

Fiscal Note & Local Impact Statement

127th General Assembly of Ohio

Ohio Legislative Service Commission
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BILL: **Sub. S.J.R. 8** DATE: **May 28, 2008**
STATUS: **As Passed by the Senate** SPONSOR: **Sen. Grendell**
LOCAL IMPACT STATEMENT REQUIRED: **No — Not required for joint resolutions**
CONTENTS: **Proposes a Constitutional amendment to affirm certain property interests in groundwater and other water on or flowing through private land**

State Fiscal Highlights

STATE FUND	FY 2009	FY 2010	FUTURE YEARS
General Revenue Fund – Controlling Board Transfers to Secretary of State			
Revenues	- 0 -	- 0 -	- 0 -
Expenditures	Potential substantial increase	- 0 -	- 0 -

Note: The state fiscal year is July 1 through June 30. For example, FY 2009 is July 1, 2008 – June 30, 2009.

- The resolution proposes to submit a constitutional amendment for the state voters' approval on the November 4, 2008 general election. If the amendment were put before the voters, the Office of the Secretary of State would incur costs for statewide ballot advertising, which are in turn reimbursed via GRF transfers from the Controlling Board. The cost would depend on the number of words that need to be included in the ballot issue and accompanying arguments, but could be in the hundreds of thousands of dollars.

Local Fiscal Highlights

- No direct fiscal effect on political subdivisions.



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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