



S.B. 38

125th General Assembly
(As Introduced)

Sens. Carey, Stivers, Harris, Fedor

BILL SUMMARY

- Specifies that the additional members of a veterans service commission appointed in certain counties must be honorably discharged or honorably separated veterans.
- Requires those additional members to file a Form DD214 with the Governor's Office of Veteran's Affairs within 60 days after appointment.
- Prohibits those additional members from participating in the commission's deliberations and voting on the budget that the commission must submit to the board of county commissioners.
- Increases from 400,000 to 500,000 the county population necessary for adding members to county veterans service commissions submitting budget requests that exceed specified amounts.

CONTENT AND OPERATION

Veterans service commission appointments

Overview

Current law creates a five-person veterans service commission in each county. The members of the commission must be honorably discharged or honorably separated veterans, be residents of the county, and be appointed to five-year terms by a judge of the court of common pleas.

Appointments to the commission must be made from lists of recommended persons, in the following manner: one person must be a representative recommended by the American Legion; one person must be a representative recommended by the Veterans of Foreign Wars; one person must be a

representative recommended by the Disabled American Veterans; one person must be a representative recommended by the AMVETS; and one person must be a representative recommended by the Korean War Veterans Association, the Military Order of the Purple Heart of the U.S.A., or the Vietnam Veterans of America. (R.C. 5901.02, not in the bill.)

Additional memberships in certain counties

Existing law

Existing law allows the board of county commissioners, by resolution, to create up to six *additional* memberships on the veterans service commission if: (1) the county has a population, according to the most recent decennial census, of more than 400,000 and (2) the veterans service commission submits a budget request to the board of county commissioners for the ensuing fiscal year that exceeds either .025% of the value of property in the county, or the amount appropriated to the commission from the county general fund in the current fiscal year by more than 10% of that appropriation.

The board is required to prescribe the number of years the additional memberships will exist, not to exceed five years. Once a board of county commissioners creates such memberships, it may not create additional memberships if the total number of the additional memberships would exceed six. The board must appoint residents of the county to each of the additional memberships for terms prescribed by the board and commencing on a date fixed by the board.

If the board of county commissioners appoints additional members, the board may permit the commission to submit an original or revised budget request for the ensuing fiscal year later than the last Monday in May.

The board of county commissioners may remove, for cause, any member appointed under the provision of law amended by the bill, must provide for whether the additional members may be reappointed upon the expiration of their terms; and must fill any vacancy in such a membership for the unexpired term in the manner provided for the original appointment.

Operation of the bill

Under the bill, the additional members appointed to serve on the veterans service commission are required to be honorably discharged or honorably separated veterans. Each person appointed to an additional membership must file, within 60 days after the date of the appointment, the person's form DD214 with the Governor's Office of Veteran's Affairs. (R.C. 5901.021(B)(1).)

The bill increases from 400,000 to 500,000 the county population necessary for the appointment of additional members. (R.C. 5901.021(A).)

A person appointed to an additional membership on the veterans service commission is prohibited from participating in the commission's deliberations and voting on the budget that takes place on or before the last Monday in May in each year (R.C. 5901.11) (See **COMMENT**).

COMMENT

Presumably, additional members are also prohibited from participating in the budget process when it occurs later than the last Monday in May as authorized in the provision of law authorizing additional members, although the bill does not expressly provide such a prohibition. (R.C. 5901.021(B)(2).)

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	02-26-03	pp. 147-148

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