

North Dakota

North Dakota ranks 14th among the states in number of local governments, with 2,735 as of June 2002.

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 (1,692)

The 1,692 subcounty general purpose governments in North Dakota comprise the 360 municipal (city) governments and the 1,332 township governments.

Municipal Governments (360)

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 (1,332)

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. In addition, some township governments in North Dakota have been dissolved in recent years. 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 (226)

School District Governments (226)

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. It 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, accept state and federal funding, 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. As of June 2002, there were six multidistrict vocational and technology centers reported in operation.

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. As of June 2002, there were 38 multidistrict special education programs reported in operation.

SPECIAL DISTRICT GOVERNMENTS (764)

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 on resolution of the of the municipal governing body or, in the case of a regional authority, on resolution of each participating governing body. 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, accept state and federal aid, fix fees and charges, and determine the amount of taxes to be levied by the municipalities comprising the authority.

County Nursing Home Authorities

County nursing home authorities are established by the 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, receive federal grants, and issue bonds. No county nursing home authorities were reported in operation as of June 2002.

Garrison Diversion Conservancy District

This district was established by special act to manage the land and water resources of the state. An elected board of directors comprised of one member from each county in the district governs the district. The district may levy ad valorem taxes and accept grants.

Hospital Districts

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

Housing Authorities

Housing authorities may be established on resolution of municipal or county governing bodies. 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, receive federal grants, and issue bonds.

Irrigation Districts

North Dakota statutes authorize the following types of irrigation districts:

Irrigation districts. These districts are created by the state engineer on 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.

Flood irrigation boards. The county commissioners on their own initiative or on 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.

Municipal Power Agencies—1977 Law

Agencies formed under this law are formed by agreement between 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 may issue revenue bonds upon voter approval. No municipal power agencies have been reported in operation as of June 2002.

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 evidence of indebtedness, 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. A board of joint park commissioners, composed of two members from each county, one a member of the county board of commissioners and one selected by each county board of commissioners governs each district. The joint park board selects one additional member at large. The joint park board may accept gifts and grants, and may levy ad valorem taxes after voter approval.

Recreation Service Districts

Recreation service districts to provide garbage removal, police protection, road construction and maintenance, sewers, and water supply to recreational areas, are established by the county commissioners on 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 to coordinate library services and resources 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. The cooperative may collect rates and charges for its services. These cooperatives were formerly known as multitype library authorities.

Rural Ambulance Service Districts

These districts are created by petition to the county auditor, followed by a referendum. An elected board of directors governs each district. The district may levy an ad valorem tax and issue debt.

Rural Fire Protection Districts

Rural fire protection districts to provide fire protection and ambulance services may be established by the board of county commissioners on petition of landowners and after hearing. An elected board of directors governs each district. The district may issue debt, accept gifts, and determine the amount to be raised by ad valorem taxes for district purposes.

Soil Conservation Districts

Soil conservation districts are created by the state soil conservation committee on petition of residents and after referendum. An elected board of supervisors governs each district. The districts may require contributions from benefited 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 after petition by the local governing body or by voters. 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 district 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 is specified in the agreement creating a specific authority. Similarly, the revenue powers of these authorities are specified in the agreement creating a specific authority. Authorities of this type may be known by a variety of names.

Water Districts

Water districts are created on petition of local area landowners to the state engineer followed by a hearing for purposes of providing an adequate supply of water. A board of up to nine directors appointed by the landowners governs the district. A district may accept federal and state assistance, collect rates and charges, levy special assessments, and issue revenue and refunding bonds.

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 and the North Dakota Building Authority.

Other examples include:

State

- Agricultural districts
- Comprehensive Health Association
- North Dakota Development Fund
- North Dakota Municipal Bond Bank
- Northwest Area Water Supply Project
- Science and Technology Corporation¹
- State Water Conservation Commission

County

- County job development authorities
- County special service districts (for police protection or garbage disposal)
- County weed boards
- Drainage projects or districts
- Forest protection districts¹
- Health districts
- Library boards
- Water resource districts
- Weather modification authorities
- Zoning and planning districts

Municipal

- City job development authorities
- Improvement districts
- Library boards
- Municipal arts councils
- Municipal parking authorities
- Municipal steam heating authorities
- Urban renewal agencies

¹Authorizing legislation was repealed in 1997.

Joint County-Municipal

County-city health districts
Solid waste management districts²

²Law authorizing legislation for solid waste management districts was repealed in 1995.

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.