

How a Constitutional Amendment Is Proposed and Ratified

A constitutional amendment is a change to the state's constitution that is decided by voters in an election. Since 1858, 213 constitutional amendments have been voted on by the electorate. The most recent constitutional amendment that was approved by voters came in 2008, when voters approved a tax to fund natural resources, arts, and cultural heritage projects.

The Minnesota Constitution and election statutes govern the process of proposing and ratifying amendments.

The legislature passes an act to change the constitution

First, the legislature passes an act proposing a change in the constitution. A constitutional amendment is just like a session law, but does not require the governor's signature, and a governor's veto has no effect. The act includes the statement of the question the legislature wants placed on the ballot. The constitution requires that the act be assigned a session law chapter number, published with other legislative acts of the same year, and presented to the voters at a general election. Each amendment must be submitted separately.

Proposed amendments appear on the ballot at the next state general election

The secretary of state, with approval of the attorney general, prepares a short title to identify each amendment on the ballot. The ballot question specified by the legislature appears under the title. The text of the constitution as it would appear if amended is not printed on the ballot. Sample copies of the ballot are available for public examination at the secretary's office and each county auditor's office before the state general election.

Constitutional amendment ballot questions appear on the ballot just after the listing of state offices, before the listing of county offices.

Current administrative rule requires that, if multiple amendments are proposed at an election, each amendment be assigned a number and appear chronologically in that order on the ballot.

During the 1990s, questions were assigned numbers and placed on the ballot in the order they passed the legislature. (Multiple amendments have not been proposed at the same election since 1998.)

Amendments must be approved by a majority voting in an election, not just a majority voting on the amendment

Since 1900, the constitution has required the approval of a majority of those voting at the election—not just a majority of those voting on the amendment question—to ratify the amendment. Thus, if a person votes at the election, failure to vote on an amendment is the equivalent of a “no” vote. A notice to this effect is printed on the ballot. Historically, it has taken roughly a 60 percent “yes” vote to pass an amendment.

If the state canvassing board finds that a proposed amendment received the approval of a majority of the voters at the election, the amendment takes effect immediately unless the amendment specified a later effective date.

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