**Legislative Session Enters Final Phase**

Over the next few weeks, the legislature is expected to finish up the 2022 legislative session. A budget could be posted for consideration in the House Finance Committee within the next two to two and half weeks. At the same time, both the House and Senate will be voting out bills. Please keep a look out for emails from the Chamber asking for your help in contacting legislators.

**Last Week at the State House**

Bills legalizing the adult use of cannabis passed the House Finance Committee and the Senate Judiciary Committee last week. The 125-page bills are scheduled for votes on the House and Senate floors May 24th and could be on the Governor’s desk as early as May 25th. By the end of the week, these bills will likely be law. The bills allow anyone over the age of 21 to use the drug. A Cannabis Control Commission, comprised of three commissioners, will be responsible for the regulation, licensing and control of adult use and medical use as well. The Governor appoints the members with the advice and consent of the senate. This was a compromise between control by the Department of Business Regulation and control by a legislative appointed body. The compromise addressed concerns raised by the advocates for separation of powers.

For employers, the bills state clearly that workers’ compensation coverage does not include medical marijuana and that an employer is not required to accommodate the use of medical marijuana in the workplace or the possession of legal cannabis at the workplace. Remote work is treated the same as a centralized worksite. Employers may implement drug use policies which prohibit the use or possession of cannabis in the workplace or prohibit performing work under the influence of cannabis. An employer cannot fire or take disciplinary action against an employee solely for an employee's private, lawful use of cannabis outside the workplace as long as the employee is not working under the influence of cannabis. The bills carve out an exception for businesses that must maintain a zero tolerance in order to retain a federal contract or to maintain a federal license. The bills also create a carve-out for employees “in a job, occupation or profession that is hazardous, dangerous or essential to public welfare and safety. If the employee's job, occupation or profession involves work that is hazardous, dangerous or essential to public welfare and safety then the employer may adopt and implement policies which prohibit the use or consumption of cannabis within the twenty-four (24) hour period prior to a scheduled work shift or assignment. For purposes of this section, hazardous, dangerous or essential to public welfare and safety shall include, but not be limited to: operation of an aircraft, watercraft, heavy equipment, heavy machinery, commercial vehicles, school buses or public transportation; use of explosives; public safety first responder jobs; and emergency and surgical medical personnel.” Finally, employers may refuse to hire, or can terminate, an employee for working while under the influence of cannabis.

The compromise bill includes language to utilize testing as science progresses over time. Today a widely accepted test that measures the amount of TCH in a person’s body is not available. This makes driving under the influence more challenging to prove. However, the bills include a saliva test in the list of tests that can be given to a person suspected of driving under the influence.

Municipalities that do not currently host compassion centers can choose to opt out of offering licenses for cannabis. To do so, the following question must be placed on the ballot this November: "Shall new cannabis related licenses for businesses involved in the cultivation, manufacture, laboratory testing and for the retail sale of adult recreational use cannabis be issued in the city (or town)?" Should the electors vote to ban licensing, they can choose at a future time to again place the question on the ballot and allow for licensing. Choosing to ban licenses in the municipality also means that the community forgoes the local tax on cannabis. The state tax is set at 10%, the local tax is 3%.

The bills can be viewed in their entirety at:

<http://webserver.rilin.state.ri.us/BillText/BillText22/HouseText22/H7593A.pdf>

<http://webserver.rilin.state.ri.us/BillText/BillText22/SenateText22/S2430A.pdf>

**This Week at the State House**

**Tuesday, May 24th**

**Call to Action for Wage Payment and Misclassification** - S.2775, An Act Relating to Labor and Labor Relations – Payment of Wages is scheduled for a vote in the Senate Judiciary Committee at the Rise. At the time of the writing of this edition of Under the Dome, no amendment was posted for consideration. This bill was introduced at the request of the Attorney General, and it designates failure to pay wages on time, failure to pay wages at time of termination or misclassification of employees as independent contractors, as felonies subject to a prison sentence. **NOTE:** ***If this bill is important to your business, contact your Senator today!*** S.2775 will likely go to the Senate floor for a vote Thursday, May 26th or next week. <http://webserver.rilin.state.ri.us/BillText/BillText22/SenateText22/S2775.pdf>

The House Labor Committee will vote Tuesday to require children who are 14 years of age and wish to work, to complete a three-hour training program with the Department of Labor and Training. The program, consisting of workplace health and safety content as well as workers’ compensation rights and workers’ rights, must be completed before a limited work permit can be issued to the child. The bill number is H.6652. <http://webserver.rilin.state.ri.us/BillText/BillText22/HouseText22/H6652.pdf>

**Thursday, May 26th**

The House Judiciary Committee is scheduled to vote on H.7895, An Act Relating to Courts and Civil Procedures – Rhode Island Commercial Receivership Act. This act would create a temporary non-liquidating receivership program for businesses that have had a substantial decline in revenue after an emergency declaration by the government or for businesses that have suspended or ceased a substantial part of their operations because of action by a governmental unit exercising its police or regulatory powers to address an emergency. The bill can be viewed at: <http://webserver.rilin.state.ri.us/BillText/BillText22/HouseText22/H7895.pdf>

There are no new bills to report this week.