE FILE 165

H-1779

1 Amend Senate File 165, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, line 11, by striking the words "the
 4 English language" and inserting the following: "a
 5 passionate desire for freedom, democracy, and
 6 liberty".

By FALLON of Polk

H-1779 FILED APRIL 30, 2001

*W/D
2/25/02*

SENATE FILE 165

H-1780

1 Amend Senate File 165, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. By striking everything after the enacting
 4 clause and inserting the following:
 5 "Section 1. IOWA ENGLISH LANGUAGE REAFFIRMATION
 6 INTERIM STUDY. The legislative council is requested
 7 to authorize an English language reaffirmation interim
 8 study committee to analyze the potential economic
 9 impact to the state if the English language is
 10 declared to be the official language of the state of
 11 Iowa. The study committee shall submit a report of
 12 findings and recommendations to the governor and the
 13 general assembly on or before December 15, 2001."
 14 2. Title page, by striking lines 1 and 2 by
 15 inserting the following: "An Act creating an Iowa
 16 English language reaffirmation interim study."

By FALLON of Polk

H-1780 FILED APRIL 30, 2001

*W/D
2/25/02*

SENATE FILE 165

H-1781

1 Amend Senate File 165, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 2, by inserting after line 23 the
 4 following:
 5 "____. Actions or documents that concern housing."
 6 2. By renumbering, redesignating, and correcting
 7 internal references as necessary.

By FALLON of Polk

H-1781 FILED APRIL 30, 2001

*W/D
2/25/02*

SENATE FILE 165**H-1782**

- 1 Amend Senate File 165 as amended, passed, and
2 reprinted by the Senate as follows:
3 1. Page 2, by inserting after line 23 the
4 following:
5 "____. Actions or documents that concern child
6 care."
7 2. By renumbering, redesignating, and correcting
8 internal references as necessary.

By FALLON of Polk**H-1782** FILED APRIL 30, 2001*W/D
2/25/02***SENATE FILE 165****H-1783**

- 1 Amend Senate File 165, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 1, line 2, by striking the word
4 "REAFFIRMATION" and inserting the following:
5 "AFFIRMATION".
6 2. Page 3, line 12, by striking the word
7 "Reaffirmation" and inserting the following:
8 "Affirmation".
9 3. Title page, line 1, by striking the word
10 "reaffirmation" and inserting the following:
11 "affirmation".

By FALLON of Polk**H-1783** FILED APRIL 30, 2001*W/D
2/25/02***SENATE FILE 165****H-1784**

- 1 Amend Senate File 165, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 3, by inserting after line 10 the
4 following:
5 "Sec. ____ NEW SECTION. ECONOMIC ANALYSIS.
6 Following enactment of this Act, the department of
7 workforce development shall conduct an ongoing
8 analysis of this Act's effect on the business and
9 economy of the state for three years. The department
10 shall prepare an annual report of this analysis and
11 submit this report to the governor and general
12 assembly by December 21, 2001, by December 21, 2002,
13 and by December 21, 2003."
14 2. By renumbering, redesignating, and correcting
15 internal references as necessary.

By FALLON of Polk**H-1784** FILED APRIL 30, 2001*W/D
2/25/02*

SENATE FILE 165**H-1785**

- 1 Amend Senate File 165, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 6, by inserting after the word
- 4 "different" the following: "racial,".

By FALLON of Polk**H-1785** FILED APRIL 30, 2001*W/D
2/25/02***SENATE FILE 165****H-1786**

- 1 Amend Senate File 165, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 7, by striking the word
- 4 "assimilation" and inserting the following:
- 5 "inclusion".

By FALLON of Polk**H-1786** FILED APRIL 30, 2001*W/P
2/25/02***SENATE FILE 165****H-1787**

- 1 Amend Senate File 165, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 3, by inserting after line 1 the
- 4 following:
- 5 " . The state shall designate a dictionary as
- 6 the official state English language dictionary."
- 7 2. By renumbering, redesignating, and correcting
- 8 internal references as necessary.

By FALLON of Polk**H-1787** FILED APRIL 30, 2001*W/D
2/25/02***SENATE FILE 165****H-1788**

- 1 Amend Senate File 165, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, lines 1 and 2, by striking the words
- 4 "IOWA ENGLISH LANGUAGE REAFFIRMATION" and inserting
- 5 the following: "ENGLISH LANGUAGE LEARNER ACT OF
- 6 2001".
- 7 2. Page 3, lines 11 and 12, by striking the words
- 8 "Iowa English Language Reaffirmation" and inserting
- 9 the following: "English Language Learner".
- 10 3. Title page, line 1, by striking the words
- 11 "Iowa English language reaffirmation" and inserting
- 12 the following: "English language learner".

By PETERSEN of Polk**H-1788** FILED APRIL 30, 2001*W/D
2/25/02*

SENATE FILE 165**H-1790**

- 1 Amend Senate File 165 as amended, passed, and
2 reprinted by the Senate as follows:
3 1. Page 2, by inserting after line 23 the
4 following:
5 "___ . Actions or documents that concern financial
6 aid or assistance."
7 2. By relettering as necessary.

By PETERSEN of Polk**H-1790** FILED APRIL 30, 2001*W/D
2/25/02***SENATE FILE 165****H-1791**

- 1 Amend Senate File 165, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 2, line 4, by inserting after the word
4 "languages" the following: ", including but not
5 limited to the teaching of American sign language or
6 braille".

By PETERSEN of Polk**H-1791** FILED APRIL 30, 2001*W/D
2/25/02***SENATE FILE 165****H-1944**

- 1 Amend Senate File 165, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 2, by inserting after line 23 the
4 following:
5 "___ . Use of languages other than English in
6 ethnic or cultural celebrations, enactments,
7 festivals, or public events."

By REYNOLDS of Van Buren**H-1944** FILED MAY 3, 2001*W/D 2/25/02*

SENATE FILE 165**H-1793**

1 Amend Senate File 165 as amended, passed, and
2 reprinted by the Senate as follows:

3 1. Page 3, by inserting after line 10 the
4 following:

5 "Sec. ____ Section 257.31, subsection 5, paragraph
6 j, Code 2001, is amended to read as follows:

7 j. Unusual need to continue providing a program or
8 other special assistance to non-English speaking
9 pupils after the expiration of the ~~three-year~~ four-
10 year period specified in section 280.4.

11 Sec. 2. Section 280.4, subsection 3, Code 2001, is
12 amended to read as follows:

13 3. In order to provide funds for the excess costs
14 of instruction of limited English proficient students
15 above the costs of instruction of pupils in a regular
16 curriculum, students identified as limited English
17 proficient shall be assigned an additional weighting
18 that shall be included in the weighted enrollment of
19 the school district of residence for a period not
20 exceeding ~~three~~ four years. However, the school
21 budget review committee may grant supplemental aid or
22 modified allowable growth to a school district to
23 continue funding a program for students after the
24 expiration of the ~~three-year~~ four-year period. The
25 school budget review committee shall calculate the
26 additional amount for the weighting to the nearest
27 one-hundredth of one percent so that to the extent
28 possible the moneys generated by the weighting will be
29 equivalent to the moneys generated by the two-tenths
30 weighting provided prior to July 2, 1991."

31 2. Title page, line 2, by inserting after the
32 figure "2001" the following: "and extending the
33 duration of the additional weighting provided for
34 limited English proficient students".

By GRUNDBERG of Polk

H-1793 FILED APRIL 30, 2001

w/D

2/25/02

SENATE FILE 165**H-1938**

1 Amend Senate File 165, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, line 11 by striking the words "English
4 language" and inserting the following: "abiding faith
5 in democracy, individual liberty, and free
6 enterprise".

By WARNSTADT of Woodbury

H-1938 FILED MAY 2, 2001

w/D

2/25/02

H-1803

1 Amend Senate File 165, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 3, by inserting after line 1 the
4 following:

5 "____. Employers are required to teach their
6 employees sufficient English so that the safety of
7 other persons in the workplace is protected."

8 2. By renumbering as necessary.

By CONNORS of Polk

H-1803 FILED MAY 1, 2001

W/D

SENATE FILE 165

H-1805

1 Amend Senate File 165 as amended, passed, and
2 reprinted by the Senate as follows:

3 1. Page 2, by striking lines 7 through 14, and
4 inserting the following:

5 "c. Any official documents, regulations, orders,
6 transactions, proceedings, programs, meetings,
7 publications, or actions taken or issued necessary for
8 trade, tourism, or commerce.

9 d. Protection of the public health and safety.

10 e. Facilitation of activities pertaining to
11 compiling any census of populations.

12 f. Protection of the rights of victims of crimes
13 or criminal defendants."

By REYNOLDS of Van Buren

H-1805 FILED MAY 1, 2001

W/D

SENATE FILE 165

H-1806

1 Amend Senate File 165, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 2, line 15, by striking the words "or
4 phrases" and inserting the following: "phrases, or
5 lyrics,".

By REYNOLDS of Van Buren

H-1806 FILED MAY 1, 2001

W/D

SENATE FILE 165**H-1807**

1 Amend Senate File 165, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 1, lines 9 and 10, by striking the words
4 "Throughout the history of Iowa and of the United
5 States, the" and inserting the following: "One".
By REYNOLDS of Van Buren

H-1807 FILED MAY 1, 2001

W/D

SENATE FILE 165**H-1814**

1 Amend Senate File 165, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 1, line 1, by striking the word "ENGLISH"
4 and inserting the following: "ITALIAN".
5 2. Page 1, line 11, by striking the word
6 "English" and inserting the following: "Italian".
7 3. Page 1, line 13, by striking the word
8 "English" and inserting the following: "Italian".
9 4. Page 1, line 14, by striking the word "English"
10 and inserting the following: "Italian".
11 5. Page 1, line 18, by striking the word
12 "English" and inserting the following: "Italian".
13 6. Page 1, line 21, by striking the word
14 "English" and inserting the following: "Italian".
15 7. Page 1, line 24, by striking the word
16 "English" and inserting the following: "Italian".
17 8. Page 1, line 29, by striking the word
18 "English" and inserting the following: "Italian".
19 9. Page 2, line 16, by striking the word
20 "English" and inserting the following: "Italian".
21 10. Page 2, line 29, by striking the word
22 "English" and inserting the following: "Italian".
23 11. Page 2, line 34, by striking the word
24 "English" and inserting the following: "Italian".
25 12. Page 3, line 1, by striking the word
26 "English" and inserting the following: "Italian".
27 13. Page 3, line 3, by striking the word
28 "ENGLISH" and inserting the following: "ITALIAN".
29 14. Page 3, line 4, by striking the word
30 "English" and inserting the following: "Italian".
31 15. Page 3, line 6, by striking the word
32 "English" and inserting the following: "Italian".
33 16. Page 3, line 12, by striking the word
34 "English" and inserting the following: "Italian".
35 17. Title page, line 1, by striking the word
36 "English" and inserting the following: "Italian".
By FALLON of Polk
REYNOLDS of Van Buren
CHIODO of Polk

H-1814 FILED MAY 1, 2001

W/D

SENATE FILE 165**H-1821**

1 Amend Senate File 165, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 3, by inserting after line 1, the
4 following:
5 "____. Prohibit a school district from charging
6 sponsoring organizations and employers of persons who
7 do not speak English, for the additional costs of
8 providing English as a second language classes."

By WARNSTADT of Woodbury

H-1821 FILED MAY 1, 2001*W/D***SENATE FILE 165****H-1822**

1 Amend Senate File 165, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 3, by inserting after line 1 the
4 following:
5 "____. The board of directors of each public school
6 district and the authorities in charge of each
7 nonpublic school shall require that all students
8 complete instruction in Iowa history and Iowa heritage
9 as follows:
10 a. Students in grades kindergarten through five
11 shall complete a total of three weeks of such
12 instruction.
13 b. Students in grades six through eight shall
14 complete a total of six weeks of such instruction.
15 c. Students in grades nine through twelve shall
16 complete a total of one semester of such instruction."
17 2. By renumbering as necessary.

By RICHARDSON of Warren

H-1822 FILED MAY 1, 2001*W/D*

SENATE FILE 165**H-1945**

1 Amend Senate File 165 as amended, passed, and
2 reprinted by the Senate as follows:
3 1. By striking everything after the enacting
4 clause and inserting the following:
5 "Section 1. NEW SECTION. 1.18 IOWA ENGLISH
6 LANGUAGE REAFFIRMATION.
7 English shall be used for documents of the state
8 government and its political subdivisions. This does
9 not preclude the use of other languages when
10 necessary."

By RICHARDSON of Warren**H-1945** FILED MAY 3, 2001*W/D***SENATE FILE 165****H-1947**

1 Amend Senate File 165, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 1, by striking lines 14 through 16 and
4 inserting the following: "state."

By DOTZLER of Black Hawk**H-1947** FILED MAY 3, 2001*W/D***SENATE FILE 165****H-1948**

1 Amend Senate File 165, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 2, line 9, by striking the word "protect"
4 and inserting the following: "enhance".

By DOTZLER of Black Hawk**H-1948** FILED MAY 3, 2001*W/D***SENATE FILE 165****H-1949**

1 Amend Senate File 165, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 2, line 7, by striking the word
4 "necessary" and inserting the following: "deemed
5 appropriate".

By DOTZLER of Black Hawk**H-1949** FILED MAY 3, 2001*W/D***SENATE FILE 165****H-1950**

1 Amend Senate File 165, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 2, line 17, by striking the word
4 "necessary" and inserting the following: "deemed
5 appropriate".

By DOTZLER of Black Hawk**H-1950** FILED MAY 3, 2001*W/D*

SENATE FILE 165**H-1951**

1 Amend Senate File 165, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, by inserting after line 16 the
4 following:

5 "____. Historically, large numbers of Iowans have
6 spoken languages other than English, and over time
7 have come to learn English."

By RICHARDSON of Warren

H-1951 FILED MAY 3, 2001

w/d

SENATE FILE 165**H-1952**

1 Amend Senate File 165, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, by striking lines 1 through 30 and
4 inserting the following:

5 "Section 1. NEW SECTION. 1E.1 STANDARD LANGUAGE.

6 1. The standard language in this state is American
7 English. All official documents, regulations, orders,
8 transactions, proceedings, programs, meetings,
9 publications, or actions taken or issued, which are
10 conducted or regulated by, or on behalf of, or
11 representing the state shall be in the English
12 language.

13 2. For the purposes of this section, "official
14 action" means".

15 2. Page 3, by inserting after line 10 the
16 following:

17 "Sec. _____. The Code editor is directed to codify
18 section 1E.1 as enacted by this Act as a new section
19 in a new chapter 1E entitled "State Symbols.""

20 3. Page 3, by striking lines 11 and 12.

21 4. By renumbering as necessary.

By RICHARDSON of Warren

H-1952 FILED MAY 3, 2001

w/d

SENATE FILE 165**H-1953**

1 Amend Senate File 165, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 3, line 7, by striking the words "and
4 tenth" and inserting the following: ", tenth, and
5 fourteenth".

By KREIMAN of Davis

H-1953 FILED MAY 3, 2001

w/d

SENATE FILE 165**H-1954**

1 Amend Senate File 165 as amended, passed, and
2 reprinted by the Senate as follows:
3 1. Page 1, line 16, by inserting after the word
4 "state" the following: "and opinions of the supreme
5 court".

By KREIMAN of Davis

H-1954 FILED MAY 3, 2001

W/D

SENATE FILE 165**H-1956**

1 Amend Senate File 165, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 2, line 27, by striking the words "or
4 officer of state government" and inserting the
5 following: ", officer of state government, or officer
6 of a governmental subdivision, including but not
7 limited to a county, city, township, school district,
8 or any other special purpose district".
9 2. Page 2, by striking lines 29 and 30, and
10 inserting the following: "person in a language other
11 than English."

By QUIRK of Chickasaw

H-1956 FILED MAY 3, 2001

W/D

SENATE FILE 165**H-1957**

1 Amend Senate File 165, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 1, by striking lines 3 through 24, and
4 inserting the following:
5 "___ . Except as otherwise provided in subsections 4
6 and 5, the English language shall be the language of
7 government in".
8 2. By renumbering as necessary.

By KUHN of Floyd

H-1957 FILED MAY 3, 2001

W/D

SENATE FILE 165**H-1964**

1 Amend Senate File 165, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 3, by inserting after line 1, the
4 following:
5 "6. This section is repealed on July 1, 2004."

By FALLON of Polk

H-1964 FILED MAY 3, 2001

W/D

SENATE FILE 165**H-1965**

1 Amend Senate File 165, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 1, line 29, by inserting after the word
4 "language." the following: "The designation of
5 English as the official language of the state for such
6 reports and publications shall not be construed as a
7 requirement for Roman catholic priests who utilize the
8 reports and publications in mass and in other
9 religious services to read the reports and
10 publications in the English language, rather than in
11 Latin."

By FALLON of Polk

H-1965 FILED MAY 3, 2001

W/D

SENATE FILE 165**H-1966**

1 Amend Senate File 165, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 1, line 29, by inserting after the word
4 "language." the following: "As a means of recognizing
5 the prevalence of Iowans with German heritage in this
6 state, the state of Iowa adopts the German language as
7 the second official language of this state which may
8 be used for the official reports and publications
9 enumerated in this chapter and adopts the following as
10 the official German slogan of this state: "Ich bin
11 ein Iowan.""

By LENSING of Johnson

H-1966 FILED MAY 3, 2001

W/D

SENATE FILE 165**H-1967**

1 Amend Senate File 165, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 3, by inserting after line 10 the
4 following:
5 "Sec. ____ . GENERAL ASSEMBLY LANGUAGE RECOGNITION.
6 The general assembly recognizes the important role
7 that understanding of foreign languages and cultures
8 plays in Iowa's success in international trade in food
9 and agricultural products. In order to give credit to
10 those members of the general assembly who lead by
11 example in furthering such understanding, the house of
12 representatives, with the concurrence of the senate,
13 resolves that each of the respective houses of the
14 general assembly will provide a certificate of
15 recognition to each of its members who demonstrates
16 expertise with the use a foreign language other than
17 English."
18 2. By renumbering as necessary.

By FREVERT of Palo Alto

H-1967 FILED MAY 3, 2001

W/O

SENATE FILE 165**H-1968**

1 Amend Senate File 165, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 1, by inserting after line 29 the
4 following:

5 "Consistent with the designation of English as the
6 official language of the state for such reports and
7 publications, any road sign posted along a highway or
8 interstate located on or near a state boundary line
9 between the state of Iowa and a contiguous state,
10 which is intended to notify travelers that they are
11 entering the state of Iowa and to welcome them to the
12 state, shall be changed to read "Welcome to Iowa, an
13 English-is-the-official-language state"."

By LENSING of Johnson

H-1968 FILED MAY 3, 2001

W/D

SENATE FILE 165**H-1969**

1 Amend Senate File 165, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 1, line 29, by inserting after the word
4 "language." the following: "In order to facilitate
5 understanding of the English language used for the
6 reports and publications, the full name or group of
7 words or letters for any acronym used shall be
8 included in the first use of the acronym in such a
9 report or publication."

By PETERSEN of Polk

H-1969 FILED MAY 3, 2001

W/D

SENATE FILE 165**H-1970**

1 Amend Senate File 165, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 1, line 29, by inserting after the word
4 "language." the following: "The official language of
5 the state used for baby changing stations located in
6 public restrooms shall not be limited to the English
7 language."

By PETERSEN of Polk

H-1970 FILED MAY 3, 2001

W/D

SENATE FILE 165**H-1971**

1 Amend Senate File 165, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 1, by inserting after line 29 the
4 following:
5 "In designating the English language as the
6 official language of the state for such reports and
7 publications, it is not the intent of the general
8 assembly to discourage residents of the state from
9 learning, or maintaining proficiency in, a language
10 other than the English language. The general assembly
11 encourages bilingualism to facilitate a better
12 understanding of other cultures, to enhance
13 appreciation for the diversity and heritage of the
14 citizens of this state, and to promote state tourism
15 and international commerce."

By MASCHER of Johnson

H-1971 FILED MAY 3, 2001

*lost p. 498
2/25/02*

SENATE FILE 165**H-1972**

1 Amend Senate File 165, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 1, line 29, by inserting after the word
4 "language." the following: "The official language of
5 the state used annually on March 17 to recognize
6 Iowa's Irish heritage shall be Irish Gaelic."

By FALLON of Polk
O'BRIEN of Boone

H-1972 FILED MAY 3, 2001

W/D

SENATE FILE 165**H-1973**

1 Amend Senate File 165, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 1, line 29, by inserting after the word
4 "language." the following: "The designation of
5 English as the official language of the state for such
6 reports and publications shall not be construed as a
7 requirement for Greek orthodox priests who utilize the
8 reports and publications in performing liturgy and
9 other religious services to read the reports and
10 publications in the English language, rather than in
11 Greek."

By GREIMANN of Story

H-1973 FILED MAY 3, 2001

W/D

SENATE FILE 165**H-1974**

1 Amend Senate File 165, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 3, by inserting after line 10, the
4 following:
5 "Sec. ____ REPORT AND PUBLICATION LANGUAGE REVIEW.
6 The legislative council is requested to authorize a
7 study of official state and local government reports
8 and publications to identify the quantity of these
9 reports and publications that are published in a
10 language other than English. An official report of
11 the study shall be submitted to the governor and
12 general assembly by December 15, 2001."
13 2. By renumbering as necessary.

By GREIMANN of Story

H-1974 FILED MAY 3, 2001

W/D

SENATE FILE 165**H-1975**

1 Amend Senate File 165, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 1, line 29, by inserting after the word
4 "language." the following: "The designation of
5 English as the official language of the state for such
6 reports and publications shall not be construed as a
7 requirement for Jewish rabbis who utilize the reports
8 and publications in worship services and other
9 religious services to read the reports and
10 publications in the English language, rather than in
11 Hebrew."

By FALLON of Polk

H-1975 FILED MAY 3, 2001

W/D

SENATE FILE 165**H-1976**

1 Amend Senate File 165, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 3, by inserting after line 1 the
4 following:
5 "Sec. ____ Section 2.17, Code 2001, is amended by
6 adding the following new unnumbered paragraph:
7 NEW UNNUMBERED PARAGRAPH. The official language
8 used by the general assembly in debate, committee
9 deliberations, and other oral communications shall not
10 be limited to the English language."
11 2. By renumbering as necessary.

By BUKTA of Clinton

H-1976 FILED MAY 3, 2001

W/D

SENATE FILE 165**H-1977**

1 Amend Senate File 165, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, line 29, by inserting after the word
4 "language." the following: "As a means of recognizing
5 the linguistic importance of Latin to the formation of
6 the English language and the importance of Latin in
7 the derivation of the European languages used by
8 settlers during the late nineteenth century in the
9 region that became this state, the state of Iowa
10 adopts the following as the official Latin motto of
11 the state: "Iowa -- terra diversa ac copiosa."

By FALLON of Polk
BUKTA of Clinton

H-1977 FILED MAY 3, 2001

W/D

SENATE FILE 165**H-1978**

1 Amend Senate File 165, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, by inserting after line 29 the
4 following:

5 "In designating the English language as the
6 official language of the state for such reports and
7 publications, it is not the intent of the general
8 assembly to discriminate in any way against recent
9 immigrants from other countries who have not yet
10 achieved a working command of the English language.
11 Instead, the intent of the general assembly is to
12 assist such individuals in achieving an autonomous
13 existence as a citizen of the state of Iowa by
14 encouraging the rapid and successful transition toward
15 the ability to functionally utilize the English
16 language."

By MASCHER of Johnson

H-1978 FILED MAY 3, 2001

W/D

SENATE FILE 165**H-2009**

1 Amend Senate File 165, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 2, by inserting after line 23, the
4 following:

5 "____. American currency so that Latin phrases
6 contained on such currency are not required to be
7 translated to English."

By FALLON of Polk

H-2009 FILED MAY 4, 2001

W/D

SENATE FILE 165**H-2010**

1 Amend Senate File 165, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 3, by inserting after line 1, the
4 following:

5 "____. The state shall designate the Funk and
6 Wagnalls New International Dictionary of the English
7 Language Millennium 2000 Edition (Hollie Cosgrove,
8 editor) or later editions of that dictionary as the
9 official state English language dictionary to be used
10 as the determining reference when a question arises as
11 to whether a word or phrase is an English word or
12 phrase."

By FALLON of Polk

H-2010 FILED MAY 4, 2001

W/D

SENATE FILE 165**H-2012**

1 Amend Senate File 165, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, line 29, by inserting after the word
4 "language" the following: "except that words in the
5 Meskwaki language such as "Iowa" are not subject to
6 this requirement".

By FALLON of Polk

H-2012 FILED MAY 4, 2001

W/D

Legislative Fiscal Bureau

Fiscal Note

SF 165 - English As The Official Language (LSB 2095 XS)
Analyst: Lisa Burk (Phone: (515) 281-6765) (Lisa.Burk@legis.state.ia.us)
Fiscal Note Version - New
Requested by Representative Ed Fallon

Description

Senate File 165 establishes English as the official language of the State of Iowa and requires all official State and local government business to be conducted in English with certain exceptions.

Assumptions

The following areas are exempt from the English language requirements of Senate File 165: teaching of languages; federal requirements under the Individuals with Disabilities Education Act; actions, documents, or policies necessary for trade, tourism, commerce, or that protect the public health and safety; actions or documents that pertain to compiling any census of populations or that protect the rights of victims of crimes or criminal defendants; the use of proper names; terms of art; or phrases from language other than English. In addition, any language usage required by or necessary to secure the rights guaranteed by the Constitution and laws of the United States of America or the Constitution of the State of Iowa is exempted.

An individual member of the general assembly or officer of State government, while performing official business, is not prohibited from communicating through any medium with another person in a language other than English, if that member or officer deems it necessary or desirable to do so.

Fiscal Impact

Senate File 165 is expected to have minimal impact on State Government.

The impact to local governments cannot be determined due to insufficient information from city and county governments; however, any impact is not expected to be significant.

Sources

Iowa Workforce Development
Department of Economic Development
Department of Education
Department of Human Rights
Civil Rights Commission
Citizen's Aide Ombudsman's Office

_____/s/ Dennis C Prouty_____

February 5, 2002

The fiscal note and correction impact statement for this bill was prepared pursuant to Joint Rule 17 and pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

H-8080

1 Amend Senate File 165, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. By striking everything after the enacting
4 clause and inserting the following:

5 "Section 1. NEW SECTION. 1.18 GOVERNMENT
6 OFFICIAL ACTION LANGUAGE.

7 1. Except as otherwise provided for in subsections
8 2 and 3, the English language shall be the language of
9 government in Iowa. All official documents,
10 regulations, orders, transactions, proceedings,
11 programs, meetings, publications, or actions taken or
12 issued, which are conducted or regulated by, or on
13 behalf of, or representing the state and all of its
14 political subdivisions shall be in the English
15 language.

16 For the purposes of this section, "official action"
17 means any action taken by the government in Iowa or by
18 an authorized officer or agent of the government in
19 Iowa that does any of the following:

- 20 a. Binds the government.
- 21 b. Is required by law.
- 22 c. Is otherwise subject to scrutiny by either the
23 press or the public.
- 24 2. This section shall not apply to:
 - 25 a. The teaching of languages.
 - 26 b. Requirements under the federal Individuals with
27 Disabilities Education Act.
 - 28 c. Actions, documents, or policies necessary for
29 trade, tourism, or commerce.
 - 30 d. Actions or documents that protect the public
31 health and safety.
 - 32 e. Actions or documents that facilitate activities
33 pertaining to compiling any census of populations.
 - 34 f. Actions or documents that protect the rights of
35 victims of crimes or criminal defendants.
 - 36 g. Use of proper names, terms of art, or phrases
37 from languages other than English.
 - 38 h. Any language usage required by or necessary to
39 secure the rights guaranteed by the Constitution and
40 laws of the United States of America or the
41 Constitution of the State of Iowa.
 - 42 i. Any oral or written communications,
43 examinations, or publications produced or utilized by
44 a driver's license station, provided public safety is
45 not jeopardized.

46 3. Nothing in this section shall be construed to
47 do any of the following:

- 48 a. Prohibit an individual member of the general
49 assembly or officer of state government, while
50 performing official business, from communicating

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-1-

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1 through any medium with another person in a language
2 other than English, if that member or officer deems it
3 necessary or desirable to do so.

4 b. Limit the preservation or use of Native
5 American languages, as defined in the federal Native
6 American Languages Act of 1992.

7 c. Disparage any language other than English or
8 discourage any person from learning or using a
9 language other than English.

10 Sec. 2. NEW SECTION. 4.14 GENERAL RULES OF
11 CONSTRUCTION FOR ENGLISH LANGUAGE LAWS.

12 It is presumed that English language requirements
13 in the public sector are consistent with the laws of
14 Iowa and any ambiguity in the English language text of
15 the laws of Iowa shall be resolved, in accordance with
16 the ninth and tenth amendments of the Constitution of
17 the United States, not to deny or disparage rights
18 retained by the people, and to reserve powers to the
19 states or to the people.

20 Sec. 3. CITATION. This Act may be cited as the
21 "Government Official Action Language Act of 2002".

22 2. Title page, by striking lines 1 and 2, and
23 inserting the following: "An Act relating to the
24 government official action language Act of 2002."

By WARNSTADT of Woodbury

H-8080 FILED FEBRUARY 22, 2002

W/D

SENATE FILE 165

H-8081

1 Amend Senate File 165, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, lines 1 and 2, by striking the words
4 "IOWA ENGLISH LANGUAGE REAFFIRMATION." and inserting
5 the following: "ENGLISH LANGUAGE LEARNER ACT OF
6 2002."

7 2. Page 3, by inserting after line 1, the
8 following:

9 "Sec. ____ . NEW SECTION. 1.19 ENGLISH -- IOWA'S
10 COMMON LANGUAGE.

11 The general assembly of the state of Iowa
12 recognizes that English is the common language used in
13 Iowa and recognizes that fluency in English is
14 necessary for full integration into the American
15 culture."

16 3. Page 3, by inserting after line 10 the
17 following:

18 "Sec. ____ . Section 257.31, subsection 5, paragraph
19 j, Code 2001, is amended to read as follows:

20 j. Unusual need to continue providing a program or
21 other special assistance to non-English speaking
22 pupils after the expiration of the ~~three-year~~ period
23 specified in section 280.4.

24 Sec. ____ . Section 280.4, subsection 3, Code 2001,
25 is amended to read as follows:

26 3. In order to provide funds for the excess costs
27 of instruction of limited English proficient students
28 above the costs of instruction of pupils in a regular
29 curriculum, students identified as limited English
30 proficient shall be assigned an additional weighting
31 that shall be included in the weighted enrollment of
32 the school district of residence ~~for a period not~~
33 ~~exceeding three years.~~ For the school budget year
34 beginning July 1, 2002, pupils shall be eligible to
35 receive the additional weighting for a maximum of
36 three years. For the school budget year beginning
37 July 1, 2003, pupils shall be eligible to receive the
38 additional weighting for a maximum of four years. For
39 the school budget year beginning July 1, 2004, and
40 succeeding budget years, pupils shall be eligible to
41 receive the additional weighting for a maximum of five
42 years. Additional weighting received pursuant to this
43 subsection for school budget years prior to the
44 effective date of this Act shall be included in
45 determining qualification for additional years of
46 funding. However, the school budget review committee
47 may grant supplemental aid or modified allowable
48 growth to a school district to continue funding a
49 program for students after the expiration of the
50 ~~three-year~~ period specified in this subsection. The

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1 school budget review committee shall calculate the
2 additional amount for the weighting to the nearest
3 one-hundredth of one percent so that to the extent
4 possible the moneys generated by the weighting will be
5 equivalent to the moneys generated by the two-tenths
6 weighting provided prior to July 2, 1991."

7 4. Page 3, lines 11 and 12, by striking the words
8 "Iowa English Language Reaffirmation Act of 2001" and
9 inserting the following: "English Language Learner
10 Act of 2002".

11 5. Page 3, by inserting after line 12 the
12 following:

13 "Sec. ____ . ADULT ENGLISH PROFICIENCY INSTRUCTION
14 GRANT APPROPRIATION. There is appropriated from the
15 general fund of the state to the state department of
16 education for the fiscal year beginning July 1, 2003,
17 and ending June 30, 2004, two hundred twenty thousand
18 dollars for adult English proficiency instruction
19 grants. Grants shall be awarded by the department of
20 education to community colleges as defined in section
21 260C.2, for the purpose of expanding existing classes
22 in English proficiency for adults. The funds shall be
23 used only for administration and supplies and not for
24 instructors for the classes."

25 6. Title page, by striking lines 1 and 2 and
26 inserting the following: "An Act enacting the English
27 language learner Act of 2002 and making an
28 appropriation."

29 7. By renumbering as necessary.

- | | |
|----------------------------|-----------------------|
| By PETERSEN of Polk | CONNORS of Polk |
| HATCH of Polk | FREVERT of Palo Alto |
| T. TAYLOR of Linn | WINCKLER of Scott |
| MYERS of Johnson | LENSING of Johnson |
| BUKTA of Clinton | GREIMANN of Story |
| FOEGE of Linn | JOCHUM of Dubuque |
| CHIODO of Polk | REEDER of Fayette |
| MASCHER of Johnson | REYNOLDS of Van Buren |
| ATTEBERRY of Delaware | SHOULTZ of Black Hawk |
| WITT of Black Hawk | FALLON of Polk |
| DOTZLER of Black Hawk | |

H-8081 FILED FEBRUARY 22, 2002

W/D

SENATE FILE 165**H-8082**

1 Amend Senate File 165, as amended, passed, and
 2 reprinted by the Senate, as follows:

3 1. Page 1, by inserting after line 16 the
 4 following:

5 "d. The state of Iowa recognizes that encouraging
 6 future generations to learn not only English but
 7 multiple languages and to embrace diverse cultures
 8 will help to modernize Iowa's economy and to prepare
 9 Iowa to grow and prosper in the global marketplace."

By PETERSEN of Polk	DOTZLER of Black Hawk
WISE of Lee	CONNORS of Polk
HATCH of Polk	FREVERT of Palo Alto
T. TAYLOR of Linn	LENSING of Johnson
MYERS of Johnson	GREIMANN of Story
BUKTA of Clinton	BELL of Jasper
FOEGE of Linn	JOCHUM of Dubuque
CHIODO of Polk	REEDER of Fayette
MASCHER of Johnson	REYNOLDS of Van Buren
ATTEBERRY of Delaware	SHOULTZ of Black Hawk
STEVENS of Dickinson	HUSER of Polk
WITT of Black Hawk	FALLON of Polk

H-8082 FILED FEBRUARY 22, 2002

*Last 2/25/02
 (p. 497)*

SENATE FILE 165**H-8083**

1 Amend Senate File 165 as amended, passed, and
 2 reprinted by the Senate as follows:

3 1. Page 2, line 23, by inserting after the word
 4 "jeopardized" the following: "except that
 5 examinations for commercial driver's licenses shall be
 6 given only in the English language".

By WARNSTADT of Woodbury	MYERS of Johnson
HATCH of Polk	CHIODO of Polk
D. TAYLOR of Linn	MASCHER of Johnson
T. TAYLOR of Linn	

H-8083 FILED FEBRUARY 22, 2002

W/D

SENATE FILE 165

H-8086

1 Amend Senate File 165, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. By striking everything after the enacting
 4 clause and inserting the following:
 5 "Section 1. NEW SECTION. 1.18 ENGLISH -- IOWA'S
 6 COMMON LANGUAGE.
 7 The general assembly of the state of Iowa
 8 recognizes that English is the common language used in
 9 Iowa and recognizes that fluency in English is
 10 necessary for full integration into the American
 11 culture."
 12 2. Title page, by striking lines 1 and 2 and
 13 inserting the following: "An Act affirming that
 14 English is Iowa's common language."

By FALLON of Polk	DOTZLER of Black Hawk
WARNSTADT of Woodbury	CONNORS of Polk
HATCH of Polk	FREVERT of Palo Alto
T. TAYLOR of Linn	WINCKLER of Scott
MYERS of Johnson	LENSING of Johnson
BUKTA of Clinton	GREIMANN of Story
FOEGE of Linn	BELL of Jasper
CHIODO of Polk	JOCHUM of Dubuque
MASCHER of Johnson	REEDER of Fayette
PETERSEN of Polk	REYNOLDS of Van Buren
ATTEBERRY of Delaware	SHOULTZ of Black Hawk
STEVENS of Dickinson	HUSER of Polk
WITT of Black Hawk	

H-8086 FILED FEBRUARY 22, 2002

*Lost
2/25/02
Motion to R/C
filed*

SENATE FILE 165

H-8084

1 Amend Senate File 165, as amended, passed, and
 2 reprinted by the Senate as follows:
 3 1. Page 1, by striking lines 1 through 23 and
 4 inserting the following:
 5 "Section 1. NEW SECTION. 1.18 GOVERNMENT
 6 OFFICIAL ACTION LANGUAGE.
 7 1. Except as otherwise provided in subsections 2
 8 and 3,".
 9 2. Page 1, line 24 by striking the figure "5,".
 10 3. Page 2, line 3 by striking the figure "4." and
 11 inserting the following: "2."
 12 4. Page 2, line 24 by striking the figure "5."
 13 and inserting the following: "3."
 14 5. Title page, by striking lines 1 and 2 and
 15 inserting the following: "An Act relating to the
 16 government official action language Act of 2002."

By WARNSTADT of Woodbury

H-8084 FILED FEBRUARY 22, 2002

W/D

SENATE FILE 165

H-8085

1 Amend Senate File 165, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. By striking everything after the enacting
4 clause and inserting the following:

5 "Section 1. NEW SECTION. 1.18 GOVERNMENT
6 OFFICIAL ACTION LANGUAGE.

7 1. Except as otherwise provided for in subsections
8 2 and 3, the English language shall be the language of
9 government in Iowa. All official documents,
10 regulations, orders, transactions, proceedings,
11 programs, meetings, publications, or actions taken or
12 issued, which are conducted or regulated by, or on
13 behalf of, or representing the state and all of its
14 political subdivisions shall be in the English
15 language.

16 For the purposes of this section, "official action"
17 means any action taken by the government in Iowa or by
18 an authorized officer or agent of the government in
19 Iowa that does any of the following:

20 a. Binds the government.

21 b. Is required by law.

22 c. Is otherwise subject to scrutiny by either the
23 press or the public.

24 2. This section shall not apply to:

25 a. The teaching of languages.

26 b. Requirements under the federal Individuals with
27 Disabilities Education Act.

28 c. Actions, documents, or policies necessary for
29 trade, tourism, or commerce.

30 d. Actions or documents that protect the public
31 health and safety.

32 e. Actions or documents that facilitate activities
33 pertaining to compiling any census of populations.

34 f. Actions or documents that protect the rights of
35 victims of crimes or criminal defendants.

36 g. Use of proper names, terms of art, or phrases
37 from languages other than English.

38 h. Any language usage required by or necessary to
39 secure the rights guaranteed by the Constitution and
40 laws of the United States of America or the
41 Constitution of the State of Iowa.

42 i. Any oral or written communications,
43 examinations, or publications produced or utilized by
44 a driver's license station, provided public safety is
45 not jeopardized except that examinations for
46 commercial driver's licenses shall be given only in
47 the English language.

48 3. Nothing in this section shall be construed to
49 do any of the following:

50 a. Prohibit an individual member of the general

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1 assembly or officer of state government, while
2 performing official business, from communicating
3 through any medium with another person in a language
4 other than English, if that member or officer deems it
5 necessary or desirable to do so.

6 b. Limit the preservation or use of Native
7 American languages, as defined in the federal Native
8 American Languages Act of 1992.

9 c. Disparage any language other than English or
10 discourage any person from learning or using a
11 language other than English.

A-

12 Sec. 2. NEW SECTION. 4.14 GENERAL RULES OF
13 CONSTRUCTION FOR ENGLISH LANGUAGE LAWS.

14 It is presumed that English language requirements
15 in the public sector are consistent with the laws of
16 Iowa and any ambiguity in the English language text of
17 the laws of Iowa shall be resolved, in accordance with
18 the ninth and tenth amendments of the Constitution of
19 the United States, not to deny or disparage rights
20 retained by the people, and to reserve powers to the
21 states or to the people.

22 Sec. 3. CITATION. This Act may be cited as the
23 "Government Official Action Language Act of 2002".

24 2. Title page, by striking lines 1 and 2, and
25 inserting the following: "An Act relating to the
26 government official action language Act of 2002."

By MYERS of Johnson

H-8085 FILED FEBRUARY 22, 2002

*2/25/02 A. W/D
B - Lost 2/25/02*

SENATE FILE 165

H-8087

1 Amend Senate File 165, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. By striking page 1, line 1 through page 3,
4 line 12, and inserting the following:

5 "Section 1. NEW SECTION. 1.18 ENGLISH PLUS
6 AFFIRMATION.

7 1. The general assembly of the state of Iowa finds
8 and declares the following:

9 a. English is and will remain the primary language
10 of the state of Iowa, and all members of the state
11 recognize the importance of English to state life,
12 individual accomplishment, and personal enrichment.

13 b. Many United States citizens have native
14 languages other than English, including many languages
15 indigenous to the North American continent, and many
16 members of society have not had an equal opportunity
17 to learn English.

18 c. The ability to communicate in English and other
19 languages has promoted and can further enhance Iowa's
20 economic, political, and cultural vitality, and
21 contributes to the state's productivity and nationwide
22 competitiveness.

23 d. Fundamental values and state and national
24 documents ensure tolerance and respect for diversity
25 and guarantee all persons equal protection under the
26 law.

27 e. A need exists for a vastly expanded network of
28 facilities for comprehensive English language
29 instruction and services to ensure that all persons in
30 the state have the ability to exercise the rights and
31 responsibilities of full participation in society. A
32 need exists to offer English as a primary language in
33 classes at Iowa community colleges, state
34 universities, and public schools.

35 f. A need exists to foster multiple language
36 skills among all people in the state in order to
37 promote Iowa's position in the world marketplace and
38 to strengthen Iowa's conduct of relations with other
39 countries.

40 g. A need exists to endorse the concept of English
41 Plus in order to promote public civility and the
42 fundamental values and objectives of society.

43 2. Laws containing restrictionist language shall
44 not be enacted in Iowa that will impede a citizen's
45 right to vote, infringe on a citizen's civil rights,
46 foster governmental interference in private activity
47 and free commerce, or cause social disunity."

48 2. Title page, by striking lines 1 and 2 and
49 inserting the following: "An Act endorsing the
50 concept of multiple language skills in the state of

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1 Iowa."

By HATCH of Polk
 SMITH of Marshall
 T. TAYLOR of Linn
 MYERS of Johnson
 BUKTA of Clinton
 CHIODO of Polk
 MASCHER of Johnson
 PETERSEN of Polk
 ATTEBERRY of Delaware
 STEVENS of Dickinson
 WITT of Black Hawk
 DOTZLER of Black Hawk

CONNORS of Polk
 FREVERT of Palo Alto
 WINCKLER of Scott
 LENSING of Johnson
 GREIMANN of Story
 BELL of Jasper
 JOCHUM of Dubuque
 REYNOLDS of Van Buren
 REEDER of Fayette
 SHOULTZ of Black Hawk
 MURPHY of Dubuque
 HUSER of Polk

H-8087 FILED FEBRUARY 22, 2002

*lost 2/25/02
 (p. 496)*

SENATE FILE 165

AN ACT

ENACTING THE IOWA ENGLISH LANGUAGE REAFFIRMATION ACT OF 2001.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. NEW SECTION. 1.18 IOWA ENGLISH LANGUAGE REAFFIRMATION.

1. The general assembly of the state of Iowa finds and declares the following:

a. The state of Iowa is comprised of individuals from different ethnic, cultural, and linguistic backgrounds. The state of Iowa encourages the assimilation of Iowans into Iowa's rich culture.

b. Throughout the history of Iowa and of the United States, the common thread binding individuals of differing backgrounds together has been the English language.

c. Among the powers reserved to each state is the power to establish the English language as the official language of the state, and otherwise to promote the English language within the state, subject to the prohibitions enumerated in the Constitution of the United States and in laws of the state.

2. In order to encourage every citizen of this state to become more proficient in the English language, thereby facilitating participation in the economic, political, and cultural activities of this state and of the United States, the English language is hereby declared to be the official language of the state of Iowa.

3. Except as otherwise provided for in subsections 4 and 5, the English language shall be the language of government in Iowa. All official documents, regulations, orders, transactions, proceedings, programs, meetings, publications, or actions taken or issued, which are conducted or regulated by, or on behalf of, or representing the state and all of its political subdivisions shall be in the English language.

For the purposes of this section, "official action" means any action taken by the government in Iowa or by an authorized officer or agent of the government in Iowa that does any of the following:

- a. Binds the government.
- b. Is required by law.
- c. Is otherwise subject to scrutiny by either the press or the public.
4. This section shall not apply to:
 - a. The teaching of languages.
 - b. Requirements under the federal Individuals with Disabilities Education Act.
 - c. Actions, documents, or policies necessary for trade, tourism, or commerce.
 - d. Actions or documents that protect the public health and safety.

- e. Actions or documents that facilitate activities pertaining to compiling any census of populations.
 - f. Actions or documents that protect the rights of victims of crimes or criminal defendants.
 - g. Use of proper names, terms of art, or phrases from languages other than English.
 - h. Any language usage required by or necessary to secure the rights guaranteed by the Constitution and laws of the United States of America or the Constitution of the State of Iowa.
 - i. Any oral or written communications, examinations, or publications produced or utilized by a driver's license station, provided public safety is not jeopardized.
5. Nothing in this section shall be construed to do any of the following:
- a. Prohibit an individual member of the general assembly or officer of state government, while performing official business, from communicating through any medium with another person in a language other than English, if that member or officer deems it necessary or desirable to do so.
 - b. Limit the preservation or use of Native American languages, as defined in the federal Native American Languages Act of 1992.
 - c. Disparage any language other than English or discourage any person from learning or using a language other than English.

Sec. 2. NEW SECTION. 4.14 GENERAL RULES OF CONSTRUCTION FOR ENGLISH LANGUAGE LAWS.

It is presumed that English language requirements in the public sector are consistent with the laws of Iowa and any ambiguity in the English language text of the laws of Iowa shall be resolved, in accordance with the ninth and tenth amendments of the Constitution of the United States, not to deny or disparage rights retained by the people, and to reserve powers to the states or to the people.

Sec. 3. CITATION. This Act may be cited as the "Iowa English Language Reaffirmation Act of 2001".

MARY E. KRAMER
President of the Senate

BRENT SIEGRIST
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 165, Seventy-ninth General Assembly.

MICHAEL E. MARSHALL
Secretary of the Senate

Approved March 1, 2002

THOMAS J. VILSACK
Governor