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## *Detailed Fiscal Analysis*

### **Constitutional amendment to affirm groundwater property rights**

The resolution proposes to amend Article I, Section 19 of the Ohio Constitution to declare that private property owners have a property interest in the reasonable use of groundwater underlying their property and any water in lakes or non-navigable watercourses on or passing through their property. The proposed amendment states that such waters are not to be held in trust by any governmental body. The amendment would have no direct fiscal effect on the state or local governments. If passed by a majority of voters in the general election to be held on November 4, 2008, the amendment would take effect January 1, 2009.

### **Ballot advertising costs**

The state is required to bear all advertising costs for any statewide ballot issues. The Ohio Constitution requires that any law, or proposed law, or proposed amendment to the constitution, together with the arguments and explanations, not exceeding a total of three hundred words *for* each, and also the arguments and explanations, not exceeding a total of three hundred words *against* each, be published once a week for three consecutive weeks preceding the election, in at least one newspaper of general circulation in each county of the state where a newspaper is published. Depending on the number of words included in this notification, ballot-advertising costs could be in the hundreds of thousand of dollars.

A provision of the main operating budget act for FY 2008-FY 2009 changed the way ballot-advertising costs are paid for. Previously, counties paid for those expenses and sought reimbursement from the Secretary of State's Office. Under the new procedure, the Secretary of State's Office pays for these costs directly, and under the auspices of the Ohio Ballot Board, seeks reimbursement from the Controlling Board via transfers from GRF appropriation 911-441, Ballot Advertising Costs.

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