

2013 Legislative Changes

38-2-2. Definitions—As used in this chapter:

(4) (Z) All documents prepared by school districts intended to be used by school districts in protecting the safety of their students from potential and actual threats.

38-2-2. Definitions.—As used in this chapter:

(4) (Z) Any individually identifiable evaluations of public school teachers made pursuant to state or federal law or regulation.

42-35-9.1. Administrative hearing assessment and study

(a) In order to assess, standardize and create efficiency and fairness in the administrative hearing process in state agencies, the department of administration, with the assistance from the state office of management and budget and the personnel administrator, shall conduct an assessment and study of the administrative hearing practices across state government performed by individuals employed by the state. The study shall not include administrative hearings conducted by boards, committees or commissions which are unpaid by the state for their time.

(b) All state agencies on or before September 30, 2013 shall each provide the following information and records to the director of the department of administration:

(1) A complete list of the types of administrative hearings performed on behalf of the agency including a description of the type of hearing, expertise that may be required and statutory authority for conducting such a hearing;

(2) The number of hearings listed by each type of hearing as described in subdivision (1) performed by each agency in each fiscal year for the past three (3) fiscal years ending in June 30, 2013, along with the average time-frame for each type of matter to be adjudicated;

(3) The agency rules or regulations governing any such administrative hearings;

(4) A complete list of personnel by name, title, grade, division of agency, and total rate of salary, who conduct agency administrative hearings including the type of hearing performed by each individual, along with the percentage of the person's time spent on administrative hearing duties as a full-time equivalent.

(5) A complete list of all agency positions with name, title, division, and total rate of salary each position, that include administrative hearing duties in either the job title or job description;

(6) A complete list of vacancies that have administrative hearing duties in the job title and job description;

(7) The total number, as a full-time equivalent, performing all administrative hearings for the agency.

(c) On or before December 30, 2013, the department of administration, with assistance from the state office of management and budget and the personnel administrator, shall provide to the governor, speaker of the house of representatives, senate president, and chairpersons of the house and senate finance committees a report regarding the assessment and study of administrative hearing practices in the state agencies. The report shall include:

(1) An executive summary of administrative hearing practices across state government;

(2) A recommendation and/or plan on how to standardize, consolidate and make more efficient the

administrative hearing process across state agencies;

(3) A recommendation regarding the potential need for certain hearing officers to be qualified subject matter experts.

(4) Legislative or regulatory recommendations for a standardized administrative hearing process across state agencies;

(5) Recommendations regarding the number of full-time equivalents needed to perform administrative hearing duties;

(6) A copy of the information and records supplied by each of the agencies listed in subsection (b); and

(7) Any other information deemed to be appropriate.

(d) Each agency shall fully cooperate with the department of administration regarding the assessment and study and shall dedicate appropriate resources as needed to complete this assessment.

Additionally, the state office of management and budget and the personnel administrator shall dedicate appropriate resources and assist the department of administration in compiling and analyzing the information and completing the report for the general assembly.

45-21.2-9 Retirement for accidental disability

(f) In the event that any party is aggrieved by the determination of the retirement board pursuant to section 45-19-1, for an injury occurring on or after July 1, 2011, the party may submit an appeal to the Rhode Island workers compensation court. The appellant court shall file a notice of appeal with the retirement board and with the workers' compensation court within twenty (20) days of entry of the retirement board's decision and shall serve a copy of the notice of appeal upon the opposing party.

(i) Upon the receipt of notice of appeal, the court shall assign the matter to a judge and shall issue a notice at the time advising the parties of the judge to whom the case has been assigned and the date for pretrial conference in accordance with Rhode Island general law section 28-35-20.

28-30-15. Retirement of judges engaged on or before July 2, 1997, on reduced pay

(b) Any judge who retires in accordance with the provisions of this section may at his or her own request and at the direction of the chief justice of the supreme court, subject to the retiree's physical and mental competence, be assigned to perform any services that a judge on the workers' compensation court as the chief judge prescribes. When so assigned and performing those services, he or she shall have all the powers and authority of a judge. A retired judge shall not be counted in the number of judges provided by law for the workers' compensation court. Whenever a judge or magistrate shall be granted a leave of absence without pay, such absence shall not be credited towards active service time for the purpose of retirement.

28-30-15.1 Retirement of judges engaged after July 2, 1997

(c) Any judge who retires in accordance with the provisions of this section may at his or her own request and at the direction of the chief justice of the supreme court subject to the retiree's physical and mental competence, be assigned to perform those services that judge on the workers' compensation court as the chief judge prescribes. When so assigned and performing those services, he or she shall have all the powers and authority of a judge. A retired judge shall not be counted in the number of judges provided by law for the workers' compensation court.

28-30-16.0 Retirement of judges engaged on or before July 2, 1997 on full pay

(b) Any judge who retires in accordance with the provisions of this sections shall at the direction of the chief justice of the supreme court, subject to the retiree's physical and mental competence, be assigned to perform those services that a judge as the chief judge prescribes. When so assigned and performing that service, the retiree shall have all the powers and authority of a judge. The retired judge shall not be counted in the number of judges provided by law for the workers' compensation court.

28-30-16.2 Retirement of judges engaged after July 2, 1997 on full pay

(c) Any judge who retires in accordance with the provisions of this sections shall at the direction of the chief justice of the supreme court, subject to the retiree's physical and mental competence, be assigned to perform those services that a judge as the chief judge prescribes. When so assigned and performing that service, the retiree shall have all the powers and authority of a judge. The retired judge shall not be counted in the number of judges provided by law for the workers' compensation court.