Deal or No Deal:
Voting on Multiple Provision Ballot Measures*

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Abstract

Ballot propositions provide a unique instance of direct democracy in which voters have a say in a state's legislative process. However, voters vary in how they understand and evaluate these measures, many of which can be relatively complicated and comprised of multiple provisions. Are voters deliberate legislators, or do they instead rely on heuristics to guide their final decision? When multiple provisions exist within a single proposition, how do voters weigh their varying support of provisions in their calculus of overall support for the proposition? To examine these questions, we conduct a novel survey utilizing three real ballot measures under consideration during the 2022 midterm election cycle. By experimentally assigning how we ask respondents for their support of a given ballot proposition, we garner insight into how voters approach voting on ballots and their greater decision-making process. We find evidence of a negativity bias, which is strongest on the most complex and least polarized issue.

Word count: 4,086

Ballot measures or propositions provide citizens with a rare opportunity to directly vote on policies. Progressive reformers since the late nineteenth century argued that this act of direct democracy would not only give the public a voice in politics, but also curtail the power of special interests and other political elites (Smith and Tolbert 2004). Recent scholarship has corroborated their high hopes on occasion, including finding that ballot measures can increase efficacy (Bowler and Donovan 2002; Mendelsohn and Cutler 2000), knowledge (Smith 2002) and turnout (Smith 2001; Tolbert, Grummel, and Smith 2001; Parry, Smith, and Henry 2012). Others, have found less reason to be optimistic (e.g., Everson 1981; Magleby 1984; Barth, Burnett, and Parry 2020). In any case, positive externalities assume a public informed enough to make such decisions.

If political science has a consistent finding over several decades of survey research, it has been the American public's political ignorance (see, e.g., Delli Carpini and Keeter 1993; Luskin 1987). Political sophistication is a long-running concern in studies of voting behavior and political participation generally (e.g., Kuklinski, Metlay, and Kay 1982; Lau and Redlawsk 2001; Popkin 1991), but should be even moreso on ballot measures, which can be complicated, detailed and long. It is unsurprising then that studies of ballot measures have grappled with the public's capacity for direct democracy. The high cognitive burden in this context has meant the debate over ballot measures has hinged on their relative complexity, as well as voter awareness and competence (Bowler and Donovan 1998; Cronin 1989; Gerber and Lupia 1995; Lupia 1994; Magleby 1984; Nicholson 2003; Glaser 2002). Are voters educated, informed—ultimately, competent enough to make *direct* decisions on legislation of varying complexity?[1]

We explore one aspect of the complexity of ballot measures: multiple provisions—i.e., multiple components within a single ballot proposition. Like the multiple provisions in a congressional bill, a ballot measure is rarely restricted to a single proposed change. Instead, the proposition is usually written as a package of a set of related, or, at times, unrelated components. Consider Missouri's marijuana ballot measure in 2022, *Amendment 3*. It not only legalized marijuana, but also set a tax rate for marijuana sale and allowed non-violent marijuana convicts to petition for release. Or *Florida's Amendment 9* in 2018, which included provisions to prohibit both offshore oil and gas drilling, as well as indoor vaping all within the same ballot proposition. Whether related or not, the result of these additional provisions is to add complexity to an already challenging task of evaluating a policy proposal. Furthermore, voters are ultimately asked to vote only on the full proposition, not its individual provisions.

We ask how the public's calculation of support for ballot measures takes into account the multiple components that generally make them up. First, does the public take different positions on the components of a ballot measure? And if so, how do the different components enter their calculus of overall support for the proposition? Finally, are these findings conditioned by voter sophistication, education or awareness? Using a survey experiment on real ballot measure proposals conducted around the 2022 Missouri Primary Election, we find substantial variance across the provisions of

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1. Critically, this question comes at a time when ballot measures and direct democracy face increased restrictions from state legislators, with laws such as Arizona's Proposition 132, which requires a higher 60% majority for initiatives, already passed and similar laws in Missouri, Ohio, and North Dakota slated for some time in the next year.

each proposition. In addition, voters display a negativity bias in their evaluations where they dispro-portionately weight down their overall evaluations based on their least favorable component. The results are directionally consistent across the three ballot initiatives, and substantively meaningful for the most complex and least polarized issue.

Ballot Measures, Complexity, & Cognitive Biases

Our letter aims to build upon the literature's engagement with ballot complexity. Specifically, we explore how individuals evaluate multiple provisions within a single ballot proposition, and how those component evaluations translate into the overall support for the proposition. Prior works have considered complexity in terms of the number of ballot measures a voter considers in an election (Bowler and Donovan 1998; Glaser 2002; Selb 2008; Stadelmann and Torgler 2013), the counts of words or lines within a measure (Nicholson 2003), as well as the complexity of the language within the ballot (Reilly and Richey 2011). Critically, we shift the question of complexity away from the presentation of ballot measures and instead to their dimensions of policy content. Despite this novel approach to complexity, our expectations largely stem from the prior literature.

Previous works examining ballot measures have found that when voters evaluate ballot mea-sures, they tend to engage in some form of cognitive bias against their passage; however, the underlying mechanism of this bias is still debated. One body of work argues that voters tend to be susceptible to a status quo bias in opposition to the measure—i.e., a natural opposition to the mea-sure absent additional information (Bowler and Donovan 2002). This bias is especially prevalent when multiple measures are on the ballot (Augenblick and Nicholson 2016), measures are complex (Hessami and Resnjanskij, n.d.), or voters are largely uninformed regarding the contents of the measure (Barber et al. 2017).

Alternatively, Dyck and Pearson-Merkowitz (2019) suggest that voters instead weigh arguments against a ballot measure more heavily than those in favor of it. They are swayed more by the opposition media frames than the supportive ones. Thus, they offer that negativity bias may be endemic in evaluations of ballot propositions. Our theoretical perspective considers the possibility for negativity bias to exhibit in another manner.

Negativity bias is the well-developed phenomenon that negative information has a greater in-fluence on a host of evaluations than positive information (Kanouse and Hanson 1987; Kahneman and Tversky 1979). Particularly relevant for our work, studies of impression formation have noted that the negative traits of evaluated individuals are weighted more heavily than their positive ones (Birnbaum 1972; Feldman 1966; Fiske 1980). For example, Anderson (1965) finds that positive trait evaluations are virtually averaged in the overall evaluation of the individual, while the overall evaluation from an individual with negative traits are more negative than their average (Ito et al. 1998). Because most modern ballot propositions contain multiple provisions, there is more than one evaluation to conduct for each proposition—not unlike traits within an individual. We expect voters to weigh the provisions with negative evaluations more heavily than those with positive ones.

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Thus, when looking at the overall support for a ballot measure with multiple provisions, we expect them to be negatively biased simply by virtue of the multiple components, provided, of course, they view one or more components negatively. Individuals should weight their overall score of a proposition downward in accordance with their least favored provision within it. In the following section we describe the survey experiments we created to test this hypothesis.

Data and Design

Regardless of voters' cognitive bias against ballot measures, their presence has shown no signs of slowing down. In fact, in 2020, there were at least 129 statewide ballot measures in 34 states, with a success rate of over 72%.[2]. In the midterm election year of 2022, 38 states decided on 140 measures with a success rate of 68.6%.[3] It is therefore incumbent upon scholars to continue examining how individuals calculate their support for these continuously prevalent political instruments. To do so, we conducted an original survey experiment embedded in a more extensive survey of likely primary voters within the state of Missouri.[4] Overall, our survey experiment included a sample of 1,107 respondents, largely representative of Missouri's general population.[5]

In pursuit of exploring provisional complexity, we randomly assign each respondent to either a treatment or control condition. We first present the entire ballot text for three potential ballot measures in both conditions. The prompts for each measure included the components of the multi-provisional ballot laid out in a bullet point format, as well as the projected cost of the measure to the state. Figure 1 presents an example prompt for one of the measures used in our experiment. We use this standardized format to mimic how the measures may appear on the November ballot and avoid additional ballot wording complexity. While most proposed ballot measures in Missouri follow this bulleted format, we slightly altered the text to improve clarity and better group components.

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2. Accessed January 7, 2023, from https://ballotpedia.org/2020_ballot_measures.

3. Accessed January 7, 2023, from https://ballotpedia.org/2022_ballot_measures.

4. See Section of A.1 of the Appendix for details of our survey and how it was administered.

5. Given the larger survey's focus on likely primary voters, our sample experienced oversampling in terms of the age (18-34), gender (women) and education (college or above) of participants. See Section A.2 of the Appendix for further details on our sample.

Figure 1: Sample Ballot Measure Prompt

Immediately following each ballot measure text, we asked respondents randomly assigned to our control group how much they supported the measure on a 4-point Likert scale. We recorded their response as an *Overall* score. For respondents randomly assigned to our treatment group, we instead asked them to rate each component of the measure on the same 4-point Likert scale. To generate a comparable score between our treatment and control, we created a *Composite* score for these individuals by taking the average of the components. By calculating our composite score in this manner, we can test whether individuals' overall support for a ballot measure is a simple aggregation across the multiple provisions or whether they use alternative methods to formulate their overall support. Additionally, we can examine how well-correlated support for each provision is with one another. To avoid question ordering effects, we randomized the order in which the components were presented in the question. As part of the larger survey in which our experiment was embedded, we asked respondents a series of pretreatment demographic questions, which we use later in our multivariate analysis.

To enhance the external validity of our experiment, we leveraged the fair ballot text from three Missouri ballot measures in the process of gathering signatures in the spring of 2022. The first measure, *Election Security*, proposed a series of changes to the election process, including requiring identification to vote, poll watchers, and, notably, allowing the legislature to adjust vote totals. The second measure, *Marijuana*, proposed the legalization and recreational use and sale of marijuana. The final measure, *Election Reform*, proposed reforms to the state's primary and general elections through open primaries and ranked-choice voting. Of the three measures, the marijuana legalization and election reform measures made it to the signature gathering stage, but only the former made it onto the November ballot.[6]

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6. Within Section B.1 of the Appendix, we examine how support for each measure compared to the November

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Beyond increasing our experiment's external validity, our choice of ballot measures allows us to leverage the inherent policy differences between each measure. Specifically, our three measures vary regarding their inherent policy complexity, saliency in news coverage, and partisan association. These features may make it easier or harder for individuals to conceptualize the specific policies and influence how they evaluate the ballots (Magleby 1984; Lupia 1994; Dyck and Pearson-Merkowitz 2019). In terms of complexity, both the marijuana and election security measure prescribe traditionally straightforward policy changes (e.g., the legalization of a substance, the implementation of additional requirements, etc.). However, policy changes such as ranked-choice voting or open primaries—two major provisions of the election reform measure—are likely far more abstract for voters. Similar differences exist in terms of each measure's news coverage and interest, with both the election security and marijuana measures receiving more consistent policy coverage as compared to the election reform measure.[7] Finally, all three measures vary in terms of their partisan associations, with both the marijuana and election security measures having established—yet opposite—partisan signals and our election reform measure lacking a similar cue (Kimball et al. 2021).

Composite Versus Overall Measures of Support

To test our hypothesis on provisional complexity we compare the generated *Composite* scores to the *Overall* scores. If the scores are indistinguishable, it suggests that individuals' overall score is a rough aggregation of their support for each component of a multi-provisional ballot. That is, likely voters evaluate ballots by averaging across the multiple provisions within them. If, however, the scores are different, it suggests that they engage in some form of *bias* or alternative weighting of components when calculating their overall support for a ballot proposal.

Figure 2 presents the average overall, composite, and component scores for each ballot measure, along with their 95% Bonferroni corrected confidence intervals. For our first two measures, the composites are slightly more supportive than the overall scores, though the difference is not statistically significant. For these measures individuals' overall assessments are virtual averages of their support across the components. Importantly, individuals appear to weigh each component differently, with some components rated significantly more/less favorably than others. This finding suggests that voters may be sufficiently competent to evaluate even complex multi-provisional ballots in a manner consistent with their policy beliefs. However, these findings appear to only hold for two of our three ballot measures.

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election results.

7. In Section B.4 of the Appendix, we provide evidence of these differences for the state of Missouri using popular newspaper coverage.

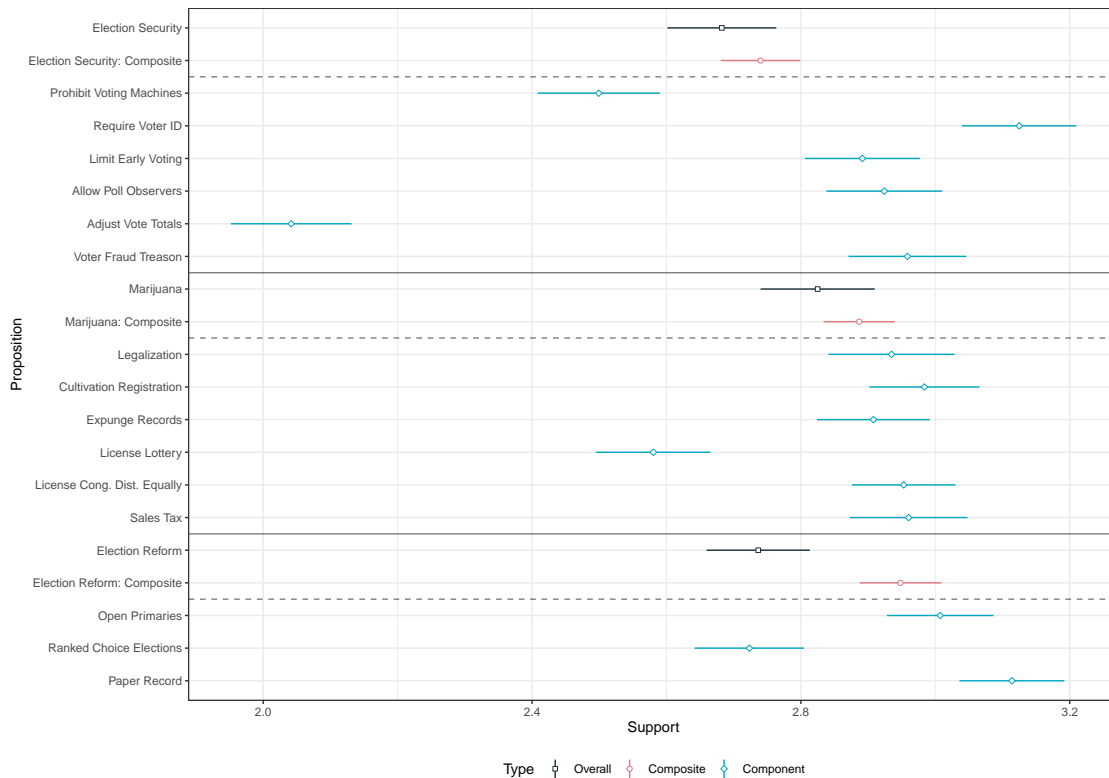Differences in Average Support By Ballot Measure and Treatment Group

Figure 2: Results include 95% Bonferroni corrected confidence intervals. Composite support scores are the average of a measure's component support scores.

The overall and composite scores for our election reform measure is statistically different and substantively meaningful, with the overall score being 0.21 points lower. For this particular measure, respondents' overall scores is not a simple average of their support for each component. Instead, the overall score is best correlated with the most negatively rated component, ranked-choice voting. Such downweighting appears to exist across all three ballot measures, though it is only significant and substantively large on this issue. Thus, when faced with a multi-provisional ballot, individuals do not always weigh their opinion equally between the components. When they do vary in this context, respondents appear to weigh negatively viewed components more heavily than those they view positively.

The Conditions for Negativity Bias

The striking result from the analysis above is the difference between the overall and composite support scores, and particularly so for the election reform measure. Respondents' overall scores appear more correlated with their most negatively rated component than the composite score. Notably this negativity bias, while present for all propositions, only manifests in a significant

difference in support for the election reform measure. What makes respondents evaluate the election reform measure differently than the other two measures?

The election reform measure sits in a potentially unique situation compared to the other measures in our experiment. First, despite their prevalence within the study of political science, ranked choice voting and open primary elections—two core components of the measure—received far less national or local news coverage, and voters may be less informed regarding their meaning and details (Chapp and Aehl 2021; Fahey, Weissert, and Uttermark 2018). Second, unlike either the election security or marijuana measures, the election reform does not benefit from pre-existing partisan signals regarding the policy changes (Kimball et al. 2021). Without these signals, voters cannot lean on their partisan identities when forming an opinion like the other two measures. Thus, being uninformed regarding a complex topic and unable to rely on their political identity, the literature suggests that respondents' evaluations may reflect a cognitive bias.[8] As we discussed above, in this case we expect the public to disproportionately weight down their overall evaluations based on their least favorable component(s), or a negativity bias.[9]

As a test of this theory, we construct an ordered logistic regression model for each measure's overall score. We control for an individual's politics through party identification, ideology, and self-reported importance of partisan identity. To examine if the difference between our measures results from their complexity or saliency, we also control for media consumption, political sophistication and education.

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8. Similarly, Dyck and Pearson-Merkowitz (2019) expect framing effects to be stronger on less salient issues than salient ones, which they relate to "easy" and "hard" issues a la Carmines and Stimson (1980).

9. Since we do not ask respondents about their ballot measure vote choice or preference for maintaining the current policy, a pure test of status quo bias is beyond our design.
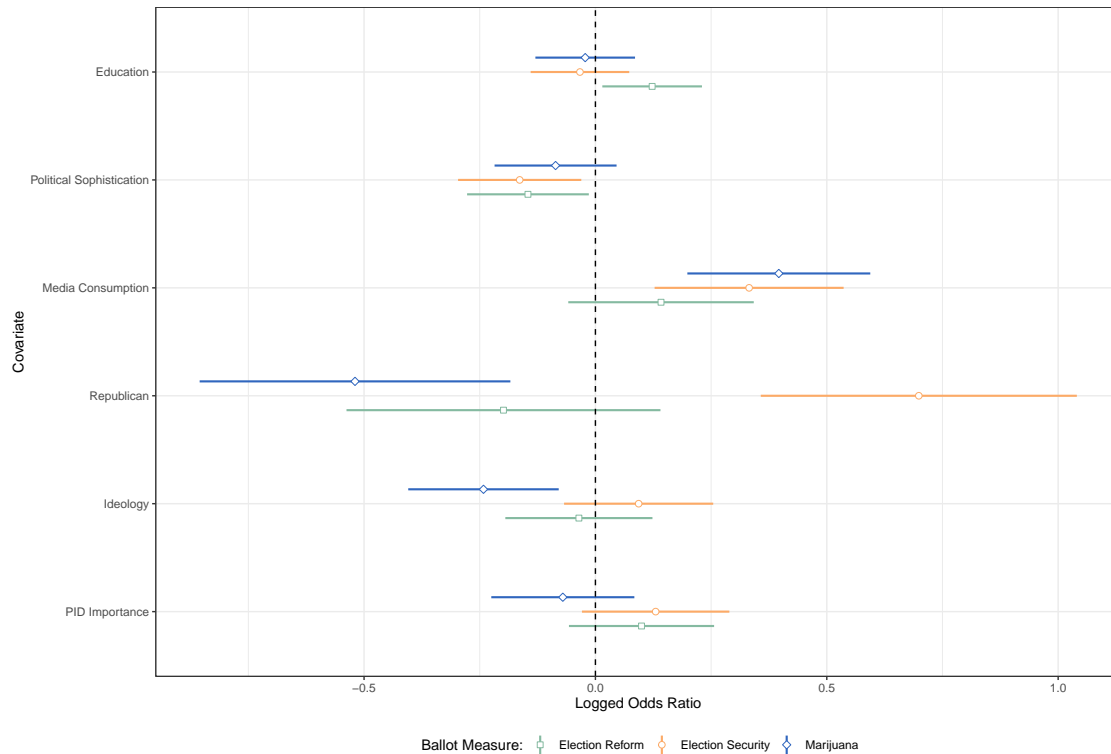
Covariate Influence on Overall Ballot Support

Figure 3: The plot presents the change in logged odds from individual ordered logistic regressions with 95% Bonferroni corrected confidence intervals. Full regression results and complimentary composite score regressions are in the Appendix

The results presented in Figure 3 largely corroborate our initial theory. An individual's partisan identity appears only to influence evaluations of the election security and marijuana measures, but not evaluations for the more complex and less politicized election reform measure. Additionally, education and political sophistication appear to significantly affect individuals' overall support for the election reform measure, albeit in opposite directions. Despite our expectations surrounding differences in news saliency, media consumption has no significant effect on our election reform measure. However, this lack of an effect is likely due to the sparse media coverage surrounding the election reform measure and its policies.[10] Overall, these results suggest that for complex ballot measures that lack clear partisan cues, individuals likely engage in negativity bias, disproportionately weighting down their overall evaluations based on their least favorable components.

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10. See Figure B1 in the Appendix.

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Discussion

Ballot measures provide voters a direct opportunity to decide on salient policy issues. As these measures grow in policy complexity through the inclusion of multiple provisions, it is vital to understand whether and how voters can evaluate these measures effectively. Our analysis takes an important step in examining how voters calculate their support for three real-life measures containing multiple provisions. Through a novel survey experiment, we find that voters' overall evaluations of politically salient issues with clear partisan messaging are consistent with their average support for each individual provision. However, for measures covering complex issues that lack clear partisan cues, voters exhibit a negativity bias. This bias leads voters to disproportionately weigh down their overall evaluations based on their least favorable provision. Overall, the negativity bias in aggregating multiple provisions suggests that the uphill battle to generate support for ballot measures is even steeper than previously acknowledged especially when voters have any negative preconception of the measure or its components.

Normatively our results bring mixed implications for direct democracy. On a positive note, voters appear capable of processing complex multi-provisional ballot measures and evaluating them in line with their policy preferences. This finding is a potential relief as critical—and often complex—issues such as abortion access, voting rights, and criminal justice reform have recently been left for voters to decide on directly. However, this may only be the silver lining for democracy. First, voters' ability to evaluate consistently appears limited to salient or familiar policy issues. Asking voters to decide on new or innovative policies may produce undo resistance or hesitancy. Second, voters appear heavily reliant on partisan cues when evaluating each measure. Without such cues voters dock their overall support for the measure, pinning them to their least supported provision. The findings suggest that political actors pursuing legislative change via ballot measures can play into partisan polarization to strategically build support, while those who favor the status quo would benefit from complex, multi-provision measures that have yet to be sorted along partisan lines. Additionally attempts to win over bases with so-called "candy" provisions may do more harm than good, if they choose controversial policies.

Competing Interests:

The author(s) declare none.

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