**An Update from the State House**

**Hearing Season Begins**

With phase two of the legislative session, comes numerous hearings on the bills that have been proposed thus far. To date, 918 House bills and 621 Senate bills have been filed. The following key bills are scheduled to be heard this week:

**It’s Minimum Wage day** in the *Senate Labor Committee, Wednesday, March 7th* in Room 212 At the Rise. **S.2244, An Act Relating to Labor** (by Senators Calkin, Felag, Quezada, Goldin and Goodwin) increases the hourly minimum wage in increments from $9.60 to $15.00 by January 1, 2022, as well as increases the hourly minimum wage for employees receiving gratuities from $3.89 an hour to $15.00 an hour by January 1, 2026. **S.2246, An Act Relating to Labor** (by Senators Raptakis, Morgan, Ciccone, Cote and Lombardo) increases the hourly minimum wage in accordance with the Consumer Price Index for the Northeast Region for the four (4) previous fiscal years, effective January 1, 2020. **S.2247, An Act Relating to Labor** (by Senators Lynch Prata, Quezada, Crowley, Metts and Goodwin) increases the minimum wage to $11.00 per hour, commencing January 1, 2019, and to $12.00 per hour, commencing January 1, 2020. **S.2476, An Act Relating to Labor** (by Senators Goldin and Calkin) incrementally increases the tipped wage from the $3.89 per hour to $9.00 per hour by January 1, 2022. Starting January 1, 2023, the minimum hourly wage for tipped workers would be equal to the state's regular minimum hourly wage. **S.2478 An Act Relating to Labor** (by Senators Satchell, Miller, Goldin, Nesselbush and Gallo) increases the minimum hourly wage for employees of employers who provide services to 5 or more persons with developmental disabilities. ***The Chamber opposes these bills.***

**Article 4, Section 5 of the Governor’s budget** will be heard in the *House Finance Committee*, *Thursday, March 8th* in Room 35 at the Rise (around 4:30pm). This Article imposes the Rhode Island sales tax on pre-written computer software, as well as on investigation services, armored car services, and security guard services.

The *House Labor Committee will be busy Thursday, March 8th* in Room 101 At the Rise. The following 4 bills, in addition to others, will be heard at that time:

**H.7169, An Act Relating to Labor and Labor Relations**, (by Reps Perez, McKiernan, Hull, Almeida, Lombardi) extends the state’s Family Medical Leave Act to part-time employees, irrespective of the number of hours they worked for the employer, or the company’s size. Part-time employees would be entitled to 13 weeks of unpaid leave over the course of a two-year period. Ironically, this bill would give more benefits to a part time employee than to a full time employee who has not yet worked 12 months for the same employer. ***The Chamber opposes H.7169.***

**H.7429, An Act Relating to Labor and Labor Relations** (by Reps Carson, Donovan, Morin, Ranglin-Vassell, and Walsh) requires employers to allow employees to take off up to 40 hours a year (through the use of vacation, personal time, or compensatory time – or if none, then unpaid leave) to address a “child care provider or school emergency” for a child in daycare through grade 12. An emergency is defined as a call from the school or day care provider requesting that the child be picked up; behavioral or discipline problems; unexpected closure of the school or center; or a natural disaster.

**H.7365, An Act Relating to Labor and Labor Relations – Seasonal Employment** (by Reps Hearn, Canario, and Lombardi) allows seasonal businesses - operating less than 20 weeks in a year due to climatic conditions or the nature of the business – to apply to the Department of Labor and Training for seasonal designation. If granted, the business could notify employees at the time of hiring that they are seasonal employees, hired for a specific timeframe; and that when the timeframe is complete, those employees would not be eligible to collect unemployment benefits. Benefits would be given to employee laid off during the seasonal period. ***The Chamber supports H.7365.***

**H.7905, An Act Relating to Labor and Labor Relations** (by Rep Craven). H.7905 allows for employers, in workers' compensation actions, to shift the legal burden to employees to prove they were not intoxicated at the time of injury or death, after a showing that the employee had a positive test for intoxicating substances.

The *Senate Commerce Committee will be meeting Thursday, March 8th* At the Rise in Room 212. Two bills of interest **S.2334, An Act Relating to State Affairs and Government** (by Senators Ciccone, Jabour, Miller, Archambault and Goldin) and **S.2336 An Act Relating to State Affairs and Government** (by Senators Crowley, Jabour, Nesselbush, Metts and Quezada) will be heard at that time.

**S.2334** create**s “The Percentage of Income Energy Cost Payment Plan”** program. Households with incomes at or below 150% of federal poverty guidelines that are receiving LIHEAP heating oil assistance funds, will be eligible to participate in a 3 year pilot program up to a maximum of 30,000 households. The RI Office of Energy Resources would establish a maximum energy usage limit based on household size. Participants would be required to pay 4% of their annual gross household income for the cost of heating, 2% for non-heat electric costs and $10 for any outstanding arrearages or bills for gas, electric or heating oil outstanding as of November 1, 2018. A restricted receipt account would be established in order to pay for the remainder of the heat and electricity costs for the pilot program participants. The program would be funded through a 1% surcharge on “all wholesale oil prices.” It is unclear if this means a 1% surcharge on wholesale heating oil or all oil products. National Grid would also be required to transfer $2 million dollars a year from the National Grid Settlement Funds to the restricted receipt account. Federal LIHEAP monies would be deposited in the new program account; and an “equalized gross receipt tax” would be paid by natural gas and electric customers – the rate to be set by the general assembly annually. ***The Chamber opposes S.2334***.

**S.2336** establishes a similar program, called the **“home energy rate affordability program,”** although it creates more tiers of eligible recipients based on household income. This program would be funded by “non-bypassable monthly charges” on electric service customers ($1.55 residential customers; $1.55 commercial and industrial customers averaging less than 10kw; $14.15 for commercial and industrial customers averaging 10kw to 200kw; $271.75 for commercial and industrial customers averaging greater than 200kw). A “non-bypassable monthly charge” would also be placed on natural gas customers ($1.55 for residential customers; $1.55 for commercial and industrial customers averaging less than 500,000 cu.ft. per year; $14.15 for commercial and industrial customers averaging between 500,000 and 3.5 million cu. ft. per year; $271.75 for commercial and industrial customers averaging more than 3.5 million cu. ft. per year). ***The Chamber opposes S.2336***.

The following bills were filed last week:

House Bill No. [7780](http://webserver.rilin.state.ri.us/BillText/BillText18/HouseText18/H7780.pdf)

**BY**  Donovan, Amore, Carson, Kazarian, Blazejewski

**ENTITLED,**AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- HOME HEATING OIL SALES (Provides that a home heating oil dealer subject to delivery contract shall provide oil within 24 hours or waive penalty.)

House Bill No. [7790](http://webserver.rilin.state.ri.us/BillText/BillText18/HouseText18/H7790.pdf)

(Department of Business Regulation)

**BY**  Kennedy, O`Grady, Edwards, Marshall, Ucci

**ENTITLED,**AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- HAWKERS AND PEDDLERS (Provides for the consolidation of food truck registration within the department of business regulation to streamline the registration process and reduce the burden on small businesses.)

House Bill No. [7798](http://webserver.rilin.state.ri.us/BillText/BillText18/HouseText18/H7798.pdf)

**BY**  Williams, Lombardi, Hull, Blazejewski, Vella-Wilkinson

**ENTITLED,**AN ACT RELATING TO LABOR AND LABOR RELATIONS -- PAYMENT OF WAGES (Requires the director of the department of labor and training to establish a list, on the department's website, of all employers that owe their employees' wages.)

House Bill No. [7799](http://webserver.rilin.state.ri.us/BillText/BillText18/HouseText18/H7799.pdf)

**BY**  Regunberg, Williams, O`Grady, Amore, Handy

**ENTITLED,**AN ACT RELATING TO LABOR AND LABOR RELATIONS -- DEPARTMENT OF LABOR AND TRAINING (Provides an opportunity for employees affected by plant closings or mass layoffs to furnish competitive bids to purchase businesses otherwise at risk of reducing workforce.)

House Bill No. [7800](http://webserver.rilin.state.ri.us/BillText/BillText18/HouseText18/H7800.pdf)

**BY**  Craven

**ENTITLED,**AN ACT RELATING TO LABOR AND LABOR RELATIONS -- PAYMENT OF WAGES (Provides the method by which records are to be furnished relative to an employee's statement of earnings.)

House Bill No. [7806](http://webserver.rilin.state.ri.us/BillText/BillText18/HouseText18/H7806.pdf)

(Governor)

**BY**  Diaz, Slater, Blazejewski, Johnston, Maldonado

**ENTITLED,**AN ACT RELATING TO INSURANCE - INSURANCE COVERAGE FOR MENTAL ILLNESS AND SUBSTANCE ABUSE (Includes behavioral health counseling visits and medication maintenance visits as primary care visits for patient cost-sharing requirements under the provisions of a health plan.)

House Bill No. [7824](http://webserver.rilin.state.ri.us/BillText/BillText18/HouseText18/H7824.pdf)

**BY**  Handy, Ruggiero, Carson, Tanzi, Fogarty

**ENTITLED,**AN ACT RELATING TO WATERS AND NAVIGATION -- THE RIVERS AND COASTAL ADAPTATION FUND (Establishes Rhode Island rivers/coastal adaptation fund; enables cities, towns and state to apply for grants to fund projects that invest in measures to address the impacts of climate change. Trust to be funded by fees on barrels of petroleum products.)

House Bill No. [7827](http://webserver.rilin.state.ri.us/BillText/BillText18/HouseText18/H7827.pdf)

**BY**  Handy, Regunberg, McKiernan, Barros, Williams

**ENTITLED,**AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- RHODE ISLAND GLOBAL WARMING SOLUTIONS ACT (Establishes the Rhode Island global warming solutions act to reduce carbon emissions across various sectors of the local economy.)

Senate Bill No. [2525](http://webserver.rilin.state.ri.us/BillText/BillText18/SenateText18/S2525.pdf)

**BY**  Raptakis, Ciccone, Cote, Sheehan, Picard

**ENTITLED,**AN ACT RELATING TO TAXATION -- STATE TAX OFFICIALS (Places twelve percent (12%) per annum interest rate on delinquent tax payments for business corporation, sales and use, estate and personal income taxes.)

Senate Bill No. [2589](http://webserver.rilin.state.ri.us/BillText/BillText18/SenateText18/S2589.pdf)

**BY**  Lombardi, Nesselbush, Lynch Prata, Ciccone, Conley

**ENTITLED,**AN ACT RELATING TO FOOD AND DRUGS - FOOD DONATIONS (Provides immunity to persons donating food to food banks.)

Senate Bill No. [2593](http://webserver.rilin.state.ri.us/BillText/BillText18/SenateText18/S2593.pdf)

**BY**  Lombardi, McCaffrey, Lynch Prata, Jabour, Nesselbush

**ENTITLED,**AN ACT RELATING TO LABOR AND LABOR RELATIONS -- WORKERS' COMPENSATION -- BENEFITS (Allows for employers, in workers' compensation actions, to shift the legal burden to employees to prove they were not intoxicated at the time of injury or death, after a showing that the employee had a positive test for intoxicating substances.)

Senate Bill No. [2597](http://webserver.rilin.state.ri.us/BillText/BillText18/SenateText18/S2597.pdf)

**BY**  Fogarty, Nesselbush, Ciccone

**ENTITLED,**AN ACT RELATING TO LABOR AND LABOR RELATIONS -- PAYMENT OF WAGES (Provides the method by which records are to be furnished relative to an employee's statement of earnings.)

Senate Bill No. [2602](http://webserver.rilin.state.ri.us/BillText/BillText18/SenateText18/S2602.pdf)

**BY**  Lombardi, McCaffrey, Jabour, Nesselbush, Conley

**ENTITLED,**AN ACT RELATING TO LABOR AND LABOR RELATIONS - WORKERS' COMPENSATION - GENERAL PROVISIONS (Requires notice of claims of common law right to be given to an employer and the employer's workers' compensation insurance carrier and clarifies liability of employers and their insurers for workers' compensation claims.)