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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

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A N A C T

RELATING TO MILITARY AFFAIRS AND DEFENSE -- BURIAL OF VETERANS --
HMONG LAOTIAN GUERRILLA UNITS

Introduced By: Senators Ruggerio, Felag, and Seveney

Date Introduced: May 19, 2022

Referred To: Senate Special Legislation and Veterans Affairs

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 30-25-3 and 30-25-14 of the General Laws in Chapter 30-25 entitled
2 "Burial of Veterans" are hereby amended to read as follows:

3 **30-25-3. Burial at public expense.**

4 ~~Whenever any person who served in the army, navy, air force, or marine corps of the United~~
5 ~~States during any period of war, and was honorably discharged therefrom, shall die within this state~~
6 ~~without leaving means sufficient to defray necessary funeral expenses, he or she shall be buried~~
7 ~~and the expenses thereof paid in the manner provided in this chapter.~~

8 (a) When any veteran or member, as defined in subsection (e) of this section, dies, not
9 having sufficient estate to pay the necessary expenses of the veteran's or member's last sickness
10 and burial, as determined by the director of the office of veterans' affairs after consultation with the
11 probate court for the city or town in which the veteran or member resided, the state shall pay the
12 sum of one thousand eight hundred dollars (\$1,800) toward such funeral expenses, and the burial
13 shall be in some cemetery or plot not used exclusively for the burial of the pauper dead, and the
14 same amount shall be paid if the body is cremated, but no amount shall be paid for the expenses
15 for burial or cremation unless claim therefor is made within one year from the date of death, except
16 that in cases of death occurring abroad, such claim may be made within one year after the remains
17 of such veteran or member have been interred in this country. No provision of this section shall
18 prevent the payment of the sum allocated for the burial of any person, otherwise entitled to the

1 same, on account of such burial being made outside the limits of this state.

2 (b) Upon satisfactory proof by the person who has paid or provided for the funeral or burial
3 expense to the director of the identity of the deceased veteran, the time and place of the deceased's
4 death and burial and the approval thereof by the director, the sum of one thousand eight hundred
5 dollars (\$1,800) shall be paid by the general treasurer to the person who has paid the funeral or
6 burial expense or, upon assignment by such person, to the funeral director who has provided the
7 funeral.

8 (c)(1) Upon satisfactory proof by the person who has paid or provided for the funeral or
9 burial expense to the director of the identity of the deceased member, the time and place of the
10 deceased member's death and burial and the approval thereof by the commissioner, the sum of one
11 thousand eight hundred dollars (\$1,800) shall be paid by the general treasurer to the person who
12 has paid the funeral or burial expense, or upon assignment by such person, to the funeral director
13 who has provided the funeral.

14 (2) The person who has paid or provided for the funeral or burial expense shall provide to
15 the director an affidavit stating:

16 (i) When the deceased member served;

17 (ii) Where the deceased member served;

18 (iii) The unit in which the deceased member served; and

19 (iv) The capacity in which the deceased member served; along with any available
20 corroborating witness affidavits; any available official documentation of service; and any other
21 documents supporting the affidavit.

22 (d) Whenever the general treasurer has lawfully paid any sum toward the expenses of the
23 burial of any deceased veteran or member and it afterwards appears that the deceased left any estate,
24 the general treasurer may present a claim on behalf of the state against the estate of such deceased
25 veteran or member for the sum so paid, and the claim shall be a preferred claim against such estate
26 and shall be paid to the general treasurer of the state. The director, upon the advice of the attorney
27 general, may make application for administration upon the estate of any such deceased veteran or
28 member if no other person authorized by law makes such application within sixty (60) days after
29 such payment has been made by the general treasurer.

30 (e) As used in this section, the term "veteran" means any person honorably discharged
31 from, or released under honorable conditions from active service in, the armed forces, as defined
32 in 32 CFR § 724.109, or with a qualifying condition, as defined in § 30-18-3, who has received a
33 discharge other than bad conduct or dishonorable from active service in the armed forces, and the
34 term "member" means any person who served in the Hmong Laotian special guerilla units, which

1 [units served in the United States secret war in the Kingdom of Laos during the Vietnam War.](#)

2 **30-25-14. Rhode Island veterans' memorial cemetery.**

3 (a) The Rhode Island veterans' memorial cemetery, located on the grounds of the Joseph
4 H. Ladd school in the town of Exeter, shall be under the management and control of the director of
5 the department of human services. The director of the department of human services shall appoint
6 an administrator for the Rhode Island veterans' memorial cemetery who shall be an honorably
7 discharged veteran of the United States Armed Forces and shall have the general supervision over,
8 and shall prescribe rules for, the government and management of the cemetery. He or she shall
9 make all needful rules and regulations governing the operation of the cemetery and generally may
10 do all things necessary to ensure the successful operation thereof. The director shall promulgate
11 rules and regulations, not inconsistent with the provisions of 38 U.S.C. § 2402, to govern the
12 eligibility for burial in the Rhode Island veterans' memorial cemetery. In addition to all persons
13 eligible for burial pursuant to rules and regulations established by the director, any person who
14 served in the army, navy, air force, or marine corps of the United States for a period of not less than
15 two (2) years and whose service was terminated honorably, shall be eligible for burial in the Rhode
16 Island veterans' memorial cemetery. The director shall appoint and employ all subordinate officials
17 and persons needed for the proper management of the cemetery. National guard members who are
18 killed in the line of duty or who are honorably discharged after completion of at least twenty (20)
19 years' of service in the Rhode Island national guard and their spouse shall be eligible for interment
20 in the Rhode Island veterans' memorial cemetery. For the purpose of computing service under this
21 section, honorable service in the active forces or reserves shall be considered toward the twenty
22 (20) years of national guard service. The general assembly shall make an annual appropriation to
23 the department of human services to provide for the operation and maintenance for the cemetery.
24 The director shall charge and collect a grave liner fee per interment of the eligible spouse and/or
25 eligible dependents of the qualified veteran equal to the department's cost for the grave liner.

26 (b) No domestic animal shall be allowed on the grounds of the Rhode Island veterans'
27 memorial cemetery, whether at large or under restraint, except for seeing eye guide dogs, hearing
28 ear signal dogs or any other service animal, as required by federal law or any personal assistance
29 animal, as required by chapter 9.1 of title 40. Any person who violates the provisions of this section
30 shall be subject to a fine of not less than five hundred dollars (\$500).

31 [\(c\)\(1\) Any person who served in the Hmong Laotian special guerilla units, which units](#)
32 [served in the United States secret war in the Kingdom of Laos during the Vietnam War, may, by](#)
33 [letter or other communication addressed to the director of the office of veterans' affairs, or by will,](#)
34 [request that upon his or her death his or her body be buried in the veterans' cemetery, or the spouse](#)

1 or other next of kin may apply to the director to have the body of such person buried in the veterans'
2 cemetery, and in either case such request shall be granted.

3 (2) Such person who served in the Hmong Laotian special guerilla units, or the spouse or
4 next of kin of such person, shall provide to the director an affidavit stating:

5 (i) When the person served;

6 (ii) Where the person served;

7 (iii) The unit in which the person served; and

8 (iv) The capacity in which the person served; along with any available corroborating
9 witness affidavits; any available official documentation of service; and any other documents
10 supporting the affidavit.

11 (d) The spouse of any veteran, or the spouse of any person who served in the Hmong
12 Laotian special guerilla units described in subsection (c) of this section, shall, upon similar request
13 or application made to the director, be buried in said veterans' cemetery provided only one such
14 request or application shall be granted.

15 (e) The director shall designate an area in the veterans' cemetery for veterans and any
16 persons who served in the Hmong Laotian special guerilla units described in subsection (c) of this
17 section who, for religious reasons, require burial in a consecrated area.

18 SECTION 2. Section 31-3-53 of the General Laws in Chapter 31-3 entitled "Registration
19 of Vehicles" is hereby amended to read as follows:

20 **31-3-53. Veterans' plates.**

21 (a) The registrar of motor vehicles shall issue for any motor vehicle eligible for registration
22 as an automobile, or for any motorcycle eligible for registration as a motorcycle, or for a
23 commercial vehicle having a gross weight of twelve thousand pounds (12,000 lbs.) or less, plates
24 designated as "Veteran" upon application on proper forms furnished by the administrator of the
25 division of motor vehicles to veterans.

26 (b) The special plate designated "Veteran" shall be designed as follows:

27 (1) Letters and numbers shall be blue in a white background with the words "Rhode Island"
28 clearly visible at the top center of the plate and the word "Veteran" visible at the bottom center of
29 the plate.

30 (2) The background will be a red, white, and blue waving American Flag.

31 (3) On the top right corner will be a decal with the military branch of the service in which
32 the Veteran served (Army, Navy, Air Force, Marines, Coast Guard, and Merchant Marines).

33 (4) For war veterans, a white decal with blue letters with the words "War Veteran" placed
34 under the military branch decal on the right side of the plate above the validation sticker.

1 (c) The applicant shall not be required to pay a service charge or a transfer charge for each
2 plate.

3 (d)(1) The applicant shall be entitled to a plate for each vehicle owned by the applicant.

4 (2) The applicant shall also be entitled to a plate for one vehicle owned by an entity the
5 applicant owns. The entity must be registered and authorized to conduct business in the state of
6 Rhode Island. The applicant must provide to the division of motor vehicles documentation
7 demonstrating the applicant's ownership of the entity.

8 (e) The owner of a motor vehicle eligible for registration as a commercial vehicle and
9 having a gross weight of twelve thousand pounds (12,000 lbs.) or less who is issued veteran plates
10 shall continue to pay the appropriate commercial registration fee for those plates.

11 (f)(1) For the purposes of this section, a "veteran" shall be defined as any person who has
12 served on active duty in the armed forces of the United States. The term "veteran" shall also include
13 members of the National Guard and Reserves: (i) Called to active duty authorized by the President
14 of the United States or the Secretary of Defense; or (ii) Who have twenty (20) years of service with
15 a letter and record of separation of service.

16 (2) For the purposes of this section, "War Veteran" shall be defined as any veteran of any
17 conflict or undeclared war who has earned a campaign ribbon or expeditionary medal for service
18 in either a declared or undeclared war as noted on the war veteran's DD-214. Upon the death of the
19 holder of any veteran plates, the plates shall be transferred to the surviving spouse for the spouse's
20 lifetime until he or she remarries.

21 (g) The "veteran" or "war veteran" described in subdivisions (f)(1)(i) or (ii) and (f)(2) must
22 have been honorably discharged from the armed forces of this nation in order to receive plates
23 pursuant to this section and, for purposes of this section, a medical discharge or a general discharge
24 shall be deemed an honorable discharge.

25 (h) [Deleted by P.L. 2021, ch. 119, § 1 and P.L. 2021, ch. 120, § 1.]

26 (i) A person shall be eligible for a veterans' plate if his or her deceased spouse was eligible
27 for a veterans' plate, notwithstanding the fact that the eligible, deceased spouse died prior to the
28 enactment of this section in 1988.

29 (j)(1) The administrator of the division of motor vehicles, at the request of any person who
30 was a member of the Hmong Laotian special guerilla units, which units served in the United States
31 secret war in the Kingdom of Laos during the Vietnam War, or the surviving spouse of such person,
32 and after verification from the office of veterans' affairs as provided under subsection (j)(2) of this
33 section, shall register any motor vehicle owned or leased for a period of at least one year by such
34 person and shall issue a special certificate of registration and a set of veteran number plates for

1 each such motor vehicle.

2 (2) Any person who was a member of the Hmong Laotian special guerilla units, or the
3 surviving spouse of such person, may submit a request to the office of veterans' affairs to be listed
4 as a veteran, based on such service, for the purpose of obtaining a special certificate of registration
5 and a set of veteran number plates under subsection (j)(1) of this section. Such person, or the
6 surviving spouse of such person, shall provide to said office an affidavit stating:

7 (i) When such person served;

8 (ii) Where such person served;

9 (iii) The unit in which such person served; and

10 (iv) The capacity in which such person served; as well as any available corroborating
11 witness affidavits; any available official documentation of service; and any other documents
12 supporting such person's or such surviving spouse's affidavit. Said office shall, not later than thirty
13 (30) days after receipt of such request, verify whether such person was a member of the Hmong
14 Laotian special guerilla units and, if so, notify the administrator of such request and verification.

15 SECTION 3. Section 31-10-48 of the General Laws in Chapter 31-10 entitled "Operators'
16 and Chauffeurs' Licenses" is hereby amended to read as follows:

17 **31-10-48. Veteran designation on operator license.**

18 (a) The administrator of the division of motor vehicles shall, upon presentation of a United
19 States Department of Defense (DD) FORM 214 or other acceptable documentation of military
20 service and verification of an honorable discharge, issue a motor vehicle operator's license or
21 commercial driver's license to the presenter that is clearly marked "veteran."

22 (b) The presentment of an operator's license marked "veteran" shall have the same validity
23 in retail establishments as the presentment of a certified, government-issued military identification
24 card as eligibility for preferential treatment.

25 (c)(1) Any person who was a member of the Hmong Laotian special guerilla units, which
26 units served in the United States secret war in the Kingdom of Laos during the Vietnam War, may
27 submit a request to the office of veterans' affairs to be listed as a veteran, based on such service, on
28 his or her motor vehicle operator's license or identity card. Said office shall, not later than thirty
29 (30) days after receipt of such request and the documents required under subsection (c)(2) of this
30 section, verify whether such person was such a member and, if so, notify the administrator of motor
31 vehicles of such request and verification. The administrator shall indicate such person's status as a
32 veteran on any motor vehicle operator's license or identity card issued to such person upon original
33 issuance or renewal of a motor vehicle operator's license or identity card or upon issuance of a
34 duplicate motor vehicle operator's license or identity card.

1 (2) Any such person who was a member of the Hmong Laotian special guerilla units shall
2 submit to the office of veterans' affairs, in addition to the request under subsection (c)(1) of this
3 section, an affidavit stating:

4 (i) When such person served;

5 (ii) Where such person served;

6 (iii) The unit in which such person served; and

7 (iv) The capacity in which such person served; as well as any available corroborating
8 witness affidavits; any available official documentation of service; and any other documents
9 supporting such person's affidavit.

10 SECTION 4. Chapter 30-17.1 of the General Laws entitled "Veterans' Affairs" is hereby
11 amended by adding thereto the following section:

12 **30-17.1-6.1. Award of ribbons and medals.**

13 (a) The adjutant general, in consultation with the director of the office of veterans' affairs,
14 shall award a ribbon and medal to each member who is a resident of this state and who provides to
15 the office of veterans' affairs an affidavit stating:

16 (i) When such person served;

17 (ii) Where such person served;

18 (iii) The unit in which such person served; and

19 (iv) The capacity in which such person served; as well as any available corroborating
20 witness affidavits; any available official documentation of service; and any other documents
21 supporting such person's affidavit. As used in this section, "member" means a person who served
22 in the Hmong Laotian special guerilla units, which units served in the United States secret war in
23 the Kingdom of Laos during the Vietnam War.

24 (b) The adjutant general, in consultation with the director, shall adopt regulations, setting
25 forth the process for identifying such members under this section and establishing procedures for
26 distributing a Hmong Laotian special guerilla service medal to each such member.

27 (c) The adjutant general shall follow the provisions of §§ 30-8-6 and 30-8-7 with reference
28 to the design and procurement of the medal and the rules and regulations with reference thereto.

29 SECTION 5. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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RELATING TO MILITARY AFFAIRS AND DEFENSE -- BURIAL OF VETERANS --
HMONG LAOTIAN GUERRILLA UNITS

1 This act would provide certain benefits to members of the Hmong Laotian special guerilla
2 units who served in the secret war in the Kingdom of Laos during the Vietnam War in conjunction
3 with the United States armed forces as granted to Rhode Island veterans.

4 This act would take effect upon passage.

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