

**As Reported by the Senate State and Local Government and
Veterans Affairs Committee**

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Regular Session

2009-2010

Sub. H. B. No. 449

Representative Ujvagi

**Cosponsors: Representatives Yuko, Goyal, Belcher, Boose, Boyd, Brown,
Carney, Celeste, Chandler, DeBose, Domenick, Dyer, Evans, Fende, Foley,
Garland, Hackett, Harris, Harwood, Heard, Letson, Luckie, Lundy, Mallory,
Murray, Oelslager, Otterman, Patten, Pillich, Pryor, Reece, Schneider,
Skindell, Stewart, Sykes, Szollosi, Weddington, Williams, B., Winburn
Senators Carey, Fedor, Turner**

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A B I L L

To amend sections 123.024, 141.02, 2108.72, 2108.73, 1
3313.616, 3721.50, 4503.46, 5111.21, 5533.785, 2
5902.02, 5907.01, 5907.02, 5907.021, 5907.04, 3
5907.08, 5907.10, 5907.11, 5907.12, 5907.13, 4
5911.10, 5913.01, 5913.011, 5913.02, 5913.021, 5
5919.06, 5919.26, 5919.28, 5919.29, 5919.34, 6
5923.05, and 5924.136, and to repeal sections 7
5907.023, 5907.05, and 5913.04 of the Revised Code 8
and to amend Section 409.10 of Am. Sub. H.B. 1 of 9
the 128th General Assembly, as subsequently 10
amended, to make changes to the law regarding the 11
Ohio Veterans' Home Agency and the Department of 12
Veterans Services, to allow a DD Form 93, Record 13
of Emergency Data, to satisfy the written 14
declaration requirements for designating a person 15
authorized to direct disposition of human remains, 16
to modify the membership of the Veterans Advisory 17

Committee, to provide publicly employed 18
firefighters and emergency medical technicians 19
with a minimum paid military leave of seventeen 20
24-hour days, to make changes to the salaries of, 21
and other laws regarding, the Adjutant General and 22
assistant adjutants, and to make an appropriation. 23

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

Section 1. That sections 123.024, 141.02, 2108.72, 2108.73, 24
3313.616, 3721.50, 4503.46, 5111.21, 5533.785, 5902.02, 5907.01, 25
5907.02, 5907.021, 5907.04, 5907.08, 5907.10, 5907.11, 5907.12, 26
5907.13, 5911.10, 5913.01, 5913.011, 5913.02, 5913.021, 5919.06, 27
5919.26, 5919.28, 5919.29, 5919.34, 5923.05, and 5924.136 of the 28
Revised Code be amended to read as follows: 29

Sec. 123.024. (A) The department of administrative services 30
shall assign and make available, at state expense, suitable office 31
space in state-owned facilities to accommodate the office 32
operations of the state headquarters of ~~all~~ both of the following: 33

(1) All veterans organizations in this state that either are 34
incorporated and issued a charter by the congress of the United 35
States or are recognized by the United States department of 36
veterans affairs; 37

(2) The auxiliary organizations of veterans organizations 38
described in division (A)(1) of this section; 39

~~(3) The Ohio veterans' home agency. 40~~

(B) The department may situate office space for each 41
auxiliary organization of a veterans organization with or near the 42
office space of that veterans organization. 43

Sec. 141.02. (A) The salaries of the adjutant general, the 44

assistant adjutant general for army, the assistant adjutant 45
general for air, and the assistant quartermaster general shall be 46
paid according to divisions (B) and (H) of section 124.15 of the 47
Revised Code. 48

(B) The adjutant general, the assistant adjutant general for 49
army, the assistant adjutant general for air, and the assistant 50
quartermaster general shall receive the basic allowances for 51
quarters and for subsistence of their rank according to the pay at 52
the time prescribed for the armed forces of the United States, 53
except that the assistant adjutant general for air shall not 54
receive flying pay. The adjutant general shall not receive any 55
flying pay, even if the adjutant general is an officer in the air 56
national guard. 57

(C) The adjutant general, assistant adjutant general for 58
army, and the assistant adjutant general for air may take a leave 59
of absence from their respective positions without loss of pay for 60
the time they are performing service in the uniformed service as 61
required by their federally recognized officer status. These 62
positions shall not accrue leave as other permanent state 63
employees do but shall accrue leave and record usage of leave as 64
if these positions were those of the administrative department 65
heads listed in section 121.03 of the Revised Code. 66

(D) If the assistant quartermaster general is a federally 67
recognized officer, the assistant quartermaster general may take a 68
leave of absence from the position without loss of pay for the 69
time the assistant quartermaster general is performing service in 70
the uniformed service as required by the person's federally 71
recognized officer status and the assistant quartermaster general 72
shall not accrue leave as other permanent state employees do but 73
shall accrue leave and record usage of leave as if the assistant 74
quartermaster general were an administrative department head 75
listed in section 121.03 of the Revised Code. If the assistant 76

quartermaster general is not a federally recognized officer, the 77
assistant quartermaster general shall accrue leave as other 78
permanent state employees do. 79

(E) Notwithstanding Chapter 102. of the Revised Code and any 80
other provision of law, the adjutant general, assistant adjutant 81
general for army, assistant adjutant general for air, and 82
assistant quartermaster general may retain, in addition to any 83
state compensation, any federal pay, allowances, and compensation 84
received because of any federally recognized officer status. 85

Sec. 2108.72. (A) The written declaration described in 86
section 2108.70 of the Revised Code shall include all of the 87
following: 88

(1) The declarant's legal name and present address; 89

(2) A statement that the declarant, an adult being of sound 90
mind, willfully and voluntarily appoints a representative to have 91
the declarant's right of disposition for the declarant's body upon 92
the declarant's death; 93

(3) A statement that all decisions made by the declarant's 94
representative with respect to the right of disposition are 95
binding; 96

(4) The name, last known address, and last known telephone 97
number of the representative or, if the representative is a group 98
of persons, the name, last known address, and last known telephone 99
number of each person in the group; 100

(5) If the declarant chooses to have a successor 101
representative, a statement that if any person or group of persons 102
named as the declarant's representative is disqualified from 103
serving in such position as described in section 2108.75 of the 104
Revised Code, the declarant appoints a successor representative; 105

(6) If applicable, the name, last known address, and last 106

known telephone number of the successor representative or, if the 107
successor representative is a group of persons, the name, last 108
known address, and last known telephone number of each person in 109
the group; 110

(7) A space where the declarant may indicate the declarant's 111
preferences regarding how the right of disposition should be 112
exercised, including any religious observances the declarant 113
wishes the person with the right of disposition to consider; 114

(8) A space where the declarant may indicate one or more 115
sources of funds that may be used to pay for goods and services 116
associated with the exercise of the right of disposition; 117

(9) A statement that the declarant's written declaration 118
becomes effective on the declarant's death; 119

(10) A statement that the declarant revokes any written 120
declaration that the declarant executed, in accordance with 121
section 2108.70 of the Revised Code, prior to the execution of the 122
present written declaration; 123

(11) A space where the declarant can sign and date the 124
written declaration; 125

(12) A space where a notary public or two witnesses can sign 126
and date the written declaration as described in section 2108.73 127
of the Revised Code. 128

(B) A written declaration may take the following form: 129

APPOINTMENT OF REPRESENTATIVE FOR DISPOSITION OF BODILY 130
REMAINS, FUNERAL ARRANGEMENTS, AND BURIAL OR CREMATION GOODS AND 131
SERVICES: 132

I, (legal name and present address of 133
declarant), an adult being of sound mind, willfully and 134
voluntarily appoint my representative, named below, to have the 135
right of disposition, as defined in section 2108.70 of the Revised 136

Code, for my body upon my death. All decisions made by my representative with respect to the right of disposition shall be binding.

REPRESENTATIVE:

(If the representative is a group of persons, indicate the name, last known address, and telephone number of each person in the group.)

Name(s):
Address(es):
Telephone Number(s):

SUCCESSOR REPRESENTATIVE:

If my representative is disqualified from serving as my representative as described in section 2108.75 of the Revised Code, then I hereby appoint the following person or group of persons to serve as my successor representative.

(If the successor representative is a group of persons, indicate the name, last known address, and telephone number of each person in the group.)

Name(s):
Address(es):
Telephone Number(s):

PREFERENCES REGARDING HOW THE RIGHT OF DISPOSITION SHOULD BE EXERCISED, INCLUDING ANY RELIGIOUS OBSERVANCES THE DECLARANT WISHES A REPRESENTATIVE OR A SUCCESSOR REPRESENTATIVE TO CONSIDER:

.....
.....
.....
.....

ONE OR MORE SOURCES OF FUNDS THAT COULD BE USED TO PAY FOR GOODS AND SERVICES ASSOCIATED WITH AN EXERCISE OF THE RIGHT OF DISPOSITION:

.....	168
.....	169
.....	170
.....	171
DURATION:	172
The appointment of my representative and, if applicable,	173
successor representative, becomes effective upon my death.	174
PRIOR APPOINTMENTS REVOKED:	175
I hereby revoke any written declaration that I executed in	176
accordance with section 2108.70 of the Ohio Revised Code prior to	177
the date of execution of this written declaration indicated below.	178
AUTHORIZATION TO ACT:	179
I hereby agree that any of the following that receives a copy	180
of this written declaration may act under it:	181
- Cemetery organization;	182
- Crematory operator;	183
- Business operating a columbarium;	184
- Funeral director;	185
- Embalmer;	186
- Funeral home;	187
- Any other person asked to assist with my funeral, burial,	188
cremation, or other manner of final disposition.	189
MODIFICATION AND REVOCATION - WHEN EFFECTIVE:	190
Any modification or revocation of this written declaration is	191
not effective as to any party until that party receives actual	192
notice of the modification or revocation.	193
LIABILITY:	194
No person who acts in accordance with a properly executed	195

shall sign)

WITNESSES:	221
I attest that the declarant signed or acknowledged this	222
assignment of the right of disposition under section 2108.70 of	223
the Revised Code in my presence and that the declarant is at least	224
eighteen years of age and appears to be of sound mind and not	225
under or subject to duress, fraud, or undue influence. I further	226
attest that I am not the declarant's representative or successor	227
representative, I am at least eighteen years of age, and I am not	228
related to the declarant by blood, marriage, or adoption.	229
First witness:	230
Name (printed):	231
..... Residing at:	232
Signature:	233
.....	234
Date:	235
.....	236
Second witness:	237
Name (printed):	238
..... Residing at:	239
Signature:	240
.....	241
Date:	242
.....	243
OR	244
NOTARY ACKNOWLEDGMENT:	245
State of Ohio	246
County of SS.	247
On, before me, the undersigned notary public,	248
personally appeared, known to me or	249
satisfactorily proven to be the person whose name is subscribed as	250

the declarant, and who has acknowledged that he or she executed 251
this written declaration under section 2108.70 of the Revised Code 252
for the purposes expressed in that section. I attest that the 253
declarant is at least eighteen years of age and appears to be of 254
sound mind and not under or subject to duress, fraud, or undue 255
influence. 256

Signature of notary public 257

..... 258

My commission expires on: 259

..... 260

(C) Completion of a federal Record of Emergency Data form, DD 261
Form 93, or its successor form, by a member of the military, is 262
sufficient to constitute a written declaration under section 263
2108.70 of the Revised Code if section 13a of DD Form 93, entitled 264
"Person Authorized to Direct Disposition," has been properly 265
completed by the member of the military who has subsequently died 266
while under active duty orders as described in 10 U.S.C. 1481. 267

Sec. 2108.73. A written declaration executed by a declarant 268
under section 2108.70 of the Revised Code shall be signed and 269
dated by the declarant in the presence of ~~either~~ one of the 270
following: 271

(A) A notary public who shall make the certification 272
described in section 147.53 of the Revised Code. 273

(B) Two witnesses who are adults and who are not related by 274
blood, marriage, or adoption to the declarant. 275

(C) If the written declaration is a DD Form 93, Record of 276
Emergency Data, by whomever the form requires. 277

Sec. 3313.616. (A) Notwithstanding the requirements of 278
sections 3313.61, 3313.611, and 3313.612 of the Revised Code, the 279
board of education of any city, exempted village, or local school 280

district or the governing authority of any chartered nonpublic	281
school may grant a high school diploma to any veteran of World War	282
II, the Korean conflict, or the Vietnam conflict who is a resident	283
of this state or who was previously enrolled in any high school in	284
this state if all of the following apply:	285
(1) The veteran either:	286
(a) Left a public or nonpublic school located in any state	287
prior to graduation in order to serve in the armed forces of the	288
United States;	289
(b) Left a public or nonpublic school located in any state	290
prior to graduation due to family circumstances and subsequently	291
entered the armed forces of the United States.	292
(2) The veteran received an honorable discharge from the	293
armed forces of the United States.	294
(3) The veteran has not been granted a diploma as provided in	295
section 3313.61 or 3313.612 of the Revised Code, a diploma of	296
adult education as provided in section 3313.611 of the Revised	297
Code, or a diploma under this section.	298
(B) Notwithstanding the requirements of sections 3313.61,	299
3313.611, and 3313.612 of the Revised Code, the board of education	300
of any city, exempted village, or local school district or the	301
governing authority of any chartered nonpublic school may grant a	302
high school diploma to any woman who left high school during World	303
War II, the Korean conflict, or the Vietnam conflict and who is a	304
resident of this state or was previously enrolled in any high	305
school in this state, if both of the following apply:	306
(1) The woman either:	307
(a) Left a public or nonpublic school located in any state	308
prior to graduation in order to join the workforce to support her	309
family or to join the war effort;	310

(b) Left a public or nonpublic school located in any state 311
prior to graduation due to family circumstances and subsequently 312
joined the workforce or war effort. 313

(2) The woman has not been granted a diploma as provided in 314
section 3313.61 or 3313.612 of the Revised Code, a diploma of 315
adult education as provided in section 3313.611 of the Revised 316
Code, or a diploma under this section. 317

(C) If a person who would otherwise qualify for a diploma 318
under this section is deceased, the board of education of any 319
school district or the governing authority of any chartered 320
nonpublic school may award such diploma to the person posthumously 321
and may present that diploma to a living relative of the person. 322

(D) The department of veterans services, in accordance with 323
section 111.15 of the Revised Code, and with the advice and 324
consent of the veterans advisory committee established under 325
division ~~(K)~~(J) of section 5902.02 of the Revised Code, shall 326
develop and adopt rules to implement this section. Such rules 327
shall include, but not be limited to, rules establishing 328
procedures for application and verification of eligible persons 329
for a diploma under this section. 330

Sec. 3721.50. As used in sections 3721.50 to 3721.58 of the 331
Revised Code: 332

(A) "Franchise permit fee rate" means the amount determined 333
as follows: 334

(1) Determine the difference between the following: 335

(a) The total net patient revenue, less medicaid per diem 336
payments, of all nursing homes and hospital long-term care units 337
as shown on cost reports filed under section 5111.26 of the 338
Revised Code for the calendar year immediately preceding the 339
fiscal year for which the franchise permit fee is assessed under 340

section 3721.51 of the Revised Code;	341
(b) The total net patient revenue, less medicaid per diem payments, of all nursing homes and hospital long-term care units as shown on cost reports filed under section 5111.26 of the Revised Code for the calendar year immediately preceding the calendar year that immediately precedes the fiscal year for which the franchise permit fee is assessed under section 3721.51 of the Revised Code.	342 343 344 345 346 347 348
(2) Multiply the amount determined under division (A)(1) of this section by five and five-tenths per cent;	349 350
(3) Divide the amount determined under division (A)(2) of this section by the total number of days in the fiscal year for which the franchise permit fee is assessed under section 3721.51 of the Revised Code;	351 352 353 354
(4) Subtract eleven dollars and ninety-five cents from the amount determined under division (A)(3) of this section;	355 356
(5) Add eleven dollars and ninety-five cents to the amount determined under division (A)(4) of this section.	357 358
(B) "Hospital" has the same meaning as in section 3727.01 of the Revised Code.	359 360
(C) "Hospital long-term care unit" means any distinct part of a hospital in which any of the following beds are located:	361 362
(1) Beds registered pursuant to section 3701.07 of the Revised Code as skilled nursing facility beds or long-term care beds;	363 364 365
(2) Beds licensed as nursing home beds under section 3721.02 or 3721.09 of the Revised Code.	366 367
(D) "Inpatient days" means all days during which a resident of a nursing facility, regardless of payment source, occupies a bed in the nursing facility that is included in the facility's	368 369 370

certified capacity under Title XIX. Therapeutic or hospital leave 371
days for which payment is made under section 5111.26 of the 372
Revised Code are considered inpatient days proportionate to the 373
percentage of the facility's per resident per day rate paid for 374
those days. 375

(E) "Medicaid" has the same meaning as in section 5111.01 of 376
the Revised Code. 377

(F) "Medicaid day" means all days during which a resident who 378
is a medicaid recipient occupies a bed in a nursing facility that 379
is included in the facility's certified capacity under Title XIX. 380
Therapeutic or hospital leave days for which payment is made under 381
section 5111.26 of the Revised Code are considered medicaid days 382
proportionate to the percentage of the nursing facility's per 383
resident per day rate for those days. 384

(G) "Medicare" means the program established by Title XVIII. 385

(H) "Nursing facility" has the same meaning as in section 386
5111.20 of the Revised Code. 387

(I)(1) "Nursing home" means all of the following: 388

(a) A nursing home licensed under section 3721.02 or 3721.09 389
of the Revised Code, including any part of a home for the aging 390
licensed as a nursing home; 391

(b) A facility or part of a facility, other than a hospital, 392
that is certified as a skilled nursing facility under Title XVIII; 393

(c) A nursing facility, other than a portion of a hospital 394
certified as a nursing facility. 395

(2) "Nursing home" does not include any of the following: 396

(a) A county home, county nursing home, or district home 397
operated pursuant to Chapter 5155. of the Revised Code; 398

(b) A nursing home maintained and operated by the ~~Ohio~~ 399
~~veterans' home agency~~ department of veterans services under 400

section 5907.01 of the Revised Code; 401

(c) A nursing home or part of a nursing home licensed under 402
section 3721.02 or 3721.09 of the Revised Code that is certified 403
as an intermediate care facility for the mentally retarded under 404
Title XIX. 405

(J) "Title XIX" means Title XIX of the "Social Security Act," 406
79 Stat. 286 (1965), 42 U.S.C. 1396, as amended. 407

(K) "Title XVIII" means Title XVIII of the "Social Security 408
Act," 79 Stat. 286 (1965), 42 U.S.C. 1395, as amended. 409

Sec. 4503.46. (A) For the purposes of this section, "prisoner 410
of war" means any regularly appointed, enrolled, enlisted, or 411
inducted member of the military forces of the United States who 412
was captured, separated, and incarcerated by an enemy of the 413
United States at any time, and any regularly appointed, enrolled, 414
or enlisted member of the military forces of Great Britain, 415
France, any of the countries that comprised the former Union of 416
Soviet Socialist Republics, Australia, Belgium, Brazil, Canada, 417
China, Denmark, Greece, the Netherlands, New Zealand, Norway, 418
Poland, South Africa, or any of the countries that comprised the 419
former Yugoslavia who was a citizen of the United States at the 420
time of such appointment, enrollment, or enlistment, and was 421
captured, separated, and incarcerated by an enemy of this country 422
during World War II. 423

(B) Any person who has been a prisoner of war, or the spouse 424
of such person, may apply to the registrar of motor vehicles for 425
the registration of one passenger car, noncommercial motor 426
vehicle, or other vehicle of a class approved by the registrar the 427
person or spouse owns or leases. The application shall be 428
accompanied by written evidence in the form of a record of 429
separation, a letter from one of the armed forces of the United 430
States or other country as provided in division (A) of this 431

section, or other evidence as the registrar may require by rule, 432
that the applicant or the applicant's spouse was a prisoner of war 433
and was honorably discharged or is presently residing in this 434
state on active duty with one of the branches of the armed forces 435
of the United States, or was a prisoner of war and was honorably 436
discharged or received an equivalent discharge or release from one 437
of the armed forces of such other country. No person is eligible 438
to receive special license plates under this section if the person 439
or the person's spouse currently has registered one vehicle and 440
obtained license plates under this section. 441

Upon receipt of an application for registration of a motor 442
vehicle under this section, and presentation of satisfactory 443
evidence of such prisoner-of-war status, the registrar shall issue 444
to the applicant the appropriate vehicle registration and a set of 445
license plates. In addition to the letters and numbers ordinarily 446
inscribed thereon, the license plates shall be inscribed with the 447
words "FORMER POW." The license plates shall be issued without 448
payment of any registration fee or service fee as required by 449
division (B) of section 4503.04 and sections 4503.10 and 4503.102 450
of the Revised Code, and without payment of any applicable county, 451
township, or municipal motor vehicle tax levied under Chapter 452
4504. of the Revised Code. 453

(C) The spouse of a deceased former prisoner of war ~~who has~~ 454
~~not remarried~~, if the deceased person received or was eligible to 455
receive special license plates issued under division (B) of this 456
section, may apply to the registrar for the registration of the 457
spouse's personal motor vehicle without the payment of any fee or 458
tax as provided by division (B) of this section. The application 459
for registration shall be accompanied by documentary evidence of 460
the deceased person's status as a former prisoner of war and by 461
any other evidence that the registrar requires by rule. 462

Upon receipt of an application for registration under this 463

division and presentation of satisfactory evidence as required by 464
this division and by the registrar, the registrar shall issue to 465
the spouse the appropriate vehicle registration and a set of 466
license plates as provided in division (B) of this section. 467

(D) No person who is not a former prisoner of war, or the 468
spouse of such person, ~~or the spouse of a deceased former prisoner~~ 469
~~of war who has not remarried~~ shall willfully and falsely represent 470
that the person is such a former prisoner of war or spouse, for 471
the purpose of obtaining license plates under this section. 472

(E) No person shall own or lease a motor vehicle bearing 473
license plates issued under this section unless the person is 474
eligible to be issued the license plates. 475

(F) Whoever violates this section is guilty of a misdemeanor 476
of the fourth degree. 477

Sec. 5111.21. (A) In order to be eligible for medicaid 478
payments, the operator of a nursing facility or intermediate care 479
facility for the mentally retarded shall do all of the following: 480

(1) Enter into a provider agreement with the department as 481
provided in section 5111.22, 5111.671, or 5111.672 of the Revised 482
Code; 483

(2) Apply for and maintain a valid license to operate if so 484
required by law; 485

(3) Subject to division (B) of this section, comply with all 486
applicable state and federal laws and rules. 487

(B) A state rule that requires the operator of an 488
intermediate care facility for the mentally retarded to have 489
received approval of a plan for the proposed facility pursuant to 490
section 5123.042 of the Revised Code as a condition of the 491
operator being eligible for medicaid payments for the facility 492
does not apply if, under section 5123.193 or 5123.197 of the 493

Revised Code, a residential facility license was obtained or 494
modified for the facility without obtaining approval of such a 495
plan. 496

(C)(1) Except as provided in division (C)(2) of this section, 497
the operator of a nursing facility that elects to obtain and 498
maintain eligibility for payments under the medicaid program shall 499
qualify all of the facility's medicaid-certified beds in the 500
medicare program established by Title XVIII. The director of job 501
and family services may adopt rules under section 5111.02 of the 502
Revised Code to establish the time frame in which a nursing 503
facility must comply with this requirement. 504

(2) The ~~Ohio veteran's home agency~~ department of veterans 505
services is not required to qualify all of the medicaid-certified 506
beds in a nursing facility the agency maintains and operates under 507
section 5907.01 of the Revised Code in the medicare program. 508

Sec. 5533.785. That portion of the road known as state route 509
number five hundred twenty-eight, commencing at the intersection 510
of that road and United States route number three hundred 511
twenty-two in Geauga county and extending in a northerly direction 512
to the boundary of Geauga county and Lake county, shall be known 513
as the "Staff Sgt. Sean Landrus Memorial Highway." 514

The director of transportation may erect suitable markers 515
along the highway indicating its name. 516

Sec. 5902.02. The duties of the director of veterans services 517
shall include the following: 518

(A) Furnishing the veterans service commissions of all 519
counties of the state copies of the state laws, rules, and 520
legislation relating to the operation of the commissions and their 521
offices; 522

(B) Upon application, assisting the general public in 523

obtaining records of vital statistics pertaining to veterans or their dependents;	524 525
(C) Adopting rules pursuant to Chapter 119. of the Revised Code pertaining to minimum qualifications for hiring, certifying, and accrediting county veterans service officers, pertaining to their required duties, and pertaining to revocation of the certification of county veterans service officers;	526 527 528 529 530
(D) Adopting rules pursuant to Chapter 119. of the Revised Code for the education, training, certification, and duties of veterans service commissioners and for the revocation of the certification of a veterans service commissioner;	531 532 533 534
(E) Developing and monitoring programs and agreements enhancing employment and training for veterans in single or multiple county areas;	535 536 537
(F) Developing and monitoring programs and agreements to enable county veterans service commissions to address homelessness, indigency, and other veteran-related issues individually or jointly;	538 539 540 541
(G) Developing and monitoring programs and agreements to enable state agencies, individually or jointly, that provide services to veterans, including the veterans' homes operated under Chapter 5907. of the Revised Code and the director of job and family services, to address homelessness, indigency, employment, and other veteran-related issues;	542 543 544 545 546 547
(H) Establishing and providing statistical reporting formats and procedures for county veterans service commissions;	548 549
(I) Publishing annually, promulgating change notices for, and distributing a listing of county veterans service officers, county veterans service commissioners, state directors of veterans affairs, and national and state service officers of accredited veterans organizations and their state headquarters. The listing	550 551 552 553 554

shall include the expiration dates of commission members' terms of 555
office and the organizations they represent; the names, addresses, 556
and telephone numbers of county veterans service officers and 557
state directors of veterans affairs; and the addresses and 558
telephone numbers of the Ohio offices and headquarters of state 559
and national veterans service organizations. 560

~~(J) Publishing, by the first day of April of each 561
odd numbered year, a directory of the laws of this state dealing 562
with veterans, as enacted through the conclusion of the previous 563
session of the general assembly, and distributing the publication 564
to each county veterans service office and the state headquarters 565
of each congressionally chartered veterans organization in the 566
state; 567~~

~~(K) Establishing a veterans advisory committee to advise and 568
assist the department of veterans services in its duties. Members 569
shall include a member of the military officers association of 570
America who is a resident of this state, a state representative of 571
congressionally chartered veterans organizations referred to in 572
section 5901.02 of the Revised Code, a representative of any other 573
congressionally chartered state veterans organization that has at 574
least one veterans service commissioner in the state, three 575
representatives of the Ohio state association of county veterans 576
service commissioners, who shall have a combined vote of one, 577
three representatives of the state association of county veterans 578
service officers, who shall have a combined vote of one, one 579
representative of the county commissioners association of Ohio, 580
who shall be a county commissioner not from the same county as any 581
of the other county representatives, a representative of the 582
advisory committee on women veterans, a representative of a labor 583
organization, and a representative of the office of the attorney 584
general. The department of veterans services shall submit to the 585
advisory committee proposed rules for the committee's operation. 586~~

The committee may review and revise these proposed rules prior to 587
submitting them to the joint committee on agency rule review. 588

~~(L)~~(K) Adopting, with the advice and assistance of the 589
veterans advisory committee, policy and procedural guidelines that 590
the veterans service commissions shall adhere to in the 591
development and implementation of rules, policies, procedures, and 592
guidelines for the administration of Chapter 5901. of the Revised 593
Code. The department of veterans services shall adopt no 594
guidelines or rules regulating the purposes, scope, duration, or 595
amounts of financial assistance provided to applicants pursuant to 596
sections 5901.01 to 5901.15 of the Revised Code. The director of 597
veterans services may obtain opinions from the office of the 598
attorney general regarding rules, policies, procedures, and 599
guidelines of the veterans service commissions and may enforce 600
compliance with Chapter 5901. of the Revised Code. 601

~~(M)~~(L) Receiving copies of form DD214 filed in accordance 602
with the director's guidelines adopted under division (L) of this 603
section from members of veterans service commissions appointed 604
under section 5901.02 and from county veterans service officers 605
employed under section 5901.07 of the Revised Code; 606

~~(N)~~(M) Developing and maintaining and improving a resource, 607
such as a telephone answeringpoint or a web site, by means of 608
which veterans and their dependents, through a single portal, can 609
access multiple sources of information and interaction with regard 610
to the rights of, and the benefits available to, veterans and 611
their dependents. The director of veterans services may enter into 612
agreements with state and federal agencies, with agencies of 613
political subdivisions, with state and local instrumentalities, 614
and with private entities as necessary to make the resource as 615
complete as is possible. 616

~~(O)~~(N) Planning, organizing, advertising, and conducting 617
outreach efforts, such as conferences and fairs, at which veterans 618

and their dependents may meet, learn about the organization and 619
operation of the department of veterans services and of veterans 620
service commissions, and obtain information about the rights of, 621
and the benefits and services available to, veterans and their 622
dependents; 623

~~(P)~~(O) Advertising, in print, on radio and television, and 624
otherwise, the rights of, and the benefits and services available 625
to, veterans and their dependents; 626

~~(Q)~~(P) Developing and advocating improved benefits and 627
services for, and improved delivery of benefits and services to, 628
veterans and their dependents; 629

~~(R)~~(O) Searching for, identifying, and reviewing statutory 630
and administrative policies that relate to veterans and their 631
dependents and reporting to the general assembly statutory and 632
administrative policies that should be consolidated in whole or in 633
part within the organization of the department of veterans 634
services to unify funding, delivery, and accounting of statutory 635
and administrative policy expressions that relate particularly to 636
veterans and their dependents; 637

~~(S)~~(R) Encouraging veterans service commissions to innovate 638
and otherwise to improve efficiency in delivering benefits and 639
services to veterans and their dependents and to report successful 640
innovations and efficiencies to the director of veterans services; 641

~~(T)~~(S) Publishing and encouraging adoption of successful 642
innovations and efficiencies veterans service commissions have 643
achieved in delivering benefits and services to veterans and their 644
dependents; 645

~~(U)~~(T) Establishing advisory committees, in addition to the 646
veterans advisory committee established under division (K) of this 647
section, on veterans issues; 648

~~(V)~~(U) Developing and maintaining a relationship with the 649

United States department of veterans affairs, seeking optimal 650
federal benefits and services for Ohio veterans and their 651
dependents, and encouraging veterans service commissions to 652
maximize the federal benefits and services to which veterans and 653
their dependents are entitled; 654

~~(W)~~(V) Developing and maintaining relationships with the 655
several veterans organizations, encouraging the organizations in 656
their efforts at assisting veterans and their dependents, and 657
advocating for adequate state subsidization of the organizations; 658

~~(X)~~(W) Requiring the several veterans organizations that 659
receive funding from the state annually to report to the director 660
of veterans services and prescribing the form and content of the 661
report; 662

~~(Y)~~(X) Investigating complaints against county veterans 663
services commissioners and county veterans service officers if the 664
director reasonably believes the investigation to be appropriate 665
and necessary; 666

~~(Z)~~(Y) Taking any other actions required by this chapter. 667

Sec. 5907.01. (A) As used in this chapter: 668

(1) "Armed forces of the United States" has the same meaning 669
as in section 5903.11 of the Revised Code. 670

(2) "Domiciliary" means a separate area within the Ohio 671
veterans' home providing domiciliary care. 672

(3) "Domiciliary care" means providing shelter, food, and 673
necessary medical care on an ambulatory self-care basis to 674
eligible veterans who do not need the nursing services provided in 675
nursing homes. 676

~~(4)~~ "Nursing home" means a nursing home within a veterans' 677
home has the same meaning as in section 3721.01 of the Revised 678
Code. 679

~~(2)(5) "Veterans' home" means a veterans' home operated by~~ 680
~~the Ohio veterans' home agency Veteran" has the same meaning as in~~ 681
~~section 5901.01 of the Revised Code.~~ 682

(B) There ~~is~~ are hereby established the Ohio veterans' ~~home~~ 683
~~agency as part of~~ homes within the department of veterans 684
services. The ~~agency~~ department shall maintain and operate state 685
~~veterans' and nursing homes for honorably discharged veterans as~~ 686
administered under the state veterans' home programs defined in 687
Title 38 of the United States Code. 688

Sec. 5907.02. The director of veterans services shall govern 689
the Ohio veterans' ~~home agency~~ homes and have charge and custody 690
of the ~~agency's~~ homes' facilities. The director shall govern, 691
conduct, and care for veterans' homes, the property of the homes, 692
and the veterans residing in the ~~home~~ homes. 693

All supplies for the ~~agency~~ veterans' homes shall be 694
purchased as provided in sections 125.04 to 125.15 of the Revised 695
Code. 696

The director shall appoint a superintendent of the Ohio 697
veterans' ~~home agency~~ homes upon any terms that are proper, and 698
the superintendent, with the advice and consent of the director, 699
shall employ aides, assistants, and employees, and perform other 700
duties that may be assigned to the superintendent by the director 701
or become necessary in the carrying out of the superintendent's 702
duties. The superintendent shall be responsible directly to the 703
director. 704

Subject to section 5907.021 of the Revised Code, the 705
superintendent may appoint one or more employees at each veterans' 706
home as veterans' home police officers authorized to act on the 707
grounds of that home. The superintendent shall provide to those 708
employees a copy of the rules that apply to their appointment. The 709
rules shall specify whether or not the police officers may carry a 710

firearm. 711

Subject to section 5907.021 of the Revised Code, the 712
superintendent shall appoint a chief of police ~~of the Ohio~~ 713
~~veterans' home agency~~, determine the number of officers and other 714
personnel required by each veterans' home, and establish salary 715
schedules and other conditions of employment for veterans' homes 716
police officers. The chief of police shall serve at the pleasure 717
of the superintendent and shall ~~appoint~~ recommend appointment of 718
~~officers and other personnel~~ as the veterans' homes may require, 719
subject to the rules and limits that the superintendent 720
establishes regarding qualifications, salary ranges, and the 721
number of personnel. The superintendent, with the approval of the 722
director, may purchase or otherwise acquire any police apparatus, 723
equipment, or materials, including a police communication system 724
and vehicles, that the veterans' homes police officers may 725
require. The superintendent may send one or more of the officers 726
or employees nominated by the police chief to a school of 727
instruction designed to provide additional training or skills 728
related to their work assignment at their veterans' home. The 729
superintendent may send those officers or employees to the Ohio 730
peace officer training academy that the superintendent considers 731
appropriate. 732

~~The director shall make an annual report to the governor as~~ 733
~~to all expenditures and as to the management of the Ohio veterans'~~ 734
~~home agency.~~ 735

Sec. 5907.021. (A) As used in this section, "felony" has the 736
same meaning as in section 109.511 of the Revised Code. 737

(B)(1) The superintendent of the Ohio veterans' ~~home agency~~ 738
homes shall not appoint a person as a chief of police ~~of the~~ 739
~~agency~~ or an employee as a Ohio veterans' home police officer on a 740
permanent basis, on a temporary basis, for a probationary term, or 741

on other than a permanent basis if the person or employee 742
previously has been convicted of or has pleaded guilty to a 743
felony. 744

(2)(a) The superintendent shall terminate the employment of a 745
chief of police or the employment as a veterans' home police 746
officer of an employee appointed as a veterans' home police 747
officer if that chief of police or employee does either of the 748
following: 749

(i) Pleads guilty to a felony; 750

(ii) Pleads guilty to a misdemeanor pursuant to a negotiated 751
plea agreement as provided in division (D) of section 2929.43 of 752
the Revised Code in which the chief of police or employee agrees 753
to surrender the certificate awarded to that chief of police or 754
employee under section 109.77 of the Revised Code. 755

(b) The superintendent shall suspend from employment a chief 756
of police or from employment as a veterans' home police officer an 757
employee appointed as a veterans' home police officer if that 758
chief of police or employee is convicted, after trial, of a 759
felony. If the chief of police or the employee files an appeal 760
from that conviction and the conviction is upheld by the highest 761
court to which the appeal is taken or if the chief of police or 762
the employee does not file a timely appeal, the superintendent 763
shall terminate the employment of that chief of police or that 764
employee as a veterans' home police officer. If the chief of 765
police or the employee files an appeal that results in that chief 766
of police's or that employee's acquittal of the felony or 767
conviction of a misdemeanor, or in the dismissal of the felony 768
charge against that chief of police or that employee, the 769
superintendent shall reinstate that chief of police or that 770
employee as a veterans' home police officer. A chief of police or 771
an employee who is reinstated as a veterans' home police officer 772
under division (B)(2)(b) of this section shall not receive any 773

back pay unless the conviction of that chief of police or that 774
employee of the felony was reversed on appeal, or the felony 775
charge was dismissed, because the court found insufficient 776
evidence to convict the chief of police or the employee of the 777
felony. 778

(3) Division (B) of this section does not apply regarding an 779
offense that was committed prior to January 1, 1997. 780

(4) The suspension from employment, or the termination of the 781
employment, of a chief of police or a veterans' home police 782
officer under division (B)(2) of this section shall be in 783
accordance with Chapter 119. of the Revised Code. 784

Sec. 5907.04. Subject to the following paragraph, all ~~members~~ 785
~~of the armed forces veterans,~~ who served in the regular or 786
~~volunteer forces of the United States or the Ohio national guard~~ 787
~~or members of the naval militia during the war with Spain, the~~ 788
~~Philippine insurrection, the China relief expedition, the Indian~~ 789
~~war, the Mexican expedition, World War I, World War II, or during~~ 790
~~the period beginning June 25, 1950 and ending July 19, 1953, known~~ 791
~~as the Korean conflict, or during the period beginning August 5,~~ 792
~~1964, and ending July 1, 1973, known as the Vietnam conflict,~~ 793
during a period of conflict as determined by the United States 794
department of veterans affairs or any person who is awarded either 795
the armed forces expeditionary medal established by presidential 796
executive order 10977 dated December 4, 1961, or the Vietnam 797
service medal established by presidential executive order 11231 798
dated July 8, 1965, who have been honorably discharged or 799
separated under honorable conditions therefrom, or any discharged 800
members of the Polish and Czechoslovakian armed forces who served 801
in armed conflict with an enemy of the United States in ~~World War~~ 802
~~I or~~ World War II who have been citizens of the United States for 803
at least ten years, provided that the above-mentioned persons have 804

been citizens of this state for ~~five consecutive years~~ one year or 805
more at the date of making application for admission, are disabled 806
by disease, wounds, or otherwise, and are by reason of such 807
disability incapable of earning their living, and all members of 808
the Ohio national guard or naval militia who have lost an arm or 809
leg, or their sight, or become permanently disabled from any 810
cause, while in the line and discharge of duty, and are not able 811
to support themselves, may be admitted to a veterans' home under 812
such rules as the director of veterans services adopts. 813

A ~~person~~ veteran who served in the armed forces of the United 814
States as defined in division (E)(7) of section 5903.11 of the 815
Revised Code is eligible for admission to a veterans' home under 816
the preceding paragraph only if the person has the characteristics 817
defined in division (B)(1) of section 5901.01 of the Revised Code. 818

~~The superintendent of the Ohio veterans' home agency shall 819
promptly and diligently pursue the establishment of the 820
eligibility for medical assistance under Chapter 5111. of the 821
Revised Code of all persons admitted to a veterans' home and all 822
residents of a home who appear to qualify and shall promptly and 823
diligently pursue and maintain the certification of each home's 824
compliance with federal laws and regulations governing 825
participation in the medical assistance program to include as 826
large as possible a part of the home's bed capacity. 827~~

Veterans' homes may reserve a bed during the temporary 828
absence of a resident or patient from the home, including a 829
nursing home within it, under conditions prescribed by the 830
director, to include hospitalization for an acute condition, 831
visits with relatives and friends, and participation in 832
therapeutic programs outside the home. A home shall not reserve a 833
bed for more than thirty days, except that absences for more than 834
thirty days due to hospitalization may be authorized. 835

Sec. 5907.08. When a resident of a veterans' home becomes 836
dangerous to the community due to a mental illness, the 837
superintendent of the Ohio veterans' ~~home-agency~~ homes shall file 838
with the probate judge of the county in which the home is located 839
substantially the following affidavit: 840

"The State of Ohio, county, ss., 841
superintendent of the Ohio veterans' ~~home-agency~~ homes, being duly 842
sworn, says that the superintendent believes that, a 843
resident of the veterans' home located in county, has a 844
mental illness; that, in consequence of the resident's mental 845
illness, the resident's being at large is dangerous to the 846
community, and that the resident was received into the home from 847
..... county, on the day of, 848
....."

Sec. 5907.10. (A) The Ohio veterans' ~~home-agency~~ homes shall 850
maintain and operate a nursing home as part of each veterans' home 851
for the benefit of honorably discharged veterans admitted to a 852
veterans' home under this chapter. The nursing homes are subject 853
to sections 3721.01 to 3721.09 and 3721.99 of the Revised Code. 854

(B) The nursing home within the veterans' home located in 855
Sandusky shall be known as "The Robert T. Secrest Nursing Home." 856

Sec. 5907.11. (A) The superintendent of the Ohio veterans' 857
~~home-agency~~ homes, with the approval of the director of veterans 858
services, may establish a local fund for each veterans' home to be 859
used for the entertainment and welfare of the residents of the 860
home. Each fund shall be designated as the residents' benefit fund 861
and shall be operated for the exclusive benefit of the residents 862
of the associated home. Each fund shall receive all revenue from 863
the sale of commissary items at the associated home and shall 864
receive all moneys received as donations by the associated home 865

from any source. 866

(B) ~~The residents' benefit funds also may be used to receive 867
and disburse any donations made for events sponsored by the Ohio 868
veterans hall of fame. 869~~

~~(C)~~ The superintendent, subject to the approval of the 870
director, shall establish rules for the operation of the 871
residents' benefit funds. 872

Sec. 5907.12. The ~~director~~ superintendent of veterans 873
~~services~~ the Ohio veterans' homes may utilize the services of 874
volunteers to assist in attending to and caring for residents, 875
assisting in resident activities, caring for veterans' homes' 876
buildings and grounds, and participating in any other services 877
that accomplish any of the ~~director's~~ superintendent's purposes 878
related to veterans' homes. All volunteer programs are subject to 879
the ~~director's~~ superintendent's approval. The ~~director~~ 880
superintendent may recruit, train, and supervise the services of 881
community volunteers or volunteer groups for volunteer programs. 882
The ~~director~~ superintendent may designate volunteers as state 883
employees for the purpose of motor vehicle accident liability 884
insurance under section 9.83 of the Revised Code and for the 885
purpose of indemnification from liability incurred in the 886
performance of their duties under section 9.87 of the Revised 887
Code. 888

Sec. 5907.13. Residents of veterans' homes may be assessed a 889
fee to pay a portion of the expenses of their support, dependent 890
upon their ability to pay. Subject to controlling board approval, 891
the director of veterans services shall adopt rules for 892
determining a resident's ability to pay. Each resident shall 893
furnish the ~~director~~ required statements of income, assets, debts, 894
and expenses ~~that the director requires.~~ 895

All fees contributed by the residents under this section 896
shall be deposited into an interest-bearing account in a public 897
depository in accordance with section 135.18 of the Revised Code. 898
All of these fees shall be paid to the treasurer of state within 899
thirty days after the end of the month of receipt, together with 900
all interest credited to the account to date. The treasurer of 901
state shall credit eighty per cent of these fees and of this 902
interest to the Ohio veterans' homes operating fund and twenty per 903
cent of these fees and of this interest to the Ohio veterans' 904
homes fund. 905

The fee for each resident shall be based upon the level of 906
care provided to the resident by the resident's home. The director 907
shall determine authorized levels of care for residents. The 908
assessment for each resident shall not exceed the difference 909
between the total per diem amount collected by the state for 910
maintenance from all sources on the resident's behalf and the 911
average annual per diem cost for the resident's maintenance, 912
computed in accordance with veterans administration regulations. 913

Sec. 5911.10. If any armory erected or purchased by the state 914
becomes vacant because of the deactivation of the organizations 915
quartered in that armory, the governor and the adjutant general 916
may lease that armory ~~for periods not to exceed one year~~; or, when 917
authorized by an act of the general assembly, may sell that armory 918
or lease it for a period of years. 919

The proceeds from the sale or lease of such an armory, or 920
from the sale or lease of other facilities and land owned by the 921
adjutant general, shall be credited to the armory improvements 922
fund, which is hereby created in the state treasury. The moneys in 923
the fund shall be used to support Ohio army national guard 924
facility and maintenance expenses as the adjutant general directs. 925
Any fund expenditure related to the construction, acquisition, 926

lease, or financing of a capital asset is subject to approval by 927
the controlling board. Investment earnings of the fund shall be 928
credited to the general revenue fund. 929

Sec. 5913.01. (A) The adjutant general is the commander and 930
administrative head of the Ohio organized militia. The adjutant 931
general shall: 932

(1) Be provided offices and shall keep them open during usual 933
business hours; 934

(2) Have and maintain custody of all military records, 935
correspondence, and other documents of the Ohio organized militia; 936

(3) Superintend the preparation of all returns and reports 937
required by the United States from the state on military matters; 938

(4) Keep a roster of all officers of the Ohio organized 939
militia, including retired officers; 940

(5) Whenever necessary, cause the military provisions of the 941
Revised Code and the orders, regulations, pamphlets, circulars, 942
and memorandums of the adjutant general's department to be printed 943
and distributed to the organizations of the Ohio organized 944
militia; 945

(6) Prepare and issue all necessary Ohio organized militia 946
forms and attest to all commissions issued to officers of the Ohio 947
organized militia; 948

(7) Have a seal, and all copies of orders, records, and 949
papers in the adjutant general's office certified and 950
authenticated with that seal shall be competent evidence in like 951
manner as if the originals were produced. All orders issued from 952
the adjutant general's office shall bear a duplicate of the seal. 953

(8) Keep and preserve the arms, ordnance, equipment, and all 954
other military property belonging to the state or issued to the 955
state by the federal government and issue any regulations 956

necessary to keep, preserve, and repair the property as conditions 957
demand; 958

(9) Issue adjutant general's property to the units of the 959
Ohio organized militia as the necessity of the service or 960
organizational or allowance tables requires; 961

(10) Submit an annual report to the governor at such time as 962
the governor requires of the transaction of the adjutant general's 963
department, setting forth the strength and condition of the Ohio 964
organized militia and other matters that the adjutant general 965
chooses; 966

(11) Command the ~~state area command~~ joint force headquarters 967
of the Ohio national guard. 968

(B) The adjutant general shall issue and distribute all 969
orders issued in the name of the governor as the commander in 970
chief of the Ohio organized militia and perform the duties that 971
the governor directs and other duties prescribed by law. 972

(C) The adjutant general may enter into cooperative 973
agreements, contractual arrangements, or agreements for the 974
acceptance of grants with the United States or any agency or 975
department of the United States, other states, any department or 976
political subdivision of this state, or any person or body 977
politic, to accomplish the purposes of the adjutant general's 978
department. The adjutant general shall cooperate with, and not 979
infringe upon, the rights of other state departments, divisions, 980
boards, commissions, and agencies, political subdivisions, and 981
other public officials and public and private agencies when the 982
interests of the adjutant general's department and those other 983
entities overlap. 984

The funds made available by the United States for the 985
exclusive use of the department shall be expended only by the 986
department and only for the purposes for which the federal funds 987

were appropriated. In accepting federal funds, the department 988
agrees to abide by the terms and conditions of the grant or 989
cooperative agreement and further agrees to expend the federal 990
funds in accordance with the laws and regulations of the United 991
States. 992

Sec. 5913.011. The adjutant general of Ohio is hereby 993
authorized to enter into a contract with the federal ~~department of~~ 994
~~health, education and welfare~~ social security administration for 995
the purpose of securing social security benefits, under the 996
national social security act, for those employees of the Ohio 997
national guard who are paid from federal funds, and for whom the 998
federal congress appropriates funds to cover employer's share of 999
social security payments. 1000

Sec. 5913.02. ~~(A)~~ The military staff of the governor may 1001
consist of any of the following: 1002

~~(1)~~(A) An adjutant general in the grade of major general, who 1003
shall perform the duties of quartermaster general; 1004

~~(2)~~(B) An assistant adjutant general for army in the grade of 1005
major general; 1006

~~(3)~~(C) An assistant adjutant general for air in the grade of 1007
major general; 1008

~~(4)~~(D) An assistant quartermaster general in the grade of 1009
colonel or brigadier general or any retired officer who has 1010
appropriate qualifications for the position, as determined by the 1011
adjutant general and the governor. 1012

All persons named in divisions ~~(A)~~~~(1)~~ to ~~(4)~~(D) of this 1013
section shall be appointed by the governor and shall hold office 1014
during the governor's pleasure. 1015

~~(B) The governor's military staff also shall include four~~ 1016

~~aides de camp, who shall be appointed by the governor and hold
office during the governor's pleasure.~~

Sec. 5913.021. (A) The adjutant general at the time of
appointment shall be a federally recognized officer in the Ohio
national guard in the grade of colonel or above.

(B) The assistant adjutant general for army at the time of
appointment shall be a federally recognized officer in the Ohio
army national guard in the grade of colonel or above.

(C) The assistant adjutant general for air at the time of
appointment shall be a federally recognized officer in the Ohio
air national guard in the grade of colonel or above.

(D) The assistant quartermaster general at the time of
appointment shall be a federally recognized officer in the Ohio
army national guard in the grade of ~~lieutenant~~ colonel or ~~above~~
brigadier general, or any retired officer who has appropriate
qualifications for the position, as determined by the adjutant
general and the governor.

(E) The adjutant general, the assistant adjutant general for
army, the assistant adjutant general for air, and the assistant
quartermaster general at the time of appointment shall each have
not less than ten years' commissioned service in the armed forces
of the United States, not less than five years of that service
being in the Ohio national guard, and shall at all times during
their tenure of office be federally recognized officers of the
Ohio national guard.

(F) The provisions of this section relative to federal
recognition shall be suspended during any period of emergency when
the majority of the units of the Ohio national guard are in the
federal service. In that event, retired officers of the Ohio
national guard shall be eligible to serve as adjutant general,

assistant adjutant general for army, assistant adjutant general 1047
for air, and assistant quartermaster general for the duration of 1048
such emergency or until a majority of the units of the Ohio 1049
national guard are released from federal service. 1050

Sec. 5919.06. Persons shall be commissioned as officers of 1051
the Ohio national guard ~~shall be selected only from the following~~ 1052
~~classes: officers or enlisted men of the national guard; officers,~~ 1053
~~active or retired, reserve officers, and former officers of the~~ 1054
~~armed forces of the United States; persons who hold certificates~~ 1055
~~of eligibility for commission; enlisted men and former enlisted~~ 1056
~~men of the armed forces of the United States who have received an~~ 1057
~~honorable discharge; graduates of the United States military,~~ 1058
~~naval, and air force academies; graduates of the reserve officer~~ 1059
~~training corps; and for the technical branches and services, such~~ 1060
~~other civilians as may be specially qualified for duty therein as~~ 1061
provided under army, air force, and national guard regulations. 1062

Sec. 5919.26. The adjutant general shall provide ~~by order~~ the 1063
reports to be made by the officers of the Ohio national guard, 1064
which requirements shall, as far as practicable, be ~~upon similar~~ 1065
~~blanks and~~ in similar form to the reports required under the 1066
regulations of the government for the armed forces of the United 1067
States. 1068

Sec. 5919.28. The system of tactics, field exercises, and 1069
training and evaluation for the United States army or air force 1070
shall be the system of tactics, field exercises, and training and 1071
evaluation for the Ohio national guard. 1072

Sec. 5919.29. (A) The governor as commander in chief may 1073
order individuals and units of the Ohio national guard to perform 1074
any training or duty authorized under the "Act of August 10, 1075

1956," 70A Stat. 596, 32 U.S.C.A. 101 to 716, and under 1076
regulations prescribed by the president of the United States, the 1077
secretary of defense, the secretary of the army, the secretary of 1078
the air force, or the chief of the national guard bureau. 1079

(B) When ordered by the governor to perform training or duty 1080
under this section or section 5923.12 of the Revised Code, members 1081
of the Ohio national guard shall have the protections afforded to 1082
persons on federal active duty by the "The Soldiers and Sailors 1083
Service Members Civil Relief Act of 1940," 54 Stat. 1178 Pub. L. 1084
No. 108-189, 50 App. U.S.C.A. 501-548 and 560-591596, and by the 1085
"Uniformed Services Employment and Reemployment Rights Act of 1086
1994," 108 Stat. 3149, 38 U.S.C.A. 4301 to 4333. 1087

Sec. 5919.34. (A) As used in this section: 1088

(1) "Academic term" means any one of the following: 1089

(a) Fall term, which consists of fall semester or fall 1090
quarter, as appropriate; 1091

(b) Winter term, which consists of winter semester, winter 1092
quarter, or spring semester, as appropriate; 1093

(c) Spring term, which consists of spring quarter; 1094

(d) Summer term, which consists of summer semester or summer 1095
quarter, as appropriate. 1096

(2) "Eligible applicant" means any individual to whom all of 1097
the following apply: 1098

(a) The individual does not possess a baccalaureate degree. 1099

(b) The individual has enlisted, re-enlisted, or extended 1100
current enlistment in the Ohio national guard or is an individual 1101
to which division (F) of this section applies. 1102

(c) The individual is actively enrolled as a full-time or 1103
part-time student for at least ~~six~~ three credit hours of course 1104

work in a semester or quarter in a two-year or four-year 1105
degree-granting program at an institution of higher education or 1106
in a diploma-granting program at an institution of higher 1107
education that is a school of nursing. 1108

(d) The individual has not accumulated ninety-six eligibility 1109
units under division (E) of this section. 1110

(3) "Institution of higher education" means an Ohio 1111
institution of higher education that is state-assisted, that is 1112
nonprofit and has received a certificate of authorization ~~from the~~ 1113
~~Ohio board of regents~~ pursuant to Chapter 1713. of the Revised 1114
Code, that is a private institution exempt from regulation under 1115
Chapter 3332. of the Revised Code as prescribed in section 1116
3333.046 of the Revised Code, or that holds a certificate of 1117
registration and program authorization issued by the state board 1118
of career colleges and schools pursuant to section 3332.05 of the 1119
Revised Code. 1120

(4) "State university" has the same meaning as in section 1121
3345.011 of the Revised Code. 1122

(B)~~(1)~~ There is hereby created a scholarship program to be 1123
known as the Ohio national guard scholarship program. ~~For the~~ 1124
~~fiscal year 2000, the number of participants in the program for~~ 1125
~~the fall term is limited to the equivalent of two thousand five~~ 1126
~~hundred full time participants; the number of participants in the~~ 1127
~~program for the winter term is limited to the equivalent of two~~ 1128
~~thousand five hundred full time participants; the number of~~ 1129
~~participants in the program for the spring term is limited to the~~ 1130
~~equivalent of one thousand six hundred seventy five full time~~ 1131
~~participants; and the number of participants in the program for~~ 1132
~~the summer term is limited to the equivalent of six hundred~~ 1133
~~full time participants. Except as provided in division (B)(2) of~~ 1134
~~this section for the fiscal year 2001 and succeeding fiscal years,~~ 1135
~~the number of participants in the program for the fall term is~~ 1136

~~limited to the equivalent of three thousand five hundred full time 1137
participants; the number of participants in the program for the 1138
winter term is limited to the equivalent of three thousand five 1139
hundred full time participants; the number of participants in the 1140
program for the spring term is limited to the equivalent of two 1141
thousand three hundred forty five full time participants; and the 1142
number of participants in the program for the summer term is 1143
limited to the equivalent of eight hundred full time participants. 1144~~

~~(2) After the application deadline for any academic term in 1145
fiscal year 2001, the adjutant general may request the controlling 1146
board, if sufficient appropriated funds are available, to approve 1147
the following number of additional participants for that term: 1148~~

~~(a) For the fall or winter academic term, up to the 1149
equivalent of five hundred additional full time participants; 1150~~

~~(b) For the spring academic term, up to the equivalent of 1151
three hundred seventy five additional full time participants; 1152~~

~~(c) For the summer academic term, up to the equivalent of one 1153
hundred twenty five additional full time participants. 1154~~

~~(C) If the adjutant general estimates that appropriations and 1155
any funds in the Ohio national guard scholarship reserve fund are 1156
insufficient to pay for all scholarships applied for under this 1157
section and likely to be used during an academic term are 1158
inadequate for all eligible applicants for that academic term to 1159
receive scholarships, the adjutant general shall promptly inform 1160
all applicants not receiving scholarships for that academic term 1161
of the next academic term that appropriations will be adequate for 1162
the scholarships. Any such eligible applicant may again apply for 1163
a scholarship beginning that academic term if the applicant is in 1164
compliance with all requirements established by this section and 1165
the adjutant general for the program. The adjutant general shall 1166
process all applications for scholarships for each academic term 1167~~

in the order in which they are received. The scholarships shall be 1168
made without regard to financial need. At no time shall one person 1169
be placed in priority over another because of sex, race, or 1170
religion. 1171

(D)(1) Except as provided in division (I) of this section, 1172
for each academic term that an eligible applicant is approved for 1173
a scholarship under this section and either remains a current 1174
member in good standing of the Ohio national guard or is eligible 1175
for a scholarship under division (F)(1) of this section, the 1176
institution of higher education in which the applicant is enrolled 1177
shall, if the applicant's enlistment obligation extends beyond the 1178
end of that academic term or if division (F)(1) of this section 1179
applies, be paid on the applicant's behalf the applicable one of 1180
the following amounts: 1181

(a) If the institution is state-assisted, an amount equal to 1182
one hundred per cent of the institution's tuition charges; 1183

(b) If the institution is a nonprofit private institution or 1184
a private institution exempt from regulation under Chapter 3332. 1185
of the Revised Code as prescribed in section 3333.046 of the 1186
Revised Code, an amount equal to one hundred per cent of the 1187
average tuition charges of all state universities; 1188

(c) If the institution is an institution that holds a 1189
certificate of registration from the state board of career 1190
colleges and schools, the lesser of the following: 1191

(i) An amount equal to one hundred per cent of the total 1192
instructional and general charges of the institution; 1193

(ii) An amount equal to one hundred per cent of the average 1194
tuition charges of all state universities. 1195

(2) An eligible applicant's scholarship shall not be reduced 1196
by the amount of that applicant's benefits under "the Montgomery 1197
G.I. Bill Act of 1984," Pub. L. No. 98-525, 98 Stat. 2553 (1984). 1198

(3) An eligible non-prior service applicant's scholarship shall be reduced by the amount of the applicant's tuition benefits under "The Post-9/11 Veterans Educational Assistance Act of 2008," 110 Pub. L. No. 252, 122 Stat. 2323 (2008). An eligible prior service applicant's scholarship shall be reduced by the amount of the applicant's tuition benefits under "The Post-9/11 Veterans Educational Assistance Act of 2008" unless the applicant qualified for one hundred per cent tuition under that act and transfers the federal benefits under that act's portability provisions.

(E) A scholarship recipient under this section shall be entitled to receive scholarships under this section for the number of quarters or semesters it takes the recipient to accumulate ninety-six eligibility units as determined under divisions (E)(1) to (3) of this section.

(1) To determine the maximum number of semesters or quarters for which a recipient is entitled to a scholarship under this section, the adjutant general shall convert a recipient's credit hours of enrollment for each academic term into eligibility units in accordance with the following table:

	The			1218
Number of	following	The following		1219
credit hours	number of	number of		1220
of enrollment	eligibility	eligibility		1221
in an academic	units if a	units if a		1222
term	equals	semester	or	quarter
				1223
				1224
12 or more hours	12 units	8 units		1225
9 but less than 12	9 units	6 units		1226
6 but less than 9	6 units	4 units		1227

(2) A scholarship recipient under this section may continue to apply for scholarships under this section until the recipient has accumulated ninety-six eligibility units.

(3) If a scholarship recipient withdraws from courses prior 1231
to the end of an academic term so that the recipient's enrollment 1232
for that academic term is less than ~~six~~ three credit hours, no 1233
scholarship shall be paid on behalf of that person for that 1234
academic term. Except as provided in division (F)(3) of this 1235
section, if a scholarship has already been paid on behalf of the 1236
person for that academic term, the adjutant general shall add to 1237
that person's accumulated eligibility units the number of 1238
eligibility units for which the scholarship was paid. 1239

(F) This division applies to any eligible applicant called 1240
into active duty on or after September 11, 2001. As used in this 1241
division, "active duty" means active duty pursuant to an executive 1242
order of the president of the United States, an act of the 1243
congress of the United States, or section 5919.29 or 5923.21 of 1244
the Revised Code. 1245

(1) ~~An~~ For a period of up to five years from when an 1246
individual's enlistment obligation in the Ohio national guard 1247
ends, an individual to whom this division applies is eligible for 1248
scholarships under this section for those academic terms that were 1249
missed or could have been missed as a result of the individual's 1250
call into active duty. Scholarships shall not be paid for the 1251
academic term in which an eligible applicant's enlistment 1252
obligation ends unless an applicant is eligible under this 1253
division for a scholarship for such academic term due to previous 1254
active duty. 1255

(2) When an individual to whom this division applies 1256
withdraws or otherwise fails to complete courses, for which 1257
scholarships have been awarded under this section, because the 1258
individual was called into active duty, the institution of higher 1259
education shall grant the individual a leave of absence from the 1260
individual's education program and shall not impose any academic 1261
penalty for such withdrawal or failure to complete courses. 1262

Division (F)(2) of this section applies regardless of whether or 1263
not the scholarship amount was paid to the institution of higher 1264
education. 1265

(3) If an individual to whom this division applies withdraws 1266
or otherwise fails to complete courses because the individual was 1267
called into active duty, and if scholarships for those courses 1268
have already been paid, either: 1269

(a) The adjutant general shall not add to that person's 1270
accumulated eligibility units calculated under division (E) of 1271
this section the number of eligibility units for the academic 1272
courses or term for which the scholarship was paid and the 1273
institution of higher education shall repay the scholarship amount 1274
to the state. 1275

(b) The adjutant general shall add to that individual's 1276
accumulated eligibility units calculated under division (E) of 1277
this section the number of eligibility units for the academic 1278
courses or term for which the scholarship was paid if the 1279
institution of higher education agrees to permit the individual to 1280
complete the remainder of the academic courses in which the 1281
individual was enrolled at the time the individual was called into 1282
active duty. 1283

(4) No individual who is discharged from the Ohio national 1284
guard under other than honorable conditions shall be eligible for 1285
scholarships under this division. 1286

(G) A scholarship recipient under this section who fails to 1287
complete the term of enlistment, re-enlistment, or extension of 1288
current enlistment the recipient was serving at the time a 1289
scholarship was paid on behalf of the recipient under this section 1290
is liable to the state for repayment of a percentage of all Ohio 1291
national guard scholarships paid on behalf of the recipient under 1292
this section, plus interest at the rate of ten per cent per annum 1293

calculated from the dates the scholarships were paid. This 1294
percentage shall equal the percentage of the current term of 1295
enlistment, re-enlistment, or extension of enlistment a recipient 1296
has not completed as of the date the recipient is discharged from 1297
the Ohio national guard. 1298

The attorney general may commence a civil action on behalf of 1299
the adjutant general to recover the amount of the scholarships and 1300
the interest provided for in this division and the expenses 1301
incurred in prosecuting the action, including court costs and 1302
reasonable attorney's fees. A scholarship recipient is not liable 1303
under this division if the recipient's failure to complete the 1304
term of enlistment being served at the time a scholarship was paid 1305
on behalf of the recipient under this section is due to the 1306
recipient's death; discharge from the national guard due to 1307
disability; or the recipient's enlistment, for a term not less 1308
than the recipient's remaining term in the national guard, in the 1309
active component of the United States armed forces or the active 1310
reserve component of the United States armed forces. 1311

(H) On or before the first day of each academic term, the 1312
adjutant general shall provide an eligibility roster to each 1313
institution of higher education at which one or more scholarship 1314
recipients have applied for enrollment. The institution shall use 1315
the roster to certify the actual full-time or part-time enrollment 1316
of each scholarship recipient listed as enrolled at the 1317
institution and return the roster to the adjutant general ~~within~~ 1318
~~thirty days after the first day of the academic term.~~ The adjutant 1319
general shall report to the chancellor of the Ohio board of 1320
regents the number of students in the Ohio national guard 1321
scholarship program at each institution of higher education. The 1322
~~Ohio board of regents~~ chancellor shall provide for payment of the 1323
appropriate number and amount of scholarships to each institution 1324
of higher education pursuant to division (D) of this section. If 1325

an institution of higher education fails to certify the actual 1326
enrollment of a scholarship recipient listed as enrolled at the 1327
institution within thirty days of the end of an academic term, the 1328
institution shall not be eligible to receive payment from the Ohio 1329
national guard scholarship program or from the individual 1330
enrollee. The adjutant general shall report on a quarterly basis 1331
to the director of budget and management, the speaker of the house 1332
of representatives, and the president of the senate the number of 1333
Ohio national guard scholarship recipients and a projection of the 1334
cost of the program for the remainder of the biennium. 1335

(I) The chancellor ~~of the Ohio board of regents~~ and the 1336
adjutant general may adopt rules pursuant to Chapter 119. of the 1337
Revised Code governing the administration and fiscal management of 1338
the Ohio national guard scholarship program and the procedure by 1339
which the ~~Ohio board of regents~~ chancellor and the department of 1340
the adjutant general may modify the amount of scholarships a 1341
member receives based on the amount of other state financial aid a 1342
member receives. 1343

(J) Notwithstanding division (A) of section 127.14 of the 1344
Revised Code, the controlling board shall not transfer all or part 1345
of any appropriation for the Ohio national guard scholarship 1346
program. 1347

Sec. 5923.05. (A)(1) Permanent public employees who are 1348
members of the Ohio organized militia or members of other reserve 1349
components of the armed forces of the United States, including the 1350
Ohio national guard, are entitled to a leave of absence from their 1351
respective positions without loss of pay for the time they are 1352
performing service in the uniformed services, for periods of up to 1353
one month, for each calendar year in which they are performing 1354
service in the uniformed services. 1355

(2) As used in this section: 1356

(a) "Calendar year" means the year beginning on the first day 1357
of January and ending on the last day of December. 1358

(b) "Month" means twenty-two eight-hour work days or one 1359
hundred seventy-six hours, or for a public safety employee, 1360
seventeen twenty-four-hour days or four hundred eight hours, 1361
within one calendar year. 1362

(c) "Permanent public employee" means any person holding a 1363
position in public employment that requires working a regular 1364
schedule of twenty-six consecutive biweekly pay periods, or any 1365
other regular schedule of comparable consecutive pay periods, 1366
which is not limited to a specific season or duration. "Permanent 1367
public employee" does not include student help; intermittent, 1368
seasonal, or external interim employees; or individuals covered by 1369
personal services contracts. 1370

(d) "State agency" means any department, bureau, board, 1371
commission, office, or other organized body established by the 1372
constitution or laws of this state for the exercise of any 1373
function of state government, the general assembly, all 1374
legislative agencies, the supreme court, the court of claims, and 1375
the state-supported institutions of higher education. 1376

(e) "Service in the uniformed services" means the performance 1377
of duty, on a voluntary or involuntary basis, in a uniformed 1378
service, under competent authority, and includes active duty, 1379
active duty for training, initial active duty for training, 1380
inactive duty for training, full-time national guard duty, and 1381
performance of duty or training by a member of the Ohio organized 1382
militia pursuant to Chapter 5923. of the Revised Code. "Service in 1383
the uniformed services" includes also the period of time for which 1384
a person is absent from a position of public or private employment 1385
for the purpose of an examination to determine the fitness of the 1386
person to perform any duty described in this division. 1387

(f) "Uniformed services" means the armed forces, the Ohio organized militia when engaged in active duty for training, inactive duty training, or full-time national guard duty, the commissioned corps of the public health service, and any other category of persons designated by the president of the United States in time of war or emergency.

(g) "Public safety employee" means a permanent public employee who is employed as a fire fighter or emergency medical technician.

(B) Except as otherwise provided in division (D) of this section, any permanent public employee who is employed by a political subdivision, who is entitled to the leave provided under division (A) of this section, and who is called or ordered to the uniformed services for longer than a month, for each calendar year in which the employee performed service in the uniformed services, because of an executive order issued by the president of the United States, because of an act of congress, or because of an order to perform duty issued by the governor pursuant to section 5919.29 of the Revised Code is entitled, during the period designated in the order or act, to a leave of absence and to be paid, during each monthly pay period of that leave of absence, the lesser of the following:

(1) The difference between the permanent public employee's gross monthly wage or salary as a permanent public employee and the sum of the permanent public employee's gross uniformed pay and allowances received that month;

(2) Five hundred dollars.

(C) Except as otherwise provided in division (D) of this section, any permanent public employee who is employed by a state agency, who is entitled to the leave provided under division (A) of this section, and who is called or ordered to the uniformed

services for longer than a month, for each calendar year in which 1419
the employee performed service in the uniformed services, because 1420
of an executive order issued by the president of the United 1421
States, because of an act of congress, or because of an order to 1422
perform duty issued by the governor pursuant to section 5919.29 or 1423
5923.21 of the Revised Code is entitled, during the period 1424
designated in the order or act, to a leave of absence and to be 1425
paid, during each monthly pay period of that leave of absence, the 1426
difference between the permanent public employee's gross monthly 1427
wage or salary as a permanent public employee and the sum of the 1428
permanent public employee's gross uniformed pay and allowances 1429
received that month. 1430

(D) No permanent public employee shall receive payments under 1431
division (B) or (C) of this section if the sum of the permanent 1432
public employee's gross uniformed pay and allowances received in a 1433
pay period exceeds the employee's gross wage or salary as a 1434
permanent public employee for that period or if the permanent 1435
public employee is receiving pay under division (A) of this 1436
section. 1437

(E) Any political subdivision of the state, as defined in 1438
section 2744.01 of the Revised Code, may elect to pay any of its 1439
permanent public employees who are entitled to the leave provided 1440
under division (A) of this section and who are called or ordered 1441
to the uniformed services for longer than one month, for each 1442
calendar year in which the employee performed service in the 1443
uniformed services, because of an executive order issued by the 1444
president or an act of congress, such payments, in addition to 1445
those payments required by division (B) of this section, as may be 1446
authorized by the legislative authority of the political 1447
subdivision. 1448

(F) Each permanent public employee who is entitled to leave 1449
provided under division (A) of this section shall submit to the 1450

permanent public employee's appointing authority the published 1451
order authorizing the call or order to the uniformed services or a 1452
written statement from the appropriate military commander 1453
authorizing that service, prior to being credited with that leave. 1454

(G) Any permanent public employee of a political subdivision 1455
whose employment is governed by a collective bargaining agreement 1456
with provision for the performance of service in the uniformed 1457
services shall abide by the terms of that collective bargaining 1458
agreement with respect to the performance of that service, except 1459
that no collective bargaining agreement may afford fewer rights 1460
and benefits than are conferred under this section. 1461

Sec. 5924.136. (A) The following persons of the organized 1462
militia may administer oaths for the purposes of military 1463
administration, including military justice, and affidavits may be 1464
taken for those purposes before those persons who shall have the 1465
general powers of a notary public: 1466

(1) The state judge advocate and all assistant state judge 1467
advocates; 1468

(2) All law specialists; 1469

(3) All summary courts-martial; 1470

(4) All adjutants, assistant adjutants, acting adjutants, and 1471
personnel adjutants; 1472

(5) All commanding officers of the naval militia; 1473

(6) All legal officers; 1474

(7) The president, military judge, trial counsel, and 1475
assistant trial counsel for all general and special 1476
courts-martial; 1477

(8) The president and counsel for the court of any court of 1478
inquiry; 1479

(9) All officers designated to take a deposition;	1480
(10) All persons detailed to conduct an investigation; and	1481
(11) All other persons designated by regulations of the	1482
governor <u>adjutant general</u> .	1483
(B) Officers on the state reserve list and state retired list	1484
shall not be authorized to administer oaths as provided in this	1485
section unless they are on active duty in or with the organized	1486
militia under orders of the governor as prescribed in this code.	1487
(C) The signature without seal of any such person, together	1488
with the title of his <u>the person's</u> office, is prima-facie evidence	1489
of his <u>the person's</u> authority.	1490
 Section 2. That existing sections 123.024, 141.02, 2108.72,	1491
2108.73, 3313.616, 3721.50, 4503.46, 5111.21, 5533.785, 5902.02,	1492
5907.01, 5907.02, 5907.021, 5907.04, 5907.08, 5907.10, 5907.11,	1493
5907.12, 5907.13, 5911.10, 5913.01, 5913.011, 5913.02, 5913.021,	1494
5919.06, 5919.26, 5919.28, 5919.29, 5919.34, 5923.05, and	1495
5924.136, and sections 5907.023, 5907.05, and 5913.04 of the	1496
Revised Code are hereby repealed.	1497
 Section 3. That Section 409.10 of Am. Sub. H.B. 1 of the	1498
128th General Assembly, as amended by Am. Sub. H.B. 48 of the	1499
128th General Assembly, be amended to read as follows:	1500
 Sec. 409.10. DVS DEPARTMENT OF VETERANS SERVICES	1501
General Revenue Fund	1502
GRF 900100 Personal Services \$ 25,219,282 \$ 25,219,282	1503
GRF 900200 Maintenance 4,427,264 4,427,264	1504
GRF 900321 <u>Veterans' Homes</u> \$ 29,646,546 \$ 29,646,546	1505
GRF 900402 Hall of Fame \$ 118,750 \$ 118,750	1506
GRF 900403 Veteran Record \$ 40,631 \$ 40,631	1507

		Conversion				
GRF	900408	Department of	\$	2,054,790	\$	2,054,790 1508
		Veterans Services				
TOTAL GRF		General Revenue Fund	\$	31,860,717	\$	31,860,717 1509
		General Services Fund Group				1510
4840	900603	Veterans' Homes	\$	770,000	\$	850,000 1511
		Services				
TOTAL GSF		General Services Fund	\$	770,000	\$	850,000 1512
		Group				
		Federal Special Revenue Fund Group				1513
3680	900614	Veterans Training	\$	745,892	\$	745,892 1514
3740	900606	Troops to Teachers	\$	100,000	\$	100,000 1515
3BX0	900609	Medicare Services	\$	2,000,000	\$	2,200,000 1516
3L20	900601	Veterans' Homes	\$	16,979,245	\$	17,454,046 1517
		Operations - Federal				
TOTAL FED		Federal Special Revenue				1518
		Fund Group	\$	19,825,137	\$	20,499,938 1519
		State Special Revenue Fund Group				1520
4E20	900602	Veterans' Homes	\$	9,314,438	\$	9,780,751 1521
		Operating				
6040	900604	Veterans' Homes	\$	1,541,020	\$	1,700,000 1522
		Improvement				
TOTAL SSR		State Special Revenue				1523
		Fund Group	\$	10,855,458	\$	11,480,751 1524
		Persian Gulf, Afghanistan, and Iraq Conflicts Compensation Fund				1525
		Group				1526
7041	900641	Persian Gulf,	\$	50,000,000	\$	50,000,000 1527
		Afghanistan, and Iraq				
		Conflicts				
		Compensation				
TOTAL 041		Persian Gulf,	\$	50,000,000	\$	50,000,000 1528
		Afghanistan, and Iraq Conflicts				

amount of the additional appropriation needed in appropriation 1560
item 900641. Upon receipt of the estimated amount, the Director of 1561
Budget and Management shall increase the appropriation in 1562
appropriation item 900641. These increased amounts are hereby 1563
appropriated. 1564

Amounts advanced to the Persian Gulf, Afghanistan, and Iraq 1565
Conflicts Compensation Fund (7041) for the purpose of defraying 1566
the cost of administration or compensation with the explicit 1567
expectation of reimbursement from the proceeds of obligations paid 1568
into Fund 7041 may also be reimbursed from Fund 7041. 1569

An amount equal to the unexpended, unencumbered portion of 1570
the foregoing appropriation item 900641, Persian Gulf, 1571
Afghanistan, and Iraq Conflicts Compensation, at the end of fiscal 1572
year 2010 is hereby reappropriated to the Department of Veterans 1573
Services for the same purpose for fiscal year 2011. 1574

Section 4. That existing Section 409.10 of Am. Sub. H.B. 1 of 1575
the 128th General Assembly, as amended by Am. Sub. H.B. 48 of the 1576
128th General Assembly, is hereby repealed. 1577

Section 5. The sections of law contained in this act, and the 1578
items of which they are composed, are not subject to the 1579
referendum. Therefore, under Ohio Constitution, Article II, 1580
Section 1d and section 1.471 of the Revised Code, the sections of 1581
law contained in this act, and the items of which they are 1582
composed, go into immediate effect when this act becomes law. 1583

Section 6. Section 5907.021 of the Revised Code is presented 1584
in this act as a composite of the section as amended by both Am. 1585
Sub. H.B. 490 and H.B. 675 of the 124th General Assembly. The 1586
General Assembly, applying the principle stated in division (B) of 1587
section 1.52 of the Revised Code that amendments are to be 1588
harmonized if reasonably capable of simultaneous operation, finds 1589

that the composite is the resulting version of the section in 1590
effect prior to the effective date of the section as presented in 1591
this act. 1592