

Approved: 3-15-95  
Date

MINUTES OF THE HOUSE COMMITTEE ON FEDERAL AND STATE AFFAIRS.

The meeting was called to order by Chairperson Garry Boston at 1:30 p.m. on February 22, 1995 in Room 526-S of the Capitol.

All members were present except:

Committee staff present: Mary Galligan, Legislative Research Department  
Lynne Holt, Legislative Research Department  
Mary Ann Torrence, Revisor of Statutes  
June Evans, Committee Secretary

Conferees appearing before the committee: Keith Kirk, Field Director, U.S. English, Washington, D.C.  
Phil DeLaToree, K. U. Law Professor, Lawrence  
Richard Ruiz, Chairman, Kansas Advisory Committee on  
Hispanic Affairs  
Ascension Hernandez, LULAC  
Arthur Solis, State Commander, American G.I. Forum of KS  
Rogelio Lasso, Washburn University

Others attending: See attached list

Representative Ruff moved and Representative Graeber seconded to reconsider the action on **HCR 5016**.

Representative Standifer asked what was being reconsidered.

Representative Vickrey asked if the bill couldn't be amended on the Floor of the House.

Representative Standifer stated the bill was approved and there was full debate on the bill yesterday. Amendments should be taken care of on the Floor.

Representative Ruff stated it would be better to work the bill here with a smaller group.

The Chairman stated seeing no more questions, will ask for a vote to reconsider **HCR 5016**.

After a voice vote a Division was called for - 13 Yeas and 5 Nays. The motion carried.

Representative Ruff moved and Representative Graeber seconded to amend the date and change date back to the original date which is April 4, 1995. The motion carried.

Representative Standifer stated that 48 days was not ample time.

Representative Aldritt stated that in 6 weeks the people of this state will vote on this.

Representative Ruff stated that is not a new subject. This is an opportunity for people to say that they do like it.

Representative Packer moved and Representative Graeber seconded to move **HCR 5016** out of committee as amended. The motion carried.

Representative Standifer requested to be recorded as voting NO.

Representative Spangler requested to be recorded as voting YES.

Representative Doug Lawrence requested a bill introduction to permit public fishing at Wolf Creek Lake.

Representative Lloyd moved and Representative Gilbert seconded to accept request as a committee bill. The motion carried.

Representative Cox requested a bill introduction to authorize electronic games of chance at parimutuel licensee locations.

Representative Standifer moved and Representative Graeber seconded to accept request as a committee bill. The motion carried.

**HB 2517: An act designating English as the common language and requiring its use as the language of public record and public meetings**

The Chairperson opened the hearing on **HB 2517**.

Whitney Damron introduced Keith Kirk of U. S. English Foundation, Washington, D.C., who was a proponent for **HB 2517**, stating this legislation sets parameters under which state government will function. With this legislation, the legislature and Kansas taxpayers will not find themselves with a splintered public policy. Bordering states administer driver's license tests in several foreign languages which is very costly. That money could better serve non-English speaking citizens by encouraging them to speak English.

According to a study performed by the American Legislative Exchange Council Foundation in association with the U.S. English Foundation, research finds that Kansas currently spends \$30,732,280 on bilingual education. This figure is just one clear example of the expanding bureaucracy of multiple language government.

This legislation makes English the official language and contains an exemption clause providing that essential services are offered in languages other than English.

Ponder the following question: How best are non-English speakers served? By providing him with all government services in his native language or by insuring that he has an opportunity to learn English? (See Attachment #1).

Staff requested clarification of statistics and Mr. Kirk said he would Federal Express those statistics.

Phillip E. DeLaTorre, law professor at the University of Kansas, testified opposing **HB 2517**, stating as a Kansan he is concerned this is a serious mistake. **HB 2517** serves no useful purpose. Its only practical effect would be as a symbolic slap in the face of all the good people in this state -- loyal to the United States, loyal to the state of Kansas -- who happen to speak languages other than English. It would be preferred that my state government not get involved in the business of labelling languages as unofficial, illegal, or -- as in the case of **HB 2517** -- uncommon. **HB 2517** is ill-conceived. It goes against the tradition of honor and respect for the nation's multi-faceted background. It goes against the tradition of honor and respect for individual choice. This bill is un-Kansan and un-American. (See Attachment #2)

Richard Ruiz, Chairperson, Kansas Advisory Committee on Hispanic Affairs, testified opposing **HB 2517**, stating the bill is vague and potentially overreaching. The Hispanic community would like to make sure that Spanish speaking Hispanics are able to fully participate in the state and legislative functions, and have equal access to official documents and public meetings.

English-only laws are divisive, discriminatory, and prevent Kansans who are language minorities from exercising their rights. English only laws run counter to the great acceptance of diversity which the U.S. was founded on, and the Hispanics would be losing out on a great opportunity to encourage all citizens of this country to learn a second language. (See Attachment #3)

Ascension Hernandez, Kansas League of United Latin American Citizens (LULAC), testified opposing **HB 2517**, stating it should be marked dead on arrival. (See Attachment #4)

Arthur Solis, American GI Forum of Kansas, testified the GI Forum adamantly opposes **HB 2517**. The American GI Forum recognizes the importance of promoting democracy and national unity. Indeed, Hispanic Americans have shed their blood and died for democracy.

The American GI Forum also recognizes the importance of encouraging a "common language" between citizens. However, there is a fundamental and constitutional difference between promoting the use of English and proscribing non-English languages by coercive means.

Simply stated, **HB 2517** is overbroad; Section 3 provides narrow exceptions in limited circumstances under which non-English languages may be used. The American GI Forum of Kansas submits that **HB 2517** violates that Constitution of the United States as well as federal civil rights laws. The American GI Forum of

Kansas respectfully requests that **HB 2517** be killed in committee. (See Attachment #5)

Chad Lopez, Chair of the Kansas Hispanic Caucus, distributed written testimony opposing **HB 2517**, which stated a law is not necessary to designate English as the common language of this state. Mr. Lopez stated he was able to communicate in English, not because of a law which requires communication in the English language, but because such is the custom in this industry. (See Attachment #6)

Mr. Lopez introduced Rogelio Lasso, professor of law at Washburn University, who testified opposing **HB 2517**, stating he was an immigrant, having arrived from Panama nearly 30 years ago. **HB 2517** should not be passed for three reasons: (1) It is unnecessary; (2) It is illegal; and (3) It is divisive and antagonistic. (See Attachment #7)

Testimony was distributed by the following: Eva Pereira (See Attachment #8) Arturo Robles (See Attachment #9) Reynaldo R. Mesa, Garden City Association of Hispanic Professionals (See Attachment #10) Harold Orosco, Garden City, Kansas (See Attachment #11)

HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE  
GUEST LIST

DATE: February 22, 1995

NAME	REPRESENTING
Arthur Solis	AGIF-KANSAS
Sandy Hills	Ottawa University
C. Za-Zash	Ottawa University
Judith Schneider	Amanda Arnold School
M. M. [unclear]	
Elizabeth Jones	Ottawa University
Jimmy Norman	OTTAWA UNIVERSITY
Ronald [unclear]	Ottawa University
Melanie Smith	Ottawa University
Angio-Jager	Ottawa University
Heather Embury	Tipton MO - Ottawa University
Donald Snodgrass	Ks. Food Dealers Assn
Tom Bruno	Alumni Assoc.
Clinton Blus	KS Secretary Comm.
Donia Salimi	Ottawa University
Capit [unclear]	KANSAS
Annie Salyers	Ottawa University
Maay Jobell	Capitol KS
Chad Lopez	Topeka, KS

Rich  
Mike Nelson

Wathens, KS



**TESTIMONY OF**

**KEITH KIRK  
OF  
U.S. ENGLISH**

**PRESENTED BEFORE THE  
HOUSE FEDERAL & STATE AFFAIRS  
COMMITTEE**

**HB 2517**

**FEBRUARY 22, 1995**

*FUSA  
2-22-95  
Atch# 1*

Good afternoon Mr. Chairman. Let me express my appreciation to you and your Committee for allowing me an opportunity to appear before you and discuss this important common-sense piece of legislation, HB 2517, which designates English as the official language of state government in Kansas.

This legislation sets parameters under which state government will function. With this legislation, you the legislature and your taxpayers will not find yourself with a splintered public policy. Consider your neighbor to the east, Missouri, where the driver's license test is administered in twelve (12) languages. Your neighbor to the north, Nebraska, which administers the driver's exam in six (6) languages and your western neighbor, Colorado, where the test is given in eight (8) languages. These policies cost money, money that could better serve non-English speaking citizens by encouraging them to speak English.

According to a study performed by the American Legislative Exchange Council Foundation in association with the U.S. English Foundation, research finds that Kansas currently spends \$30,732,280 on bilingual education. Passage of House Bill 2517 will not save Kansas state government 30 million dollars. I do not intend to mislead you. However, this figure is just one clear example of the expanding bureaucracy of multiple language government.



Presently, government agencies across the state of Kansas are conducting business in languages other than English. They do this with no line item within their budgets for multiple language printing and translation costs. Might I suggest to you that while these figures are not readily identifiable, experiences in other states suggest that the figures can be significant and startling. Moreover, the societal costs associated with such policies are even more consequential. Individuals who do not speak English are trapped behind the wall of a language barrier. It is imperative that they be given an opportunity to learn English -- so that they can fully partake in all of the social and economic opportunities that this country has to offer.

Ponder if you will the following question: How best do we serve a non-English speaker? By providing him with all government services in his native language? Or by insuring that he has an opportunity to learn English?

The legislation before you today is a balanced bill, which takes into account the necessity of extending particular services to non-English speakers in a language other than English. The bill: 1) Makes English the official language; 2) And contains an exemption clause providing that essential services are offered in languages other than English.

Now ponder this question: How best do we serve the Kansas taxpayer? By allowing government bureaucracies to drain budget dollars in order to implement costly, ineffective policies aimed at doing more and more in languages other than



English -- policies which only perpetuate the problem? Or do we codify into law a policy which puts the focus where it belongs -- on our common language, English.

Within the last 48 hours, hearings have been held in the Senate Committee in Missouri and the House Committee in Oklahoma without a single opponent appearing to challenge this legislation. It is my understanding that there are opponents in attendance with us today. You perhaps may hear that this legislation is racist, regressive and exclusive. This legislation doesn't ask any one of any culture to give up anything. The practice of culture in the home, church, or place of business is not affected in any way. It also makes common sense exemptions for health, safety and emergency purposes. It also does not restrict language use in the development of international business opportunities pursued by the state and the instruction of foreign languages is in no way impacted. House Bill 2517 just says that the functions of state government in Kansas will be performed, unless otherwise deemed necessary, in the common tongue and language of commerce and opportunity...English.

I appreciate you allowing me these few moments to discuss this legislation and will be glad to try to answer any questions which you may have.

Report Card on American Education 1994

**Table 1: Number of Limited English Proficient Students and Expenditures by State  
School Year 1991-92**

State	Number of Students			Total	State & Local Expenditures			
	Bilingual	ESL	Unknown		Bilingual	ESL	Unknown	Total
Alabama	350	124	0	474	\$1,263,350	\$447,764	50	\$1,711,614
Alaska	12,056	0	0	12,056	111,493,888	0	0	111,493,888
Arizona	17,146	38,085	3,596	58,827	69,647,052	154,701,270	13,794,552	238,142,874
Arkansas	na	na	na	na	na	na	na	na
California	659,822	161,689	0	821,511	3,029,902,624	742,475,888	0	3,772,378,512
Colorado	1,155	9,401	6,762	17,318	5,973,660	48,621,972	34,973,064	89,568,696
Connecticut	12,848	2,368	0	15,216	103,233,680	19,026,880	0	122,260,560
Delaware	na	na	907	907	na	na	5,616,144	5,616,144
District of Col.	209	3,252	0	3,461	1,664,894	25,905,432	0	27,570,326
Florida	3,809	720	79,296	83,825	19,970,587	3,774,960	415,748,928	439,494,475
Georgia	0	6,737	0	6,737	0	32,209,597	0	32,209,597
Hawaii	10,335	0	0	10,335	56,274,075	0	0	56,274,075
Idaho	336	3,911	0	4,247	1,228,080	14,294,705	0	15,522,785
Illinois	61,335	20,514	0	81,849	319,248,675	106,775,370	0	426,024,045
Indiana	915	715	346	1,976	4,724,145	3,691,545	1,786,398	10,202,088
Iowa	942	3,238	na	4,180	4,800,432	16,500,848	na	21,301,280
Kansas	417	2,278	3,269	5,964	2,148,801	11,738,534	16,845,157	30,732,492
Kentucky	780	na	486	1,266	3,840,720	na	2,393,064	6,233,784
Louisiana	648	3,645	2,564	6,858	2,748,168	15,462,686	10,873,924	29,084,778
Maine	299	870	na	1,169	1,722,240	5,011,200	na	6,733,440
Maryland	406	6,526	5,169	12,101	2,512,734	40,389,414	31,990,941	74,893,089
Massachusetts	38,043	0	0	38,043	241,991,523	0	0	241,991,523
Michigan	18,475	0	0	18,475	116,540,300	0	0	116,540,300
Minnesota	4,235	188	10,613	15,036	22,894,410	1,016,328	57,373,878	81,284,616
Mississippi	626	865	na	1,491	2,055,784	2,840,660	na	4,896,444

1-5

Report Card on American Education 1994

State	Number of Students				State & Local Expenditures			
	Bilingual	ESL	Unknown	Total	Bilingual	ESL	Unknown	Total
Missouri	425	185	na	610	1,892,100	823,620	na	2,715,720
Montana	1,901	94	1,850	3,845	9,674,189	478,366	9,414,650	19,567,205
Nebraska	202	1,063	na	1,265	938,694	4,939,761	na	5,878,455
Nevada	226	3,157	6,301	9,684	1,201,524	15,387,218	30,711,074	47,199,816
New Hampshire	39	123	429	591	217,035	684,495	2,387,385	3,288,915
New Jersey	2,549	na	42,555	45,204	25,838,346	na	415,081,470	440,919,316
New Mexico	74,421	58	na	74,479	342,857,547	267,206	na	343,124,753
New York	19,468	na	129,238	148,706	163,706,412	na	1,086,762,342	1,250,468,754
North Carolina	253	541	2,250	3,044	1,177,209	2,517,273	10,469,250	14,163,732
North Dakota	1,384	482	na	1,866	6,027,320	2,099,110	na	8,126,430
Ohio	3,018	2,815	3,219	9,052	17,223,726	16,065,205	18,370,833	51,659,764
Oklahoma	1,480	1,595	11,758	14,833	5,798,640	6,249,210	46,067,844	58,115,694
Oregon	2,305	750	6,402	9,457	12,961,015	4,217,250	35,998,446	53,176,711
Pennsylvania	na	na	na	na	na	na	na	na
Rhode Island	1,493	6,410	na	7,903	10,215,106	43,857,220	na	54,072,326
South Carolina	133	681	295	1,109	597,037	3,057,009	1,324,255	4,978,301
South Dakota	1,532	na	1,556	2,888	5,561,100	na	6,496,300	12,057,400
Tennessee	na	na	2,519	2,519	na	na	9,400,908	9,400,908
Texas	152,553	129,366	10	281,929	708,303,579	600,646,338	46,430	1,308,996,347
Utah	85	na	2,499	2,584	246,670	na	7,252,098	7,498,768
Vermont	na	180	115	295	na	1,246,140	796,145	2,042,285
Virginia	na	na	na	na	na	na	na	na
Washington	7,387	na	26,517	33,904	38,929,490	na	139,744,590	178,674,080
West Virginia	na	na	na	na	na	na	na	na
Wisconsin	10,680	249	2,751	13,680	67,091,760	1,564,218	17,281,782	85,937,760
Wyoming	122	92	536	750	715,652	539,672	3,144,176	4,399,500
<b>TOTAL</b>	<b>1,126,393</b>	<b>412,844</b>	<b>353,608</b>	<b>1,892,845</b>	<b>\$5,545,696,623</b>	<b>\$1,949,076,600</b>	<b>\$2,437,146,028</b>	<b>\$9,926,913,251</b>

1-6

TESTIMONY

to: members of the House Committee on Federal and  
State Affairs

from: Phillip E. DeLaTorre

re: H.B. 2517 (English as the common language)

date: February 22, 1995

My name is Phil DeLaTorre. I am a law professor at the University of Kansas. I am a native Kansan, having been born and raised in Chanute. I received my Bachelor's degree from the University of Kansas, which is also where I met my wife, the mother of my two children. We live in Lawrence. The only times I have lived in any place other than in Kansas have been my three years of law school on the East Coast and the few times when I've been a visiting professor at some other law school. I am a Kansan, through and through. My friends from other parts of the country tell me that I even talk like a Kansan.

My parents were also born and raised in Chanute. All four of my grandparents came from Mexico. Their primary language was Spanish. I remember a few words and phrases from my grandparents, and I remember a little of the Spanish that I learned while I was a student at K.U. My language is English. I am as English-speaking as anybody could possibly be.

I am here today to offer a few thoughts on H.B. 2517. I come not as a lawyer nor as a law professor nor as a Hispanic nor as an English-speaker nor as a Spanish-speaker. I come only as a Kansan

who is concerned that his government is about to make a serious and harmful mistake.

The proposed statute starts off by saying that "the common language of the state of Kansas is English". Similar proposals in other states have proclaimed English to be the "official language" or the "legal language", as if French, Spanish, or Chinese should be considered unofficial or illegal -- or, according to H.B. 2517, "uncommon".

Kansas, like all of the fifty states, is a community consisting primarily of immigrants from all over the globe. In the first century of our existence as a state, most of our immigrants came from Europe -- Germans, Scandinavians, British, and many other groups. During those years, the Kansas legislature never declared English to be the official language, or the legal language, or the common language. The timing of the "English only" movement is striking. It is only when we have immigrants from Central and South America and from East Asia that all of a sudden there is the perceived need to circle the wagons around the English language.

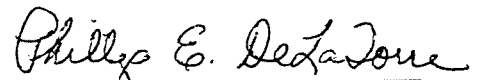
H.B. 2517 serves no useful purpose. Its only practical effect would be as a symbolic slap in the face of all the good people in this state -- loyal to the United States, loyal to the state of Kansas -- who happen to speak languages other than English.

It is ironic that this proposal should now come before a Republican legislature. The Republican battle-cry has always been to get government off our backs and out of our lives. But now it

seems that we have a proposal whereby government at the state level is willing to make qualitative judgments on the language that we, as individuals, choose to speak. I would prefer that my state government not get involved in the business of labelling languages as unofficial, illegal, or -- as in the case of H.B. 2517 -- uncommon. Surely, this body has more important and more productive things to do on the people's time.

H.B. 2517 is ill-conceived. It goes against our tradition of honor and respect for our nation's multi-faceted background. And it goes against our tradition of honor and respect for individual choice. This bill is un-Kansan and un-American. It deserves to be defeated.

Respectfully submitted,

---

Phillip E. DeLaTorre

WRITTEN TESTIMONY  
of  
Richard Ruiz, Chair  
Kansas Advisory Committee on Hispanic Affairs  
to the  
FEDERAL AND STATE AFFAIRS COMMITTEE  
February 22, 1995

Thank you for the opportunity to testify before the committee against HB 2517.

As Chairman of the Kansas Advisory Committee on Hispanic Affairs, I would like to ask the committee to allow the community more time to study this bill.

HB 2517 is vague and potentially overreaching. We would like time to analyze the bill and determine the net effect that this legislation would have on our community. Common language legislation is a very sensitive issue in our community. We do not wish to overreact to this particular bill, however, we would like to make sure that Spanish speaking Hispanics are able to fully participate in the state and legislative functions, and have equal access to official documents and public meetings.

It is indeed true that all Kansans do not speak the same language, however, it is also true that all Kansans have equal rights regardless of their native language. To limit the methods of disseminating information would hinder the rights of some Kansans.

Please give us an opportunity to properly analyze a piece of legislation that on its face seems to only codify what is already in place. This bill could create difficulties in communicating with minority groups such as Native Americans, Hispanics, Laotians, Vietnamese, etc., who are legal voting citizens of the U.S.

English-only laws are divisive, discriminatory, and prevent Kansans who are language minorities from exercising their rights. English only laws run counter to the great acceptance of diversity which the U.S. was founded on, and we would be losing out on a great opportunity to encourage all citizens of this country to learn a second language. As we rapidly move toward a global economy, we must recognize the value of being able to communicate in the language of business partners. KACHA sees bilingualism as a strength. By ignoring the asset of knowing a second language, and by penalizing those who have this ability, we are losing an opportunity to improve our economic and political stature at a very important time.

Fv 5A  
A-22-95  
Atch #3



My name is Ascension Hernandez, a member of the Kansas League of United Latin American Citizens (LULAC). LULAC is a civic and civil rights organization organized in Texas in 1927 and in Kansas in 1970. I would like to thank the Committee on Federal and State Affairs for the opportunity to comment on House Bill 2517.

The first European language spoken in Kansas was Spanish. It was used during Coronado's explorations of the Southwest which brought the Spanish speaking people to Stafford County in Central Kansas. (59)

LULAC, a representative of the Kansas Latino Community is opposed to House Bill 2517 which designates English as a common language. A rose by any other name is still a rose. HR 2517 appears to be and is English Only legislation. The provisions under Section 3 bobs and weaves around the constitutional rights of the Spanish speaking people of Kansas. It skirts around the U.S. Constitution, and its Amendment, the U.S. Voting Right Act and the Lau Supreme Court Decision of 1970. It readily accepts the business from NAFTA agreement which involves two foreign languages from Mexico and Canada.

HR 2517 under Section 3.a allows the government to become restrictive and play God with the authorization for printing of informational materials for non-English readers who are citizens.

Section 5 potential allows the continuation of modern slavery in the Western Kansas packing plants and ranches. Let's keep these Mexicans uneducated. Let them do the back breaking jobs that others don't want. It is called oppression.

Section 6 is pure fluff when it comes to enforcement in rural Kansas. This legislation in effect becomes race politics 1990 style. The victims for sure are the Kansas citizens of Mexican descent. American citizens that have made a long standing historical contribution to the building of the railroad system, agribusiness, and other smaller industries that required back breaking work and paid cheap wages.

In our current fixation on the 50th anniversary celebration of World War II participation and victories; it should be noted that 161,674 Mexican American soldiers served in the two World War II theaters. They produced 17 congressional Medal of Honor winners and many other lesser medal of valor. We paid a high price with casualties.

Here in my hometown of Topeka, a mother from Oakland (the Rangel Family) sent 4 sons to WWII two did not come back. The two that did return came back with other veterans to discriminatory practices that did not allow them to eat at the Senate Cafeteria on Kansas Avenue; to sit only in the crow's nest (the balcony) at the Jayhawk theater and their children had to attend segregated schools like the Branner Annex. Much racial progress has been made since WWII in Kansas, but the current crop of legislators are trying to turn back the clock and practice "Jaime Crowism" now that they see the demographics changing. White folks will gladly eat our PACE picante sauce, tacos and beans but probably would not eat at the same table with Mexicans. Irresponsible behavior by a few legislators will cast a shadow on all legislators.

Mexican Americans and monolingual speaking citizens of Kansas are going to be forced to be ever vigilant and politically astute to counter the race card legislation that is very evident in HR 2517.

**LULAC STRONGLY OPPOSES HR 2517 and seeks your support to mark it DEAD ON ARRIVAL.**

Thank you *AM*  
Ascension Hernandez  
Shawnee, Kansas (LULAC)

*F. 5A  
2-22-95  
Atch #4*

# AMERICAN GI FORUM OF KANSAS

NATIONAL VETERANS FAMILY ORGANIZATION



215 North Normandy  
Olathe Kansas 66061

WRITTEN TESTIMONY  
Submitted To The  
HOUSE COMMITTEE ON FEDERAL AND STATE AFFAIRS  
FEBRUARY 22, 1995

RE: HOUSE BILL No. 2517, "AN ACT designating English as the common language and requiring its use as the language of public record and public meetings."

I AM Arthur Solis, a Mexican American Veteran.

★ I AM the grandson of Jose and Conception Solis, who were born in Mexico, and who had three sons and one daughter: Jose Nieves Solis, Juan "John" Solis, Juanita Leal, and Carmel Solis.

★ I AM the nephew of Jose Nieves Solis, an Army veteran of World War II, the European Theater.

I AM the First Cousin of Joe Solis, an Army veteran and a Vietnam Veteran.

★ I AM the nephew of Juan "John" Solis, deceased, an Army veteran of World War II, the European theater.

I AM the First Cousin of John Solis, an Air Force veteran and a Vietnam veteran.

★ I AM the nephew of Juanita Leal, whose son, my First Cousin, Rick Leal, was a combat infantryman in Vietnam, 4th Infantry Division.

★ I AM the son of Staff Sergeant Carmel R. Solis, deceased, an Army veteran of World War II, 170th Combat Engineers, the Pacific theater - Leyete (Philippines), Okinawa, and Korea.

I AM the brother of Fred Solis, a Vietnam Veteran, two-tours in Vietnam as a Crew Chief & gunner, 155th Aviation Assault Helicopters - the recipient of a Purple Heart, a combat wounded disabled veteran.

I AM the brother of Carmel T. Solis, an Air Force Veteran.

I AM the brother of Orlando Solis, an Army Veteran, a physically disabled veteran.

I AM a Vietnam Veteran, 934th Medical Detachment, Ban Me Thout, Dar Lac Province, South Vietnam, 1970-1971.

"EDUCATION IS OUR FREEDOM AND FREEDOM SHOULD BE EVERYBODY'S BUSINESS"

FxSA  
2-22-95  
Atch #5

I AM a Mexican American veteran and the State Commander of the American GI Forum of Kansas. The American GI Forum of Kansas adamantly opposes HB 2517. The American GI Forum of Kansas respectfully requests that HB 2417 be killed in committee.

The American GI Forum of Kansas, a veterans family organization, is the oldest and largest membership-based Hispanic organization in Kansas. The American GI Forum has local Forum chapters throughout the State of Kansas, including Dodge City; Garden City; Hutchinson; Kansas City; Topeka; Ulysses, and Wichita. The American GI Forum is a longtime leader in ensuring and protecting the equality of opportunity in Education, Employment, Civil Rights, and Housing for all persons, regardless of race, color, religion, gender, national origin or ancestry.

The American GI Forum was founded on March of 1948 in Texas, by Dr. Hector Garcia, an Army veteran and a medical doctor, and other courageous and visionary leaders. Perhaps, the reason for the creation of GI Forum may be best explained by Felix Longoria, a Mexican American veteran of World War II, who was refused burial in his hometown's cemetery for no other reason than the fact he was MEXICAN AMERICAN.

DUTY, HONOR, COUNTRY — Mexican Americans and other Hispanic have a long, proud and distinguished tradition of service in our Armed Forces. Hispanics have historically served in our Armed Forces in numbers which exceed their representation in the U.S. population.

Hispanic veterans have been awarded more *Medals of Honor* per capita than any other ethnic group represented in the veteran population. Of 239 Medals of Honor awarded in Vietnam, 13 were to Hispanic soldiers (5.4 percent). Hispanic veterans are also conspicuous in the ranks of those who have received other decorations for valor and distinguished service.

However, such willing and stalwart service by Hispanic American veterans has not been without a price. Hispanic veterans have been consistently overrepresented as a percentage of wartime casualties. A *VFW Magazine* article, "Vietnam Warriors: A Statistical Profile," reports that Department of Defense data shows that 170,000 Hispanics served in Vietnam; 3,070 Hispanic soldiers (5.2 percent of total casualties) died there. *VFW Magazine*, 80:7, 20, March 1993.

In comparison, a VA publication article, "Hispanic Veterans: The Mexican-American warrior of South Texas," notes that non-Hispanic combat Vietnam veterans had a 1.8 percent casualty rate. Vet Center Voice Flores, E. & Gallegos, H. (1992). "Hispanic Veterans: The Mexican American Warrior of South Texas." *VOICE*, Readjustment Counseling Service, Department of Veterans Affairs 13:9, 2-4.

It has been reported that over 30 percent of Hispanic Vietnam veterans have a VA certified service-connected disability." Furino, A. & Muñoz, E. (1991, 256). "Health status among Hispanics: Major themes and new priorities." *Journal of the American Medical Association*, 265.

5-2

The American GI Forum of Kansas, an organization of Hispanic Veterans and their families, have earned the right to oppose HB 2517.

The Honorable *Gil Coronado*, former Deputy Assistant Secretary for Legislative Affairs, U.S. Department of Veterans Affairs, was the Keynote Speaker at the VETERANS BANQUET at the 1995 National Convention of The American GI Forum.

In his speech, Mr. Coronado eloquently said:

You may recall Major Fernando Ribas of Puerto Rico, one of the two Air Force officers who died during the April 15, 1986 raid over Libya. Fernando's mother, Teresa, exemplified the Hispanic character and patriotism when she told the press that although she had lost a son, she had five more waiting to finish the job. That's Hispanic power. That's our quality. Indeed, it is our legacy!

*Gil Coronado* also observed, with pride, in his speech:

Hispanics have fought proudly and bravely and have been at the vanguard of every conflict in which this nation has engaged. We are always the first in -- and the last to leave.

At the very start of Operation Desert Storm, the Hispanic community lost Marine Captain Manuel Rivera when his helicopter was shot down behind enemy line in Iraq.

And at the very end, we lost 20-year old Army specialist Andy Alaniz, from Corpus Christi, whose tank ran over a land mine of the last day of the war. Andy was married in June, 1990, and his first child was born in May 1991 -- a child Andy never got to see.

The American GI Forum of Kansas adamantly opposes House Bill No. 2517. The American GI Forum recognizes the importance of promoting democracy and national unity. Indeed, Hispanic Americans have shed their blood and died for democracy.

The American GI Forum also recognizes the importance of encouraging a "*common language*" between citizens. However, there is a fundamental and constitutional difference between promoting the use of English and proscribing non-English languages by coercive means.

Simply stated, HB 2517 is overbroad; Section 3 provides narrow exceptions in limited circumstances under which non-English languages may be used. The American GI Forum of Kansas submits that Hb 2517 violates the Constitution of the United States as well as federal civil rights laws. The American GI Forum of Kansas respectfully request that HB 2417 be killed in committee.

5-3

TESTIMONY IN OPPOSITION  
TO HB 2517

Mr. Chairman, Members of the Committee:

I am Chad Lopez, Chair of the Kansas Hispanic Caucus.

I appear before you today to voice my opposition to House Bill 2517 which designates English as the common language of the State and requiring its use as the language of public record and public meetings. I am proud to exercise the freedom of speech before you and I am gratified that I am bestowed that right. I am able to communicate my opposition in English, not because of a law which requires communication in the English language when appearing before this venerable tribunal, but because such is the custom in this industry. Thus, a law is not necessary to designate English as **the** common language of this State.

On its face the Bill appears to affect only official public documents, records, or meetings. Currently, public documents, records and meetings are all transcribed or documented in English. Section 3, subsection (a) of the Bill specifies that foreign language courses may be taught in a language other than English. Currently, this is already in effect without the need for a law to specify the same. Subsection (b) allows the instruction of students in languages other than English to mainstream these students into classes taught in the English language. Again, this practice is currently in effect. Subsection (c) allows the use of foreign languages to promote international commerce, tourism or

F. 5A  
2-22-95  
Atch #6

Testimony-HB 2517  
February 22, 1995  
Page two

sporting events. Again, these revenue-generating ventures are currently fostered in languages other than English. No law is necessary to continue this custom. Subsections (d) and (f) allow non-English languages to be used in the justice system. Currently, due process requires the use of interpreters in the Courtroom for non-English speaking individuals. Thus, no further law is essential to the promotion of due process guaranteed by the federal and state Constitutions. Subsection (e) allows the use of languages other than English when the public safety, health or emergency services require its use. Authorization is given to printing informational material or publications in a language other than English to inform non-English speaking individuals of necessary protections. Today, this is a routine undertaking in the United States. No law is necessary to perform these fundamental courtesies.

Though the text of this Bill appears benign and the need for the Bill may be rationalized to merely codify what is *de facto* the spirit of our State, it, nonetheless demeans a vast majority of learned individuals who realize that in this precious and culturally diverse state some constituents are not all English-only speaking individuals. Legislation such as this demoralizes the very fabric of our cultural wealth. This noble State does not need

Testimony-HB 2517  
February 22, 1995  
Page three

this type of legislation to function. Balanced against the deep-seated harm to the passions of the State's non-English speaking taxpayers and electorate, the rationale to rank English as a superior language is just too great a risk to take.

Legislation such as this opens the door to more intrusive means of segregation. The worst scenario illustrates that once this legislation is enacted it is only a matter of time before the exceptions delineated in Section 3 of the Bill are eroded under the guise of Legislative power. Because the language of the Bill is superfluous it invites interpretation. In the malevolent hands of individuals awaiting the opportunity to close the gates of cultural diversity, this Bill will wreak havoc. I appeal to your intellect in asking that you oppose this Bill.



## TESTIMONY

**TO:** Distinguished Members of the Committee on Federal and State Affairs of the Kansas House of Representatives.

**FROM:** Rogelio A. Lasso

**RE:** House Bill No. 2517: An Act designating English as the common language and requiring its use as the language of public record and public meetings.

**DATE:** February 22, 1995

My name is Rogelio Lasso. I am a professor of law at Washburn University. I have been studying race relations and ethnic diversity for the past 10 years. I am also an immigrant, having arrived from Panama almost 30 years ago.

I am here today to testify against House Bill 2517.

H.B. 2517 should not be passed for three reasons: (1) It is unnecessary; (2) It is illegal; and (3) It is divisive and antagonistic.

### A. HB 2517 is Unnecessary

In a democratic republic, legislation is passed for two reasons only: To address an issue and to confront a problem.

Legislation designating today, as Washington's Birthday, was passed to officially celebrate the birthday of our first president, George Washington.

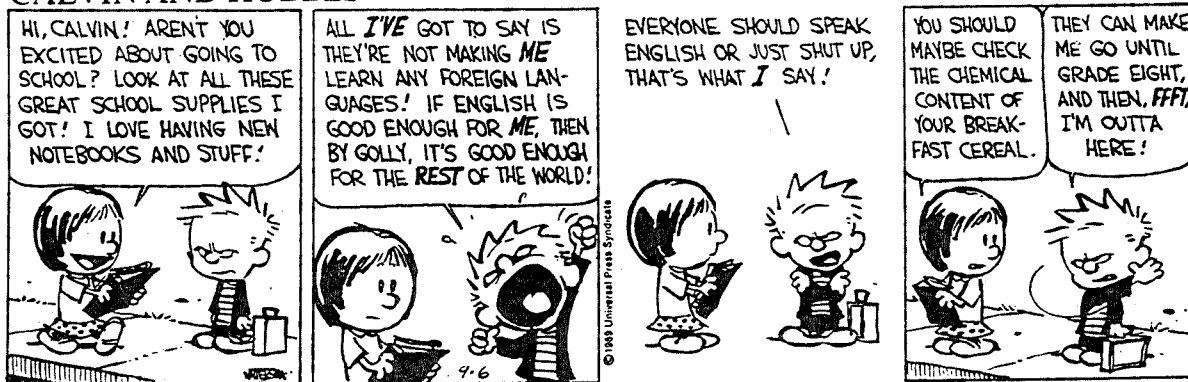
Legislation which makes Burglary a crime was passed to confront the problem of persons entering the property of another to steal or assault.

What is the problem or issue that you mean to deal with by passing HB 2517?

Is there a problem or issue that can be addressed by HB 2517 or is this bill being introduced to quiet Calvin down?

If this is being introduced as merely a symbol of linguistic and national unity, it is not only ineffective, it is an unnecessary governmental intrusion. English IS our national language. We don't need the government to tell us what is obvious. Notice that the Constitution makes no mention of an official language. This Bill would introduce government in direct contradiction of the voters' mandate of less, rather than more government.

### CALVIN AND HOBBS



I do not believe taxpayers (and voters) will appreciate spending tax dollars in enacting and enforcing unneeded legislation.

F-5A  
2-22-95  
Atch #7

B. As Written, HB 2517 is Unconstitutional

1. HB 2517 violates the First Amendment

Section 5 of HB 2517 will prohibit state agencies and entities from hiring bilingual personnel. In some areas of the state, bilingual personnel are crucial to providing essential governmental services to non-English speaking persons. Without bilingual personnel, these non-English speaking persons will be denied governmental services only because of their language.

The plain language of Section 5, essentially, a blanket prohibition against communication between non-English speaking constituents and governmental agencies during the performance of governmental business. This, by definition, curtails a form of expression in violation of the First Amendment's protection of free speech.

If HB 2517 is passed, it will unquestionably be challenged and declared invalid in court.

This will, again, result in more, rather than less expense to the voting taxpayers.

C. HB is Divisive and Antagonistic

1. The "Red" scare gives way to the "Brown" scare

One of the most unfortunate side-effects of the end of the cold war has been that we have redirected our collective fear from the Red Bear inwardly toward the newest wave of immigrants from latin america.

HB 2517 is but one symptom of this new fear.

But this fear is not only unrealistic, it is dangerous because it creates an atmosphere of antagonism and divisiveness between older immigrants such as yourselves and newer immigrants like myself. Immigrants from Germany, Sweden, Russia, and Italy all became Americans and Kansans without an English only law.

The message we receive from this legislation is that we cannot be trusted to become American like you all did without imposing assimilation by statute.

Additionally, HB 2517 will have the effect of limiting the political and economic power of non-English speaking persons. Whether this is an undesired by-product of this law or a specific goal fueled by Xenophobia, our reaction will likely be the same. I have a right to be here. I have a right to pursue the American dream. If you try to prevent me from doing so only because I did not arrive here being fluent in English, I will fight you.



**Kansas Advisory Committee on Hispanic Affairs**

117 S.W. 10th Avenue, Topeka, KS 66612-2201

913-296-3465 --- 913-296-8118 (Fax)

**WRITTEN TESTIMONY**

for

**Eva Pereira, Executive Director**

**Kansas Advisory Committee on Hispanic Affairs**

to the

**FEDERAL AND STATE AFFAIRS COMMITTEE**

**February 22, 1995**

Thank you for the opportunity to give testimony. I am here to testify against HB 2517.

If the bill's intent is to preserve the English language, then this is unnecessary legislation. English is the de facto language of Kansas and of this nation. English is also the language of communication of choice around the world. It is hardly in danger of disappearing.

Immigrants to this country and to this state know that the usage/knowledge of English is the route to success. So it is clear that the immigrants of today want to learn English as much as the immigrants of the early 1900's. This is an old debate. English only proposals have been around since the 1980's. This debate is disunifying in character. The best interests of Kansas are best served when all Kansans have full access to governmental information and services. I ask the committee to reject HB 2517.

F45A  
2-22-95  
Atch # 8

TESTIMONY TO PROPOSED HOUSE BILL 2515 ON DESIGNATING ENGLISH AS THE COMMON LANGUAGE AND REQUIRING ITS USE AS THE COMMON LANGUAGE OF PUBLIC RECORD AND PUBLIC MEETINGS.

By:

Arturo Robles  
5633 East Croyden Cir.  
Wichita, KS 67220

I oppose this bill first on the grounds that it duplicates what is the reality today in Kansas, where English is in fact the language of the state for the purpose of public records and public meetings. Second, I oppose it because it is based on grounds and intent that is ideological in nature and because it is based on anti immigrant sentiments and against people that speak Spanish and other languages in the state. Also, because it does not accomplish anything in furthering the interests of the state or its citizens and instead attempts to restrict the freedoms, good will and good judgement of state agencies in making services available to all Kansans by imposing such mandate.

State agencies delivering services for the purpose of providing public safety, health or emergency services are concerned with being able to fulfill their mission of providing access to health and other needed services at times by overcoming language barriers. However if this bill requires state agencies to obtain authorization for the use of a language other than English this bill is in essence making the use of another language so difficult so that it will never take place. The state bureaucracy does not need any more reasons not to do things, to have another meeting or to be inefficient.

Finally this bill encourages the creation of self appointed citizens as a watch dog to police its enforcement and in fact promoting and cultivating peoples hostility towards other languages and the citizens that speak it by encouraging citizens to bring actions against the state to enforce this act.

F+SA  
2-22-95  
Atch #9

February 21, 1995

Dear Sirs:

We are writing this letter in regards to Bill #2517 to make law that "English" be the dedicated language for the state of Kansas...*prejudice-An adverse opinion or judgement formed beforehand without full knowledge or complete examination of the facts. b. a preconceived idea or preference:BIAS 2. The act or state of holding unreasonable preconceived judgements or convictions. syns: PREJUDICE, BIGOTRY, INTOLERANCE...* please explain to us how Bill #2517 differs from the definition printed in WEBSTER'S Dictionary, and we plead that you please be explicit.

We are totally bewildered at your consideration of Bill #2517 and any issues utilized to pass this bill to become law. We do realize that there is additional literature and personnel being utilized to translate or create brochures for those individuals not fluent in English...but most business and industries do these things at their own expense. Kansas's, regardless of their fluent language or skin color, pay taxes. Diversity is the key to success, being bilingual is a gift of diversity and should not be judged as an illegal act, multilingual skills equal diversity. Please bear in mind that you cannot judge a book by its cover and a family or individual having a Hispanic, Vietnamese, or any other surname not presumed as English is not an indication that they are not fluent English family.

We therefore are questioning your knowledge and judgement. We question which county and geographic location has given you the insight to propose Bill #2517. Finney County, and its surrounding counties are comprised of minority cultures. I.B.P., the largest beef packing plant in the world as you well know, resides in Finney county. This work force consists of hardworking, taxpaying individuals who make a great yet positive impact in the economy of Garden City as well as of Southwest Kansas. These individuals may not be fluent in English but once again their importance is unmeasurable. Southwest Kansas is unique in its own way by being nationally known as a melting pot.

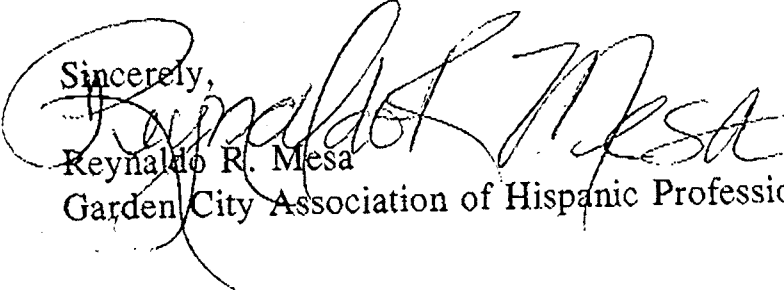
This is not a letter undermining your authority, nor is this a letter proposed to pit one racial group against another. This is a letter asking that you petition all

FISA  
2-22-95  
Atch #10

counties and districts with written documentation verifying your decision. Show us with real demographics how this has profoundly impacted our state in a positive as well as negative direction.

Thank you so very much for your time. We will await your decision and ask that you please contact us if you have any questions or if we can be of any further assistance.

Sincerely,



Reynaldo R. Mesa

Garden City Association of Hispanic Professionals

WRITTEN TESTIMONY OF HAROLD OROSCO  
to the  
FEDERAL AND STATE AFFAIRS  
February 22, 1995

Dear House Members:

Western Kansas has a large Spanish speaking population. This population is hard working and contributes greatly to the economy of Western Kansas. They contribute to the city, county and state tax roles, along with sales and other taxes.

They know that English is in fact the language of Kansas and for this reason learning English has top priority as evidenced by the large numbers attending English as a Second Language classes. However, language acquisition takes time and money.

Excluding these residents from the public involvement is unfair and short sighted. I am a loyal Republican and support my party's efforts in many areas. However, this move to exclude Spanish speaking people from public participation I cannot support.

Thank you.

Harold Orosco  
2206 Mohawk Street  
Garden City, Kansas 67846  
(316) 275-5101

Fv SA  
2-22-95  
Atch # 11