

2012 -- S 2528

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LC01530
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

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A N A C T

RELATING TO LABOR AND LABOR RELATIONS - BOILER INSPECTION AND
PRESSURE VESSELS

Introduced By: Senators E O'Neill, Hodgson, Bates, Kettle, and Maher

Date Introduced: February 16, 2012

Referred To: Senate Labor

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 28-25-14 of the General Laws in Chapter 28-25 entitled "Boiler
2 Inspection and Pressure Vessels" is hereby amended to read as follows:

3 **28-25-14. Arbitration of disputed decisions. --** In case any owner of any boiler or
4 pressure vessel is dissatisfied with the decision of the division in any matter, he or she may within
5 two (2) days after the decision demand, in writing, ~~an arbitration of the subject matter of the~~
6 ~~decision and, within five (5) days after that demand, the director of labor and training shall~~
7 ~~appoint one arbitrator, the owner shall appoint another arbitrator, and the two (2) so chosen shall~~
8 ~~appoint a third. If within five (5) days after their appointment they are unable to agree upon the~~
9 ~~appointment of the third arbitrator, then the arbitrator shall be appointed by any justice of the~~
10 ~~superior court to whom application is made by the owner after two (2) days written notice to the~~
11 ~~administrator of the division. If no application is made within fifteen (15) days after the decision~~
12 ~~of the division, the demand for arbitration shall be deemed to be withdrawn and the decision of~~
13 ~~the division shall become final and binding upon the parties. The arbitrators shall hear the parties,~~
14 ~~and the award of any two (2) shall be final and binding, which award shall be filed in the office of~~
15 ~~the division and notice of the award given to the owner. The arbitrators shall be entitled to receive~~
16 ~~compensation for each arbitration, one half (1/2) of it to be paid by the owner and the other one-~~
17 ~~half (1/2) to be paid by the state. The decision of the division shall remain in force until the~~
18 ~~award of arbitrators is made.~~ a hearing before the occupational safety and health review board

1 [pursuant to chapter 28-20.](#)

2 SECTION 2. Section 28-25-15 of the General Laws in Chapter 28-25 entitled "Boiler
3 Inspection and Pressure Vessels" is hereby repealed.

4 ~~28-25-15. Appropriations for arbitrators. -- The general assembly shall annually~~
5 ~~appropriate any sum or sums that it may deem necessary for the payment of arbitrators as~~
6 ~~provided in section 28-25-14; and the state controller is authorized and directed to draw his or her~~
7 ~~orders on the general treasurer for the payment of those sums, within the amounts appropriated~~
8 ~~for it, as may be from time to time required, upon receipt by him or her of proper vouchers~~
9 ~~approved by the administrator of the division and by the director of labor and training.~~

10 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO LABOR AND LABOR RELATIONS - BOILER INSPECTION AND
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1 This act would amend the hearing procedure for boiler and pressure vessel violations by
2 eliminating hearings before compensated arbitration panels and permitting hearings before the
3 occupational safety and health review board.

4 This act would take effect upon passage.

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