

OPINION
55-34

December 29, 1955 (OPINION)

COUNTIES

RE: Election on Petition Questions - Procedure After Negative Vote

In answer to Mr. Thoresen's Letter of December fourteen you again ask for an official opinion as to how the county could again submit to the voters the question of the county participating in the aid of county fairs.

Chapter 4-02 of the 1953 Supplement to the North Dakota Revised Code of 1943 provides how the county commissioners may levy the original tax for aid to an agricultural fair, and it also provides for submission of the question to the people for a vote. In your particular case, I understand the people of the county voted down the question of aid to the agricultural fair and your problem is whether the question may again be submitted.

It is the opinion of this office that there is no express bar in the law to bringing the question up as often as the commissioners may see fit. We do, however, think that it would be proper to start from the beginning and have a petition presented to the board of county commissioners to submit the question to the people again. There is no specific requirement for such a procedure but we think that is the most logical way to proceed. But as stated before, there is no bar to bringing the question up as often as desired.

LESLIE R. BURGUM

Attorney General