

**AMENDMENT NO. 1 TO
COUNTY ORDINANCE NO. 12-06**

**AN AMENDMENT TO
A BILL ENTITLED**

AN ACT CONCERNING Recognition of English as the Official Language of Queen Anne's County.

FOR THE PURPOSE of amending pending County Ordinance No. 12-06 to clarify the provisions regarding the declaration and recognition of English as the official language of Queen Anne's County.

BY AMENDING the proposed new Section 4-14 of the Code of Public Local Laws of Queen Anne's County, Maryland.

SECTION I

BE IT ENACTED BY THE COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY, MARYLAND that pending County Ordinance No. 12-06 be amended so that the new Section 4-14 of the Code of Public Local Laws shall read as follows:

§4-14. Official Language of Queen Anne's County.

~~**ENGLISH SHALL BE THE OFFICIAL AND COMMON LANGUAGE OF QUEEN ANNE'S COUNTY. ALL OFFICIAL DOCUMENTS, COMMUNICATION AND AGREEMENTS ON BEHALF OF THE COUNTY SHALL BE IN ENGLISH UNLESS MANDATED BY FEDERAL OR STATE LAW OR AS NECESSARY TO PROTECT THE RIGHTS OF VICTIMS OF CRIME AND CRIMINAL DEFENDANTS, TO PROTECT PUBLIC HEALTH AND SAFETY, TO TEACH ENGLISH TO NON-NATIVE SPEAKERS, OR TO PROMOT TRADE AND TOURISM IN THE COUNTY.**~~

A. Findings.

The people of Queen Anne's County, Maryland find and declare that:

- (1) the English language is the common language of Queen Anne's County, of the State of Maryland and of the United States;**
- (2) the use of a common language removes barriers of misunderstanding and helps to unify the people of Queen Anne's County, this State and the United States, and helps to enable the full economic and civil participation of all its citizens, regardless of national origin, creed, race or other characteristics, and thus a compelling governmental interest**

- exists in promoting, preserving, and strengthening the use of the English language;
- (3) proficiency in the English language, as well as in languages other than the English language, benefits Queen Anne's County both economically and culturally and should be encouraged;
 - (4) in addition to any other ways to promote proficiency in the English language, the government of Queen Anne's County can promote proficiency in English by using the English language in its official actions and activities;
 - (5) in today's society, Queen Anne's County may also need to protect and preserve the rights of those who speak only the English language to use or obtain governmental programs and benefits; and
 - (6) the government of Queen Anne's County can reduce costs and promote efficiency, in its roles as employer and a government accountable to the people, by using the English language in its official actions and activities.

B. Official English Declaration.

- (1) The English language is the official language of Queen Anne's County.
- (2) The County Commissioners and officials of Queen Anne's County shall take all steps necessary to insure that the role of English as the common language of Queen Anne's County is preserved and enhanced.
- (3) The County Commissioners of Queen Anne's County shall make no Ordinance which diminishes or ignores the role of English as the common language of Queen Anne's County.
- (4) Official actions of Queen Anne's County which bind or commit Queen Anne's County or which give the appearance of presenting the official views or position of Queen Anne's County shall be taken in the English language, and in no other language. Unofficial or non-binding translations or explanations of official actions may be provided separately in languages other than English, if they are appropriately labeled as such and reference is made to a method to obtain the official action; unless otherwise required by federal or State law, no person has a right to such an unofficial or non-binding translation or explanation, and no liability or commitment of Queen Anne's County shall be based on such a translation or explanation.
- (5) No ordinance, decree, program, or policy of Queen Anne's County or any of its subdivisions, shall require the use of any language other than English for any documents, regulations, orders, transactions, proceedings, meetings, programs, or publications, except as provided in Section C.
- (6) A person who speaks only the English language shall be eligible to participate in all programs, benefits and opportunities, including

employment, provided by Queen Anne's County and its subdivisions, except when required to speak another language as provided in Section C.

- (7) No law, ordinance, decree, program, or policy of Queen Anne's County or any of its subdivisions shall penalize or impair the rights, obligations or opportunities available to any person solely because a person speaks only the English language.

C. Exceptions.

Queen Anne's County and its subdivisions may use a language other than English for any of the following purposes, whether or not the use would be considered part of an official action:

- (1) To teach or encourage the learning of languages other than English;
- (2) To protect the public health, sanitation, and public safety;
- (3) To teach English to those who are not fluent in the language;
- (4) To comply with the Native American Languages Act, the Individuals with Disabilities Education Act, the Voting Rights Act, or any other federal or State law;
- (5) To protect the rights of criminal defendants and victims of crime;
- (6) To promote trade, commerce, and tourism;
- (7) To collect payments, fines, or other financial obligations due and payable to the Court;
- (8) To create or promote mottos or designations, inscribe public monuments, and perform other acts involving the customary use of a language other than English;
- (9) To utilize terms of art or terms or phrases from other languages which are commonly used in communications otherwise in English; and
- (10) Printed materials, signage, or other materials or documents of Queen Anne's County printed in languages other than English at the time of the adoption of this Ordinance and not otherwise excepted in this Section C shall not be discarded or reprinted solely in English at the addition cost or expense of the taxpayers of the County until they are exhausted or become otherwise obsolete.

D. Rules of Construction.

Notwithstanding any other state law and except as provided in Section C of this chapter, nothing in this chapter shall be construed to prohibit any elected official, officer, agent, employee of the state or a political subdivision, while performing official functions, from communicating unofficially through any medium with another person in a language other than English (as long as official functions are performed in English).

E. Private Use Protected.

The declaration and use of English as the official language of Queen Anne's County should not be construed as infringing upon the rights of any person to use a language other than English in private communications or actions, including the right of government officials (including elected officials) to communicate with others while not performing official's actions of Queen Anne's County.

F. Severability.

If any provision of this ordinance, or the applicability of any provision to any person or circumstance, shall be held to be invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected and shall be given effect to the fullest extent practicable.

G. FEDERAL AND STATE PREEMPTION.

Nothing in this Ordinance shall be interpreted as conflicting with the statutes of the United States, or the laws of the State of Maryland.

SECTION II

BE IT FURTHER ENACTED that this Amendment shall take effect immediately upon its adoption.

INTRODUCED BY: Commissioner Olds

DATE: April 10, 2012

VOTE: 4 Yea 1 Nay (Commissioner Dunmyer opposed)

DATE OF ADOPTION OF AMENDMENT: May 8, 2012