

In a word: Ballot's outcome hinges on language

by [Luther Granquist](#) // May 10th, 2012

“Shall the Minnesota constitution be amended to require all voters to present valid photo identification to vote and to require the state to provide free identification to eligible voters, effective July 1, 2013?”

As Minnesotans prepare to cast ballots in November on a constitutional amendment that would require voters to produce photo identification at the polling place, it's worth looking back at constitutional amendments that caused controversy in the past.

Then as now, laws that propose constitutional amendments specify ballot language. While the 2012 ballot language has proven controversial, it is certainly not the first ballot question which has prompted objections based on how it is worded. The controversial law proposing the voter ID constitutional amendment specifies the language to be used on the ballot at the election. As has often been the case, the voter ID “ballot question” is also controversial. For instance, it does not say that the “valid photo identification” must be government-issued or include any reference to the provisional ballot process required by the amendment. How the Minnesota Legislature frames any ballot question may affect the outcome of how it is voted upon.

In 1871 and 1872, Minnesota lawmakers proposed a constitutional amendment that would have increased the state's debt limit. This desire to spend more money was meant to enable construction of buildings at the state's asylums and the state prison. In 1871 the ballot question asked whether the voter was “in favor of borrowing money for erection of public buildings.” Nothing was said of what types of public buildings would be built. The amendment was resoundingly rejected, 39,807 to 6,554. It was even rejected 845 to 250 in Nicollet County, where construction would have been done to expand the Hospital for the Insane and 786 to 503 in Rice County, where new construction would have taken place at the Asylum for the Deaf, Dumb and Blind.

The bill introduced in 1872 included an identical constitutional amendment, but changed the ballot question to ask voters whether they were “in favor of borrowing money for the erection and completion of the asylums for the insane, and deaf, dumb, and blind, and state prison.” The amendment was approved 29,158 to 26,881.

The *St. Peter Tribune* opined a week before the election that “Here, where everyone knows the necessity for more room for insane patients, there ought not to be a negative vote.” Nicollet County voters approved the amendment 1320 to 55. Rice County also supported the change overwhelmingly, 2065 to 27.

The week before the 1872 election, three persons who had inspected the state prison wrote a *Minneapolis Tribune* article stating that “The proposition was voted down at the last election; it is believed, by a misunderstanding on the part of the voters of the objects to be attained by the proposed amendment.” The writers presented the needs they found at the prison.

Other articles published before the 1872 election expanded on the needs at the two institutions. The change in the ballot question alone might not have changed the outcome, but it did enable the voter to identify the public building affected by their actions.

That change, coupled with concrete information about the effect that the amendment would have, made the difference.
