**Last Week At The State House**

Last week business testified against a number of bills including the restrictive scheduling bill that calls for employers to provide 14 days-notice of work schedules and requires employers to pay if that schedule is altered. Proponents accused the business community of “weaponizing” the coronavirus when the virus, as well as weather events, were used as examples of situations outside of the employers’ control.

The mandated greenhouse gas emission reduction bill received a tremendous amount of attention including support from Director Janet Coit of the Department of Environmental Management. The Chamber testified against the bill. If passed, the state would be forced to implement programs such as converting heating systems to electric heat and replacing vehicles with electric vehicles. According to the US Energy Information Agency, 93% of Rhode Island’s electricity is generated by natural gas – a fossil fuel that would be eliminated under this bill. Should all residential and commercial buildings switch to electric heat, the state would need to generate an additional 75 GW of electricity. If geothermal heating is the alternative of choice, the state would need 44 GW of additional electricity (information disclosed at DEM’s heating sector stakeholder meeting last month). This additional electricity demand does not include any increase in electric vehicle use. A similar bill **S.2404**, will be heard in the **Senate Environment and Agriculture Committee Wednesday, March 13th in Room 211.** S.2404 requires electricity sold to Rhode Island consumers to be obtained from renewable energy sources only by 2030.

**This Week At the State House**

**Tuesday, March 10th At the Rise (approximately 4:30 p.m.)**

**House Finance** will be taking testimony **in Room 35** on the Governor’s proposal to require businesses with fifty employees or more (not 50 FTEs) to provide reports to the state concerning health insurance coverage of employees. Employers would be required to annually provide to the State “sufficient and necessary information” for the Medicaid agency to determine an employee’s eligibility for the expanded RIte Share program. Also, employers would have to provide quarterly reports (1) notifying the State when an employee is no longer working for the employer or has lost Employer Sponsored Insurance (ESI), and (2) stating which employees are covered by ESI and which employees are not covered. Employers would be required to provide employees with information about RIte Share with enrollment materials; and to participate in an employer education and outreach campaign to be run by the Executive Office of Human Services. The first report would be due between November 15, 2020, and December 15, 2020. Lastly, employers would NOT be able to offer “financial incentives for employees to turn down ESI and remain on Medicaid.” This last requirement seems to suggest that employers could not provide any financial “bump” to employees that choose to decline health insurance for any reason (even if the spouse has insurance), because the employer would have to delve into the employee’s reasons for turning down the insurance in order to provide the financial “bump.” Some employers do provide a financial bump to employees that can show they are covered on a spouse’s insurance. It’s unclear whether this practice may still be permitted under the Governor’s proposal.

The **House Corporations Committee** willmeet **in Room 203**. One bill up for hearing is **H.7699, An Act Relating to Insurance**. H.7699 appears to allow an employee who is eligible for Medicare to elect to enroll in Medicare and allow the remainder of the employee’s family to retain the employer’s insurance if they are covered under the employer. The employer must agree to the change.

The **Senate Health and Human Services Committee** also meets Tuesday in the **Senate Lounge**. **S.2465, An Act Relating to Health and Safety**, establishes a Children's Catastrophic Illness in Children Relief Fund to provide finance assistance to families for medical expenses not covered by state or federal programs or insurance contract. Unfortunately, monies for the Fund are raised through an annual $1.50 per employee surcharge on businesses.

**Wednesday, March 11th At the Rise**

**House Labor** will be meeting in **Room 203**. **H.7877, An Act Relating to Holidays and Days of Special Observances** will be heard. Under current law, some businesses are exempt from paying premium pay if an employee is working Sunday as a part of his or her 40 hour work week. Massachusetts and Rhode Island are the last two states in the country to require premium pay. On January 1, 2023, Rhode Island will be the last state in the country as Massachusetts eliminates the requirement at that time. H.7877 takes Rhode Island in the opposite direction by making it more difficult to qualify for the premium pay exemption. The bill suggests allowing an exemption only for businesses that: (1) Pay employees at least 200% of the regular state minimum wage; (2) Do not use temporary employment agencies to staff operations; (3) Offer employer-funded health care benefits to employees; (4) Offer employer-funded retirement options to employees; (5) Have no federal labor law or state labor law violations within the last 10 years; (6) Have no environmental law or regulation violations within the last 10 years; (7) Have no violations of anti-discrimination laws within the last 10 years; and (8) Have no settlements of alleged violations of labor or environmental laws within the last ten years.

**Unique Bill of the Week**

**S.2694, An Act Relating to Labor and Labor Relations – Implementation Devices As Condition of Employment** says “No employer may require an employee or any prospective employee to implant, or undergo a procedure to implant a device in the employee’s or prospective employee’s body, as a condition of employment in a particular position, or as a condition of receiving additional compensation or other benefits.” Additionally, “No employer may discriminate against an employee with respect to the employee’s compensation and benefits or terms and conditions of employment based on the employee’s refusal” to undergo the implantation procedure. The intent of S.2694 has nothing to do with a flu shot or other medical vaccination. It addresses the implantation of microchips in employees. The Chamber is unaware, at this time, of any business that requires such implantation.

The following bills were filed last week:

House Bill No. [7965](http://webserver.rilin.state.ri.us/BillText/BillText20/HouseText20/H7965.pdf) Jacquard**,**AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS, AND PARTNERSHIPS (Allows nonprofit corporations to merge pr consolidate with other business entities or to convert into an other business entity within or outside of this state. It allows other business entities to convert to domestic nonprofit corporations.)

House Bill No. [7970](http://webserver.rilin.state.ri.us/BillText/BillText20/HouseText20/H7970.pdf) Ucci, Williams, Corvese, Craven**,**AN ACT RELATING TO TAXATION -- LEVY AND ASSESSMENT OF LOCAL TAXES (Requires municipalities to tax renewable energy resources as tangible property without affecting the real property on which it is located. Excepts farmland, which shall be reassessed at the predated farmland classification.)

House Bill No. [7974](http://webserver.rilin.state.ri.us/BillText/BillText20/HouseText20/H7974.pdf) Edwards, Williams, Caldwell, Shekarchi, Abney,AN ACT RELATING TO INSURANCE -- INSURANCE COVERAGE FOR MENTAL ILLNESS AND SUBSTANCE ABUSE (Requires a health plan to cover clinically appropriate and medically necessary residential or inpatient services, including detoxification and stabilization services, for the treatment of mental health and substance use disorders.)

Senate Bill No. [2635](http://webserver.rilin.state.ri.us/BillText/BillText20/SenateText20/S2635.pdf) Euer, Murray, Metts, Quezada, McCaffrey**,**AN ACT RELATING TO WATERS AND NAVIGATION - STATE AFFAIRS AND GOVERNMENT - HEALTH AND SAFETY (Updates and modernize the Department of Environmental Management’s ability to enforce environmental laws.)

Senate Bill No. [2636](http://webserver.rilin.state.ri.us/BillText/BillText20/SenateText20/S2636.pdf) Miller, Sosnowski, Conley, Euer, McCaffrey**,**AN ACT RELATING TO FOOD AND DRUGS -- DISPOSABLE FOOD SERVICE CONTAINERS (Prohibits a covered establishment from preparing, selling, processing or providing food or beverages in or on a disposable food service container that is composed in whole or in part of polystyrene foam.)

Senate Bill No. [2641](http://webserver.rilin.state.ri.us/BillText/BillText20/SenateText20/S2641.pdf) McKenney, Sheehan, Rogers, Paolino**,**AN ACT RELATING TO TAXATION -- PERSONAL INCOME TAX (This act would phase-out the taxation of pensions and annuities over a five (5) year period beginning on January 1, 2021.)

Senate Bill No. [2645](http://webserver.rilin.state.ri.us/BillText/BillText20/SenateText20/S2645.pdf) Felag**,**AN ACT RELATING TO TAXATION - BEER AND MALT BEVERAGE EXEMPTION (Exempts beer and malt beverage from sales tax.)

Senate Bill No. [2647](http://webserver.rilin.state.ri.us/BillText/BillText20/SenateText20/S2647.pdf) DiPalma, Seveney, Coyne, Murray**,**AN ACT RELATING TO STATUTES AND STATUTORY CONSTRUCTION -- PAYMENT OF STATUTORY FEES (Facilitates state departments/agencies to implement electronic filing of applications for licenses/permits/ registrations/certificates by allowing state vendor to withhold commission for developing and implementing electronic filing web-based system.)

Senate Bill No. [2650](http://webserver.rilin.state.ri.us/BillText/BillText20/SenateText20/S2650.pdf)

(Dept. of Revenue)

**BY**  Seveney, DiPalma, Coyne, Valverde, Euer

**ENTITLED,**AN ACT RELATING TO TAXATION -- SALES AND USE TAXES -- LIABILITY AND COMPUTATION (Expands the definition of sales to include any license, lease, or rental of prewritten or vendor-hosted computer software and specified digital products. This act would also define "end-user" for specified digital products.)

Senate Bill No. [2656](http://webserver.rilin.state.ri.us/BillText/BillText20/SenateText20/S2656.pdf) Sosnowski, Felag, McCaffrey, Ruggerio, Conley**,**AN ACT RELATING TO FOOD AND DRUGS -- SANITATION IN FOOD ESTABLISHMENTS (Defines what constitutes a multi-use food and beverage storage container and provides for sanitary use of said containers.)

Senate Bill No. [2658](http://webserver.rilin.state.ri.us/BillText/BillText20/SenateText20/S2658.pdf) Miller, Ruggerio, McCaffrey, Goodwin, Conley**,**AN ACT RELATING TO INSURANCE -- INDIVIDUAL HEALTH INSURANCE COVERAGE (Requires individual health insurers, large group health insurers and small employer health insurers to provide coverage for ten (10) categories of essential health benefits listed in the act.)

Senate Bill No. [2694](http://webserver.rilin.state.ri.us/BillText/BillText20/SenateText20/S2694.pdf) Lawson, McCaffrey, Goodwin, Lynch Prata, Satchell**,**AN ACT RELATING TO LABOR AND LABOR RELATIONS -- IMPLANTATION DEVICES AS CONDITIONS OF EMPLOYMENT (This act would prohibit an employer from subjecting its employees or prospective employees to the implantation of an implantation device. It would create criminal penalties as well as civil damages, that may be assessed against violating employers.)

Senate Bill No. [2705](http://webserver.rilin.state.ri.us/BillText/BillText20/SenateText20/S2705.pdf) Lawson, Ciccone, Lombardi, Lombardo, Metts**,**AN ACT RELATING TO LABOR AND LABOR RELATIONS -- ESTABLISHING THE "COMMUTER TRANSPORTATION BENEFITS ACT" (This act would establish the commuter transportation benefit act. Employers with five hundred (500) or more employees would provide a pre-tax transportation fringe benefit program or provide transportation to the employees.)

Senate Bill No. [2708](http://webserver.rilin.state.ri.us/BillText/BillText20/SenateText20/S2708.pdf) Goldin, Cano, Miller, Lawson, Goodwin**,**AN ACT RELATING TO LABOR AND LABOR RELATIONS -- TEMPORARY DISABILITY INSURANCE--GENERAL PROVISIONS (Increases taxable wage base for TDI/TCI contributions/coverage/maximum weeks for TC leave/provides fines/penalties for non-reinstatement of employee/creates tax credit for low wage employees.)