



Written by [Dave Bohon](#) on August 29, 2012

Besieged Minn. Marriage Amendment Defended by State Supreme Court

A state constitutional amendment defining marriage as only between a man and a woman has plenty of momentum to be passed by Minnesota voters in November, but pro-homosexual activists and their supporters have been pulling out all the stops to thwart the amendment's passage. One of those efforts was halted August 27 when the Minnesota Supreme Court ruled that Secretary of State Mark Ritchie "erred and exceeded his authority" when he took the liberty of retitling the ballot initiative, changing the wording from that approved by the state legislature.



Amendment supporters filed a lawsuit after Ritchie changed the title that was to appear on the ballot from the approved wording, "Recognition of marriage solely between one man and one woman," to the more negative phrasing, "Limiting the status of marriage to opposite sex couples."

The state high court ordered that the original title — approved by a bipartisan vote of 201 Minnesota lawmakers as a neutral and accurate description of the initiative to be considered by voters — be reinstated on the upcoming ballot.

"Minnesotans deserve to have free and fair elections, and they deserve to know precisely what they are voting for," said Jordan Lorence of [Alliance Defending Freedom](#), the conservative legal advocacy group that represented a number of legislators and others in the suit. "Because the Legislature wrote a ballot title for the marriage amendment, no official in the executive branch has any authority to replace or modify that title — especially not with one that incorrectly describes the amendment's effect." Lorence said that voters "have the right to know that the amendment is designed to protect the 'recognition of marriage solely between one man and one woman,' as the legislature accurately specified."

[LifeSiteNews.com](#) reported that Ritchie "changed the ballot title to the 'limiting' language, saying it was consistent with Attorney General Lori Swanson's chosen statement of purpose and effect. Swanson approved the change." But the Minnesota Supreme Court struck the change, ruling that neither state official had the authority to override the lawmakers' carefully considered wording for the initiative.

"Allowing the Secretary of State, an Executive Branch Officer with no constitutional authority over the form and manner of proposed constitutional amendments, to simply ignore the Legislature's action in proposing and passing a title to accompany a ballot question on a constitutional amendment potentially risks interfering with the Legislature's constitutional authority," the state high court wrote in its [opinion](#). "We conclude that when the Legislature has included a title for a ballot question in the bill proposing a constitutional amendment, the 'appropriate title' the Secretary of State must provide for that ballot question is the title designated by the Legislature. As a result, the Secretary of State exceeded his authority ... when he provided titles for the ballot questions different from those passed by the Legislature."

John Helmberger of [Minnesota for Marriage](#), one of the plaintiffs in the suit, said that his organization



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was thrilled that Supreme Court's ruling. "The Secretary's actions were clearly politically motivated and designed to skew the outcome of the election against passage of the Marriage Amendment," said Helmberger. "The Secretary's job is to be an impartial umpire of elections — not to engage in throwing partisan curveballs."

He added that "the issue before the people of Minnesota is whether we should preserve marriage as the union of one man and one woman, just as voters in 32 others states have done. The ballot title that the Legislature crafted, along with the wording of the question itself, make it clear to voters what the issue is all about."

Opponents of the amendment, which Minnesota voters will decide upon in November, have been hard at work to ensure its defeat by any means necessary. As reported by [The New American](#), in June the Minneapolis-based merchandiser Target Corporation offered "gay-themed" t-shirts on its website to coincide with homosexual "pride" month in the state. Profits from the sales of the shirts were to go to a homosexual activist group calling itself the [Family Equality Council](#), a group that is pushing for the legalization of homosexual "marriage" in Minnesota and nationally.

Later in the month another Minnesota company, cereal maker General Mills, publicly [announced its opposition to the marriage amendment](#), with its CEO, Ken Powell, voicing "the company's opposition [June 13] at a General Mills function attended by 400 gay and lesbian professionals, followed Thursday by a Web letter from the company's vice president for global diversity and inclusion, Ken Charles," reported the [Minneapolis Star Tribune](#).

Most recently, reported the [St. Paul Pioneer Press](#), the Minnesota chapter of the American Academy of Pediatrics came out against the amendment, insisting in a statement that it would be "harmful to the health and well-being of children and adolescents in Minnesota...." The group also argued that "there is ample evidence to show that children raised by same-gender parents fare as well as those raised by heterosexual parents" — an assertion that has been [challenged by recent university studies](#).

And in perhaps the most bizarre example of opposition to the marriage amendment, an employee manning a drink stand at the Minnesota State Fair claimed, through her Twitter account (Caiti Weber or @caiti_weber), that she secretly spit into the lemonade she served to a marriage amendment supporter. "Hey guy wearing the Vote Yes button ... I spit in your lemonade," tweeted Cati on August 24.

"We are saddened to see such inexcusable behavior," said Andy Parrish, deputy campaign manager for Minnesota for Marriage. "It is also brings into question how many other drinks have been tainted by this young women while she has worked at the State Fair. We are calling on the State Fair to take immediate action against the vendor to ensure that the employee is removed and that the vendor adopts procedures to ensure this does not happen again. We are also examining whether legal action should be considered."

A State Fair spokesman offered this flaccid response to the incident: "We did some digging on this one and there's nothing to substantiate whether this occurred. Neither the State Fair Police or our Concessions & Exhibits Department have heard from any witnesses or complainants claiming to have seen or been the purchaser of the spat-in lemonade."

Parrish said the spitting incident is just the latest abuse suffered by pro-marriage volunteers manning the Minnesota for Marriage booth at the State Fair. "Last year our volunteers were glittered," he said. "This year the attacks have escalated. On the same day this woman surreptitiously spit in a supporter's drink, we had a volunteer pushed to the ground by a gay marriage activist. So much for tolerance."

Photo: Minnesota State Capitol, Supreme Court Chamber



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