**An Update from the State House**

**Quick Overview of Last Week**

**Straws –** The Senate Environment and Agriculture Committee held S.292 SubA for further study following a backlash from environmental groups over the inclusion of state preemption language in the amended version of the bill. Business groups requested preemption in order to avoid traps that come with the potential of 39 different rules.

**Global Warming and Carbon Tax** – These bills were held for further study by the committee. The Chamber provided oral testimony along with one other business group, siting the existing high cost of energy in the state and the fact the bill calls for a $15 per metric ton of carbon tax if two other states pass a $5 per metric ton tax. Many proponents testified during the 3 hour hearing noting the level of sea rise and storm changes, while one pleaded not to allow Earth to become the next Venus which she claimed is hot, not because it is closer to the sun but because the carbon on the planet is trapped in the atmosphere instead of the ground.

**Non Compete Clause –** Both the Senate and House versions were held for further study while amended language is worked on with input from various interest groups.

**This Week at the State House**

**FY2020 Budget Update**

This week will end with the final Revenue Estimating Conference meeting that takes place **Friday, May 10th**. The Governor, House Finance and Senate Finance committees will come to an agreement on revenues available for the FY2020 budget. As has been stated before, this is a crucial meeting (begins at 9:00 a.m.) setting the stage for the development of the budget and all of the issues the business community has discussed with legislators over the past four months.

Last week, economists painted a gloomy picture of the job growth opportunities in Rhode Island. December of 2018 saw the state reach its high point in the number of jobs, a number that appears to have been overstated at the time. Rhode Island lost about 2800 jobs in the last quarter, and with the overstated job number from December, it appears the state has 10,000 fewer jobs than that reported at the end of 2018. An economist from HIS Markit provided testimony that 3,200 jobs were eliminated from the administrative support sector (including office personnel, HR, security and collections) and the waste management services sector. The HIS experts do believe the state will experience a slight growth in jobs but that the economy is basically headed for a flat growth by 2023. Young people – ages 16-24 are expected to exit Rhode Island, as the percentage of workers age 55 and over increases.

**Retail Acceptance of Cash**

The **House Corporations Committee** is expected to pass **H.5116** in an amended form on **Tuesday**. The proposed SubA requires all retailers to accept cash for payment of goods and services *except any on-line purchases or any internet purchases*.

**Naloxone In Public Places**

On **Tuesday, May 7 at the Rise**, the Senate Committee on Health and Human Services will take testimony on **S.827**; a bill that requires public places (places holding 100 or more people) to have on site a naloxone box and at least one person properly trained in how to administer the life-saving injection or nose spray to anyone experiencing a drug overdose. The bill does contain a Good Samaritan clause protecting anyone who acts (or fails to act) to assist a person in need unless it constitutes gross negligence or willful or wanton conduct.

**School Building Projects Union Only**

The **Senate Labor Committee** appears ready to pass **S.713 SubA on Wednesday at 3:30 p.m.** The bill requires school building projects, valued at $5 million or more, to hire only contractors that have – prior to bidding on the project - apprentices in every “apprenticeable trade” that will be needed to complete the job. The contractor must also ensure that no less than 10% of the labor hours worked on the project are performed by apprentices. An escape clause exists in the bill; but the clause is only triggered after the bid has been awarded. The wording of this bill ensures that only union contractors will be able to bid on these school projects, because no merit shop contractor can meet the apprenticeship requirement given the apprentice to journeyman ratios that currently exist in Rhode Island law.

**Employee Bills In Senate Judiciary**

**Thursday, May 9 at the Rise** will find the **Senate Judiciary Committee** taking testimony on various employee/employer bills. **S.169** proposes to end Rhode Island’s Employee-At-Will doctrine. **S.460** changes the definition of employee under the Fair Employment Practices Act to include family members, apprentices, volunteers, unpaid interns, and elected officials. The bill also allows employees to be held individually liable for actions against fellow employees. **S.493**, submitted on behalf of the Attorney General’s office, adopts a version of what is known as the MA 93A law. The AG’s office would be permitted to seek civil damages for violations of the Deceptive Trade law as interpreted by the AG. This bill is particularly troublesome for industries that are heavily regulated by other agencies, as what one agency believes is an appropriate action, the AG could interpret differently and bring charges. Finally, **S.598** forbids an employer to require an employee to execute a nondisclosure agreement; or non-disparagement agreement regarding alleged violations of civil rights or criminal conduct as a condition of employment.

The following bill was filed last week:

House Bill No. [6054](http://webserver.rilin.state.ri.us/BillText/BillText19/HouseText19/H6054.pdf)  Azzinaro, Kennedy, Shekarchi, Edwards, Blazejewski**,**AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- MOTOR VEHICLE REPAIR SHOP ACT (Allows a motor vehicle repair shop owner to sell, at a commercially recordable sale, a customer's vehicle if they fail to pay over thirty (30) days of properly charged storage fees.)

House Bill No. [6062](http://webserver.rilin.state.ri.us/BillText/BillText19/HouseText19/H6062.pdf) Ackerman, Shekarchi, Bennett, Amore, McNamara**,**AN ACT RELATING TO HEALTH AND SAFETY -- RESTROOM ACCESS ACT (Requires retail establishments with 3 persons or more on premises without public restrooms to allow customers to use employee restrooms for certain medical conditions upon presentation of documentary proof with violators fined $250. Effective 1/1/20)

Senate Bill No. [827](http://webserver.rilin.state.ri.us/BillText/BillText19/SenateText19/S0827.pdf) Valverde, Miller, Goldin**,**AN ACT RELATING TO HEALTH AND SAFETY - NALOXONE PUBLIC ACCESS PROGRAM (Requires public places to have naloboxes or naloxone on the premises for access and use during emergencies by trained employees or the general public with "Good Samaritan" protections.)

Senate Bill No. [835](http://webserver.rilin.state.ri.us/BillText/BillText19/SenateText19/S0835.pdf) Lombardi, Ciccone, Lombardo, Gallo, McCaffrey**,**AN ACT RELATING TO LABOR AND LABOR RELATIONS -- UNLAWFUL EMPLOYMENT PRACTICES (Prohibits an employer, employment agency, labor organization, or employee, to commit any act declared to be an unlawful employment practice; individuals would be held personally liable for such conduct.)

Senate Bill No. [836](http://webserver.rilin.state.ri.us/BillText/BillText19/SenateText19/S0836.pdf) Lombardi, Ciccone, Lombardo, Gallo, McCaffrey**,**AN ACT RELATING TO LABOR AND LABOR RELATIONS - PAYMENT OF WAGES (Creates a mechanism for employees to enforce their existing right to continuation of medical benefits, reinstatement of status and benefits after returning from being a temporary caregiver and relating to Sunday wage laws.)

Senate Bill No. [848](http://webserver.rilin.state.ri.us/BillText/BillText19/SenateText19/S0848.pdf) Goodwin, Ruggerio, McCaffrey**,**AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- PROCEDURE GENERALLY -- CAUSES OF ACTION (An insurer found in violation of the unfair claims settlement practices act can be liable for three (3) times the amount of damages.)

Senate Bill No. [849](http://webserver.rilin.state.ri.us/BillText/BillText19/SenateText19/S0849.pdf)  Goodwin, Ruggerio, McCaffrey**,**AN ACT RELATING TO INSURANCE -- UNFAIR CLAIMS SETTLEMENT PRACTICES ACT (Amends and expand the definitions of unfair claims practices committed by insurers with regard to physical inspection, performance of appraisals, retail valuation and total loss notification to owner.)