

**RHODE ISLAND GOVERNMENT REGISTER
PUBLIC NOTICE OF PROPOSED RULEMAKING**

THE OFFICE OF VETERANS SERVICES

Title of Rule: Rhode Island Veterans Memorial Cemetery (180-RICR-20-00-1)

Rule Identifier: 180-RICR-20-00-1

Rulemaking Action: Direct Final Amendment

Important Dates:

Date of Public Notice: 06/15/2020

End of Public Comment: 07/15/2020

Authority for this Rulemaking:

R.I. Gen. Laws § 30-25-14

Summary of Rulemaking Action:

Expands eligibility for interment to commissioned officers of National Oceanic and Atmospheric Administration and the U.S. Public Health Service.

Additional Information and Comments:

If no formal objection is received on or before July 15, 2020, the Office of Veterans Services will file the Amendment without opportunity for public comment.

Objections should be addressed to:

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Regulatory Analysis Summary and Supporting Documentation:

The amendment expands eligibility for interment at the Rhode Island Veterans Memorial Cemetery to commissioned officers of the National Oceanic and Atmospheric Administration or the Public Health Service. This expansion aligns the RIVMC with eligibility criteria of the national veterans cemeteries operated by the U.S. Department of Veterans Affairs. This amendment also corrects the name of the agency from the Rhode Island Office of Veterans Affairs to the Rhode Island Office of Veterans Services.

For full regulatory analysis or supporting documentation see agency contact person above.

180-RICR-20-00-1

**TITLE 180 - RHODE ISLAND OFFICE OF VETERANS
SERVICES**AFFAIRS****

CHAPTER 20 - RHODE ISLAND VETERANS MEMORIAL CEMETERY

SUBCHAPTER 00 - N/A

PART 1 - RI Veterans Memorial Cemetery

1.1 Introduction

- A. The purpose of the Rhode Island Veterans Memorial Cemetery is to provide a final resting place for Rhode Island veterans who served in the Armed Services of the United States. R.I. Gen. Laws § 30-25-14, entitled Burial of Veterans, establishes the legal basis for the Rhode Island Veterans Memorial Cemetery (RIVMC) located in the town of Exeter, RI. The Office of Veterans **Affairs**Services is responsible for RIVMC and authorized by the statute to establish all necessary rules and regulations for the operation of the cemetery.
- B. This is a state veterans' cemetery of memorial design, with all grave markers placed flush with ground level. Keeping with military tradition, the cemetery's landscaping, including trees, shrubs and flowers, are designed to honor all veterans and their families, not individual gravesites.
- C. In compliance with the statutory charge contained in R.I. Gen. Laws § 30-25-14 and the Aid for the Establishment, Expansion, and Improvement, or Operation and maintenance, of Veterans Cemeteries, 38 C.F.R. Part 39, the following rules and regulations have been adopted pursuant to the provisions of the Administrative Procedures Act, R.I. Gen. Laws § 42-35-1, et seq. These rules and regulations governing the Rhode Island Veterans Memorial Cemetery are the official policy for the administration of the RIVMC by the Office of Veterans **Affairs**Services. In addition, these regulations comply with 38 C.F.R. Part 39.
- D. Overall supervision of the cemetery is vested in the Cemetery Administrator by the Director of the Office of Veterans **Affairs**Services. The Cemetery Administrator is authorized to ensure compliance with cemetery regulations and posted notices. Anyone refusing to comply with these regulations or other valid direction from the Cemetery Administrator, will be asked to leave the cemetery. The Rhode Island State Police will be notified upon repeat violations and/or the refusal to obey a request from the Cemetery Administrator.
- E. These regulations are designed to uphold the pledge of dignity, respect and fair treatment for each veteran and their family, while maintaining the safety and solemnity of the cemetery for all visitors. In keeping with this pledge, the Director

of the Office of Veterans [Affairs Services](#), or his or her designee, reserves the right to make any necessary corrections in the course of operating the cemetery. This may include but is not limited to interments, disinterment, setting of grave markers, or amendment to official records. Any need for corrections should be brought to the attention of the Cemetery Administrator.

- F. Appeals of any decision made by the Cemetery Administrator under these regulations should be made to the Director of Veterans [Affairs Services](#).
- G. All inquiries and complaints should be directed to the Cemetery Administrator at 401-268-3088, or by visiting the Administration Office Monday through Friday from 8:30 a.m. to 4:00 p.m.

1.2 Persons Eligible for Burial

- A. Veterans
 - 1. Any Rhode Island resident, or former resident, who served in the Army, Navy, Air Force, Coast Guard, or Marine Corps of the United States pursuant to Title 10 of the United States Code for a period of not less than two years, and was discharged under honorable conditions.
 - 2. Any person who died in the line of duty while serving in the Army, Navy, Air Force, Coast Guard, or Marine Corps of the United States, the Rhode Island National Guard, or other Reserve Component.
 - 3. Any person who was discharged under honorable conditions after completing at least twenty (20) years of service in the Rhode Island National Guard or a reserve component. For the purpose of computing service under this section, honorable service in the active forces shall be considered toward the twenty (20) year requirement.
 - 4. Any Rhode Island resident, or former resident, who participated in an expedition or campaign as a member of the U.S. Armed Forces for which he or she received a campaign or expeditionary medal, and was discharged under honorable conditions.
 - 5. [Any Rhode Island resident, or former resident, who served as a commissioned officer of the National Oceanic and Atmospheric Administration or the Public Health Service for a period of not less than two years and was discharged under honorable conditions.](#)
 - 6. 6. The burden of proof of eligibility for burial in the Rhode Island Veterans Memorial Cemetery is the responsibility of the funeral director or person listed on the veteran's death certificate as agent or informant.

67. A veteran may request a pre-eligibility determination by completing an application with the Administration Office and providing the required eligibility documentation.
78. Proof of Rhode Island residency requires a Rhode Island driver's license, Rhode Island voter registration, or State/Federal income tax forms showing two consecutive years of residency. Any request to submit other residency documentation must be made to the Administrator.

B. Eligible Dependents. The following dependents may be eligible for interment at the RIVMC with consent from the eligible veteran and upon meeting the reservation requirements. Supporting documentation may be requested in some cases.

1. Lawful spouse.
2. Common law spouse. Determinations for a common-law spouse will be based on Rhode Island law and 38 USC § 103(c).
3. Unmarried, minor children (under the age of 18 years).
4. Unmarried, dependent children who are under 21 years of age, or 23 years of age if they are a full-time student at an approved educational institution.
5. Unmarried, adult children who are incapable of self-support because of a physical or mental disability.
6. Parents, including adoptive parents, of service members may be eligible for burial with their child if the son or daughter died as a result of hostile activity or from combat training-related injuries; and the service member has no surviving spouse or dependent child. Burial of eligible parents is contingent on space, and limited to service members who died on or after October 7, 2001, and parents who died on or after October 13, 2010.

C. Ineligible Persons

1. Unless otherwise eligible in § 1.2(B) of this Part above, a father, mother, brother, sister, or in-law of an eligible veteran is not entitled to interment at the RIVMC even if he or she relied on the veteran for support and/or was a member of the veteran's household.
2. Former or subsequent spouses of the eligible veteran are ineligible if another spouse of the veteran is already interred at the RIVMC.

3. Any former spouse that has been lawfully divorced from the veteran is ineligible.
4. Any person whose only separation from the Armed Forces was under dishonorable conditions or whose character of service results in a bar to Veterans benefits.
5. Under 38 U.S.C. § 2411, interment or memorialization in the RIVMC is prohibited if a person is convicted of a Federal or State capital crime, for which a sentence of imprisonment for life or the death penalty may be imposed, and the conviction is final.
 - a. The term “Federal capital crime” means an offense under Federal law for which a sentence of imprisonment for life or the death penalty may be imposed.
 - b. The term “State capital crime” means, under State law, the willful, deliberate, or premeditated unlawful killing of another human being for which a sentence of imprisonment for life or the death penalty may be imposed.
6. Under 38 U.S.C. § 2411, interment or memorialization in the RIVMC is prohibited if a person is convicted of a Tier III sex offense, who was sentenced to a minimum of life imprisonment and whose conviction is final.
7. However, any person who, subsequent to such a conviction, served in the Armed Forces of the United States and whose service is terminated honorably by death or under honorable conditions by honorable discharge may become eligible for burial at the RIVMC.

1.3 Reservations and Special Gravesites

- A. The Cemetery Administrator, or his or her designee, will assign a gravesite for the eligible veteran or family member only at the time of interment. This policy is required for the efficient operation of the cemetery and safety of both cemetery personnel and visitors.
- B. Gravesites
 1. Military rank, civilian stature, race, ethnicity, wartime service, or religious preference are given no consideration in the assignment of the gravesite. All gravesites are equal; each has a uniform type of flat granite marker as authorized by the U.S. Department of Veterans Affairs. No other grave marker is permitted at the RIVMC.

2. One gravesite is authorized for the interment of all eligible dependents, except where the Administrator determines soil conditions require more than one grave, as religious faith requirements dictate, or the number of family decedents requires more than one grave.
 3. A gravesite is not reserved before it is needed for burial. The RIVMC will attempt to honor reservations made prior to January 1, 2003, unless the selected site is no longer viable for interment.
 4. An eligible veteran or an eligible family member may choose a burial niche for cremated remains, an in-ground burial for cremated remains, or a full casketed in-ground burial. One gravesite will be used for all eligible family members, except as indicated in § 1.3(B)(2) of this Part. The use of both a gravesite and a burial niche will not be authorized.
- C. Exceptions. Any exceptions to this policy will require the written approval of the Cemetery Administrator.

1.4 Policies for Arranging an Interment

- A. The ability to effectively manage and sustain the reverence of the Rhode Island Veterans Memorial Cemetery requires coordination, cooperation and respect among the various entities that visit and serve the veteran community. Adherence to these regulations is expected of all those who perform the noble duties associated with the interment of veterans and their families. Repeated failure to comply may result in a written letter to the respective individual or organization, and/or a complaint filed with the appropriate state licensing agency or association.
- B. General Policies
1. The funeral director is responsible for making interment arrangements for an eligible decedent and for remaining with remains, including cremated remains, throughout the committal service. Rhode Island funeral directors will be provided with specific information and necessary forms to accomplish authorized interments. The original and complete burial transit permit, or original and complete cremation certificate must be provided to the cemetery prior to the interment. The funeral director must also inform the Administration Office when making arrangements if there are any additional religious requirements for the burial.
 2. To ensure the RIVMC can accommodate and properly respect each eligible veteran or family member, committal services are limited to fifteen minutes at the designated location. For each interment, a half-hour time period must be reserved with the Administration Office, which includes time for travel within the cemetery and military honors. ~~With the exception~~

~~of~~Except for cremations scheduled for 9:30 a.m. or 10:00 a.m.
~~cremations~~ on Saturdays, interments will not be scheduled more than two weeks in advance.

3. Funeral directors are asked to inform families of the length and purpose of the committal service. The committal service is not intended to be a wake. Going beyond the assigned time disrespects other families waiting to honor their loved one. The Cemetery Administrator, or a representative, will be available to speak with the next of kin upon request of the funeral director.
4. If a funeral party does not arrive within 15 minutes of the allotted time frame, the committal location may be changed by the Administrator to accommodate the family subject to the availability of an alternate location, RIVMC staff, military honors personnel, and attending clergy. If no other committal location is available, the funeral party may be asked to wait until other scheduled services are completed.
5. If not arriving as a procession, funeral directors are requested to be at the cemetery at least twenty (20) minutes prior to their scheduled time to line up the funeral party and meet with the cemetery escort.
6. RIVMC may accept an urn for placement in a niche compartment without a funeral director if there is no associated committal service and the next of kin can provide the required documentation in § 1.4(B)(1) of this Part. With advance notification, urns are accepted at 9:00 a.m. and 3:00 p.m. Monday through Friday at the Administration Office.
7. The opening of urns or caskets on cemetery grounds is prohibited, except in the cases of disinterment arranged with the Administration Office. Guest books are not permitted.
8. RIVMC will not accept remains shipped via the U.S. Postal Service, or any commercial carrier. RIVMC is unable to store remains overnight.
9. Gravesites prepared for caskets will be of uniform size. Gravesites prepared for cremated remains may be of a lesser uniform size.
10. RIVMC requires an outer burial container for each in-ground interment, including cremations unless the urn meets certain criteria. The grave liner fee for the eligible veteran is provided by the federal Department of Veterans Affairs. For the spouse and any eligible dependents, the RIVMC is required to collect a grave liner fee, unless a vault or grave liner is otherwise provided by the funeral home or next of kin.

11. No cremated remains are permitted inside of a full casket without proper documentation.
12. Unless a religious faith dictates otherwise, graveside burial services are allowed from April 1 to November 1, provided the grounds are free of safety hazards (snow, ice, construction, etc.) and the funeral director makes prior arrangements with the RIVMC. Graveside services requiring the assistance of a contractor will be at the expense of the next of kin. Requests to deviate from this policy must be made to the Cemetery Administrator.
13. The grave marker permitted in the cemetery is the United States Government flat granite marker. Installation of the grave marker is performed by the cemetery staff. The federal "Application for Headstone or Marker" form will be processed through the RIVMC office. Funeral directors are requested to attach the completed "Application for Headstone or Marker" form to the other interment forms and deliver them to the RIVMC office. The Administration Office is unable to process forms for grave makers and VA bronze medallions to be placed outside of the RIVMC.
14. The RIVMC will assign a gravesite, ensure the site is properly opened and closed, and provide perpetual care of the gravesite. Title to all lots is retained by the RIVMC. All other charges in connection with any funeral or burial in the cemetery will be the responsibility of the next of kin.
15. A deceased eligible dependent may be interred prior to the death of a veteran only when the veteran certifies he or she will be buried in the same assigned gravesite. Conversely, reservations for the burial of eligible living dependent(s) will be made at the time of the burial of the veteran. Reservation forms are available at the RIVMC Administration Office.
16. All interments are scheduled through the Administration Office. Interments will be scheduled on a first come/first served basis upon submission of the required documentation and verification of the veteran's eligibility.
17. Interments are scheduled from 10:00 a.m. to 2:00 p.m. on Monday through Friday. Typically, no more than eight (8) interments will be scheduled on a weekday. Exceptions may be requested to the Cemetery Administrator.
18. Requests for Holiday interments will not normally be accommodated.
19. RIVMC reserves the right to move graveside interments to an alternate location consistent with religious faith requirements in the event of inclement weather or other unforeseen safety conditions.

C. Saturday Interments

1. Interments are scheduled from 9:30 a.m. to 11:30 a.m. on Saturdays. Typically, there will be no more than four (4) interments on any given Saturday except as set forth below and in § 1.5(F) of this Part.
2. Requests for Saturday interment must be made to the Administration Office prior to noon on the preceding Thursday and accompanied by all required documentation. Scheduling of the 10:30 a.m., 11:00 a.m. and 11:30 a.m. committal services will typically be reserved for funerals arriving in procession.
3. When a casualty of war is presented for interment, the Cemetery Administrator reserves the right to authorize additional burial provisions.
4. When a religious faith requirement dictates, the Cemetery Administrator reserves the right to authorize additional burial provisions.

1.5 General Procedures on Disinterments

A. Except as provided for in this section and in § 1.1 of this Part, disinterment and removal of remains from the RIVMC for reinterment in another location within the cemetery or to be transferred for reinterment in another cemetery is not permitted.

B. Procedures for Making Requests

1. Requests for disinterment and removal of remains shall be made to the Director of Veterans [Affairs Services](#) through the RIVMC Administration Office. As specified in section § 1.5(D) of this Part, the nature of the request and the responsibilities of both RIVMC and the person(s) making application will vary depending on whether the decedent's remains are to be re-interred in another location in RIVMC or transferred to a different cemetery.
2. The removal of remains may require a funeral director and an associated legal permit. The cost of the funeral director or any other legal requirements are the responsibility of the person making the request.
3. The next of kin desiring to have the remains of a person disinterred from one gravesite in the RIVMC for reinterment to another gravesite at the RIVMC must complete the required application with notarized signatures of all immediate family members.

C. General Requirements

1. All requests for disinterment and removal of remains shall only be considered for approval when the following conditions are met:
 - a. Application. The person(s) requesting disinterment and removal of the remains shall submit a completed and signed RIVMC Form #1.10.050A that contains the following:
 - (1) Identifying information about the deceased and the specific purposes to be served by the disinterment and removal of the remains;
 - (2) Written consent of the decedent's next of kin, or representatives thereof, to the disinterment and removal of remains as specified below in § 1.5(D) of this Part;
 - (3) The location of the reinterment of the decedent's remains, whether in the RIVMC or another cemetery; and
 - (4) A sworn affidavit from the person(s) making the request indicating the information provided in the application is true and correct.
 - b. Consent. All immediate family members of the decedent, and the person(s) who initiated the decedent's interment in the RIVMC, shall provide written consent for the disinterment and removal of the remains. Such consent is not necessary if so ordered by a State or Federal court, or another State instrumentality of competent jurisdiction.
 - (1) For the purposes of this section, an immediate family member means a person related by blood or marriage including any spouse, children, siblings, and parents.
 - (2) The RIVMC may consider an order from a court of competent jurisdiction if the required consent of immediate relatives cannot be obtained for reasons the court deems to be both reasonable and legitimate. Any person(s) seeking such a court order shall not include the Office of Veterans Affairs Services, the RIVMC, or any officials thereof to be party when requesting court action.

D. Requirements Pertaining to Reinterment Location

1. The person(s) making the request must indicate clearly on the application whether the decedent's remains are to be removed and reinterred by

RIVMC in another location of the RIVMC, or are to be disinterred for removal and transfer to a different cemetery. Depending on the location selected, the respective responsibilities of RIVMC and the applicant shall vary in accordance with this subsection.

2. Reinterment in the RIVMC. RIVMC cannot accommodate specific location requests for reinterments; all reinterments will be made in the active burial field at the time of the request. When a request is approved to move a decedent's remains to another location in the cemetery, the RIVMC shall be responsible for providing only those services required to disinter, remove, and re-inter the decedent's remains in accordance with applicable procedures and safety standards. Upon making the request, the applicant, the decedent's next of kin, or a representative thereof must agree to accept the responsibility for:
 - a. Arranging and paying for any ancillary services that the RIVMC is not bound to provide by law, regulation, or established procedures, and
 - b. Cooperating with the RIVMC, to the extent necessary, in complying with any applicable regulations set by the RIMVC or any other federal, state, or local governing authority.
 - c. Inquiries as to whether a particular service is an ancillary service should be made directly to the Cemetery Administrator.

3. Disinterment and Transfer. When the decedent's remains are to be transferred for reinterment in a cemetery other than the RIVMC, the RIMVC is responsible only for opening the grave to two feet below the ground surface. Upon making the request for disinterment of remains for transfer, the applicant, the decedent's next of kin, or a representative thereof must agree to accept responsibility for:
 - a. Arranging and paying for all services required to disinter, remove, and transfer the decedent's remains for burial in another cemetery; and
 - b. Assuring that any individual/firm selected to disinter, remove, and transfer the decedent's remains complies fully with the applicable safety regulations, established by the Rhode Island Department of Health.

E. Review and Written Decision

Within 14 days from the receipt of the required forms, the Director (or his or her designee), will review the application requesting the disinterment and removal of

the decedent's remains and render a decision either approving or denying the request.

F. Exclusions and Limits

1. Liability. The RIVMC shall not be held liable in any way for the condition of the decedent's remains once disinterred. In addition, the RIVMC is not responsible for scope, quality, timeliness, or cost of services rendered by an individual/firm acting on the behalf of some other person or entity for the purposes of providing any ancillary services, as indicated in § 1.5(D) (1) of this Part, or such services that may be required to transfer the decedent's remains for reinterment in another cemetery other than as specified explicitly in § 1.5(D)(3) of this Part.
2. Scheduling. RIVMC retains sole discretion to determine when any of the services associated with an approved request are provided, irrespective of whether such services are the responsibility of the RIMVC or its authorized agent, or an individual or firm acting on behalf of the person(s) making the request.

1.6 General Cemetery Rules

A. Visiting Hours. Visiting hours are established by the Administrator and posted at the main gate. Unauthorized visitors to the cemetery outside of these hours may be asked to leave. Trespassers in violation of the posted hours may be referred to the state police. Unless otherwise posted, visiting hours are established to coincide with seasonal daylight hours:

1. October 1 through March 31, 7:00 a.m. through 5:00 p.m.
2. April 1 through September 30, 7:00 a.m. through 7:00 p.m.
3. The Administrator reserves to right to change these hours without notice in cases of inclement weather or when other safety concerns warrant.

B. General Rules

1. Memorial services or ceremonies within the cemetery, except private memorial services, require the prior approval of the Administrator.
2. Picketing, demonstrations, or similar conduct is not permitted on the cemetery grounds. This includes orations, distribution of materials, disorderly conduct, or any assembly of persons for purposes not consistent with the respectful intentions of this cemetery.

3. Radios, speakers, musical instruments, and other boisterous, loud or offensive noises are prohibited unless part of an approved memorial service or ceremony.
4. The display of any placard, banner, flag, or similar article within the cemetery grounds is not permitted without prior written approval of the Administrator.
5. The intentional damage, destruction or removal of any monument, grave marker or gravestone is strictly prohibited and will be referred to the state police for violation R.I. Gen. Laws § 11-20-2.
6. Dogs and other domestic animals, except service animals, are not permitted on cemetery grounds. Per R.I. Gen. Laws § 40-9.1-1.1, violators may be subject to a fine of \$500 and/or removal from the grounds. Repeat violators or those refusing to comply with a request by the Cemetery Administrator will be referred to the state police.
7. To preserve the sanctity of the cemetery, recreational activities such as sports, athletics, or picnics are not permitted.
8. Littering is prohibited. Receptacles are provided throughout the cemetery for trash.
9. Please obey posted speed limits and road closure signs.
10. The use of private recreational vehicles, including snowmobiles, dirt bikes, or four-wheel all-terrain vehicles is not permitted within the cemetery.
11. Personal motor vehicles are restricted to paved cemetery roadways. For handicap access to gravesites and when assistance is needed during periods of significant snowfall, please contact the Administrator or a RIVMC staff member.
12. The use of threatening, indecent or provocative language, including physical aggression, will not be tolerated on the cemetery grounds. Persons disrupting a memorial service or ceremony, harassing or attempting to obstruct RIVMC employees, or otherwise creating a hazardous condition, will be removed from the grounds.
13. Alcoholic beverages and drugs are prohibited on the cemetery grounds. Persons suspected to be under the influence of alcohol or drugs may be asked to leave the grounds.

14. The display or distribution of advertising or marketing materials, or any attempt to solicit business while within the cemetery grounds is not permitted.
15. Firearms and explosives are prohibited on cemetery grounds.
16. Hunting and fishing are prohibited on cemetery grounds.

C. Memorial Services and Ceremonies

1. Requests to conduct memorial services or ceremonies must be made to the Administrator, Rhode Island Veterans Memorial Cemetery, 301 South County Trail, Exeter, RI 02822. The Administrator will provide written notice of approval for the request prior to the proposed date of the service or ceremony.
2. Requests shall describe the proposed memorial service or ceremony in detail, including the purpose of the event, the estimated attendance, the expected length of the event, whether musical instruments, flags or programs are requested, and the name, phone and email address for the event's point of contact.
3. As a state cemetery, the Rhode Island Veterans Memorial Cemetery is not authorized to provide funding, equipment or staff to individuals or organizations for specific memorial services or ceremonies.
4. All memorial services and ceremonies in the Rhode Island Veterans Memorial Cemetery, ~~with the exception of~~except for official state ceremonies, shall be conducted in accordance with the following rules:
 - a. Services and ceremonies are to be memorial in nature and dedicated to honoring all those interred in the cemetery, to all those who have died in the military service of the United States, to all those who have died in the United States while serving during a particular conflict or while serving in a particular military unit or units, or to the memory of the individual or individuals interred or to be interred at the particular gravesite at which the services or ceremony is held.
 - b. The Rhode Island Veterans Memorial Cemetery is a non-public forum. Partisan activities, such as those involving commentary in support of, or in opposition to, or attempts to influence any current policy of the Government of the United States, or any group, association, or enterprise are prohibited.

- c. Silence will be requested during military funeral honors, public wreath laying ceremonies, and memorial services at the WWII Monument.
- d. Public memorial services and public wreath laying ceremonies are open to all members of the public.

D. Monuments

- 1. Private monuments or other individual markers are not permitted.
- 2. The names of the interred veterans may be inscribed on the Memorial Wall and Memorial Walkway border. Fees for the inscription of names are available at the Administration office.
- 3. Monuments to commemorate veterans of specific campaigns must be planned [in consultation with the Administrator before construction begins.](#) ~~in advance of construction with the Administrator.~~
- 4. Private monuments are not permitted. Monuments to commemorate an individual, group, or event may be erected with written approval from the Cemetery Administrator. The Administrator reserves the right to request changes to the specifications in order to preserve the natural setting and to maintain the cemetery's memorial design.
- 5. Upon review of the proposal, the Administrator will provide written notice of approval, denial, or any requested changes.

E. Gravesite Adornments

- 1. Flowers:
 - a. One (1) plastic container of cut natural flowers or a potted plant (also plastic) less than 8" in diameter may be placed on gravesites. Plastic cone vases for natural or silk flowers are available at the Administration Office. Flowers not in an 8-inch plastic or cone vase will be removed and disposed of.
 - b. Funeral pieces will be placed on racks in the area of the gravesite on the day of the interment and will be removed upon withering.
 - c. Flowers, natural or artificial, will be removed when withered or faded, or if weather conditions, such as wind, cause them to separate from the gravesite.

- d. Evergreen wreaths or other holiday arrangements less than 16 inches in diameter or 8-inch potted poinsettias may be placed December 1st through January 31st, weather permitting. Decoration of cemetery trees or shrubs is not permitted.
- e. Permanent plantings of trees, shrubs and flowers are prohibited. All requests for maintenance at a specific gravesite should be made to the Administration Office.

2. Decorative Items:

- a. The [federal](#) Department of Veterans Affairs does not permit adornments that are offensive, inconsistent with the dignity of the cemetery, or hazardous to cemetery personnel.
- b. Adornments not permitted include glass, pottery, figurines, solar lights, upright crosses or crucifixes, statues, balloons, pinwheels, stake signs, or any item that poses a hazard to cemetery personnel or impedes maintenance of the grounds.
- c. Unauthorized items will be removed from gravesites and surrounding areas as needed to facilitate cemetery maintenance and operations. At a minimum, the cemetery grounds will be cleared of all unauthorized adornments at the end of each month.
- d. Gravesite markers and niche covers are property of the [federal](#) Department of Veterans Affairs. No decorative items may be affixed (glued or taped) to marker or covers, including stickers, pictures, ornaments, candy, and flowers. If damage to the marker or cover results from an affixed item, the marker or cover will be re-ordered and the next-of-kin may be responsible for reimbursing the [federal](#) Department of Veterans Affairs.

3. Flags:

- a. The United States flag is flown over the Rhode Island Veterans Memorial Cemetery every day. ~~With the exception of~~[Except for](#) Memorial Day, no individual flags ~~, of any kind,~~ are ~~not~~ permitted on gravesites.
- b. Individual U.S. flags are placed on each gravesite for Memorial Day by RIVMC staff. Additional U.S., POW/MIA, and Rhode Island State flags may be placed throughout the cemetery on Veterans Day, and during special events.

- c. In order to ensure the utmost respect and care for each flag, RIVMC staff will be solely responsible for the placing of flags on cemetery grounds.

1.7 Gifts and Memorials

- A. As specified in R.I. Gen. Laws § 30-24-6, the Director of Veterans ~~Affairs~~[Services](#) is authorized to accept grants, donations, and bequests made to the State that may be in anyway of benefit to Rhode Island veterans and their families eligible for services such as those provided for in this rule.
- B. Any monies received under these auspices shall be maintained by the Treasurer of the State of Rhode Island in a restricted account, and shall only be used for purposes of expanding, ensuring the continuation of, or enhancing the range of services in accordance with the provisions of R.I. Gen. Laws § 30-24-6.