

**As Passed by the Senate**

**127th General Assembly  
Regular Session  
2007-2008**

**Sub. S. B. No. 289**

**Senator Spada**

**Cosponsors: Senators Harris, Stivers, Grendell, Schuler, Schuring, Seitz,  
Padgett, Fedor, Niehaus, Austria, Mumper, Cates, Sawyer, Wilson, Kearney,  
Bocchieri, Cafaro, Carey, Faber, Goodman, Miller, D., Roberts, Schaffer,  
Miller, R., Smith, Morano**

—

**A B I L L**

To amend sections 121.02, 121.03, 3313.616, 5901.02, 1  
5901.021, 5901.07, 5901.09, 5902.01, 5902.02, 2  
5902.03, 5902.04, 5902.06, 5902.07, 5902.08, 3  
5902.15, 5904.01, 5907.01, 5907.02, 5907.022, 4  
5907.023, 5907.03, 5907.04, 5907.11, 5907.12, 5  
5907.13, 5907.141, and 5910.02, to enact section 6  
5902.09, and to repeal section 5902.05 of the 7  
Revised Code to create a Department of Veterans 8  
Services and a Director of Veterans Services, to 9  
create duties for the department and the director, 10  
to transfer the duties of the Governor's Office of 11  
Veterans Affairs to the department, and to place 12  
the Ohio Veterans' Home Agency and the Ohio War 13  
Orphans Scholarship Board under the department. 14  
15

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 121.02, 121.03, 3313.616, 5901.02, 16  
5901.021, 5901.07, 5901.09, 5902.01, 5902.02, 5902.03, 5902.04, 17

5902.06, 5902.07, 5902.08, 5902.15, 5904.01, 5907.01, 5907.02, 18  
5907.022, 5907.023, 5907.03, 5907.04, 5907.11, 5907.12, 5907.13, 19  
5907.141, and 5910.02 be amended and that section 5902.09 of the 20  
Revised Code be enacted to read as follows: 21

**Sec. 121.02.** The following administrative departments and 22  
their respective directors are hereby created: 23

(A) The office of budget and management, which shall be 24  
administered by the director of budget and management; 25

(B) The department of commerce, which shall be administered 26  
by the director of commerce; 27

(C) The department of administrative services, which shall be 28  
administered by the director of administrative services; 29

(D) The department of transportation, which shall be 30  
administered by the director of transportation; 31

(E) The department of agriculture, which shall be 32  
administered by the director of agriculture; 33

(F) The department of natural resources, which shall be 34  
administered by the director of natural resources; 35

(G) The department of health, which shall be administered by 36  
the director of health; 37

(H) The department of job and family services, which shall be 38  
administered by the director of job and family services; 39

(I) Until July 1, 1997, the department of liquor control, 40  
which shall be administered by the director of liquor control; 41

(J) The department of public safety, which shall be 42  
administered by the director of public safety; 43

(K) The department of mental health, which shall be 44  
administered by the director of mental health; 45

(L) The department of mental retardation and developmental disabilities, which shall be administered by the director of mental retardation and developmental disabilities;

(M) The department of insurance, which shall be administered by the superintendent of insurance as director thereof;

(N) The department of development, which shall be administered by the director of development;

(O) The department of youth services, which shall be administered by the director of youth services;

(P) The department of rehabilitation and correction, which shall be administered by the director of rehabilitation and correction;

(Q) The environmental protection agency, which shall be administered by the director of environmental protection;

(R) The department of aging, which shall be administered by the director of aging;

(S) The department of alcohol and drug addiction services, which shall be administered by the director of alcohol and drug addiction services;

(T) The department of veterans services, which shall be administered by the director of veterans services.

The director of each department shall exercise the powers and perform the duties vested by law in such department.

**Sec. 121.03.** The following administrative department heads shall be appointed by the governor, with the advice and consent of the senate, and shall hold their offices during the term of the appointing governor, and are subject to removal at the pleasure of the governor.

(A) The director of budget and management;

(B) The director of commerce;	75
(C) The director of transportation;	76
(D) The director of agriculture;	77
(E) The director of job and family services;	78
(F) Until July 1, 1997, the director of liquor control;	79
(G) The director of public safety;	80
(H) The superintendent of insurance;	81
(I) The director of development;	82
(J) The tax commissioner;	83
(K) The director of administrative services;	84
(L) The director of natural resources;	85
(M) The director of mental health;	86
(N) The director of mental retardation and developmental disabilities;	87 88
(O) The director of health;	89
(P) The director of youth services;	90
(Q) The director of rehabilitation and correction;	91
(R) The director of environmental protection;	92
(S) The director of aging;	93
(T) The director of alcohol and drug addiction services;	94
(U) The administrator of workers' compensation who meets the qualifications required under division (A) of section 4121.121 of the Revised Code;	95 96 97
<u>(V) The director of veterans services who meets the</u> <u>qualifications required under section 5902.01 of the Revised Code.</u>	98 99
<b>Sec. 3313.616.</b> (A) Notwithstanding the requirements of	100

sections 3313.61, 3313.611, and 3313.612 of the Revised Code, the board of education of any city, exempted village, or local school district or the governing authority of any chartered nonpublic school may grant a high school diploma to any veteran of World War II, the Korean conflict, or the Vietnam conflict who is a resident of this state or who was previously enrolled in any high school in this state if all of the following apply:

(1) The veteran either:

(a) Left a public or nonpublic school located in any state prior to graduation in order to serve in the armed forces of the United States;

(b) Left a public or nonpublic school located in any state prior to graduation due to family circumstances and subsequently entered the armed forces of the United States.

(2) The veteran received an honorable discharge from the armed forces of the United States.

(3) The veteran has not been granted a diploma as provided in section 3313.61 or 3313.612 of the Revised Code, a diploma of adult education as provided in section 3313.611 of the Revised Code, or a diploma under this section.

(B) Notwithstanding the requirements of sections 3313.61, 3313.611, and 3313.612 of the Revised Code, the board of education of any city, exempted village, or local school district or the governing authority of any chartered nonpublic school may grant a high school diploma to any woman who left high school during World War II, the Korean conflict, or the Vietnam conflict and who is a resident of this state or was previously enrolled in any high school in this state, if both of the following apply:

(1) The woman either:

(a) Left a public or nonpublic school located in any state

prior to graduation in order to join the workforce to support her 131  
family or to join the war effort; 132

(b) Left a public or nonpublic school located in any state 133  
prior to graduation due to family circumstances and subsequently 134  
joined the workforce or war effort. 135

(2) The woman has not been granted a diploma as provided in 136  
section 3313.61 or 3313.612 of the Revised Code, a diploma of 137  
adult education as provided in section 3313.611 of the Revised 138  
Code, or a diploma under this section. 139

(C) If a person who would otherwise qualify for a diploma 140  
under this section is deceased, the board of education of any 141  
school district or the governing authority of any chartered 142  
nonpublic school may award such diploma to the person posthumously 143  
and may present that diploma to a living relative of the person. 144

(D) The ~~governor's office~~ department of veterans' affairs 145  
veterans services, in accordance with section 111.15 of the 146  
Revised Code, and with the advice and consent of the veterans 147  
advisory committee established under division (K) of section 148  
5902.02 of the Revised Code, shall develop and adopt rules to 149  
implement this section. Such rules shall include, but not be 150  
limited to, rules establishing procedures for application and 151  
verification of eligible persons for a diploma under this section. 152  
153

**Sec. 5901.02.** In each county there shall be a commission 154  
known as "the veterans service commission." Except as provided in 155  
section 5901.021 of the Revised Code, the commission shall be 156  
composed of five residents of the county appointed to five-year 157  
terms by a judge of the court of common pleas. At the time of 158  
appointment or reappointment to the commission, no commission 159  
member appointed under this section shall be an employee of the 160  
commission or hold an elective or other appointive office of the 161

county served by the commission. 162

Each member of the commission appointed under this section 163  
shall be an honorably discharged or honorably separated veteran. 164  
Within sixty days after the date of appointment, each such member 165  
shall file the member's form DD214 with the ~~governor's office~~ 166  
department of veterans ~~affairs~~ services in accordance with 167  
guidelines established by the director of that ~~office~~ department. 168  
Such appointments shall be made from lists of recommended persons, 169  
in the manner specified in the following paragraph. One person 170  
shall be a representative recommended by the American Legion; one 171  
person shall be a representative recommended by the Veterans of 172  
Foreign Wars; one person shall be a representative recommended by 173  
the Disabled American Veterans; one person shall be a 174  
representative recommended by the AMVETS; and one person shall be 175  
a representative recommended by the Military Order of the Purple 176  
Heart of the U.S.A., the Vietnam Veterans of America, or the 177  
Korean War Veterans Association. If any such organization has no 178  
post or chapter located in the county, the appointment shall be 179  
made from lists of recommended persons submitted by posts or 180  
chapters of any other congressionally chartered veterans 181  
organizations located in the county. If no such other 182  
organizations have posts or chapters located in the county, the 183  
judge responsible for making appointments under this section may 184  
appoint any qualified veteran to represent the veteran community. 185

On or before the fifteenth day of October of each year, the 187  
appointing judge shall notify each post or chapter of each 188  
organization within the county from which the member may or must 189  
be appointed that it may submit a list containing three 190  
recommendations of persons who are eligible for appointment. If 191  
the judge does not receive any recommendations within sixty days 192  
after providing the required notification, the judge may appoint 193

any qualified veteran to represent the veteran community. The 194  
judge shall make the appointment on or before the fifteenth day of 195  
January of each year. Any vacancy in a membership appointed under 196  
this section shall be filled in the same manner as the original 197  
appointments. 198

Beginning in the year 2000, appointment of members to the 199  
commission under this section shall be made as follows: 200

(A) Appointments for members to represent the American Legion 201  
shall be made for terms to commence in years ending in zero and 202  
five. 203

(B) Appointments for members to represent the Veterans of 204  
Foreign Wars shall be made for terms to commence in years ending 205  
in one and six. 206

(C) Appointments for members to represent the Disabled 207  
American Veterans shall be made for terms to commence in years 208  
ending in two and seven. 209

(D) Appointments for members to represent the AMVETS shall be 210  
made for terms to commence in years ending in three and eight. 211

(E) Appointments for members to represent the Military Order 212  
of the Purple Heart of the U.S.A., the Vietnam Veterans of 213  
America, or the Korean War Veterans Association shall be made for 214  
terms to commence in years ending in four and nine. 215

The terms immediately preceding the initial appointments made 216  
under divisions (A) to (E) of this section may be for periods of 217  
less than five years. 218

The appointing authority shall remove a member who fails to 219  
maintain certification or whose certification is revoked by the 220  
director of veterans services. 221

**Sec. 5901.021.** (A) This section applies only to counties 222  
having a population, according to the most recent decennial 223



census, of more than five hundred thousand. 224

(B)(1) In any county that is described in division (A) of 225  
this section and in which the veterans service commission submits 226  
a budget request under section 5901.11 of the Revised Code for the 227  
ensuing fiscal year that exceeds twenty-five-thousandths of one 228  
per cent of the assessed value of property in the county or the 229  
amount appropriated to the commission from the county general fund 230  
in the current fiscal year by more than ten per cent of that 231  
appropriation, the board of county commissioners, by resolution, 232  
may create not more than six memberships on the veterans service 233  
commission in addition to the memberships provided for by section 234  
5901.02 of the Revised Code. The board shall prescribe the number 235  
of years the additional memberships shall exist, which shall not 236  
exceed five years. Once a board of county commissioners creates 237  
any additional memberships, it may not create further additional 238  
memberships under this section if the total number of such 239  
memberships would exceed six. The board shall appoint persons who 240  
are residents of the county and who are honorably discharged or 241  
honorably separated veterans to each of the additional 242  
memberships, for terms prescribed by the board and commencing on a 243  
date fixed by the board. Each person appointed to an additional 244  
membership shall file, within sixty days after the date of the 245  
appointment, the person's form DD214 with the ~~governor's office~~ 246  
department of veterans ~~affairs~~ services in accordance with 247  
guidelines established by the director of that ~~office~~ department. 248

(2) If the board of county commissioners appoints additional 250  
members as described in division (B)(1) of this section, the board 251  
may permit the commission to submit an original or revised budget 252  
request for the ensuing fiscal year later than the last Monday in 253  
May, as otherwise required under section 5901.11 of the Revised 254  
Code. 255

(C) The board of county commissioners may remove, for cause, 256  
any member appointed under this section. The board shall determine 257  
whether the additional members may be reappointed upon the 258  
expiration of their terms, and shall fill any vacancy in an 259  
additional membership for the unexpired term in the manner 260  
provided for the original appointment. 261

**Sec. 5901.07.** The veterans service commission shall employ 262  
one or more county veterans service officers, one of whom may act 263  
as executive director. Each service officer shall be a veteran. 264  
Within sixty days after the date of initial employment, each 265  
service officer shall file a copy of the officer's form DD214 with 266  
the ~~governor's office~~ department of veterans ~~affaires~~ services in 267  
accordance with guidelines established by the director of that 268  
~~office~~ department. Each service officer shall be employed in the 269  
classified service and is exempt from civil service examination. 270  
The commission may remove a veterans service officer who fails to 271  
maintain accreditation or whose certification is revoked by the 272  
director of veterans services. The service officers shall advise 273  
and assist present and former members of the armed forces of the 274  
United States, veterans, and their spouses, surviving spouses, 275  
children, parents, and dependents in presenting claims or 276  
obtaining rights or benefits under any law of the United States or 277  
of this state. 278

The commission shall employ each service officer on a part- 279  
or full-time basis and fix the officer's compensation. No county 280  
commissioner or member of the veterans service commission shall be 281  
employed as a service officer. 282

The commission shall employ the necessary clerks, 283  
stenographers, and other personnel to assist the service officers 284  
in the performance of duties and shall fix their compensation. 285  
Each of these employees shall be a veteran or, if a qualified 286

veteran is not available, the spouse, surviving spouse, child, or 287  
parent of a veteran. Each of these employees shall be employed in 288  
the classified service and is exempt from civil service 289  
examination. 290

The board of county commissioners, upon the recommendation or 291  
approval of the veterans service commission, may provide suitable 292  
office space, supplies, and office and incidental expenses for 293  
each service officer. The compensation of each service officer and 294  
of any employee and any expenses incurred under this section shall 295  
be paid out of funds appropriated to the commission, as provided 296  
in section 5901.11 of the Revised Code. 297

**Sec. 5901.09.** (A) Each applicant for financial assistance 298  
under sections 5901.01 to 5901.15 of the Revised Code shall 299  
provide the veterans service commission with a statement 300  
concerning the applicant's household income and the amount of real 301  
and personal taxable property, stocks, bonds, moneys on hand 302  
loaned or deposited in any bank or elsewhere, shares in building 303  
associations, mortgages, notes, or other articles of value from 304  
which the applicant derives an income or revenue. The statement 305  
shall be made upon blanks furnished by the commission and shall be 306  
subscribed by the applicant. 307

Statements provided under this division shall not include 308  
medical records and, pursuant to division (B) of this section, are 309  
not public records under section 149.43 of the Revised Code. 310  
Veterans service commissions may compile statistical data from the 311  
statements in a manner to be prescribed by the ~~governor's office~~ 312  
department of veterans ~~affaires~~ services. These data shall be 313  
considered a matter of public record. 314

(B) The following are not public records under section 149.43 315  
of the Revised Code: 316

(1) A statement described in division (A) of this section; 317

(2) Any application for financial assistance under sections 5901.01 to 5901.15 of the Revised Code;	318 319
(3) Any documents that accompany and pertain to a statement described in division (A) of this section or an application described in division (B)(2) of this section;	320 321 322
(4) Any other documents that are used by or are in the possession of a veterans service commission that may affect the determination of the eligibility of an applicant for financial assistance under sections 5901.01 to 5901.15 of the Revised Code or that may affect the determination of an increase, decrease, or discontinuance of an allowance under section 5901.14 of the Revised Code, if those documents are required to be kept confidential under any statute of this state or the United States;	323 324 325 326 327 328 329 330
(5) Any applications to obtain benefits under any law of the United States or of this state, and any documents accompanying those applications, in the possession of a veterans service commission and filed by persons in the armed forces of the United States, veterans, or the spouses, surviving spouses, children, parents, or dependents of veterans.	331 332 333 334 335 336
(C) Interviews of applicants for financial assistance under sections 5901.01 to 5901.15 of the Revised Code, discussions of the applications, statements, and other documents described in division (B) of this section, and reviews of matters relating to applicants' requests for financial assistance under sections 5901.01 to 5901.15 of the Revised Code shall be kept confidential. In accordance with division (J) of section 121.22 of the Revised Code, a veterans service commission shall conduct a meeting of the commission or a portion of a meeting of the commission to interview an applicant for financial assistance under sections 5901.01 to 5901.15 of the Revised Code, to discuss an application, statement, or other document described in division (B) of this section, or to review matters relating to an applicant's request	337 338 339 340 341 342 343 344 345 346 347 348 349

for financial assistance under sections 5901.01 to 5901.15 of the Revised Code in an executive session.

(D) Except as otherwise provided in division (E) of this section or division (B) of section 5902.04 of the Revised Code, a veterans service commission shall ensure that the applications, statements, and other documents described in division (B) of this section are not used for any purpose other than to determine the eligibility of the applicant for financial assistance under sections 5901.01 to 5901.15 of the Revised Code or to determine whether to increase, decrease, or discontinue an allowance under section 5901.14 of the Revised Code.

(E)(1) An applicant for, or a recipient or former recipient of, financial assistance under sections 5901.01 to 5901.15 of the Revised Code may consent to the release by a veterans service commission of any information in an application, statement, or other document described in division (B) of this section that pertains to the applicant, recipient, or former recipient by completing and signing a release of information form. The form shall be prescribed by the ~~governor's office~~ department of veterans ~~affairs~~ services. An applicant for, or a recipient or former recipient of, financial assistance shall sign a separate release of information form each time the applicant, recipient, or former recipient consents to the release of any specific information in the application, statement, or other document involved. A copy of each signed release of information form shall be kept in the file of the applicant, recipient, or former recipient kept by the commission. The release of information form shall specify the following items:

(a) The individual, agency, or organization requesting the information;

(b) The specific information requested;

(c) The intended use of the information requested;	381
(d) The date of the request for the information;	382
(e) The signature of the person who consents to the release of the information.	383 384
(2) A law enforcement officer may obtain an application, statement, or document as described in division (B) of this section pursuant to an investigation by a law enforcement authority, upon the issuance of a court order established upon reasonable grounds that the information contained in the <del>applicant</del> <u>application</u> , statement, or document is relevant to a suspected violation of law.	385 386 387 388 389 390 391
(3)(a) A party to a matter pending before a court may obtain an application, statement, or document as described in division (B) of this section, if upon application to a court of competent jurisdiction, the party proves all of the following:	392 393 394 395
(i) The information contained in the application, statement, or document is relevant and material to the matter before the court.	396 397 398
(ii) Disclosure of the application, statement, or document serves the interests of justice, because the need of the party requesting the information within the application, statement, or document outweighs the privacy interest of the applicant, recipient, or former recipient of financial assistance under sections 5901.01 to 5901.15 of the Revised Code.	399 400 401 402 403 404
(iii) No other reasonable mean exists to obtain the information contained in the application, statement, or document.	405 406
(b) If the party to a matter pending before a court proves all of the elements in division (E)(3)(a) of this section, the court may order the disclosure of an application, statement, or document described in division (B) of this section. For purposes	407 408 409 410

of this division the court shall do all of the following: 411

(i) Indicate the specific application, statement, or document 412  
to be disclosed; 413

(ii) Indicate the purpose for the disclosure of the 414  
application, statement, or ~~document~~ document; 415

(iii) Indicate the person to whom the application, statement, 416  
or document will be disclosed. 417

**Sec. 5902.01.** ~~There is hereby established within the office 418  
of the governor the governor's office of veterans affairs. The 419  
governor shall appoint, with the advice and consent of the senate, 420  
a chief executive assistant, who The person appointed to the 421  
position of director of veterans services shall be an honorably 422  
discharged or honorably separated veteran of the United States 423  
armed forces, ~~to be known as director of the governor's office of 424  
veterans affairs. The governor's office department of veterans 425  
affairs services shall employ such other administrative and 426  
technical personnel as are necessary to perform the general and 427  
specific duties of the ~~office~~ department. The administrative 428  
assistants and technical personnel shall be honorably discharged 429  
or honorably separated veterans of the United States armed forces, 430  
and shall be employed in the classified service and not be 431  
considered employees of the governor's office for purposes of 432  
division (A)(16) of section 124.11 or division (B)(2) of section 433  
124.14 of the Revised Code. Each individual employed in the 434  
clerical staff shall be an honorably discharged or honorably 435  
separated veteran or, if a qualified veteran is not available, the 436  
spouse, surviving spouse, child, or parent of an honorably 437  
discharged or honorably separated veteran, and shall be employed 438  
in the classified service and not be considered an employee of the 439  
governor's office for purposes of division (A)(16) of section 440  
124.11 of the Revised Code. For positions within the department, 441~~~~

the director shall adopt rules under Chapter 119. of the Revised 442  
Code establishing a program, which the director shall implement, 443  
giving hiring preferences to veterans. 444

**Sec. 5902.02.** The duties of the director of ~~the governor's~~ 445  
~~office of veterans affairs services~~ shall include the following: 446

(A) Furnishing the veterans service commissions of all 447  
counties of the state copies of the state laws, rules, and 448  
legislation relating to the operation of the commissions and their 449  
offices; 450

(B) Upon application, assisting the general public in 451  
obtaining records of vital statistics pertaining to veterans or 452  
their dependents; 453

(C) Adopting rules pursuant to Chapter 119. of the Revised 454  
Code pertaining to minimum qualifications for hiring, certifying, 455  
and accrediting county veterans service officers ~~and,~~ pertaining 456  
to their required duties, and pertaining to revocation of the 457  
certification of county veterans service officers; 458

(D) Adopting rules pursuant to Chapter 119. of the Revised 459  
Code for the education, training, certification, and duties of 460  
veterans service commissioners and for the revocation of the 461  
certification of a veterans service commissioner; 462

(E) Developing and monitoring programs and agreements 463  
enhancing employment and training for veterans in single or 464  
multiple county areas; 465

(F) Developing and monitoring programs and agreements to 466  
enable county veterans service commissions to address 467  
homelessness, indigency, and other veteran-related issues 468  
individually or jointly; 469

(G) Developing and monitoring programs and agreements to 470  
enable state agencies, individually or jointly, that provide 471



services to veterans, including the veterans' homes operated under 472  
Chapter 5907. of the Revised Code and the director of job and 473  
family services, to address homelessness, indigency, employment, 474  
and other veteran-related issues; 475

(H) Establishing and providing statistical reporting formats 476  
and procedures for county veterans service commissions; 477

(I) Publishing annually, promulgating change notices for, and 478  
distributing a listing of county veterans service officers, county 479  
veterans service commissioners, state directors of veterans 480  
affairs, and national and state service officers of accredited 481  
veterans organizations and their state headquarters. The listing 482  
shall include the expiration dates of commission members' terms of 483  
office and the organizations they represent; the names, addresses, 484  
and telephone numbers of county veterans service officers and 485  
state directors of veterans affairs; and the addresses and 486  
telephone numbers of the Ohio offices and headquarters of state 487  
and national veterans service organizations. 488

(J) Publishing, by the first day of April of each 489  
odd-numbered year, a directory of the laws of this state dealing 490  
with veterans, as enacted through the conclusion of the previous 491  
session of the general assembly, and distributing the publication 492  
to each county veterans service office and the state headquarters 493  
of each congressionally chartered veterans organization in the 494  
state; 495

(K) Establishing a veterans advisory committee to advise and 496  
assist the ~~governor's office~~ department of veterans ~~affairs~~ 497  
services in its duties. Members shall include a state 498  
representative of congressionally chartered veterans organizations 499  
referred to in section 5901.02 of the Revised Code, a 500  
representative of any other congressionally chartered state 501  
veterans organization that has at least one veterans service 502  
commissioner in the state, three representatives of the Ohio state 503

association of county veterans service commissioners, who shall 504  
have a combined vote of one, three representatives of the state 505  
association of county veterans service officers, who shall have a 506  
combined vote of one, one representative of the county 507  
commissioners association of Ohio, who shall be a county 508  
commissioner not from the same county as any of the other county 509  
representatives, a representative of the advisory committee on 510  
women veterans, a representative of a labor organization, and a 511  
representative of the office of the attorney general. The 512  
~~governor's office~~ department of veterans ~~affairs~~ services shall 513  
submit to the advisory committee proposed rules for the 514  
committee's operation. The committee may review and revise these 515  
proposed rules prior to submitting them to the joint committee on 516  
agency rule review. 517

(L) Adopting, with the advice and assistance of the veterans 518  
advisory committee, policy and procedural guidelines that the 519  
veterans service commissions shall adhere to in the development 520  
and implementation of rules, policies, procedures, and guidelines 521  
for the administration of Chapter 5901. of the Revised Code. The 522  
~~governor's office~~ department of veterans ~~affairs~~ services shall 523  
adopt no guidelines or rules regulating the purposes, scope, 524  
duration, or amounts of financial assistance provided to 525  
applicants pursuant to sections 5901.01 to 5901.15 of the Revised 526  
Code. The director of ~~the governor's office of~~ veterans ~~affairs~~ 527  
services may obtain opinions from the office of the attorney 528  
general regarding rules, policies, procedures, and guidelines of 529  
the veterans service commissions and may enforce compliance with 530  
Chapter 5901. of the Revised Code. 531

(M) Receiving copies of form DD214 filed in accordance with 532  
the director's guidelines adopted under division (L) of this 533  
section from members of veterans service commissions appointed 534  
under section 5901.02 and from county veterans service officers 535

employed under section 5901.07 of the Revised Code; 536

(N) Developing and maintaining and improving a resource, such 537  
as a telephone answering point or a web site, by means of which 538  
veterans and their dependents, through a single portal, can access 539  
multiple sources of information and interaction with regard to the 540  
rights of, and the benefits available to, veterans and their 541  
dependents. The director of veterans services may enter into 542  
agreements with state and federal agencies, with agencies of 543  
political subdivisions, with state and local instrumentalities, 544  
and with private entities as necessary to make the resource as 545  
complete as is possible. 546

(O) Planning, organizing, advertising, and conducting 547  
outreach efforts, such as conferences and fairs, at which veterans 548  
and their dependents may meet, learn about the organization and 549  
operation of the department of veterans services and of veterans 550  
service commissions, and obtain information about the rights of, 551  
and the benefits and services available to, veterans and their 552  
dependents; 553

(P) Advertising, in print, on radio and television, and 554  
otherwise, the rights of, and the benefits and services available 555  
to, veterans and their dependents; 556

(Q) Developing and advocating improved benefits and services 557  
for, and improved delivery of benefits and services to, veterans 558  
and their dependents; 559

(R) Searching for, identifying, and reviewing statutory and 560  
administrative policies that relate to veterans and their 561  
dependents and reporting to the general assembly statutory and 562  
administrative policies that should be consolidated in whole or in 563  
part within the organization of the department of veterans 564  
services to unify funding, delivery, and accounting of statutory 565  
and administrative policy expressions that relate particularly to 566

<u>veterans and their dependents;</u>	567
<u>(S) Encouraging veterans service commissions to innovate and</u>	568
<u>otherwise to improve efficiency in delivering benefits and</u>	569
<u>services to veterans and their dependents and to report successful</u>	570
<u>innovations and efficiencies to the director of veterans services;</u>	571
<u>(T) Publishing and encouraging adoption of successful</u>	572
<u>innovations and efficiencies veterans service commissions have</u>	573
<u>achieved in delivering benefits and services to veterans and their</u>	574
<u>dependents;</u>	575
<u>(U) Establishing advisory committees, in addition to the</u>	576
<u>veterans advisory committee established under division (K) of this</u>	577
<u>section, on veterans issues;</u>	578
<u>(V) Developing and maintaining a relationship with the United</u>	579
<u>States department of veterans affairs, seeking optimal federal</u>	580
<u>benefits and services for Ohio veterans and their dependents, and</u>	581
<u>encouraging veterans service commissions to maximize the federal</u>	582
<u>benefits and services to which veterans and their dependents are</u>	583
<u>entitled;</u>	584
<u>(W) Developing and maintaining relationships with the several</u>	585
<u>veterans organizations, encouraging the organizations in their</u>	586
<u>efforts at assisting veterans and their dependents, and advocating</u>	587
<u>for adequate state subsidization of the organizations;</u>	588
<u>(X) Requiring the several veterans organizations that receive</u>	589
<u>funding from the state annually to report to the director of</u>	590
<u>veterans services and prescribing the form and content of the</u>	591
<u>report;</u>	592
<u>(Y) Investigating complaints against county veterans services</u>	593
<u>commissioners and county veterans service officers if the director</u>	594
<u>reasonably believes the investigation to be appropriate and</u>	595
<u>necessary;</u>	596

(Z) Taking any other actions required by this chapter. 597

**Sec. 5902.03.** The director of ~~the governor's office of~~ 598  
veterans ~~affairs~~ services may microfilm or otherwise duplicate all 599  
or any part of copies of original certificates of discharge and 600  
separation submitted by Ohio veterans ~~in conjunction with their~~ 601  
~~applications for Ohio war bonuses.~~ 602

The director may prepare and maintain files of such 603  
microfilmed certificates of discharge and separation in such 604  
manner that they may readily be available for the use of the 605  
~~governor's office~~ department of veterans ~~affairs~~ services, 606  
authorized veterans service officers of the several 607  
congressionally chartered veterans organizations, and county 608  
veterans service officers of the several counties of the state in 609  
support of applications for compensation, pension, medical, or 610  
domiciliary care, or other state and federal benefits provided for 611  
eligible veterans or their dependents or survivors. 612

The director may make copies of such microfilmed certificates 613  
of discharge and separation for storage under secure conditions to 614  
assure their preservation, and for supply to qualified veterans or 615  
their dependents or survivors or to interested and authorized 616  
veterans organizations to aid such organizations in their programs 617  
of veterans aid and assistance. 618

**Sec. 5902.04.** (A) Upon application, the director of ~~the~~ 619  
~~governor's office of~~ veterans ~~affairs~~ services shall furnish 620  
necessary instructions and advice to the veterans of the state, 621  
their heirs, or their legal representatives, respecting their 622  
claims against the United States or the state for pensions, 623  
bounty, bonus, back pay, or otherwise, by reason of military 624  
service, ~~and perform other duties that the governor requires.~~ 625

(B) The director or the director's representative may examine 626

the files of any veterans service commission that pertain to 627  
either of the following classes of persons to determine the 628  
custody, use, or confidentiality of any documents in those files: 629

(1) Applicants for, or recipients or former recipients of, 630  
financial assistance under sections 5901.01 to 5901.15 of the 631  
Revised Code; 632

(2) Applicants for federal, state, or county benefits under 633  
those sections. 634

(C)(1) No information or documents obtained by examinations 635  
conducted under division (B) of this section shall be considered 636  
part of the public records of the ~~governor's office~~ department of 637  
veterans ~~affairs~~ services. The director may disclose information 638  
or documents that the director obtains pursuant to an examination 639  
conducted under division (B) of this section and that personally 640  
identify an applicant, recipient, or former recipient described in 641  
that division, if either of the following applies: 642

(a) The director considers the disclosure necessary to 643  
enforce compliance with Chapter 5901. of the Revised Code. 644

(b) For the purposes and under the circumstances authorized 645  
under division (E) of section 5901.09 of the Revised Code. 646

(2) In all other cases, the director shall maintain the 647  
confidentiality of information or documents that the director 648  
obtains pursuant to an examination under division (B) of this 649  
section and that personally identify an applicant, recipient, or 650  
former recipient described in that division. 651

**Sec. 5902.06.** The director of ~~the governor's office~~ of 652  
veterans ~~affairs~~ services shall keep a register showing the 653  
situation and disposition of any claim filed by ~~that office~~ the 654  
department of veterans services. 655

**Sec. 5902.07.** The director of ~~the governor's office of~~ 656  
veterans affairs services may administer oaths. He ~~shall have a~~ 657  
~~seal of office and his~~ The director's official certificate shall 658  
be received in evidence without further authentication. 659

**Sec. 5902.08.** The director of ~~the governor's office of~~ 660  
veterans affairs services, or any employee thereof, shall not 661  
receive directly or indirectly a fee or reward of any kind from a 662  
claimant or other person for services rendered or to be rendered, 663  
relating to a duty required of ~~him~~ the director or employee under 664  
sections 5902.01 to 5902.07 of the Revised Code, or in any manner 665  
connected therewith. 666

**Sec. 5902.09.** The person in charge of a state agency or 667  
instrumentality, an agency or instrumentality of a political 668  
subdivision, or a private entity, such as a nursing home, that 669  
provides law enforcement, health, or welfare services to 670  
individuals, other than the Ohio veterans' home and veterans 671  
service organizations, shall ask an individual with whom the 672  
agency, instrumentality, or entity interacts if the individual is 673  
a veteran or is or was the dependent of a veteran. If the 674  
individual claims to be such an individual, the person in charge 675  
shall report the individual's name, address, telephone number, and 676  
e-mail address; the agency's, instrumentality's, or entity's name, 677  
address, telephone number, and e-mail address; the nature of the 678  
agency's, instrumentality's, or entity's interaction with the 679  
individual; and the date on which the interaction occurred to the 680  
director of veterans services. The director shall inform the 681  
veterans service commission having jurisdiction about the veteran 682  
or dependent and the interaction. The commission shall inquire 683  
about, and offer benefits and services appropriate to, the veteran 684  
or dependent. 685

**Sec. 5902.15.** (A) If the president of the United States 686  
indicates that national guard or reserve forces with headquarters 687  
in this state may be called to active military duty, the governor 688  
or the director of ~~the governor's office of~~ veterans affairs 689  
services shall convene, not later than ten days after all its 690  
members are appointed, a military activation task force to 691  
determine whether federal, state, and county agencies have 692  
prepared proper support mechanisms for that military activation. 693  
The task force shall prepare and publish a report stating whether 694  
these mechanisms have been prepared and what further actions need 695  
to be taken to support that military activation. 696

(B) The members of the task force are the chairpersons and 697  
ranking minority members of the committees of the house of 698  
representatives and senate that customarily consider bills dealing 699  
with the military and veterans affairs, and a representative of 700  
each of the following agencies and organizations whom that agency 701  
or organization shall appoint: 702

- (1) The Ohio army national guard; 703
- (2) The Ohio air national guard; 704
- (3) The United States army reserve; 705
- (4) The United States marine corps reserve; 706
- (5) The United States naval reserve; 707
- (6) The United States air force reserve; 708
- (7) The United States coast guard reserve; 709
- (8) The United States department of veterans affairs; 710
- (9) The American Legion, department of Ohio; 711
- (10) The Veterans of Foreign Wars, department of Ohio; 712
- (11) The AMVETS, department of ~~Ohio~~ Ohio; 713



(12) The Disabled American Veterans, department of <del>Ohio</del> <u>Ohio</u> ;	714
(13) The American Ex-Prisoners of War, department of Ohio;	715
(14) The Vietnam Veterans of America, department of <del>Ohio</del> <u>Ohio</u> ;	716 717
(15) The office of the Ohio attorney general;	718
(16) The Ohio association of county veterans service officers;	719 720
(17) The Ohio association of county veterans service commissioners;	721 722
(18) <del>The bureau of employment services;</del>	723
<del>(19)</del> The department of administrative services;	724
<del>(20)</del> (19) The state department of <u>human job and family</u> services;	725 726
<del>(21)</del> (20) The Ohio office of the United States department of labor;	727 728
<del>(22)</del> (21) The employer support of the national guard and reserve;	729 730
<del>(23)</del> (22) The Ohio military family support group;	731
<del>(24)</del> (23) The national league of families of prisoners and missing in action;	732 733
<del>(25)</del> (24) The <del>governor's office</del> <u>department</u> of veterans <del>affairs</del> <u>services</u> .	734 735
(C) At its first meeting, the task force shall elect a chairperson and other officers it considers necessary.	736 737
(D) Members of the task force shall receive no compensation but shall be reimbursed for expenses they incur in the performance of their duties.	738 739 740
(E) Members of the task force shall serve until the task	741

force publishes its report. Any vacancy on the task force shall be 742  
filled in the same manner as the original appointment. 743

(F) The ~~governor's office~~ department of veterans ~~affairs~~ 744  
services shall provide the task force with necessary personnel, 745  
supplies, and services. 746

**Sec. 5904.01.** (A) There is hereby created the Ohio veterans 747  
hall of fame. The ~~governor's office~~ department of veterans ~~affairs~~ 748  
services shall serve as the veterans hall of fame's administrative 749  
agent. The veterans hall of fame shall recognize the post-military 750  
achievements of outstanding veterans and spotlight all veterans' 751  
contributions to the civilian workplace. 752

(B) The Ohio veterans hall of fame shall have an executive 753  
committee composed of thirteen members, all of whom shall be 754  
veterans. The director of ~~the governor's office of~~ veterans 755  
~~affairs~~ services shall be an ex officio member. The ~~governor's~~ 756  
~~office~~ department of veterans ~~affairs'~~ services' veterans advisory 757  
committee, the advisory committee on women veterans, the Ohio 758  
veterans hall of fame foundation, the Veterans of Foreign Wars, 759  
the Disabled American Veterans, the AMVETS, the Vietnam Veterans 760  
of America, and the American Legion shall each appoint one member. 761  
762

The Ohio veterans hall of fame executive committee shall 763  
appoint its final four members, one of whom shall be from any 764  
veterans organization that is incorporated in this state and that 765  
is not otherwise represented on the executive committee, one of 766  
whom was inducted into the veterans hall of fame three years 767  
before the current fiscal year, one of whom was inducted into the 768  
veterans hall of fame two years before the current fiscal year, 769  
and one of whom was inducted into the veterans hall of fame one 770  
year before the current fiscal year. 771

(C) Terms of office of the members of the Ohio veterans hall 772

of fame executive committee shall be for three years. Each member 773  
shall serve subsequent to the expiration of the member's term 774  
until the member's successor is appointed, or until sixty days has 775  
elapsed, whichever occurs first. No member shall serve more than 776  
two consecutive terms. 777

(D) All vacancies in the membership of the Ohio veterans hall 778  
of fame executive committee shall be filled in the same manner as 779  
prescribed for original appointments, and the terms of the 780  
appointees shall be limited to the unexpired terms. 781

(E) The members of the Ohio veterans hall of fame executive 782  
committee shall serve without compensation, but shall be 783  
reimbursed for their actual and necessary expenses incurred in the 784  
performance of their official duties. 785

(F) The Ohio veterans hall of fame executive committee shall 786  
elect a chairperson and vice-chairperson from its membership. It 787  
shall meet annually to select inductees for the veterans hall of 788  
fame from the persons nominated in a manner prescribed by the 789  
executive committee. The names of selected inductees shall be 790  
submitted to the governor for final approval. The governor shall 791  
provide any final approval within thirty days after the executive 792  
committee submits the names of the selected inductees. The 793  
governor may reject any of the selected inductees for cause, but 794  
shall not make any additions to the list of those inductees. 795

(G) Except as otherwise provided in this division, all state 796  
elected officials, members of the general assembly, members of the 797  
Ohio veterans hall of fame foundation, members of the veterans 798  
hall of fame executive committee, members of the governor's staff, 799  
members of the veterans hall of fame staff, and members of any 800  
county veterans service commission, and the director of ~~the~~ 801  
~~governor's office of veterans affairs services~~, shall not be 802  
eligible for induction into the veterans hall of fame until two 803  
years after they have left their position. The executive committee 804

may waive the two-years requirement for nominees over the age of 805  
seventy. 806

(H) The Ohio veterans hall of fame executive committee is not 807  
subject to sections 101.82 to 101.87 of the Revised Code. 808

**Sec. 5907.01.** (A) As used in this chapter: 809

(1) "Nursing home" means a nursing home within a veterans' 810  
home. 811

(2) "Veterans' home" means a veterans' home operated by the 812  
Ohio veterans' home agency. 813

(B) There is hereby established the Ohio veterans' home 814  
agency ~~that~~ as part of the department of veterans services. The 815  
agency shall maintain and operate veterans' and nursing homes for 816  
honorably discharged veterans. 817

**Sec. 5907.02.** ~~The board of trustees of the Ohio veterans'~~ 818  
~~home agency, which is hereby created, shall consist of seven~~ 819  
~~members who~~ director of veterans services shall govern the Ohio 820  
veterans' home agency and have charge and custody of the agency's 821  
facilities. ~~The members shall be the director of administrative~~ 822  
~~services or that director's designee, the director of aging or~~ 823  
~~that director's designee, and five members who shall be appointed~~ 824  
~~by the governor with the advice and consent of the senate. All the~~ 825  
~~members of the board appointed by the governor shall be veterans~~ 826  
~~of wars in which the United States has participated, and not more~~ 827  
~~than three of the members shall be of the same political party.~~ 828  
~~The trustees shall serve without compensation, but they shall be~~ 829  
~~allowed their actual expenses incurred in the discharge of their~~ 830  
~~duties. Each year, the governor shall appoint one trustee. The~~ 831  
~~term of office for each member of the board shall be for five~~ 832  
~~years, commencing on the first day of July and ending on the~~ 833  
~~thirtieth day of June. Each member shall hold office from the date~~ 834

~~of that member's appointment until the end of the term for which~~ 835  
~~the member was appointed. Any member appointed to fill a vacancy~~ 836  
~~occurring prior to the expiration of the term for which that~~ 837  
~~member's predecessor was appointed shall hold office for the~~ 838  
~~remainder of that term. Any member shall continue in office~~ 839  
~~subsequent to the expiration date of that member's term until the~~ 840  
~~member's successor takes office, or until a period of sixty days~~ 841  
~~has elapsed, whichever occurs first. The board director shall~~ 842  
govern, conduct, and care for veterans' homes, the property of the 843  
homes, and the veterans residing in the home. 844

~~Four members of the board constitute a quorum, but any three~~ 845  
~~may approve the payment of current expenses, salaries, and open~~ 846  
~~contracts previously entered into by the board.~~ 847

All supplies for the agency shall be purchased as provided in 848  
sections 125.04 to 125.15 of the Revised Code. 849

The ~~board~~ director shall appoint a superintendent of the Ohio 850  
veterans' home agency upon any terms that are proper, and the 851  
superintendent, with the advice and consent of the ~~board~~ director, 852  
shall employ aides, assistants, and employees, and perform other 853  
duties that may be assigned to the superintendent by the ~~board~~ 854  
director or become necessary in the carrying out of the 855  
superintendent's duties. The superintendent shall be responsible 856  
directly to the ~~board~~ director. 857

Subject to section 5907.021 of the Revised Code, the 858  
superintendent may appoint one or more employees at each veterans' 859  
home as veterans' home police officers authorized to act on the 860  
grounds of that home. The superintendent shall provide to those 861  
employees a copy of the rules that apply to their appointment. The 862  
rules shall specify whether or not the police officers may carry a 863  
firearm. 864

Subject to section 5907.021 of the Revised Code, the 865

superintendent shall appoint a chief of police of the Ohio veterans' home agency, determine the number of officers and other personnel required by each veterans' home, and establish salary schedules and other conditions of employment for veterans' homes police officers. The chief of police shall serve at the pleasure of the superintendent and shall appoint officers and other personnel as the veterans' homes may require, subject to the rules and limits that the superintendent establishes regarding qualifications, salary ranges, and the number of personnel. The superintendent, with the approval of the ~~board~~ director, may purchase or otherwise acquire any police apparatus, equipment, or materials, including a police communication system and vehicles, that the veterans' homes police officers may require. The superintendent may send one or more of the officers or employees nominated by the police chief to a school of instruction designed to provide additional training or skills related to their work assignment at their veterans' home. The superintendent may send those officers or employees to the Ohio peace officer training academy that the superintendent considers appropriate.

The ~~board~~ director shall make an annual report to the governor as to all expenditures and as to the management of the Ohio veterans' home agency.

**Sec. 5907.022.** ~~The board of trustees of the Ohio veterans' home agency~~ director of veterans services may do either of the following to expand nursing home care and domiciliary services to veterans at sites other than the Ohio veterans' homes and nursing homes:

(A) Enter into contracts or agreements, including agreements for the acceptance of grants, to construct, lease, purchase, or otherwise acquire real property or facilities to establish a network of facilities;

(B) Enter into contracts with private providers. 897

**Sec. 5907.023.** ~~Neither the~~ The Ohio veterans' home agency 898  
established by section 5907.01 of the Revised Code ~~nor the board~~ 899  
~~of trustees of the Ohio veterans' home agency created by section~~ 900  
~~5907.02 of the Revised Code~~ is not subject to sections 101.82 to 901  
101.87 of the Revised Code. 902

**Sec. 5907.03.** The management and control of veterans' homes 903  
shall be subject to such inspection and supervision as the 904  
congress of the United States may require as a condition of making 905  
appropriations for their maintenance. A person appointed or 906  
designated by congress may make such inspection and exercise such 907  
supervision, and, if so required by congress, the person may have 908  
and exercise the privileges of ~~a member of the board of trustees~~ 909  
~~of the Ohio veterans' home agency~~ the director of veterans 910  
services. 911

**Sec. 5907.04.** ~~All~~ Subject to the following paragraph, all 912  
members of the armed forces, who served in the regular or 913  
volunteer forces of the United States or the Ohio national guard 914  
or members of the naval militia during the war with Spain, the 915  
Philippine insurrection, the China relief expedition, the Indian 916  
war, the Mexican expedition, World War I, World War II, or during 917  
the period beginning June 25, 1950 and ending July 19, 1953, known 918  
as the Korean conflict, or during the period beginning August 5, 919  
1964, and ending July 1, 1973, known as the Vietnam conflict, or 920  
any person who is awarded either the armed forces expeditionary 921  
medal established by presidential executive order 10977 dated 922  
December 4, 1961, or the Vietnam service medal established by 923  
presidential executive order 11231 dated July 8, 1965, who have 924  
been honorably discharged or separated under honorable conditions 925  
therefrom, or any discharged members of the Polish and 926

Czechoslovakian armed forces who served in armed conflict with an 927  
enemy of the United States in World War I or World War II who have 928  
been citizens of the United States for at least ten years, 929  
provided that the above-mentioned persons have been citizens of 930  
this state for five consecutive years or more at the date of 931  
making application for admission, are disabled by disease, wounds, 932  
or otherwise, and are by reason of such disability incapable of 933  
earning their living, and all members of the Ohio national guard 934  
or naval militia who have lost an arm or leg, or their sight, or 935  
become permanently disabled from any cause, while in the line and 936  
discharge of duty, and are not able to support themselves, may be 937  
admitted to a veterans' home under such rules as the ~~board of~~ 938  
~~trustees of the Ohio veterans' home agency~~ director of veterans 939  
services adopts. 940

A person who served in the armed forces of the United States 941  
as defined in division (E)(7) of section 5903.11 of the Revised 942  
Code is eligible for admission to a veterans' home under the 943  
preceding paragraph only if the person has the characteristics 944  
defined in division (B)(1) of section 5901.01 of the Revised Code. 945

The superintendent of the Ohio veterans' home agency shall 946  
promptly and diligently pursue the establishment of the 947  
eligibility for medical assistance under Chapter 5111. of the 948  
Revised Code of all persons admitted to a veterans' home and all 949  
residents of a home who appear to qualify and shall promptly and 950  
diligently pursue and maintain the certification of each home's 951  
compliance with federal laws and regulations governing 952  
participation in the medical assistance program to include as 953  
large as possible a part of the home's bed capacity. 954

Veterans' homes may reserve a bed during the temporary 955  
absence of a resident or patient from the home, including a 956  
nursing home within it, under conditions prescribed by the ~~board~~ 957  
~~of trustees~~ director, to include hospitalization for an acute 958



condition, visits with relatives and friends, and participation in 959  
therapeutic programs outside the home. A home shall not reserve a 960  
bed for more than thirty days, except that absences for more than 961  
thirty days due to hospitalization may be authorized. 962

**Sec. 5907.11.** (A) The superintendent of the Ohio veterans' 963  
home agency, with the approval of the ~~board of trustees of the~~ 964  
~~agency~~ director of veterans services, may establish a local fund 965  
for each veterans' home to be used for the entertainment and 966  
welfare of the residents of the home. Each fund shall be 967  
designated as the residents' benefit fund and shall be operated 968  
for the exclusive benefit of the residents of the associated home. 969  
Each fund shall receive all revenue from the sale of commissary 970  
items at the associated home and shall receive all moneys received 971  
as donations by the associated home from any source. 972

(B) The residents' benefit funds also may be used to receive 973  
and disburse any donations made for events sponsored by the Ohio 974  
veterans hall of fame. 975

(C) The superintendent, subject to the approval of the ~~board~~ 976  
~~of trustees~~ director, shall establish rules for the operation of 977  
the residents' benefit funds. 978

**Sec. 5907.12.** The ~~board of trustees of the Ohio veterans'~~ 979  
~~home agency~~ director of veterans services may utilize the services 980  
of volunteers to assist in attending to and caring for residents, 981  
assisting in resident activities, caring for veterans' homes' 982  
buildings and grounds, and participating in any other services 983  
that accomplish any of the ~~board's~~ director's purposes related to 984  
veterans' homes. All volunteer programs are subject to the ~~board's~~ 985  
director's approval. The ~~board~~ director may recruit, train, and 986  
supervise the services of community volunteers or volunteer groups 987  
for volunteer programs. The ~~board~~ director may designate 988

volunteers as state employees for the purpose of motor vehicle 989  
accident liability insurance under section 9.83 of the Revised 990  
Code and for the purpose of indemnification from liability 991  
incurred in the performance of their duties under section 9.87 of 992  
the Revised Code. 993

**Sec. 5907.13.** Residents of veterans' homes may be assessed a 994  
fee to pay a portion of the expenses of their support, dependent 995  
upon their ability to pay. Subject to controlling board approval, 996  
the ~~board of trustees of the Ohio veterans' home agency~~ director 997  
of veterans services shall adopt rules for determining a 998  
resident's ability to pay. Each resident shall furnish the ~~board~~ 999  
~~of trustees~~ director statements of income, assets, debts, and 1000  
expenses that the ~~board~~ director requires. 1001

All fees contributed by the residents under this section 1002  
shall be deposited into an interest-bearing account in a public 1003  
depository in accordance with section 135.18 of the Revised Code. 1004  
All of these fees shall be paid to the treasurer of state within 1005  
thirty days after the end of the month of receipt, together with 1006  
all interest credited to the account to date. The treasurer of 1007  
state shall credit eighty per cent of these fees and of this 1008  
interest to the Ohio veterans' homes operating fund and twenty per 1009  
cent of these fees and of this interest to the Ohio veterans' 1010  
homes fund. 1011

The fee for each resident shall be based upon the level of 1012  
care provided to the resident by the resident's home. The ~~board of~~ 1013  
~~trustees~~ director shall determine authorized levels of care for 1014  
residents. The assessment for each resident shall not exceed the 1015  
difference between the total per diem amount collected by the 1016  
state for maintenance from all sources on the resident's behalf 1017  
and the average annual per diem cost for the resident's 1018  
maintenance, computed in accordance with veterans administration 1019

regulations. 1020

**Sec. 5907.141.** (A) All money received from the United States 1021  
department of veterans affairs in per diem grants for care that 1022  
veterans' homes provide shall be deposited in the state treasury 1023  
to the credit of the Ohio veterans' homes federal grant fund, 1024  
which is hereby created. Money credited to the fund shall be used 1025  
only for the operating costs of veterans' homes. 1026

(B) Any resident of a veterans' home whom the United States 1027  
department of veterans affairs determines to have excess income or 1028  
assets, or is denied per diem for any reason by the United States 1029  
department of veterans affairs, therefore rendering the home 1030  
ineligible to collect per diem grant reimbursement for days of 1031  
care provided to that resident, may be required to pay, in 1032  
addition to the fees assessed under section 5907.13 of the Revised 1033  
Code, an amount equal to the rate of per diem grant that the 1034  
department denied for that particular resident. Any amount that 1035  
the resident pays under this division shall be collected and 1036  
distributed in the same manner as the fees assessed under section 1037  
5907.13 of the Revised Code. 1038

**Sec. 5910.02.** There is hereby created an Ohio war orphans 1039  
scholarship board ~~consisting as part of the department of veterans~~ 1040  
services. The board consists of ~~seven~~ eight members as follows: 1041  
the chancellor of the Ohio board of regents or the chancellor's 1042  
designee; the director of veterans services or the director's 1043  
designee; one member of the house of representatives, appointed by 1044  
the speaker; one member of the senate, appointed by the president 1045  
of the senate; and four members appointed by the governor, one of 1046  
whom shall be a representative of the American Legion, one of whom 1047  
shall be a representative of the Veterans of Foreign Wars, one of 1048  
whom shall be a representative of the Disabled American Veterans, 1049  
and one of whom shall be a representative of the AMVETS. At least 1050

ninety days prior to the expiration of the term of office of the 1051  
representative of a veterans organization appointed by the 1052  
governor, the governor shall notify the state headquarters of the 1053  
affected organization of the need for an appointment and request 1054  
the organization to make at least three nominations. Within sixty 1055  
days after making the request for nominations, the governor may 1056  
make the appointment from the nominations received, or may reject 1057  
all the nominations and request at least three new nominations, 1058  
from which the governor shall make an appointment within thirty 1059  
days after making the request for the new nominations. If the 1060  
governor receives no nominations during this thirty-day period, 1061  
the governor may appoint any veteran. 1062

Terms of office for the four members appointed by the 1063  
governor shall be for four years, commencing on the first day of 1064  
January and ending on the thirty-first day of December, except 1065  
that the term of the AMVETS representative shall expire December 1066  
31, 1998, and the new term that succeeds it shall commence on 1067  
January 1, 1999, and end on December 31, 2002. Each member shall 1068  
hold office from the date of the member's appointment until the 1069  
end of the term for which the member was appointed. The other 1070  
members shall serve during their terms of office. Any vacancy 1071  
shall be filled by appointment in the same manner as by original 1072  
appointment. Any member appointed to fill a vacancy occurring 1073  
prior to the expiration of the term for which the member's 1074  
predecessor was appointed shall hold office for the remainder of 1075  
such term. Any appointed member shall continue in office 1076  
subsequent to the expiration date of the member's term until the 1077  
member's successor takes office, or until a period of sixty days 1078  
has elapsed, whichever occurs first. The members of the board 1079  
shall serve without pay but shall be reimbursed for travel 1080  
expenses and for other actual and necessary expenses incurred in 1081  
the performance of their duties, not to exceed ten dollars per day 1082  
for ten days in any one year to be appropriated out of any moneys 1083

in the state treasury to the credit of the general revenue fund. 1084

The chancellor of the board of regents shall act as secretary 1085  
to the board and shall furnish such clerical and other assistance 1086  
as may be necessary to the performance of the duties of the board. 1087

The board shall determine the number of scholarships to be 1088  
made available, receive applications for scholarships, pass upon 1089  
the eligibility of applicants, decide which applicants are to 1090  
receive scholarships, and do all other things necessary for the 1091  
proper administration of this chapter. 1092

**Section 2.** That existing sections 121.02, 121.03, 3313.616, 1093  
5901.02, 5901.021, 5901.07, 5901.09, 5902.01, 5902.02, 5902.03, 1094  
5902.04, 5902.06, 5902.07, 5902.08, 5902.15, 5904.01, 5907.01, 1095  
5907.02, 5907.022, 5907.023, 5907.03, 5907.04, 5907.11, 5907.12, 1096  
5907.13, 5907.141, and 5910.02 of the Revised Code are hereby 1097  
repealed. 1098

**Section 3.** That section 5902.05 of the Revised Code is hereby 1099  
repealed. 1100

**Section 4.** Chapter 5902. of the Revised Code shall be known 1101  
as "Department of Veterans Services." 1102

**Section 5.** On the effective date of this section, the 1103  
Governor's Office of Veterans Affairs is abolished and its 1104  
functions, and its assets and liabilities, are transferred to the 1105  
Department of Veterans Services. The Department of Veterans 1106  
Services is successor to, assumes the obligations and authority 1107  
of, and otherwise continues the Governor's Office of Veterans 1108  
Affairs. No right, privilege, or remedy, and no duty, liability, 1109  
or obligation, accrued under the Governor's Office of Veterans 1110  
Affairs is impaired or lost by reason of the transfer and shall be 1111  
recognized, administered, performed, or enforced by the Department 1112

of Veterans Services. 1113

Business commenced but not completed by the Governor's Office 1114  
of Veterans Affairs or by the Director of the Governor's Office of 1115  
Veterans Affairs shall be completed by the Department of Veterans 1116  
Services or the Director of Veterans Services in the same manner, 1117  
and with the same effect, as if completed by the Governor's Office 1118  
of Veterans Affairs or the Director of the Governor's Office of 1119  
Veterans Affairs. 1120

All the rules, orders, and determinations of the Governor's 1121  
Office of Veterans Affairs continue in effect as rules, orders, 1122  
and determinations of the Department of Veterans Services, until 1123  
modified or rescinded by the Department of Veterans Services. If 1124  
necessary to ensure the integrity of the numbering of the 1125  
Administrative Code, the Director of the Legislative Service 1126  
Commission shall renumber the rules of the Governor's Office of 1127  
Veterans Affairs to reflect their transfer to the Department of 1128  
Veterans Services. 1129

Subject to the layoff provisions of sections 124.321 to 1130  
124.382 of the Revised Code, all employees of the Governor's 1131  
Office of Veterans Affairs are transferred to the Department of 1132  
Veterans Services and retain their positions and all benefits 1133  
accruing thereto. 1134

The Director of Budget and Management shall determine the 1135  
amount of unexpended balances in the appropriation accounts that 1136  
pertain to the Governor's Office of Veterans Affairs and shall 1137  
recommend to the Controlling Board their transfer to appropriation 1138  
accounts that pertain to the Department of Veterans Services. The 1139  
Director of the Governor's Office of Veterans Affairs shall 1140  
provide full and timely information to the Controlling Board to 1141  
facilitate the transfer. 1142

Whenever the Governor's Office of Veterans Affairs or the 1143

Director of the Governor's Office of Veterans Affairs is referred 1144  
to in a statute, contract, or other instrument, the reference is 1145  
deemed to refer to the Department of Veterans Services or to the 1146  
Director of Veterans Services, whichever is appropriate in 1147  
context. 1148

No pending action or proceeding being prosecuted or defended 1149  
in court or before an agency by the Governor's Office of Veterans 1150  
Affairs or the Director of the Governor's Office of Veterans 1151  
Affairs is affected by the transfer and shall be prosecuted or 1152  
defended in the name of Department of Veterans Services or the 1153  
Director of Veterans Services, whichever is appropriate. Upon 1154  
application to the court or agency, the Department of Veterans 1155  
Services or the Director of Veterans Services shall be substituted 1156  
as a party. 1157

**Section 6.** On the effective date of this section, the Ohio 1158  
Veterans' Home Agency is abolished and its functions, and its 1159  
assets and liabilities, are transferred to the Department of 1160  
Veterans Services. The Department of Veterans Services is 1161  
successor to, assumes the obligations and authority of, and 1162  
otherwise continues the Ohio Veterans' Home Agency. No right, 1163  
privilege, or remedy, and no duty, liability, or obligation, 1164  
accrued under the Ohio Veterans' Home Agency is impaired or lost 1165  
by reason of the transfer and shall be recognized, administered, 1166  
performed, or enforced by the Department of Veterans Services. 1167

Business commenced but not completed by the Ohio Veterans' 1168  
Home Agency or its Board of Trustees shall be completed by the 1169  
Department of Veterans Services or the Director of Veterans 1170  
Services in the same manner, and with the same effect, as if 1171  
completed by the Ohio Veterans' Home Agency or its Board of 1172  
Trustees. 1173

All the rules, orders, and determinations of the Ohio 1174  
Veterans' Home Agency or its Board of Trustees continue in effect 1175

as rules, orders, and determinations of the Department of Veterans Services, until modified or rescinded by the Department of Veterans Services. If necessary to ensure the integrity of the numbering of the Administrative Code, the Director of the Legislative Service Commission shall renumber the rules of the Ohio Veterans' Home Agency or its Board of Trustees to reflect their transfer to the Department of Veterans Services.

Subject to the layoff provisions of sections 124.321 to 124.382 of the Revised Code, all employees of the Ohio Veterans' Home Agency are transferred to the Department of Veterans Services and retain their positions and all benefits accruing thereto.

The Director of Budget and Management shall determine the amount of unexpended balances in the appropriation accounts that pertain to the Ohio Veterans' Home Agency and shall recommend to the Controlling Board their transfer to appropriation accounts that pertain to the Department of Veterans Services. The Board of Trustees of the Ohio Veterans' Home Agency shall provide full and timely information to the Controlling Board to facilitate the transfer.

Whenever the Ohio Veterans' Home Agency or its Board of Trustees is referred to in a statute, contract, or other instrument, the reference is deemed to refer to the Department of Veterans Services or to the Director of Veterans Services, whichever is appropriate in context.

No pending action or proceeding being prosecuted or defended in court or before an agency by the Ohio Veterans' Home Agency or its Board of Trustees is affected by the transfer and shall be prosecuted or defended in the name of the Department of Veterans Services or the Director of Veterans Services, whichever is appropriate. Upon application to the court or agency, the Department of Veterans Services or the Director of Veterans Services shall be substituted as a party.