

NORTH DAKOTA

North Dakota ranks 13th among the states in number of local governments, with 2,699 as of October 2007.

COUNTY GOVERNMENTS (53)

There are no areas in North Dakota lacking county government. The county governing body is called the board of county commissioners.

SUBCOUNTY GENERAL PURPOSE GOVERNMENTS (1,677)

Municipal Governments (357)

Legislation in 1967 designated all municipal governments in North Dakota as cities. There is no minimum population requirement for incorporation as a city under current law. All cities exist outside the area of any township.

Township Governments (1,320)

Township governments exist in 48 of the 53 North Dakota counties. In the counties that have township governments, these governments do not cover the entire county area; cities and unorganized territory exist outside the area of any township. The governing body is an elected board of township supervisors.

North Dakota statutes also provide for consolidated township ("multitownship") governments that are governed by a board of supervisors consisting of representatives of the participating townships.

PUBLIC SCHOOL SYSTEMS (198)

School District Governments (198)

All school districts in North Dakota are counted as separate governments and are designated by law as "public school districts" except the Fargo School District, which was established by special act. An elected school board governs each school district. The school boards may levy local school taxes and issue certificates of indebtedness.

Military installation school districts are established at the request of the base commander of a military installation to the state board of public school education followed by a public hearing. The board consists of five members appointed by the superintendent of public instruction. The districts may levy ad valorem property taxes and may issue revenue bonds.

Dependent Public School Systems (0)

North Dakota has no dependent public school systems.

Other Educational Activities

Multidistrict vocational and technology centers are governed by boards consisting of representatives of the boards of participating school districts. Each participating district is assessed its proportionate share of the costs of the center. These centers are classified as joint educational service agencies of the sponsoring school districts in census reporting and are not counted as separate governments.

Multidistrict special education programs may be created to plan and coordinate special education and related services. The composition of the multidistrict special education board is determined by agreement between school boards of the participating districts. The board may receive contributions from local, state and federal sources. These boards are classified as joint educational service agencies of the participating districts and are not counted as separate governments.

SPECIAL DISTRICT GOVERNMENTS (771)

North Dakota statutes authorize the creation of a variety of special districts and authorities that are counted as governments. These are discussed in detail below.

Airport Authorities--Municipal and Regional

These authorities may be established by

resolution of the municipal governing body or, in the case of a regional authority, by resolution of each participating governing body after public hearing. A board of five commissioners appointed by the municipal governing body governs each municipal airport authority. A regional airport board consists of five or more commissioners, whose number and representation are provided for by a joint resolution of the participating governments. The commissioners may issue revenue bonds, fix fees and charges, and determine the amount of taxes to be levied by the participating municipalities.

County Nursing Home Authorities

County nursing home authorities are established by the board of county commissioners upon petition of voters followed by a referendum. A board of five commissioners appointed by the county commissioners governs each authority. The authority may fix rentals, levy taxes, and issue bonds. No county nursing home authorities were reported in operation as of October 2007.

Garrison Diversion Conservancy District

This district was established by special act. An elected board of directors, consisting of one member from each county in the district, governs the district. The district may levy ad valorem taxes.

Hospital Districts

Hospital districts are established by one or more boards of county commissioners on petition of voters followed by a public hearing and a referendum. An elected board of directors governs each district. The district may levy taxes and incur indebtedness.

Housing Authorities

Housing authorities may be established by resolution of municipal or county governing bodies on its own motion or must be made upon the filing of a petition by residents. Housing authority commissioners are appointed by the mayor (in the case of a city housing authority) or

the county board of commissioners (in the case of a county housing authority). Housing authorities may fix charges and rents and issue bonds.

Irrigation Districts

North Dakota statutes authorize the following types of irrigation districts:

Flood irrigation boards--The county commissioners on their own initiative or upon petition may create flood irrigation boards. Board members are appointed by the county commissioners. These boards may create flood irrigation projects and districts (on petition of freeholders), issue bonds, and levy benefit assessments.

Irrigation districts--These districts are created by the state engineer upon petition of the voters and after referendum. An elected board of directors governs each district. The district may issue bonds, levy assessments, and collect water rentals. These districts should be distinguished from flood irrigation boards.

Lake Agassiz Water Authority

This authority was created by act of state legislature to assist in water supply in the eastern part of the state. The authority is governed by a board of directors appointed by member cities and water districts. The authority may issue bonds and may set rates, fees, and tolls for its services, facilities, and commodities. The authority may determine the amount of dues to be paid by cities and water districts to the authority.

Municipal Power Agencies--1977 Law

Agencies formed under this law are formed by agreement between the governing bodies of two or more cities to provide electric power, upon voter approval. The composition of the agency governing body, which includes representatives

of participating cities, is specified in the agreement creating the agency. The agency may fix rates and charges for the sale of electric power and, upon voter approval, may issue revenue bonds

Park Districts

Park districts are formed by resolution of the municipal governing body. An elected board of commissioners governs each district. The district may issue bonds, which may require voter approval, and may levy ad valorem taxes and special benefit assessments.

In addition, a 1957 law authorizes two or more contiguous or adjacent counties to form a joint county park district on resolution of the county board of commissioners of each county involved. Each district is governed by a board of joint park commissioners, which is composed of two members from each county; each county board of commissioners appoints one of its own members and one additional member. The joint park board selects one additional member at large. The joint park board may levy ad valorem taxes after voter approval.

Port Authorities

Port authorities are placed near intersections of rail lines and major highways to promote economic development by providing facilities. Municipal or regional port authorities are created by resolution of one or more municipalities; this power is limited to municipalities meeting specified criteria. Each authority is governed by a board of commissioners appointed by the creating government or governments. These authorities may set taxes to be collected on its behalf, issue bonds, and set rentals and fees.

Joint boards created by a port authority and a public agency are dependent agencies of the creating governments and are not counted as governments. Also, the governing body of a municipality may serve as the governing board of a port authority. These would not be counted as separate governments. See "Subordinate Agencies and Areas," below.

Recreation Service Districts

Recreation service districts provide garbage removal, police protection, road construction and maintenance, sewers, and water supply to recreational areas. These districts are established by the county commissioners upon petition of voters followed by a referendum. An elected board of commissioners governs each district. The district may levy benefit assessments and ad valorem taxes.

Regional Library Cooperatives

These cooperatives coordinate library services and resources. They are established by resolution of the North Dakota Library Coordinating Council. A board of representatives governs each cooperative, with each participating library designating one representative to serve on the board in addition to the director of the designated library resource center, who serves as a nonvoting member. The cooperatives may set and collect rates and charges for services. Multitype library authorities are geographic areas within which these cooperatives are organized.

Rural Ambulance Service Districts

These districts are created upon petition of voters to the county auditor followed by a referendum. An elected board of directors governs each district. The districts may levy an ad valorem tax and issue debt. (The district shall determine taxes to be levied on behalf of the district)

Rural Fire Protection Districts

Rural fire protection districts provide fire protection and ambulance services. The districts may be established by the board of county commissioners upon petition of landowners and after hearing. An elected board of directors governs each district. The districts may issue debt and set ad valorem tax rates.

Soil Conservation Districts

Soil conservation districts are created by the state soil conservation committee on petition of

resident voters and after a hearing and referendum. An elected board of supervisors governs each district. The districts may require contributions from benefitted landowners and may levy taxes.

Southwest Water Authority

This authority was created by 1991 legislation to distribute water in 11 counties in southwestern North Dakota. A board of 13 elected directors (one from each county served and two from the city of Dickinson) governs the authority. The authority may levy ad valorem taxes.

Vector Control Districts

Vector control districts for mosquito and fly control are formed by the state health council upon a petition by the local governing body or by voters after a hearing. A board of commissioners, appointed by the board of county commissioners of the county containing the largest area in the district, governs each district. The districts may levy an ad valorem tax and issue tax anticipation notes.

Waste Management Authorities

Authorities for management of solid waste are created by interlocal agreement between two or more counties or cities. The composition of the authority governing body and revenue powers are specified in the authorizing agreement. Authorities of this type may be known by a variety of names.

Water Districts

Water districts are created in one county or in two or more adjacent counties upon petition of local area landowners to the state engineer followed by a hearing. A board of up to nine directors elected by the landowners governs the district. A district may collect rates and charges, levy special assessments, and issue revenue and refunding bonds.

Water resource districts that have a developed water supply system may convert that system to a water district.

SUBORDINATE AGENCIES AND AREAS

Shown below are various governmental designations in North Dakota that have certain characteristics of governmental units but that are classified in census statistics as subordinate agencies of the state or local governments, or as private rather than governmental activities, and are not counted as separate governments. Legal provisions for some of the larger of these agencies are discussed below (see "Public School Systems," above, regarding educational agencies of this nature).

North Dakota Industrial Commission (state).

This commission was created by act of the legislative assembly to finance industrial development, mortgage credit, and public buildings. The commission consists of the Governor, the attorney general, and the commissioner of agriculture, all serving in an ex officio capacity. The commission may fix rates and charges and may issue revenue bonds. The commission also serves as the governing body of the North Dakota Housing Finance Agency, the North Dakota Transmission Authority, and the North Dakota Building Authority.

Other examples include:

State

Agricultural districts and communities
Comprehensive Health Association
North Dakota Development Fund Corporation
North Dakota Public Financing Authority
State Water Conservation Commission

County

Commerce authorities
County job development authorities
County special service districts (for police protection or garbage disposal)
County weed boards
Drainage districts
Health districts
Library boards
Water resource districts
Weather modification authorities

Municipal

City job development authorities
Commerce authorities
Improvement districts
Library boards
Municipal arts councils
Municipal parking authorities
Municipal steam heating authorities
Port authorities (with ex officio boards)
Urban renewal agencies

Joint County-Municipal

Commerce authorities
County-city health districts

Private Associations

Grazing associations are classified as private cooperatives for census purposes. They are not counted as governments.

North Dakota laws also provide for various types of local areas for election purposes and administration of justice.