



**RHODE ISLAND SUPREME COURT**

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Licht Judicial Complex

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February 12, 2025

*Via Electronic Mail (HouseLabor@rilegislature.gov)*

Chairman Arthur J. Corvese

House Committee on Labor

Rhode Island State House

Room 101

Providence, RI 02903

**Re: House Bill #5188: An Act Relating to Public Property - Corrosion Prevention and Mitigation Work Requirements**

Dear Chairman Corvese:

I write on behalf of the Rhode Island Judiciary regarding House Bill # H5188, which is scheduled to be heard and considered this evening before the House Committee on Labor. If enacted, this bill would authorize the Department of Labor and Training to conduct administrative hearings to enforce violations of the laws relating to corrosion prevention and mitigation work requirements.

The Rhode Island Judiciary has concerns regarding the language in Section (e)(3) stating “the hearing officer in the hearing shall be deemed to be acting in a *judicial capacity*.” The term “judicial capacity” may be misconstrued to imply the hearing officer is a judicial officer. The Judiciary respectfully requests that the term be amended to reflect the hearing officer’s “adjudicative capacity” instead of judicial capacity.

I welcome the opportunity to discuss this legislation further with the sponsors and the Department of Labor and Training. Thank you for the opportunity to comment on this legislation.

Sincerely,

Kathleen Kelly  
General Counsel