

ARGUMENT

Vote No on Issue #3

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Issue #3 is an unnecessary addition to the Ohio Constitution. The Supreme Court of Ohio already determined that private property owners have rights to the ground water underlying their land and to the watercourse flowing on and through their land. Vote no on Issue #3.

Issue # 3 makes changes to the Constitution so specific that they mention legal doctrines that are not contained in the Constitution. What if those legal doctrines change by court rulings? Parts of our Constitution would no longer be relevant. That is not appropriate for our Constitution, which is supposed to be the voice of the People.

Issue #3 does not give an accurate picture of a private property owner's rights. Property owners do not actually own the water beneath their land. They have a right to a reasonable use of that water, but the state always has the power to regulate how it is used and take it for just compensation. Issue #3 gives private property owners the false sense of security that their land cannot be taken away at a later date.

We do not know what the future will hold. We should not limit ourselves by passing this amendment.

VOTE NO ON ISSUE #3.

Prepared by the Ohio Ballot Board in the absence of any submission in opposition, as required by Ohio Revised Code Section 3505.063(B).