

AN ACT

To amend section 149.331 of the Revised Code and to amend Section 139 of Am. Sub. H.B. 117 of the 121st General Assembly to provide for the transfer of records of the Ohio Veterans' Children's Home to appropriate archival institutions; to authorize the conveyance of state-owned land in Greene County known as the Ohio Veterans' Children's Home to the Board of County Commissioners of Greene County; to provide that the proceeds of the sale of the Ohio Veterans' Children's Home be deposited into Fund 4Z0, the Veterans' Plaza Fund; to make other provisions to effect the sale of the Ohio Veterans' Children's Home; and to declare an emergency.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. That section 149.331 of the Revised Code be amended to read as follows:

Sec. 149.331. The state record administration program of the department of administrative services shall do all of the following:

(A) Establish and promulgate in consultation with the state archivist, standards, procedures, and techniques for the effective management of state records;

(B) Make continuing surveys of record-keeping operations and recommend improvements in current records management practices including the use of space, equipment, and supplies employed in creating, maintaining, storing, and servicing records;

(C) Establish and operate such state records centers and auxiliary facilities as may be authorized by appropriation and provide such related services as are deemed necessary for the preservation, screening, storage, and servicing of state records pending disposition;

(D) Review applications for one-time records disposal and schedules of records retention and destruction submitted by state agencies in accordance

with section 149.333 of the Revised Code;

(E) Establish "general schedules" proposing the disposal, after the lapse of specified periods of time, of records of specified form or character common to several or all agencies that either have accumulated or may accumulate in such agencies and that apparently will not, after the lapse of the periods specified, have sufficient administrative, legal, fiscal, or other value to warrant their further preservation by the state;

(F) Establish and maintain a records management training program for personnel involved in record-making and record-keeping functions of departments, offices, and institutions;

(G) Obtain reports from departments, offices, and institutions necessary for the effective administration of the program;

(H) Provide for the disposition of any remaining records of any state agency, board, or commission, whether in the executive, judicial, or legislative branch of government, that has terminated its operations. After the closing of the Ohio veterans' children's home, the resident ~~and administrative~~ records of the home and the resident ~~and administrative~~ records of the home when it was known as the soldiers' and sailors' orphans' home required to be maintained by approved records retention schedules shall be administered by the state department of education pursuant to this chapter, the administrative records of the home required to be maintained by approved records retention schedules shall be administered by the department of administrative services pursuant to this chapter, and historical records of the home shall be transferred to an appropriate archival institution in this state prescribed by the state record administration program.

(I) Establish a centralized program coordinating micrographics standards, training, and services for the benefit of all state agencies;

(J) Establish and publish in accordance with the applicable law necessary procedures and rules for the retention and disposal of state records.

This section does not apply to the records of state-supported institutions of higher education, which shall keep their own records.

SECTION 2. That existing section 149.331 of the Revised Code is hereby repealed.

SECTION 3. (A) The Governor is hereby authorized to execute a deed in the name of the state conveying to the Board of County Commissioners of Greene County and its successors and assigns all of the state's right, title,

and interest in real estate located in Greene County, consisting of approximately 440 acres and the buildings, structures, improvements, and other facilities erected thereon, known as the Ohio Veterans' Children's Home.

(B)(1) The conveyance of the real estate described in division (A) of this section shall be subject to the lease that the Director of Administrative Services entered into with the Association of Ex-Pupils of the Ohio Veterans' Children's Home pursuant to division (E) of Section 166 of Am. Sub. H.B. 117 of the 121st General Assembly and that was recorded in Volume 1018, Page 79, of the Official Records of Greene County.

(2) The conveyance of the real estate described in division (A) of this section shall be subject to any easements, rights-of-way, and restrictions of record.

(3) The Board of County Commissioners of Greene County shall be responsible for any recordation work or expense subsequent to recording the deed of consolidation prepared pursuant to division (E) of this section.

(C) The consideration for the conveyance of the real estate described in division (A) of this section is a purchase price of \$1,307,868, to be paid in three annual installments of \$435,956.

(D) The proceeds of the conveyance shall be deposited into the State Treasury to the credit of Fund 4Z0, the Veterans' Plaza Fund, created in Section 139 of Am. Sub. H.B. 117 of the 121st General Assembly.

(E) Upon receipt of the first annual installment of \$435,956 paid pursuant to division (C) of this section, the Auditor of State, with the assistance of the Attorney General, shall prepare a deed of consolidation with respect to the real estate described in division (A) of this section that is based on the current recorded deeds to the real estate. The deed of consolidation shall state the consideration and shall state that the conveyance is subject to a lease of properties as specified in division (E) of Section 166 of Am. Sub. H.B. 117 of the 121st General Assembly to the Association of Ex-Pupils of the Ohio Veterans' Children's Home, to the conditions described in divisions (B)(2) and (3) of this section, and to the requirements of Section 5 of this act. The deed of consolidation shall be executed by the Governor in the name of the state, countersigned by the Secretary of State, sealed with the Great Seal of the State, presented in the Office of the Auditor of State for recording, and delivered to the Board of County Commissioners of Greene County. The Board of County Commissioners of Greene County shall present the deed for recording in the Office of the Greene County Recorder.

SECTION 4. Notwithstanding section 126.29 of the Revised Code, at any time on or after the later of July 1, 1997, or the first day of the first pay period commencing after the effective date of this section, the Department of Administrative Services shall assume the business and financial functions of the Ohio Veterans' Children's Home.

Any business commenced but not completed by the Home that relates to the closing and disposal of property of the Home shall be completed by the Department. Any contract or other document that refers to the Home shall be deemed to be a reference to the Department. The Department shall assume all responsibility related to the layoff of employees and the final disbursement of wages and salaries.

No action or proceeding pending on the effective date of this section and relating to the Home is affected by this transfer, and all actions and proceedings of that nature shall be prosecuted or defended in the name of the Department. In all actions and proceedings of that nature, the Department shall be substituted as a party upon application by the appropriate entity to the court or other appropriate tribunal.

The cancellation and reissuance of encumbrances and funds and any other actions necessary to implement this section are hereby authorized. Administrative records of the Home and the remaining property at the Home shall be transferred to the Department.

Upon completion of all business functions, but not later than 180 days after the effective date of this section, the Department shall request the Auditor of State to conduct a final audit of the Home.

SECTION 5. (A) Notwithstanding sections 125.12 and 125.13 of the Revised Code, each of the following items of historic or symbolic significance at the Ohio Veterans' Children's Home shall be transferred to the Ex-Pupils Association of the Ohio Veterans' Children's Home if the Home ceases to exist as a facility for children and families and the grounds of the Home are renovated or refurbished so that any of the following occur to that item:

(1) The signs, graystone main entrance, and canons mounted on the grounds of the Home are removed.

(2) The power plant whistle is dismantled so it cannot be heard throughout the city of Xenia.

(3) Buildings are razed, converted, or destroyed so that building names, plaques, and other memorial mountings are destroyed or removed from their

present site.

(4) The cornerstone of the Academic Building is opened.

(5) The top of the flag pole is removed.

(B) The items described in division (A) of this section shall be transferred to the Association of Ex-Pupils at no cost, for placement in its Museum. If the Association ceases to exist or operate the Museum, these items shall be offered to the Greene County Historical Society. If the Society declines to accept any item described in division (A) of this section, the item shall be offered to the Ohio Historical Society. If the Ohio Historical Society declines to accept any item described in division (A) of this section, the item shall be offered to the Ohio Veterans' Home. If the Ohio Veterans' Home declines to accept any item described in division (A) of this section, the item is subject to sections 125.12 and 125.13 of the Revised Code. All offerings of items to the Greene County Historical Society, Ohio Historical Society, or Ohio Veterans' Home shall be accepted or declined not later than 90 days after the date the item is offered.

(C) Notwithstanding sections 125.12 and 125.13 of the Revised Code, if the Ohio Veterans' Children's Home is sold or transferred, all remaining property, including moveable and fixed assets, shall be transferred in place on the date of transfer of the facility to the party that by law will take physical possession of the property. Prior to this transfer, only chattel property at the Home may be transferred to other state agencies or to the Division of State Surplus Property in the Department of Administrative Services.

SECTION 6. That Section 139 of Am. Sub. H.B. 117 of the 121st General Assembly be amended to read as follows:

"Sec. 139. Veterans' Plaza

Upon the sale of the Ohio Veterans' Children's Home, ~~\$1,000,000~~ of the proceeds of the sale shall be deposited to Fund 4Z0, Veterans' Plaza Fund, which is hereby created. These funds shall serve as repayment for the expenses incurred by the construction of the Veterans' Plaza."

SECTION 7. That existing Section 139 of Am. Sub. H.B. 117 of the 121st General Assembly is hereby repealed.

SECTION 8. Section 3 of this act expires two years after the effective date of Sub. S.B. 7 of the 122nd General Assembly.

SECTION 9. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is to permit the Board of County Commissioners of Greene County to implement at the earliest possible time programs providing children and family services on the real estate described in division (A) of Section 3 of this act. Therefore, this act shall go into immediate effect.

Speaker _____ *of the House of Representatives.*

President _____ *of the Senate.*

Passed _____, 20____

Approved _____, 20____

Governor.

Sub. S. B. No. 7

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The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

Director, Legislative Service Commission.

Filed in the office of the Secretary of State at Columbus, Ohio, on the ____ day of _____, A. D. 20____.

Secretary of State.

File No. _____ Effective Date _____