

language; (7) promote the arts, international commerce, or tourism; or (8) assist persons not proficient in English in the conduct of legitimate government affairs.

The proponents of House Bill 982 contend that designation of English as the "official common language" of Maryland would serve as a "symbol" to unite the citizens of the State. I have reached the opposite conclusion. During the 1994 Session of the General Assembly, few issues were more divisive than the debate over whether English, functionally the official language of our State, should be statutorily declared the official language. Subsequent to the passage of the bill, I have found that many people are deeply distressed by the symbolism of cultural and linguistic intolerance that they perceive in House Bill 982. However, I believe that the impact of signing this legislation would far exceed whatever symbolism one sees within it.

The exceptions contained in House Bill 982 that allow government to conduct business in a language other than English, are either mandated by existing law, or established as common practice, and serve no discernible purpose. Thus, upon initial reading of the bill, one could be led to believe that the bill has no legal ramifications. However, I am deeply concerned by the ambiguity in the exception to the English mandate that allows government to "assist persons not proficient in English in the conduct of legitimate government affairs." (emphasis added) The affairs of government carry the presumption of legitimacy. Yet, the inclusion of the word "legitimate" implies that there are certain affairs that government may not conduct in another language. The bill does not specify what, if any, affairs those might include. I sense that certain individuals might seek to use the presence of the word "legitimate" to legally challenge the ability of government to deliver necessary services to individuals not yet proficient in the English language.

My major misgiving concerning House Bill 982, beyond symbolism and the potential legal challenges to the delivery of government services, is the potential for misunderstanding, and misapplication of an official language law. There is great risk that House Bill 982, while not facially discriminatory, might lead to a rise in discriminatory policies and practices, aimed at persons belonging to linguistic minorities in Maryland. I am not willing to take such a risk.

For these reasons, I have vetoed House Bill 982.

Sincerely,  
William Donald Schaefer  
Governor

#### House Bill No. 982

AN ACT concerning

#### English Language – Formal Recognition

FOR the purpose of designating the English language as the common official language of the State of Maryland; ~~and~~ providing for certain exceptions; providing that this Act may not be construed to require the reversal of any existing law or policy, or the translation into English of any official motto, slogan, or decree; and making provisions of this Act severable.