

# **CONSENSUS GOVERNMENT CONSULTING**

## **CT CAMPING ASSOCIATION LEGISLATIVE WRAP UP**

**SB 2 – An Act Increasing the Minimum Fair Wage.** This Labor Committee bill was given a public hearing and a Joint Favorable (JF) vote and sent to the Senate for further action. While the bill died on the Senate calendar, the House version (HB 5004) passed both Chambers and was signed by the Governor (see below).

<https://www.cga.ct.gov/2019/FC/pdf/2019SB-00002-R000207-FC.PDF>

**SB 706 – An Act Concerning (AAC) Epinephrine Auto Injectors.** This Rep. Robin Comey, Public Health bill was given a public hearing and a JF vote and sent to the Senate floor for further action. The Senate referred the bill to the Judiciary Committee where it also received a JF and was sent back to the Senate. The Senate passed the bill with Senate Amendment A, LCO # 9080 on the consent calendar and sent it to the House for final action. The House passed the amended bill in concurrence with the Senate and the Governor signed the bill on June 13th.

<https://www.cga.ct.gov/2019/ACT/pa/pdf/2019PA-00019-R00SB-00706-PA.pdf>

This new law allows an authorized entity (e.g., for-profit or non-profit entity) to acquire and maintain a supply of epinephrine auto-injectors (e.g., EpiPens) from a wholesaler and provide or administer them to a person experiencing an anaphylactic reaction. To do this, the authorized entity must (1) establish a medical protocol with a prescribing practitioner and (2) have at least one employee or agent trained in recognizing the signs and symptoms of anaphylaxis, administering the medication, and following emergency protocol.

The law establishes related training, storage, and medication administration requirements.

The law also generally grants immunity from civil and criminal liability to (1) prescribing practitioners who establish medical protocols with authorized entities and (2) authorized entities, the state or its political subdivisions, or their trained employees who provide or administer epinephrine auto-injectors to someone experiencing anaphylaxis.

Additionally, the law authorizes the Commissioners of Consumer Protection or Public Health to adopt regulations to implement the law's provisions.

\*Senate Amendment "A" eliminates provisions in the original bill (1) allowing a prescribing practitioner to enter into an agreement with a pharmacy to issue a standing order for epinephrine auto-injectors and (2) requiring authorized entities to obtain epinephrine auto injectors from a pharmacy with a standing order

Rep. Comey specifically asked CCA to be part of her press conference where she talked about the importance of this bill prior to its passage. CCA was well represented by Keith Garbart who found himself answering questions from various press outlets including both print and tv.

**HB 5004 – An Act Raising the Minimum Fair Wage.** The House version of SB 2, this partisan Labor Committee bill was given a public hearing and a JF vote before it was sent to the House for further action. The House referred the bill to the Appropriations Committee which also gave it a JF and sent it back to the floor. The House adopted House Amendment A, LCO #8234 and then passed the bill as amended. The Senate adopted House Amendment A and passed the bill in concurrence with the House.  
<https://www.cga.ct.gov/2019/ACT/pa/pdf/2019PA-00004-R00HB-05004-PA.pdf>

Due to the make-up of the General Assembly, the writing was on the wall with this bill long before it passed. With the Minimum Wage it was not IF it would pass but how badly would it affect the camping industry? CCA worked hard to mitigate this damage and for the most part we were successful. Like other businesses, Camps will feel the effects of the passage of the bill, but the impacts will be limited.

The bill increases the state's minimum hourly wage from its current \$10.10 to (1) \$11.00 on October 1, 2019; (2) \$12.00 on September 1, 2020;(3) \$13.00 on August 1, 2021; (4) \$14.00 on July 1, 2022; and (5) \$15.00 on June 1, 2023. Beginning January 1, 2024, it indexes future annual minimum wage changes to the federal employment cost index (ECI).

Current law provides a “tip credit” to employers of hotel and restaurant staff and bartenders who customarily receive tips. The credit allows employers to count these employees' tips as a percentage of their minimum wage requirement, thus reducing the employer's share of the minimum wage, as long as the tips make up the difference. The bill freezes the employer's share of these employees' minimum wage requirement at their current values (\$6.38 for hotel and restaurant staff, and \$8.23 for bartenders) and requires the tip credit's value to correspondingly increase to make up the difference between the employer's share and the bill's minimum wage increases. Thus, it allows employers to count these employees' tips towards the difference between the employer's share and the increasing minimum wage, as long as the tips make up the difference.

**Starting October 1, 2019, the bill also changes the “training wage” that employers may pay to learners, beginners, and people under age 18. Current law generally allows employers to pay these employees as low as 85% of the regular minimum wage for their first 200 hours of employment. The bill eliminates the training wage exceptions for learners and beginners, and limits the training wage to only people under age 18, except emancipated minors. Thus, it requires learners and beginners who are at least age 18 to be paid the full minimum wage. It also (1) requires the training wage to be the greater of \$10.10 or 85% of the minimum wage and (2) allows employers to pay the training wage to people under age 18 for the first 90 days, rather than 200 hours, of their employment.**

Starting October 1, 2020, the bill prohibits employers from taking any action to displace, or partially displace, an employee in order to hire people under age 18 at a subminimum wage rate. This includes reducing an employee's hours, wages, or employment benefits. If the Labor Commissioner determines that an employer violated this prohibition, he must suspend the employer's right to pay the reduced rate for employees for a period of time specified in regulations. (Presumably, the Commissioner will have to adopt such regulations, as current regulations do not include such a penalty.)

Lastly, the bill requires the Labor Commissioner to (1) make recommendations on whether any scheduled minimum wage increases should be suspended after two consecutive quarters of negative growth in the state's real gross domestic product and (2) study workers who receive tips and recommend ways to obtain certain information about them.

\*House Amendment "A" replaces the underlying bill, which would have (1) increased the minimum wage to \$15.00 over three years, (2) indexed future minimum wage increases to the Consumer Price Index, and (3) eliminated employers' ability to pay a training wage.

EFFECTIVE DATE: October 1, 2019, except the provisions on the tip credit and a study of tipped workers are effective upon passage.

**HB 7191 – An Act Increasing the Minimum Wage.** This was the Governor's language for raising the Minimum Wage and in fact, was the preferred bill by CCA as the bill (1) changed the minimum training wage to the greater of \$8.60 or 75% of the regular minimum wage and (2) allowed employers to pay the training wage to these employees for the first 90 calendar days of their employment. The bill was given a public hearing by the Labor Committee and received a JF vote before sending it to the House floor for further action. With passage of HB 5004 secured, this bill died on the House calendar.

<https://www.cga.ct.gov/2019/FC/pdf/2019HB-07191-R000195-FC.PDF>

**HB 5165 – An Act Requiring Checks for Prospective Youth Camp Employees.** This Children's Committee bill was brought to the Committee by Rep. Brian Lanoue. CCA met with him early in the session to let him know how the bill could be made better by adding some comprehensive language. The Committee raised the bill, gave it a public hearing, a JF vote and sent it to the House for further action. The House referred the bill to the Appropriations Committee where it garnered enough votes for a second JF. However, it also attracted 17 NO votes and it became clear that the bill was not going to simply sail through the Chamber. In the end, lack of time and Democratic opposition killed the bill without further action.

<https://www.cga.ct.gov/2019/FC/pdf/2019HB-05165-R000112-FC.PDF>