

REFERRED MEASURES NOT PLACED ON BALLOT

CHAPTER 595

UNIVERSITY OF NORTH DAKOTA APPROPRIATION

Attempted referendum of that portion of House Bill No. 1001, which made an appropriation for defraying expenses of the University of North Dakota in the net amount of \$29,331,024.00 for the biennium beginning July 1, 1975, and ending June 30, 1977, passed by the Forty-fourth Legislative Assembly at the 1975 Legislative Session. The North Dakota Supreme Court in State ex rel. Walker v. Link, 232 N.W.2d 823 (1975) stated that neither the Legislative Assembly nor the people can, without a constitutional amendment, refuse to fund a constitutionally mandated function. In an Opinion dated September 19, 1975, to the Honorable Ben Meier, Secretary of State, the Honorable Allen I. Olson, Attorney General, said that as a result of Walker, coupled with State ex rel. Askew v. Meier, 231 N.W.2d 821 (1975), a vote on the measure would be ineffective to accomplish any practical legal result. For these reasons, the referred measure was not placed on the ballot.