

the terms, conditions and daily responsibilities of employment. The idea is that a person who may be able to read the language if they see it written and understand what they read, but they may not be able to speak with sufficient fluency to carry on a conversation. So if they can read it and understand, then that's why the term "read" is there. But if they cannot read at all, English or the non-English language, but they can understand it if they hear it spoken, then they're not non-English speaking. The key to all of this is the ability to understand the requirements of the job. So if a person through speech, hearing or reading is not able to adequately understand the requirements of the job, that person fits the definition of a non-English speaking person. So this definition goes beyond the mere ability to articulate words. It includes the concept of comprehension. But often when a law is giving a definition, that definition becomes a term of art and applies in the context of the bill where it is located rather than as a general definition for all purposes. And usually we will start with an introductory clause such as for the purposes of this section or the purposes of this act such and such a word means such and such. It's clear the bill's aim is at employees who don't speak or understand the language. So we took the term non-English speaking and defined it to include the entire concept that the bill is attempting to address. The key to it all is the understanding of the requirements of the job, the duties of the job and the terms and conditions of employment. That's about as good an explanation as I can give unless another question is asked to me to focus additionally on what is contained in that definition and why it is there. But with reference to some of the things that Senator Janssen was talking about and maybe the explanation I gave touched on some of that, I did hear Senator Bromm correctly state that there are a number of things which must be done in order for this bill to apply. There would have to be the active recruitment by a company hiring more than 100 employees, at least 10 percent of whom speak the same non-English language. Those three things must be there...

SPEAKER WITHEM: One minute.

SENATOR CHAMBERS: ...then the provisions of this Section 2 are triggered. We have done away with the term "interpreter". I was trying to make it as clear as I could and I'm sure Senator Bromm did with his answers to Senator Janssen's questions that it is not necessary to hire a special person to do this. We had examples given during our conference, in trying to work to an