

500-RICR-00-00-1

TITLE 500 – ADVISORY COMMISSION ON HISTORICAL CEMETERIES

CHAPTER 00 – N/A

SUBCHAPTER 00 - N/A

PART 1 – Rules and Regulations Governing the Procedures for the Operation of the Advisory Commission on Historical Cemeteries

1.1 PURPOSE

The purpose of these rules and regulations is to establish the operating procedures of the Commission for administering the Historical Cemeteries Act.

1.2 AUTHORITY

These rules and regulations are promulgated pursuant to R.I. Gen. Laws Chapter 23-18.3, as amended, which authorizes the Commission to (3-1a) to study the location, condition, and inventory of historical cemeteries in Rhode Island and to make recommendations to the general assembly relative to historical cemeteries in Rhode Island.

1.3 APPLICATION

The terms and provisions of these Rules and Regulations shall be liberally construed to permit the Commission to effectuate the purposes of state law, goals, and policies.

1.4 DEFINITIONS

- A. For the purposes of these regulations, the following terms shall have the following meanings:
1. “Act” means R.I. Gen. Laws Chapter 23-18, entitled the Historical Cemeteries Act including any amendments thereto.
 2. “Chairperson” means the Chairperson of the Advisory Commission on Historical Cemeteries elected pursuant to R.I. Gen. Laws § 23-18.3-1(d).
 3. “Commission” means the Advisory Commission on Historical Cemeteries Commission as established by R.I. Gen. Laws Chapter 23-18.3, as amended.

- B. As used in these rules and regulations, all terms not defined herein shall have the meaning given them in R.I. Gen. Laws Chapter 23-18.3, as amended.

1.5 MEETINGS

A. Regular Meetings

1. Regularly scheduled meetings of the Commission shall be established by the Commission at the beginning of each Commission year, which runs from September through August. Meetings shall take place in September, November, April and June.

B. Special Meetings

1. The Chairperson may call special meetings at any time upon forty-eight (48) hours public notice.

C. Notice of Meetings

1. Notices of meetings and agendas will be posted on the Secretary of State Web site.

D. Open Meetings

1. All Commission meetings and records shall be consistent with the Open Meetings Law, R.I. Gen. Laws Chapter 42-46, as amended, and the Access to Public Records Act, R.I. Gen. Laws Chapter 38-2, as amended.

E. Attendance

1. Commissioners shall not miss more than three consecutive meetings.
2. Commission will follow the most recent Roberts Rules of Order Newly Revised if there is an issue.
3. Quorum shall constitute 50% of current membership plus 1; commissioners must be present and voting.
4. Commissioners will demonstrate a commitment to the organization's mission as stated in the R.I. Gen. Laws § 23-18.3-1, as amended.
5. Commissioners will contribute his/her skills and knowledge
6. Commissioners will inform him/herself on issues that affect the organization's goals as stated in R.I. Gen. Laws § 23-18.3-1 of 2006, as amended.

1.6 OFFICERS

A. The officers of the Board are a Chair, and a Vice-Chair.

1. Duties of the officers are as follows:

a. Chair

- (1) The Chair schedules and posts meetings according to Open Meetings law.
- (2) The Chair compiles an agenda and presides over meetings.
- (3) The Chair reports monthly to Commissioners on events or activities of interest to the Commission.
- (4) The Chair drafts annual report and brings to full Commission for review and approval.
- (5) The Chair fields questions and requests for information between meetings and makes appropriate referrals, as do all Commissioners.
- (6) The Chair appoints committees as necessary.

b. Vice-Chair

- (1) The Vice-Chair assists the Chair in conducting the affairs of the Board and acts in the Chair's absence.

B. Nominating and Election Procedures

1. The Chair appoints a nominating committee at the regular April meeting of each year.
2. The nominating committee submits a slate of names to be distributed to the full Commission before the regular June meeting.
3. Elections take place at the regular June meeting.

C. Term limits

1. No officer may serve more than four consecutive years in the same office.
2. Vacancies in office will be handled as follows:

3. In the event of resignation or incapacity of the Chair, the Vice-Chair becomes the Chair for the unexpired portion of the term.
4. In the event of resignation or incapacity of the Vice-Chair, the vacancy is filled for the unexpired term by special election.

1.7 SECRETARY

- A. A secretary is appointed by the Commission.
 1. The secretary need not be a member of the Commission.
 2. The secretary prepares minutes of the Commission meetings and submits them to the Chair.
 3. The Secretary signs the approved minutes and files in Record Book.

1.8 DUTIES AND LIMITATIONS OF THE COMMISSION AND ITS MEMBERS

- A. The Commission is not a regulatory agency and acts in an advisory capacity only.
- B. Recommendations and referrals made by the Commission and its members must be based on R.I. Gen. Laws Chapter 23-18 and the Rhode Island Cemetery Handbook.
- C. The Commission and its members make recommendations relative to historic cemeteries to individuals and entities.
- D. The Commission and its members refer individuals and entities to the city, town, or appropriate regulatory agency.
- E. Commissioners must bring to the full Commission any issues not fully addressed by the R.I. Gen. Laws Chapter 23-18 and the Rhode Island Cemetery Handbook or any situation involving a dispute.
- F. The full Commission must approve all recommendations, statements, and referrals pertinent to any situation involving a dispute.

1.9 SUPERSEDED RULES AND REGULATIONS

On the effective date of these rules and regulations, all previous rules and regulations shall be superseded.

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