

# Individual State Descriptions: 2017

## 2017 CENSUS OF GOVERNMENTS

Released April 2019

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The Public Sector Frame and Classification Branch of the Economic Statistical Methods Division prepared this report.

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# Contents

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Introduction .....	1
<b>Individual State Descriptions</b>	
Alabama .....	10
Alaska .....	17
Arizona .....	20
Arkansas .....	25
California .....	32
Colorado .....	43
Connecticut .....	51
Delaware .....	57
District of Columbia .....	60
Florida .....	62
Georgia .....	71
Hawaii .....	77
Idaho .....	79
Illinois .....	83
Indiana .....	93
Iowa .....	100
Kansas .....	105
Kentucky .....	111
Louisiana .....	118
Maine .....	130
Maryland .....	136
Massachusetts .....	140
Michigan .....	147
Minnesota .....	154
Mississippi .....	161
Missouri .....	168
Montana .....	176
Nebraska .....	181
Nevada .....	187
New Hampshire .....	192
New Jersey .....	195
New Mexico .....	200

New York .....	204
North Carolina .....	214
North Dakota .....	220
Ohio .....	224
Oklahoma .....	230
Oregon .....	234
Pennsylvania.....	241
Rhode Island.....	247
South Carolina .....	251
South Dakota .....	257
Tennessee .....	261
Texas.....	266
Utah .....	276
Vermont .....	280
Virginia.....	284
Washington.....	293
West Virginia.....	301
Wisconsin .....	305
Wyoming .....	310

### **Appendices**

A. County-Type Areas Without County Government.....	A-1
B. Geographical Overlap of Township Governments With Other Governments .....	B-1
C. Persons Who Reviewed the Individual State Descriptions.....	C-1
D. Laws Used for Legislative Research .....	D-1

# Introduction

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A census of governments is taken at 5-year intervals as required by law under Title 13, U.S. Code, Section 161. This 2017 Census, similar to those taken since 1957, covers three major subject fields—government organization, public employment, and government finances.

The “Individual State Descriptions” provides information about the organization of state and local governments. There is a separate summary for each state and the District of Columbia. The summaries are divided according to the five basic types of local governments recognized for the U.S. Census Bureau’s classification of government units—county, municipal, township, school district, and special district governments.

## ORGANIZATION OF THIS REPORT

This introductory text describes the scope of Census Bureau statistics on government organization. It explains the basic concepts and intricacies of the types of data, notes the limitations of these data, and explains their relationship to data in other reports.

The “Individual State Descriptions” briefly describe the various local governments authorized in each state and the District of Columbia. Appendix A contains a list of county-type areas without county governments. Appendix B contains a summarized table of the geographic overlap of township governments with other governments. Appendix C lists persons who reviewed the “Individual State Descriptions” and provided feedback prior to publication. Appendix D provides a list of the state laws used for the legislative review.

## BASIC CONCEPTS

### Criteria for Classifying Governments

Census Bureau statistics on governments are designed to account for the totality of public sector activity without omission or duplication. Governmental services in the United States are provided through a complex structure made up of numerous public bodies and agencies. In addition to the federal government and the 50 state governments, the Census Bureau recognizes five basic types of local governments. Of these five types, three are general-purpose governments—county and subcounty general-purpose (municipal and township) governments. The other two types are special-purpose governments—school district and special district governments. Each government type is described later in this introduction, along with the content provided in each state’s description.

County, municipal, and township governments are readily recognized and generally present no serious problem of classification. However, legislative provisions for school district and special district governments are diverse. Numerous single-function and multiple-function districts, authorities, commissions, boards, and other entities, which have varying degrees of autonomy, exist in the United States. The basic pattern of these entities varies widely from state to state. Moreover, various classes of local governments within a particular state also differ in their characteristics.

Before attempting to identify and count governments, it is necessary to define entities counted and to establish standards for classifying the five local government types. The Census Bureau classifies and counts governments for the purpose of developing statistics on governments according to the following definitions and criteria:

A government is an organized entity having governmental character, and sufficient discretion in the management of its own affairs to distinguish it as separate from the administrative structure of any other governmental unit within that state.

An entity must possess all three attributes to be counted as a government:

- Existence as an organized entity.
- Governmental character.
- Substantial autonomy.

In the face of such diverse organizational arrangements, it is not possible to use a single litmus test to identify whether any particular organization is a government. However, it is possible to determine whether all three of the criteria are met, by looking for certain indicators described below.

#### *Indicators of an Organized Entity*

The presence of some form of organization and the possession of corporate powers provide evidence of this attribute, such as perpetual succession, the right to sue and be sued, have a name, make contracts, acquire and dispose of property, and the like.

Designation of a class of governments in law as “municipal corporations,” “public corporations,” “bodies corporate and politic,” and the like indicates that such units are organized entities. On the other hand, some entities not so specifically stated by law to be

corporations do have sufficient powers to be counted as governments.

The mere right to exist is not sufficient. When a former government has ceased to operate—i.e., receives no revenue, conducts no activities, and has no officers at present—it is not counted as an active government.

### *Indicators of Governmental Character*

An organization is considered a government if it provides services, or wields authority, or bears accountability that are of a public nature. Governmental character exists when officers of the entity are popularly elected, or are appointed by public officials. A high degree of responsibility to the public, demonstrated by requirements for public reporting or for accessibility of records to public inspection, is also taken as critical evidence of governmental character.

Governmental character essentially means an entity has the power to levy taxes, issue debt for which the interest is exempt from federal taxation, or responsibility for performing a function commonly regarded as governmental in nature. However, a lack of any of these attributes or evidence of them does not exclude an entity from having governmental character if it has popularly elected officers or public accountability. For example, there are some special district governments (often considered private) without taxing powers that provide electric power or other public utility services and are counted as local governments. Provisions as to their administration and public accountability aid in this determination.

### *Indicators of Substantial Autonomy*

This requirement is met when, subject to statutory limitations and any supervision of local governments by the state, an entity has considerable fiscal and administrative independence.

*Fiscal independence* may derive from power of the entity to:

Determine its budget without review and detailed modification by other local officials or governments.

- Determine taxes to be levied for its support.
- Fix and collect charges for its services.
- Issue debt without review by another local government.

*Administrative independence* is closely related to selecting the governing body of the entity. Accordingly, a public agency is counted as an independent government if it has independent fiscal powers and the following:

- Has a popularly elected governing body.
- Has a governing body representing two or more state or local governments.
- Even in the event its governing body is appointed, the entity performs functions that are essentially different from those of its creating government. In addition, the entity is not subject to specification by its creating government.

Conversely, separate existence is not attributed to entities that lack either fiscal or administrative independence. Some local government agencies having considerable fiscal autonomy are therefore not counted as governments, but are classified as dependent agencies of another government, when one or more of the following characteristics is present:

- Control of the agency by a board composed wholly or mainly of parent government officials.
- Control by the agency over facilities that supplement, serve, or take the place of facilities ordinarily provided by the creating government.
- Provision that agency properties and responsibilities revert to the creating government after agency debt has been repaid.
- Requirement for approval of agency plans by the creating government.
- Legislative or executive specification by the parent government as to the location and type of facilities the agency is to construct and maintain.
- Dependence of an agency for all or a substantial part of its revenue on appropriations or allocations made at the discretion of another state, county, municipal, township, school district, or special district government.
- Provision for the review and the detailed modification of agency budgets by another local government. However, county review of agency budgets in connection with statutory limitations on tax rates is not, by itself, sufficient to establish lack of fiscal autonomy.

### *Other Factors*

Application of the foregoing criteria involves little difficulty in many instances, but the variety of provisions regarding local government entities and variations of autonomy described later in this report, makes classification of certain entities subject to considerable judgment. In such cases, the Census Bureau has taken account of (1) local attitudes as to whether the type of unit involved is independent or not, and (2) the effect of the decision on collection and publication of finances and employment government statistics.

## *Noncritical Characteristics*

Along with essential attributes described above, there are other common attributes that are not essential for the identification of governments. Among such noncritical attributes are geographical area, population, taxing power, and internal uniformity of taxation and services.

Most governments, but not all, serve and operate primarily within a specific geographical area for which a population can be determined. However, some entities having all essential characteristics of local governments do not possess this attribute. At best, such entities can be associated only with an area unrelated to a specific population concentration. An example is a special district government providing toll road and bridge facilities. Even those governments which can be directly associated with a defined territory for certain purposes, such as property taxation, often own and operate facilities or provide services on one basis or another to residents of adjoining territory.

Most governments have the authority to levy taxes. Again, however, this is not an essential attribute. Even for those governments that have property taxing powers and serve a precisely determined area, it cannot always be said that a single level of taxation and services applies throughout the area concerned. Differential taxation often occurs legally where annexation or other boundary changes place a burden of debt service on some, but not all, of the territory. Moreover, subordinate "districts" are sometimes provided for, with regard to particular types of improvements or governmental services, resulting in differences of tax level within the total area served by the government.

Any of these indicators may be sufficient for meeting a particular criterion, but may not be the only necessary way to meet it. Census Bureau staff evaluate whether the criteria have been met by conducting legal research to find changes in the state and local laws. Census Bureau staff speak with local officials and review media articles regarding changes in the provision of local government services. Thus, by applying these criteria, Census Bureau staff consistently identify and classify governments even though the criteria are not, strictly speaking, a fixed algorithm.

## **Governmental Functions**

Whereas the courts distinguish between "governmental" and "proprietary" functions in determining the liability of governments for tort claims, Census Bureau statistics on governments do not make any distinction between "governmental" and "proprietary" functions. Thus, Census Bureau statistics on governments include many functions

or activities that are also widely performed by private firms, if the entity in question is administered by officers who are popularly elected or are selected by public officials, or if the entity is subject to public accountability.

## **Dependent Agencies**

A critical element in defining a government is identifying the full range of its activities and dependent agencies. Dependent agencies—synonymously called "subordinate agencies"—can be involved in a wide variety of activities—school systems, universities, utilities, toll highways, hospitals, etc. These agencies are often referred to as "dependent" to emphasize the relationship between the agency and its parent government regarding the work it performs. The standards for determining dependency are mentioned under "Indicators of Substantial Autonomy" section above.

Contrasting examples of the existence of dependent agencies are found in New York City and Chicago. Almost all local government services in New York City are classified as part of the city government (the school system, libraries, transit, and so forth). As a result, New York City government includes over 100 dependent agencies. By contrast, many of these services in Chicago are classified as functions of independent special district governments.

Examples of dependent agencies in each state appear in the appropriate state descriptions of this report, under the heading "Subordinate Agencies and Areas."

## **SCOPE**

### **Types of Local Governments**

#### *General Purpose Governments*

The following descriptions are intended to help readers understand the frame from which surveys about governments are drawn, and describe what kinds of organizations are being measured, when Census Bureau data products about governments refer to "county," "municipality," "township," "special district," or "school district." Because county, municipal, and township governments are readily recognized and generally present no serious problem of classification, only limited descriptive material is presented for them.

#### *County Governments*

Organized county governments are found throughout the nation, except in Connecticut, Rhode Island, the District of Columbia, and limited portions of other states where certain county areas lack a distinct county government. In Louisiana, the county governments are officially designated as "parish" governments, and the "borough" governments in Alaska resemble county governments in other

states. Both are classified as county governments for Census Bureau statistics on governments.

For county governments, the description includes a brief explanation of the areas of the state served by county government, the subclasses (if any) of county governments specified by state law, and the governing body. For states that have county areas not served by county governments, those areas are also designated.

There are some cases where municipal and county governments have been consolidated or substantially merged. The composite units are counted as municipal governments in Census Bureau statistics on governments.

There also exist cities located outside of any “county” area administering functions elsewhere commonly performed by counties. This includes the cities of Baltimore and St. Louis, which are outside the areas of the adjacent counties of Baltimore and St. Louis. Carson City, Nevada is an independent city that borders three counties: Douglas, Lyon, and Washoe. Virginia has independent cities that are not part of any county. For further information on county-type areas without county governments, see Appendix A.

### ***Municipal and Township Governments***

There are two types of subcounty general-purpose governments, municipalities, and townships. The subcounty general-purpose governments enumerated in 2017 include municipal governments and town or township governments. These two types of governments are distinguished by both the historical circumstances surrounding their incorporation and geographic distinctions. That is, incorporated places are generally associated with municipalities, whereas townships are generally associated with minor civil divisions (MCDs). As defined by the Census Bureau, “[an] incorporated place is established to provide governmental functions for a concentration of people as opposed to a minor civil division, which generally is created to provide services or administer an area without regard, necessarily to population.”

For municipal governments, the description includes a brief explanation of how municipal governments, as defined for Census Bureau statistics on governments, are designated under state law; the subclasses, if any, of municipal governments specified by state law; and the minimum population requirements for incorporation, if any. For states that have township governments, the description also explains whether municipal governments exist within the area of a governmentally active town or township.

For township governments, the description includes a brief explanation of the areas of the state served by township government, the subclasses, if any, of township governments specified by state law, the governing body, and the functions performed.

### ***Municipal Governments***

As defined for Census Bureau statistics on governments, the term “municipal governments” refers to political subdivisions within which a municipal corporation has been established to provide general local government for a specific population concentration in a defined area. This definition includes all active government units officially designated as cities, boroughs (except in Alaska), towns (except in the six New England states, and in Minnesota, New York, and Wisconsin), and villages. This concept corresponds generally to the “incorporated places” that are recognized in Census Bureau reporting of population and housing statistics, subject to an important qualification—the count of municipal governments in this report excludes places that are currently governmentally inactive.

### ***Township Governments***

The term “town or township governments” is applied to organized governments located in the Northeast and the Midwest.

Although towns in the six New England states and New York, and townships in New Jersey and Pennsylvania are legally termed “municipal corporations,” they perform municipal-type functions and frequently serve densely populated urban areas; they have no necessary relation to concentrations of population, and are thus counted for Census Bureau statistics on governments as town or township governments.

Excluded from this count of town or township governments are:

- Unorganized township areas.
- Townships coextensive with cities where the city governments have absorbed the township functions.
- Townships known to have ceased performing governmental functions.
- Townships in Iowa, which are not counted as separate governments, but instead are classified as subordinate agencies of county governments.

In order to better understand the frame that the Census Bureau uses to survey governments, and to understand the scope-of-service provision by local governments, data users should consider the ways in which township governments overlap with other governments. There are several dimensions to consider including:

- Whether townships are present within the state.
- Whether townships are present within all or merely some counties or county-type areas within a state.
- Whether or not townships overlap municipalities.
- Whether or not townships cover all geographic areas within the state that are not already covered by municipalities.

There are states that have township governments in all of their counties or county-type geographic areas. There are some states where this type of government occurs only in certain county or county-type geographic areas. As of 2017, these states are:

- Illinois.
- Kansas.
- Massachusetts.
- Minnesota.
- Missouri.
- Nebraska.
- North Dakota.
- South Dakota.
- Wisconsin.
- New York, town governments exist in each county outside of New York City.

The area served by municipal and town or township governments may overlap in states. Some, but not all, municipalities in these town or township states operate within a territory that is served also by town or township governments. In the remaining states, there is no geographic overlapping of these units. In some of those states, operating towns or townships comprise all territory other than that serviced by municipalities. The same is true for Maine, New Hampshire, North Dakota, and South Dakota, except for “unorganized territory” which lacks any local government. For a table illustrating the geographical overlap of township governments, see Appendix B.

### ***Special Purpose Governments***

#### ***Special District Governments***

Special district governments are independent, special-purpose governmental units that exist as separate entities with substantial administrative and fiscal independence from general-purpose local governments. As defined for Census Bureau statistics on governments, the term “special district governments” excludes school district governments as they are defined as a separate governmental type.

Special district governments provide specific services. Most perform a single function, but in some instances, their enabling legislation allows them to provide several, usually related, types of services. The services provided by these districts range from such basic social needs, such as hospitals and fire protection, to the less conspicuous tasks of mosquito abatement and upkeep of cemeteries. The text box below provides a partial, but more expansive, list of functions performed by special districts to illustrate

how wide an array of services may be provided by this type of government.

The Census Bureau classification of special district governments covers a wide variety of entities, most of which are officially called districts or authorities. Not all public agencies so termed, however, represent separate governments. Many entities that carry the designation “district” or “authority” are, by law, so closely related to county, municipal, town or township, or state governments that they are classified as subordinate agencies of those governments in Census Bureau statistics on governments.

Greater descriptive information is provided for special districts because of the complexity and diversity of special district legislation within each state and from one state to

### **Special District Functions**

While special districts perform only one or a limited number of functions, the functions can vary widely from district to district, and include many that are performed by general-purpose governments. A partial list of these functions is below for context. Additional detail is provided in each state’s description.

- Air transportation (airports)
- Cemeteries
- Corrections
- Education
- Electric power
- Fire protection
- Gas supply
- Health
- Highways
- Hospitals
- Housing and community development
- Industrial development
- Libraries
- Mortgage credit
- Natural resources
- Parking facilities
- Parks and recreation
- Sea and inland port facilities
- Sewerage
- Solid waste management
- Transit
- Water supply

another. A description may include method of establishment, function (if not otherwise apparent), nature and manner of selection of governing body, and authorized financing methods.

### **School District Governments and Public School Systems**

The public school systems in the United States are either counted as independent school districts or “dependent” public school systems. The “dependent” public school systems are classified as agencies of other governments—state, county, municipal, or town or township—and are not counted as separate governments. Charter schools are not included unless they meet the Census Bureau’s definition of a government (see “Charter Schools” below).

The description of public school systems is subdivided into three parts—school district governments, dependent public school systems, and other educational activities.

For school district governments, the description includes a brief explanation of how school district governments, as defined in Census Bureau statistics on governments, are designated under state law; the nature and manner of selection of the governing body; and authorized financing methods.

Dependent public school systems are part of county, municipal, township, or state governments, and are not counted as school district governments. For these systems, the description includes a brief explanation of which public school systems are classified as dependent agencies for Census Bureau statistics on governments; the nature and manner of selection of the governing body; and authorized financing methods.

The subcategory “Other Educational Activities” covers agencies that perform activities related to education but do not operate schools. Examples of other educational activities include such entities as technical college districts, regional educational service centers, and career centers. Such agencies are not counted as school district governments, and their activities are briefly described in this section.

Noticeable diversity is evident in school organization throughout the United States because of the variety of state legislative provisions for the administration and operation of public schools. An independent district arrangement, which prevails in most parts of the country, is practically universal in the West.

A “mixed” situation is found in some states, with the public schools that provide elementary and secondary education operated in some areas by independent school districts and elsewhere by a county, municipal, town or township, or state government. In the District of Columbia and in other states, there are no independent school districts; all public schools in those jurisdictions are

administered by systems that are agencies of the county, municipal, or state government.

All public school systems include some systems that do not provide elementary-secondary or postsecondary education services. Several public school systems do not operate schools. Instead, these “non-operating” systems are responsible for providing transportation and paying tuition or reimbursement to other school systems for public school students who live in their respective areas, or for providing special services to those systems that operate schools.

### **Charter Schools**

Census Bureau statistics on governments include only those charter schools established and administratively controlled by another government entity (e.g., universities, cities, counties, or public school systems). The data for these “public charter schools” are collected as separate individual units or are included with the data for their chartering government. Charter schools that do not meet Census Bureau criteria for classification as a government entity are considered “private charter schools” and are not included in Census Bureau statistics on governments.

For a charter school to be classified as a “public charter school,” it must meet the same requirements as any other government. For more information on that criteria, see the section “Criteria for Classifying Governments.”

### **Subordinate (Dependent) Agencies and Areas**

Each state summary not only describes the types of independent local governments within the state, but also describes other units called subordinate agencies or dependent agencies. A unit is classified as a subordinate agency when it is subject by law to administrative or fiscal control by the state or by independent local governments. These agencies may be any number of authorities, commissions, corporations, and other forms of organization that have certain governmental characteristics but, nevertheless, do not fully meet the Census Bureau’s criteria for being classified as an independent government.

For some of the larger subordinate agencies, the description includes the method of establishment, function, nature and manner of selection of governing body, and authorized financing methods. Also listed in each state summary are certain geographical subdivisions, or areas established by law for administrative purposes, bearing designations that might appear to relate to separate governments.

The listings of “Subordinate Agencies and Areas” are incomplete in certain respects. For example, agencies that have been authorized by legislation but have never been activated or have ceased to be active are excluded from the lists. Also, not specifically listed are state universities and colleges. Such institutions are consistently classified

as state government agencies, although they possess many of the attributes of independent governmental entities and are sometimes difficult to distinguish from private nonprofit institutions.

The listings of subordinate agencies do not include bodies that have been set up by interstate compacts. Such bodies typically serve to coordinate and advise upon activities actually carried out by the participating states. However, there are a few special district governments created pursuant to interstate compacts (e.g., the Port Authority of New York and New Jersey) and they are counted under that category.

No attempt has been made to list various kinds of areas established for election purposes or administration of justice, such as election precincts or districts, legislative districts, judicial districts, and the like, which are found by some designation in every state.

### Tribal Governments

Tribal governments are recognized as sovereign nations under the auspices of the federal government, and therefore do not meet the criteria of a state or local government as defined for Census Bureau statistics on governments.

### RELATION TO OTHER CLASSIFICATIONS AND LISTINGS

#### Local Areas for Population Statistics

The designations for certain kinds of governments—counties, municipalities, townships, and towns—are the same as those used for presenting statistics on population and other subjects. However, there is an important difference between governments, as defined for this report, and the geographic areas similarly named.

A listing of county-type areas without county governments is shown in Appendix A. The count of municipal governments in this report generally corresponds to the “incorporated places” that are recognized in Census Bureau reporting of population and housing statistics. However, it excludes places that had no municipal government in operation as of June 30, 2017.

Those areas that are designated as “minor civil divisions” for population statistics are counted as municipal or township governments only if they had a municipal or township government in operation as of June 30, 2017. Many township areas do not have organized and operating township governments.

#### Local Education Agencies

The number of public school systems shown in this volume generally corresponds to counts of “local education

agencies” in reports by state offices of education and presented in published reports by the National Center for Education Statistics, with the exception of certain administrative and other education activities that do not meet Census Bureau classification criteria for school district governments or dependent public school systems.

### Charter Schools

Only those charter schools that meet the Census Bureau's definition of a government are counted as governments in Census Bureau publications. Charter schools may be considered subordinate agencies of other governments, such as those run by public universities or municipalities, in which case their data would be included with their parent government. Otherwise, if they are run by a private organization, they are considered to be private and are not included in Census Bureau statistics on governments.

### Taxing Areas

The 2017 Census of Governments-Organization publication provides the official count of governments. These counts may differ materially from the number of “taxing units” or “taxing areas” as reported by official agencies in some states. Reasons for this difference include:

- Not all special district governments, are legally authorized to levy taxes, and those without such power would be properly excluded from any list of taxing units; and/or
- In some states, there are legal provisions for subordinate “districts” of counties or of other types of governments within which supplementary property taxes can be imposed to finance particular types of improvements or governmental services. In such instances, the number of taxing areas would exceed the number of governments as defined for this report.

### County-Subordinate Taxing Areas

In many states, county governments are authorized by law to establish taxing areas to provide specific improvements or services within a defined area that individually serves a portion rather than all of a county and to levy a tax on the assessed value of the property within the area to pay for such improvements or services. These county subordinate taxing areas are not counted as separate governments.

In numerous instances, these special taxing areas have been developed to supply urban-type services (such as water or sewer facilities, fire protection, streets, or street lighting) for unincorporated urban fringe portions of particular counties. However, a similar subcounty mechanism is also used in some states to provide services to rural areas, particularly for road construction and maintenance; many of the taxing areas in Illinois, Mississippi, and

Texas are of this nature. Similarly, the townships in Iowa have such limited discretion in the conduct of their affairs that they are classified as county government agencies rather than as independent governments. The county-dependent public school systems in North Carolina that serve less than a countywide area are also classified as county-subordinate taxing areas, and are not counted as governments.

In the sections of this report, which describes local government structure in each state, each class of county agencies recognized for this report as “special taxing areas” is listed under “Subordinate Agencies and Areas.”

## SOURCES OF DATA

### Review of Legislation

The information in this report is based upon an analysis of legal provisions controlling the existence of local governments in the various states as of the end of June 2017. The laws governing the existence or establishment of local government entities were first researched in detail for the planned 1952 Census of Governments. For each successive census, the legislation has been reviewed to update and verify the research of previous years.

The legislative review conducted for the 2017 Census of Governments covered general and special session laws pertaining to governmental structure that were passed by state legislatures between 2012 and 2017. Much of the text included in these descriptions is cited directly from the law authorizing the entity. As a result, the reader may notice some grammatical discrepancies. For example, a law in one state authorizing a special district may capitalize the word “governor,” but another law may reference “governor.” For a list of the state laws used in this text, please refer to Appendix D. The existing state descriptions were revised as necessary and then sent to public officials in each state for their review. The individuals who reviewed this material are listed in Appendix C.

### Governments Master Address File

The Governments Master Address File (GMAF) is updated continuously to add newly established units that meet Census Bureau criteria for independent governments, and to delete dissolved or inactive units. A governmental unit is considered inactive if it has no activity, receives no revenue, and has no officers currently. The method of collection of school districts is detailed below in the description of Public School Systems.

The Government Units Survey (GUS) obtained information from each governmental unit reflecting the government’s status as of February 29, 2016. The information collected on the form included the status of the governments on the survey reference date and whether the government had employees. Governments receiving the GUS form could

choose to respond via the Web instrument, by phone, or paper. The data obtained from the GUS were further verified and updated. Statistics on the final counts of governments is available to the public in the 2017 Census of Governments—Organization publication accessible from the Census Bureau Web site at <[www.census.gov/](http://www.census.gov/)>.

The GMAF is further refined on the basis of information obtained through various public sector annual surveys and censuses. The GMAF is updated through research and communication with state governments to obtain listings of special purpose governments, names of associations, and contact information for the state offices that oversee the activity of the special districts.

### General Purpose Governments

The universe list of county, municipal, and township governments is continuously updated as these units of governments become established, dissolved, or reorganized. Decisions to add or delete a county, municipal, or township governments are made on the basis of information obtained through the annual Boundary and Annexation Survey, which is conducted by the Census Bureau’s Geography Division. These units were included in the 2016 GUS and received a GUS form.

### Special District Governments

The process of updating the universe list of special district governments involves several steps as follows:

- Review of state legislation creating or authorizing various types of special district governments.
- Review of published federal, state, and private sources that list special district governments.
- Frequent contact with state and local officials.
- Review of state and local taxation materials as they relate to special districts with the power to levy taxes.

### Public School Systems

The universe list of public school systems, including both independent school district governments and dependent school systems, is updated using directory files of local education agencies maintained by the U.S. Department of Education, National Center for Education Statistics. Discrepancies between the various files are examined and the GMAF is revised as necessary following Census Bureau classification criteria. In addition, the GMAF is updated based on information obtained directly from various state education agencies.

### LIMITATIONS OF DATA

Surveys are subject to two types of error, sampling error and nonsampling error. Because the Census of Governments covers all governments, there is no sampling error. However, the data in this report are subject

to nonsampling error, which includes all other sources of survey error such as nonresponse, incorrect reporting, coverage, misclassification of governments, and inaccurate coding of data.

A variety of procedures were applied to keep nonsampling errors to a minimum, including the following:

- Review of state legislation for all GUS responses that indicated that they were no longer a government.
- Review of secondary sources.
- Reviews of lists of governments supplied by the states, when available.
- Use of advance and reminder letters for the GUS.
- Extensive research on addresses for Undeliverable as Addressed units and others lacking adequate contact information.
- Nonresponse follow-up efforts to encourage response.

The final response rate for the GUS was 85.4 percent with 70.9 percent of the responding units responding via the Web, 10.5 percent responding via paper, and 18.6 percent responding via some other means (including fax and telephone responses).

## INTERAREA COMPARISONS

Use caution in attempting to draw conclusions from direct interstate or intergovernmental comparisons of the number of governments by type. Such comparisons should take into account the diversity of responsibilities for various functions among different governments. In some

states, county or municipal governments may perform functions that are performed by school district or special district governments elsewhere.

Even within the same state, one may observe marked diversity in the scope of functions performed by individual governments or governments of a particular type. In California, for example, transit service may be operated by county or municipal governments in some localities and by special district governments elsewhere. Some individual municipal governments operate in effect as composite city county units. See Appendix A for a list of city-county governments counted as municipal governments.

In most states, the administration of local public elementary and secondary schools is by independent school districts. In many instances, however, including several of the largest cities, the school system is part of the county, municipal, or town or township government. Furthermore, the residents of a particular governmental jurisdiction, or even an entire county, might not be the only beneficiaries of local government operations in the area. For example, public hospitals or solid waste processing facilities located in one county area may provide service to a wide area.

## AVAILABILITY OF DATA

This report is available in electronic form at <[www.census.gov/topics/public-sector/government-organization.html](http://www.census.gov/topics/public-sector/government-organization.html)>. For additional information, please contact the Public Sector Frame and Classification Branch, U.S. Census Bureau, Washington, DC 20233, telephone 888-202-2691, or by e-mail at <[esmd.gus.psfcb@census.gov](mailto:esmd.gus.psfcb@census.gov)>.

# ALABAMA

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## COUNTY GOVERNMENTS

The entire area of the state of Alabama is encompassed by county governments. The county governing body is called the county commission. Home-rule powers may be granted by amendment to the state constitution.

## SUBCOUNTY GENERAL PURPOSE GOVERNMENTS

### Municipal Governments

Municipal governments in Alabama are the cities (municipalities having 2,000 or more inhabitants) and the towns (smaller municipalities). The minimum population requirement for incorporation is 300.

Alabama cities are classified by population size:

- Class 1—300,000 or more inhabitants.
- Class 2—175,000 to 299,999 inhabitants.
- Class 3—100,000 to 174,999 inhabitants.
- Class 4—50,000 to 99,999 inhabitants.
- Class 5—25,000 to 49,999 inhabitants.
- Class 6—12,000 to 24,999 inhabitants.
- Class 7—6,000 to 11,999 inhabitants.
- Class 8—fewer than 6,000 inhabitants.

### Township Governments

Alabama has no township governments.

## PUBLIC SCHOOL SYSTEMS

### School District Governments

The following types of school districts in Alabama are counted as separate governments in U.S. Census Bureau statistics:

- County boards of education.
- City boards of education.

Popularly elected county boards of education administer all local schools except those for cities with a population of 5,000 or more. These cities may choose to maintain a separate city school district. In such cases, the city governing body appoints the board of education; however, class 4 cities have the option of an elected board with voter approval.

### Dependent Public School Systems

Alabama has no dependent public school systems.

### Other Educational Activities

Alabama statutes authorize certain local bodies or areas for school administration or finance that are not treated as separate units of government in Census Bureau statistics. These include the school boards of trustees, which are primarily advisory boards appointed by the county boards of education. Also, school tax districts are geographical areas designated by the county boards of education for the levy of school taxes. Special school districts are geographical taxing areas, created by county boards of education, to provide school buildings.

## SPECIAL DISTRICT GOVERNMENTS

Alabama statutes authorize the creation of a variety of special districts or authorities that are counted as governments in Census Bureau statistics. These are discussed in detail below.

### Airport Authorities and Airport and Industrial Authorities

An airport authority or airport and industrial authority may be established by resolution of the governing body of one or more counties, cities, or towns upon the filing of an application for incorporation by three or more persons. The authorities are administered by boards of directors appointed by the establishing governments. The authority may fix and collect fees for services and may issue revenue bonds.

### Alabama Gulf Coast Convention and Visitors Bureau

Established to promote tourism and conventions, the Alabama Gulf Coast Convention and Visitors Bureau was created by a special act of the state legislature. A board of directors consisting of one member appointed by each incorporated municipality within the taxing district governs the bureau. The bureau may receive the proceeds of a lodging tax.

### Alabama Municipal Electric Authority

This authority was authorized by 1981 legislation to acquire, build, operate, and maintain facilities for the generation, transmission, and distribution of bulk electric

power. It was formed by resolution of member cities and towns after application of the designated representatives of each member city or town to the Secretary of State. The authority is governed by a board of nine directors who are appointed by an election committee composed of one representative from each member city or town. The authority may fix and collect fees for power and may issue revenue bonds.

### **Anniston Water and Sewer Board**

This board was established by application of three or more persons to the municipal governing body, after resolution to provide water and sewer utilities for the City of Anniston. The utility board consists of directors appointed by the municipal governing body. The board may fix and collect fees and issue revenue bonds.

Other municipal utility boards are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### **Bear Creek Water Works Board**

The Bear Creek Water Works Board was established to provide water to Bear Creek. The board may set its own fees and charges and acquire property. The city council appoints the board. Similar agencies in other localities are not counted as governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### **Birmingham-Jefferson County Civic Center Authority**

This authority was authorized by a 1980 special act to establish and operate a civic center. It is governed by an 11-member board consisting of the mayor of Birmingham, the chair of the Jefferson County commission, five state senators, and four state representatives. The authority may issue revenue bonds payable from the proceeds of rentals and from the proceeds of earmarked room occupancy, cigarette, and tobacco taxes.

### **Birmingham-Jefferson County Transit Authority**

This authority was created to provide public transportation services. It is governed by a nine-member board with one member appointed by the county, five members appointed by the city of Birmingham, and one member each appointed by the cities of Bessemer, Hoover, and Vestavia Hills. The authority may fix and collect fees and issue revenue bonds.

### **Capital Improvement Cooperative Districts**

These districts provide for cooperation on various development projects within counties, municipalities, and other like public corporations. The districts are created upon application of at least three natural persons to the governing body of each county, municipality, and public

corporation proposed to be a member of the proposed district. The members must pass resolutions approving the application. A board of directors, appointed by the participating governing bodies, governs the district. The districts may issue revenue bonds, as well as charge rents and fees. The participating governments may issue bonds on the behalf of these districts.

### **Communications Districts**

Two or more counties or municipalities may pass resolutions or ordinances to form a communications district to provide emergency telephone services. A board of commissioners, appointed by the creating governments, governs each district. The districts may levy user charges with voter approval and may issue revenue bonds.

Districts with boards representing a single government are not considered to be independent governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### **Davis Lake Fire District**

This district was authorized by special act for the purpose of fire protection in St. Clair County. Seven board members from the existing board of directors of the volunteer fire department serving the district will manage the district. The district may levy and collect a service charge or fee to be used only for fire protection services and enter into mutual assistance agreements with municipalities and other governmental entities.

### **Development Authorities**

These authorities are authorized by substantially similar special acts for the purpose of watershed development. They are formed by application of board members to the Secretary of State. Each is governed by a board of directors either appointed by the participating governments or nominated by the participating governments and appointed by the governor, and, for both variations, one member appointed directly by the governor. Development authorities may fix and collect rentals and fees and may issue revenue bonds.

### **Fire Districts in Mobile County**

A 1990 special act permits fire districts in Mobile County to be established after petition of property owners to the county probate judge, and after a referendum. A board of five trustees, elected by the property owners, governs each district. The districts may impose fees and special assessments and issue bonds.

### **Franklin County Water Service Authority**

This district was created pursuant to a constitutional amendment with the filing of the articles of incorporation with the judge of probate by three applicants to provide

water, sewer, and broadband Internet services. A board of nine directors governs this authority. The authority may fix and collect fees and may issue revenue bonds.

### **Gas Districts**

Districts for acquiring, constructing, and operating gas transmission and distribution systems may be organized by any two or more municipalities upon the passage of resolutions. Each participating municipality selects at least one representative on the district board of directors. The board may issue revenue bonds of the district, establish rates for gas service, and enforce collection of these rates. The participating municipalities share in the distribution of the district profits.

### **Health Care Authorities—1982 law**

These authorities provide and operate hospital and health care facilities. They may be formed upon application of three persons to, and resolution by, the governing body of any county, municipality, or state public college or university that operates a school of medicine. The applicants must file a certificate of incorporation with the office of the county judge of probate. The certificate of incorporation specifies the composition and manner of appointment for the governing board of directors. The authority may fix charges and issue revenue bonds. The authorities may receive the proceeds of tax levies imposed by the state or a county or municipal government.

These authorities may be designated as county hospital corporations by resolution of the county commission after voter approval. County hospital corporations receive a special tax to support public hospital facilities. Existing public hospital corporations may reincorporate under this law.

### **Hospital Associations, Boards, and Corporations**

Public hospital associations and county hospital boards construct and operate hospitals. The associations are established by resolution or ordinance of one or more local governing bodies located in the same or contiguous counties, after a public hearing. County hospital boards are established by resolution of the county governing body upon written application of three or more persons who are qualified voters and property owners. For both associations and boards, a certificate of incorporation is filed with the secretary of state. Each entity is governed by a board of directors appointed by the participating governing bodies. The entities may fix fees for services and issue bonds.

The above associations and boards may be designated as county hospital corporations by resolution of the county commission after voter approval. County hospital corporations receive a special tax to support public hospital facilities.

### **Hospital Authorities—1975 law**

Hospital authorities acquire and operate hospitals and other health-related facilities. The authorities are established by joint resolutions of any county and any one or more municipalities located therein. An authority is governed by a board of directors composed of the following members: two members appointed by the county; two members appointed by the largest municipality; one member appointed by each of the other municipalities; two members who are physicians and are selected by the physicians in the county; two members appointed jointly by the circuit judges; and two members appointed by the central labor council in any county where a central labor council is located. An authority may fix and collect charges and issue revenue bonds. An authority also may receive the proceeds of a tax for hospital purposes levied by participating counties or cities.

Public hospital and health authorities are also established under special acts applying to counties within specified population-size groups. These authorities have similar financial provisions, although the composition of the governing body may vary.

### **Housing Authorities**

Four types of housing authorities are authorized to undertake redevelopment projects and provide assisted housing. An individual county (or municipality) may establish a housing authority through resolution of its governing body; two or more municipalities may jointly establish a consolidated housing authority; or two or more contiguous counties may jointly establish a regional housing authority. The city mayor, town president, or county commission appoints the board members. The authorities may issue revenue bonds and may establish and collect fees for use of authority facilities.

The Mowa Choctaw Housing Authority was created by special act to serve American Indian areas in Mobile and Washington counties. The governing board is appointed by the Mowa Choctaw Tribal Council. The authority may set rents and issue bonds.

### **Huntsville-Madison County Marina and Port Authority—1971 Special Act**

This authority was created by a special act for the purpose of constructing, leasing, operating, and maintaining marinas, ports, warehouses, and industrial buildings. A board of directors composed of two members appointed by the county, two members appointed by each of the participating governments, and one member jointly appointed by all of the authorizing subdivisions governs each authority. The authority may fix and collect fees and rents and issue revenue bonds.

## **Improvement Authorities**

Improvement authorities supply electricity, gas, water, sewerage, or telephone service. They may be established in any city or town or in an unincorporated area having 250 or more voters. An authority is formed upon voter petition to the municipal clerk or the county probate judge (in unincorporated areas), a referendum, and local government resolution. Authorities are governed by boards of trustees appointed as follows: in municipalities, by the municipal governing body; in unincorporated areas within a single county, by the county governing body; and in multicounty unincorporated areas, by the governor. Improvement authorities may issue bonds and fix charges for services.

## **Industrial Development Authorities**

These authorities may be established by application of at least three natural persons filed with the probate judge and resolution of the applicable counties. Each authority may include one to not more than five contiguous counties. The articles of incorporation specify the composition and method of selection for the governing board of directors, except the board must conform to rules specified in the authorizing law.

Industrial development authorities created by one county under general law are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

## **Joint Hospital Boards**

These boards provide and operate public hospital facilities. The boards may be established upon application of three or more voters to the governing bodies of the county and of a municipality in the county, and resolution of these governments. A governing board of directors is appointed by the participating governments. The boards may fix rates for services and issue revenue bonds.

These authorities may be designated as county hospital corporations by resolution of the county commission after voter approval. County hospital corporations receive a special tax to support public hospital facilities.

## **McClellan Development Authority**

A 2009 special act created this authority to redevelop a former military base. The authority is governed by a board of directors consisting of five members appointed by the governing body of Calhoun County, five by the city council for Anniston, and one by the governor. The authority may receive revenues in connection with its properties and issue bonds.

## **Northeast Mississippi-Northwest Alabama Railroad Authority**

This authority was formed by interstate compact to promote and develop trade, commerce, industry, and employment opportunities for the public good and welfare in northeast Mississippi and northwest Alabama. The board of directors includes the mayors of Belmont, Mississippi, and Red Bay, Alabama, and citizens appointed by these mayors. The authority may fix and collect fees and issue bonds.

## **Park and Recreation Authorities**

These authorities are created upon the filing of the articles of incorporation by three natural persons with the probate judge and resolution of the county of incorporation and participating municipalities. The composition and selection of the board of directors are specified in the articles of incorporation. The authorities may fix and collect fees and may issue bonds.

## **Port Authorities—1980 law**

A 1980 law provides for the creation of port authorities to develop waterfront property for agricultural, commercial, recreational, and transportation purposes. Port authorities are established by an application of three or more persons to the governing bodies of the county and any municipalities to be served after approval by those bodies and by the state docks department. Two members of the board of directors are appointed by the county governing body and two by the governing body of the municipality; a fifth member is appointed jointly by the city and the county. Port authorities may fix and collect service charges and issue revenue bonds.

## **Public Corporations for Fire Fighting and Prevention and Emergency Services in Shelby County**

These corporations are established after a petition of voters to the county probate judge followed by a referendum. A board of five to nine trustees elected by the members governs each corporation. A corporation may issue revenue bonds and, with voter approval, has the power to fix and collect fees and dues.

## **Public Park Authorities**

These authorities are created by the resolutions of the governing bodies of two or more counties or municipalities after application by three or more natural persons. A certificate of incorporation is filed with the county probate judge. The composition and selection of the board are specified in the agreement. The authorities may fix and collect fees and may issue revenue bonds.

## **Public Service Districts in Baldwin County**

These districts are created for firefighting and prevention. They may be created in any area within Baldwin County outside its municipalities. The districts are created after petition and voter approval. The voters must approve the levy of a service charge (property tax) and bond issues. The board of trustees consists of nine members appointed by the county governing body.

## **Railroad Authorities**

These authorities may be organized upon the application of three persons with the governing bodies of one or more counties or municipalities within the state in which there are located railroad properties and facilities. Each government must adopt a resolution approving the application. A board of directors appointed by the participating governments governs each authority. The authorities may fix and collect tolls, rates, rents, and charges and may issue revenue bonds.

## **Regional Jail Authorities**

These authorities are established upon agreement of two or more counties to construct or acquire and maintain a regional jail. Each authority is governed by a board composed of two county appointees from the most populous county; one from each additional county; and, ex officio, the county sheriffs. Authorities may fix and collect fees, issue bonds and, with the approval of counties, have taxes set and collected. In addition, the Vestavia Hills, Mountain Brook, and Homewood Regional Jail Authority was created by special act in 2006. The authority will construct and operate a regional jail. The authority is governed by representatives appointed by the participating municipalities. The authority may issue bonds.

## **Regional Mental Health Boards**

Boards of this type, sometimes called mental health authorities, construct and operate facilities and carry out programs. These boards may be formed upon application of three or more persons to the governing bodies of the counties or the cities to be served. The governments must pass resolutions approving the application. A board of nine or more directors, appointed by the governments represented, governs each authority. The authorities may set fees for services and issue revenue bonds.

## **Soil and Water Conservation Districts**

These districts may be formed by the state soil and water conservation committee upon petition of landowners in the area of the proposed district after a public hearing and landowner referendum. Districts so formed are governed by boards of supervisors appointed by the state soil and water conservation committee. These districts may accept aid and contributions from the state or federal

governments and may require contributions from land-owners for services rendered.

## **Tourism Board of Lauderdale County**

This board was created by special act. Lauderdale County and the city of Florence appoint the board. The entity receives a portion of the county lodging tax.

## **Tuscaloosa County Parking & Transit Authority**

This authority was authorized by a 1971 special act. It was established upon application of residents to, and resolution of, Tuscaloosa County and the city of Tuscaloosa. It is administered by boards of directors appointed by the governing bodies of the county and city. The authority may fix and collect fees and issue revenue bonds.

## **Water, Sewer, and Fire Protection Authorities (1965 Law) and Water, Sewer, Solid Waste Disposal, and Fire Protection Districts (1970 Law)**

Authorities formed under the 1965 law may furnish water, sewer, or fire protection facilities or combinations thereof. Authorities that provide fire protection services may also test and drill for water. Such authorities are established by resolution of the county governing body upon application of three or more natural persons. Each authority is governed by a board of directors appointed by the governing body of the authorizing county. The boards may fix and collect fees and issue revenue bonds.

Districts formed under the 1970 law may provide water, sewer, solid waste disposal, or fire protection services. Such a district is established by resolution of each county and municipal governing body located within the area to be served on application of three or more natural persons. Districts formed under this law are governed by a board of directors appointed by the authorizing governments. The board may fix and collect fees and issue revenue bonds.

In addition, solid waste authorities have been authorized in counties within specified population-size groups. The provisions for these authorities are similar to those for authorities established under the 1970 law.

## **SUBORDINATE AGENCIES AND AREAS**

Shown below are various governmental designations in Alabama that have certain characteristics of governmental units, but which are classified in Census Bureau statistics as subordinate agencies of the state or local governments and are not counted as separate governments. Legal provisions for some of the larger of these are discussed below (see "Public School Systems" section regarding educational agencies of this nature).

## **Alabama Highway Authority and Alabama Federal Aid Highway Finance Authority (state)**

—These authorities were authorized by act of the legislature to finance the construction of state highways. Each is administered by

the director of finance, the director of transportation, the attorney general, the state treasurer, and the executive secretary to the governor acting as a corporation. The authorities may issue bonds payable from the proceeds of federal interstate highway funds and motor vehicle license and registration fees. The Alabama Highway Authority also may pay bonds from the proceeds of a state gasoline tax. The Alabama Federal Aid Highway Finance Authority also may pay bonds from state gasoline and motor fuel excise taxes.

**Alabama Housing Finance Authority (state)**—This authority, commissioned by act of the state legislature, was created to provide mortgage credit for low- and moderate-income housing. The authority is governed by a board consisting of members appointed by the governor; appointees by the speaker of the house and the lieutenant governor; and the director of finance, the state treasurer, and the superintendent of banks. The authority may fix charges in connection with its loans and may issue revenue bonds.

**Alabama Public School and College Authority (state)**—This authority was commissioned by act of the state legislature to finance the construction, improvement, and equipment of public educational facilities. It is administered by the governor, the director of finance, and the state superintendent of education. The authority may issue bonds payable from specified portions of the sales tax.

Other examples include:

## STATE<sup>1, 2</sup>

Alabama 21st Century Authority  
Alabama Agricultural Development Authority  
Alabama Agricultural Museum Board  
Alabama Building Commission  
Alabama Building Renovation Finance Authority  
Alabama Corrections Institution Finance Authority  
Alabama Drinking Water Finance Authority  
Alabama Economic Settlement Authority  
Alabama Educational Television Commission  
Alabama Educational Television Foundation Authority  
Alabama Forensic Sciences Bond Authority  
Alabama Higher Education Equipment Loan Authority  
Alabama Highway Finance Corporation  
Alabama Historic Ironworks Commission  
Alabama Incentives Financing Authority  
Alabama Industrial Access Road and Bridge Corporation  
Alabama Judicial Building Authority  
Alabama Land Bank Authority  
Alabama Land Recycling Finance Authority  
Alabama Mental Health Finance Authority  
Alabama Music Hall of Fame Authority  
Alabama Pollution Control Finance Authority  
Alabama Port Authority  
Alabama Public Health Finance Authority

Alabama Revolving Loan Fund Authority  
Alabama Shakespeare Festival Theatre (sic) Finance Authority

Alabama Space Science Exhibit Finance Authority  
Alabama State Industrial Development Authority  
Alabama State Parking Deck Authority  
Alabama Supercomputer Authority  
Alabama Toll Road, Bridge, and Tunnel Authority  
Alabama Transportation Infrastructure Bank  
Ameraport Offshore Harbor and Terminal Commission  
Cahaba Trace Commission  
Community development commissions  
Coosa Valley Development Authority  
Cullman County Community Development Commission  
Environmental improvement authorities  
Garrett Coliseum Redevelopment Corporation  
Governor's Mansion Authority  
Gulf State Park Authority  
Historic Blakeley Authority  
Historical preservation authorities  
Legislative Building Authority  
Motor Sports Hall of Fame Commission  
North Alabama Agriplex Board  
Private Colleges and Universities Facilities Authority  
Red Mountain Greenway and Recreational Area Commission  
Southern Products Mart Authority  
State Forestry Commission  
Tennessee Valley Exhibit Commission  
Tombigbee Valley Development Authority  
Tuskegee Airmen Commission  
U.S.S. Alabama Battleship Commission  
Water Pollution Control Authority  
Watershed management authorities

## COUNTY

Alabama Regional Communications System  
Bullock County Development Authority  
Civic center corporations (counties with more than 500,000 population)  
Communications districts (emergency) (single county)  
County agricultural authorities  
County boards of health  
County radio/alert notification communications districts  
DeKalb County Water Authority  
Drainage districts and subdistricts  
Drainage districts for malaria control (Colbert County)  
Etowah County Civic Center Authority  
Fayette County Water Coordinating and Fire Prevention Authority  
Fire and emergency medical services districts (Blount County)  
Fire districts (Limestone and Madison counties)  
Governmental utility services corporations (county)  
Improvement districts (utility) (county)  
Industrial development authorities created by special acts

Industrial development authorities created under general law (single county)  
Industrial development boards (county)  
Jackson County Racing Commission  
Jackson County Water Authority  
Joint Public Charity Hospital Board  
Lamar County Water Coordinating and Fire Prevention Authority  
Local land bank authorities (county)  
Marion County Agriculture and Exhibit Center Authority  
Marion County Public Water Authority  
Mobile Dog Racing Commission  
Public building authorities (county)  
Public park and recreation boards (county)  
Regional libraries (joint county)  
Service districts (Shelby County)  
Solid waste disposal authorities—1980 law (county)  
State products mart and coliseum authorities  
Tax increment districts (county)  
Washington County Port Authority

## MUNICIPAL

Birmingham Racing Commission  
City of Jackson Port Authority  
Commercial development authorities  
Communications districts (emergency) (single municipality)  
Downtown redevelopment authorities  
Florence Civic Center Authority  
Governmental utility services corporations (municipal)  
Historic districts (cities with population between 100,000 and 200,000)  
Hospital building authorities  
Improvement districts (municipal)  
Industrial development boards (municipal)

Local land bank authorities (municipal)  
Medical clinic (building) boards  
Municipal utility boards—1951 law (except in Anniston)  
Parking authorities (class 2 municipalities)  
Public building authorities (municipal)  
Public educational building authorities  
Public hospital corporations  
Public library (building) authorities  
Public park and recreation boards (municipal)  
Public park authorities  
Public transportation authorities (class 3 municipalities)  
St. Stephens Historical Commission  
Self-help business improvement districts  
Solid waste disposal authorities—1980 law (municipal)  
Special health care facility authorities  
Stock law districts (areas for enforcement of livestock ordinances)  
Tax increment districts (municipal)  
Tourism promotion development districts  
Water and sewer boards  
Waterworks and sewer boards  
Waterworks utility boards

## JOINT CITY-COUNTY

Choctaw County Medical Scholarship Board  
Federal building authorities

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

## ENDNOTES

<sup>1</sup> The law authorizing Farmers' Market Authorities was repealed in 2013. Prior to that date, it was considered a state-dependent agency.

<sup>2</sup> The law authorizing Alabama Education Foundation for Kindergarten through grade 12 public schools (state) was repealed in 2014.

# ALASKA

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## BOROUGH GOVERNMENTS

The state of Alaska is covered by borough governments (similar to county governments in other states), consolidated city-borough governments, and one unorganized borough. None of these cross borders. Only the organized boroughs are counted in U.S. Census Bureau statistics as borough governments. The consolidated city-borough governments are counted as municipal governments, rather than as borough governments. The unorganized borough consists of all areas of the state that are outside of the boundaries of the organized boroughs or consolidated city-boroughs.

The borough governments in Alaska are classified, according to their governmental powers, as first-class or second-class boroughs, and home-rule boroughs. Each borough is administered by a borough assembly.

For purposes of population statistics, the state is divided in terms of "county equivalents." Each area served by a borough or consolidated city-borough government constitutes a separate county equivalent. In addition, the unorganized borough is divided into 11 census areas, each of which is classified as a county equivalent.

Alaska Native Regional Corporations conduct the business and nonprofit affairs of Alaska natives. They were established under a federal law, the Alaska Native Claims Settlement Act. There are 12 regional corporations that cover the entire state, except for the Annette Islands Reserve, which is an Alaska Native reservation. A thirteenth regional corporation was established for Alaska natives who are not permanent residents of the state and who have not enrolled in one of the other 12 regional corporations. These corporate entities are not counted as governments in Census Bureau statistics.

Alaska Native Villages are tribes, bands, clans, groups, villages, communities, or associations in Alaska that are recognized under the Alaska Native Claims Settlement Act. Alaska Native Villages do not cross Alaska Native Regional Corporation boundaries. These entities are not counted as governments in Census Bureau statistics.

## SUBBOROUGH GENERAL PURPOSE GOVERNMENTS

### Municipal Governments

City-borough consolidated governments are classified as municipal governments in Census Bureau statistics. There are four consolidated city-borough governments

in Alaska: Anchorage, Juneau, Sitka, and Wrangell. These entities exist outside of other borough governments and the unincorporated borough.

Cities in Alaska are also classified as municipal governments. Cities may exist either inside or outside the boundaries of organized boroughs. First-class cities are those with 400 or more permanent inhabitants and that elect to become cities of the first class. First-class cities may elect a home-rule charter. All other cities are second-class cities. There is no statutory minimum population requirement for incorporation, but the proposed city must have both the resources to provide government and a demonstrated need.

Alaska statutes refer to boroughs as municipalities, but these are not counted as municipalities in Census Bureau statistics (see "Borough Governments" section).

## Township Governments

Alaska has no township governments.

## PUBLIC SCHOOL SYSTEMS

### School District Governments

Alaska has no independent school district governments.

### Dependent Public School Systems

Alaska statutes provide for the following types of dependent public school systems:

Systems dependent on borough governments:

- Borough school districts (in organized boroughs).
- Iliagvik College Corporation.

Systems dependent on municipal governments:

- City school districts (in first-class cities in the unorganized borough).

Systems dependent on the state government:

- Regional educational attendance area (in the unorganized borough).

The borough and city school districts serve students in organized areas. These districts are administered by popularly elected boards; however, they depend on the general purpose government for access to local tax revenue. The borough and city school districts are classified as dependent agencies of the government served and are not counted as separate governments.

The regional education attendance areas serve students in second-class cities outside organized boroughs, where no local governments exist to collect school taxes. These entities have popularly elected boards. These districts are financially dependent on the state and are not counted as separate governments.

## Other Educational Activities

Community colleges are administered by the University of Alaska. They are financed jointly by the state government and the local public school system. The community colleges are not counted as separate governments.

The regional resource centers in Alaska are established by agreement between participating public school systems. A board consisting of one representative of each participating system governs each center. Regional resource centers are classified as joint educational service agencies of participating public school systems and are not counted as separate governments.

The Special Education Service Agency was created by an act of the state legislature to provide special education services throughout the state. The agency is classified as a state dependent agency and is not counted as a separate government.

## SPECIAL DISTRICT GOVERNMENTS

Alaska statutes authorize the creation of districts or authorities that are counted as governments. These are discussed in detail below.

### Joint Action Agencies

Joint action agencies to provide electric power may be formed by two or more public utilities. They are governed by a board jointly appointed by member utilities. The agencies may set rates and charges in connection with their projects. The agencies may ask the Alaska Industrial Development and Export Authority to issue revenue bonds on their behalf.

### Regional Electrical Authorities

State law authorizes the creation of regional electrical authorities by named native associations. The authorities are activated by resolution of the native association. The native association appoints a board of commissioners to govern the authority. The authorities may fix rates, fees, rentals, and other charges, and may issue revenue bonds.

### Regional Native Housing Authorities

State law created a regional native housing authority for each named native association. The authorities are activated by resolution of the native association. The native association appoints a board of commissioners to govern the authority. The authorities may fix rentals and issue revenue bonds.

## Regional Solid Waste Management Authorities

These authorities may be created by one or more boroughs or municipalities by ordinance. The composition of and method of selection for the governing board are specified in the creating ordinance. The authorities may set fees and issue revenue bonds.

## SUBORDINATE AGENCIES AND AREAS

Shown below are various government designations in Alaska that have certain characteristics of governmental units, but are classified in Census Bureau statistics as subordinate agencies of the state or local governments and are not counted as separate governments in Census Bureau statistics. Legal provisions for some of the larger of these are discussed below (see "Public School Systems" section regarding educational agencies of this nature).

**Alaska Gasline Development Corporation (state)**—This corporation was created by an act of legislature in 2014 to develop and have primary responsibility for developing natural gas pipelines for the maximum benefit of the people of the state. The board consists of a seven-member board of directors—five public members and two principal department heads of the state of Alaska appointed by the governor. The corporation may, by resolution, issue bonds and bond anticipation notes to provide funds to carry out its purposes.

**Alaska Housing Finance Corporation (state)**—This corporation, authorized by act of the legislature, was created to provide mortgage credit for low- and moderate-income housing. The corporation consists of a board of seven directors, four of whom are appointed by the governor, as well as the commissioner of revenue, the commissioner of commerce, community, and economic development, and the commissioner of health and social services, who serve in an ex officio capacity. The corporation may collect charges and fees in connection with the loans it makes and may issue revenue bonds.

**Alaska Industrial Development and Export Authority (state)**—This authority was created by act of the legislature to assist in the financing of industrial, export, and business enterprises. The authority board consists of the commissioner of commerce, community, and economic development and the commissioner of revenue, who serve in an ex officio capacity, plus three public members appointed by the governor. The authority may fix rentals and issue revenue bonds.

**Alaska Natural Resource Conservation and Development Board, and soil and water conservation districts (state)**—This board was created by an act of the legislature. The board consists of five members selected from the five major land areas of the state, who are appointed by the governor and confirmed by a majority of the legislature. The commissioner of the department of natural resources is a nonvoting member who serves in ex officio capacity.

The commissioner may receive state and federal contributions for use in carrying out the purposes of the board. Soil and water conservation districts are created by the commissioner upon petition of land users after a public hearing. A board of five elected supervisors governs each district. The commissioner may delegate such powers to the districts as deemed necessary.

Other examples include:

#### **State<sup>1,2</sup>**

Alaska Aerospace Corporation  
Alaska Energy Authority  
Alaska Medical Facility Authority  
Alaska Municipal Bond Bank Authority  
Alaska Railroad Corporation  
Alaska Student Loan Corporation  
Grazing districts  
Health units and districts  
Regional resource development authorities  
Service areas in the unorganized borough

#### **Borough**

Historical districts (borough)  
Port authorities (borough)  
Service-area boards (borough)  
Special assessment districts (borough)

#### **Municipal**

Historical districts (municipal)  
Port authorities (municipal)  
Service-area boards (consolidated city-borough)  
Special assessment districts (municipal)

#### **Borough-Municipal**

Port authorities

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

#### **ENDNOTES**

<sup>1</sup> The law authorizing Alaska Natural Gas Development Authority was repealed in 2013.

<sup>2</sup> The Knik Arm Bridge and Toll Authority was moved under the Alaska Housing Finance Corporation and is now inactive.

# ARIZONA

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## COUNTY GOVERNMENTS

The entire area of the state of Arizona is encompassed by county governments. The county governing body is called the board of supervisors. A 1992 constitutional amendment authorizes home rule in counties with more than 500,000 persons, upon petition and after a referendum.

## SUBCOUNTY GENERAL PURPOSE GOVERNMENTS

### Municipal Governments

Municipal governments in Arizona include cities and towns. The minimum population requirement for incorporation is 1,500. Municipalities may also be incorporated in a community within ten miles of the boundary of a national park or monument that contains a population of 500 or more residents. The state constitution permits municipalities with 3,500 persons or more to frame their own charters, upon petition and after a referendum.

### Township Governments

Arizona has no township governments.

## PUBLIC SCHOOL SYSTEMS

### School District Governments

The following types of school districts in Arizona are counted as governments in U.S. Census Bureau statistics:

- Common school districts.
- Community college districts.
- Joint common school districts.
- Joint technological education districts.
- Joint unified school districts.
- Provisional community college districts.
- Unified school districts.
- Union high school districts.

All types of school districts listed above are governed by elected boards. These districts may levy ad valorem taxes, and, with voter approval, may issue bonds. Community college districts may also receive money from transient lodging taxes. No new provisional community college districts may be established after January 1, 2015, but existing provisional community college districts may continue to operate. In lieu of provisional community college districts, 2015 legislature authorized the creation of tuition

financing districts that may be created after a county supervisory council resolution to create a district with a proposed tax rate following voter approval. Tuition financing districts are not counted as independent governments in Census Bureau statistics.

### Dependent Public School Systems

Arizona statutes authorize the following type of dependent public school systems: County accommodation schools.

Two types of county accommodation schools exist. The first type provides education on military reservations after petition to the state board of education by either the existing school district's governing body that serves the area or the authorities of the military reservation and after a public hearing. The governing body of this type of accommodation school consists of two members appointed by the county superintendent of the school district that had previously served the area, two members appointed by the commanding officer of the military reservation, plus one additional member selected by the county accommodation school's governing board within 30 days of the appointment of its fourth member. The second type of accommodation schools may be established by the county superintendent to provide education to homeless children or alternative education programs. This type of accommodation school is supervised by the county superintendent of schools. County accommodation schools are not counted as separate governments in Census Bureau statistics on governments.

### Other Educational Activities

County special education cooperatives provide special education programs for exceptional children and are formed by agreement between two or more school districts. They are administered by one of the participating school districts or by the county superintendent of schools. They are not counted as separate governments in Census Bureau statistics on governments.

## SPECIAL DISTRICT GOVERNMENTS

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

## **Community Park Maintenance Districts Encompassing an Area of 160 Acres or More**

Districts for the maintenance of community parks may be established by the county board of supervisors, or all county boards of supervisors if the district includes land in more than one county, upon petition and after a public hearing. An elected board of directors governs each district. The districts may fix fees, rentals, and charges, and set property taxes. No districts of this type were reported in operation as of June 30, 2017.

Districts having fewer than 160 acres are governed by the county board of supervisors and are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

## **County Water Augmentation Authority (Pinal)**

This authority was authorized by act of the legislature to serve Pinal County. The authority was established by the county governing body after petition and a public hearing. The authority is governed by a board of directors appointed by the governing bodies of the county and the participating cities, towns, and irrigation and drainage districts. The authority may set and collect fees, and, after a hearing and certification by the attorney general, issue revenue bonds.

## **Drainage and Flood Protection Districts**

Drainage districts are established upon petition of landowners to the county board of supervisors followed by a hearing and referendum. An elected board of directors governs each district. The districts may set ad valorem taxes, and, with voter approval, impose special assessments and issue bonds. For irrigation and drainage districts, see "Irrigation Districts" section.

## **Electrical Districts**

Electrical districts obtain power for pumping irrigation water. The districts are established by the county board of supervisors upon petition of landowners, followed by a hearing and referendum. A board of directors elected by landowners governs each district. The districts may levy ad valorem taxes and charge rates. The districts may also issue bonds upon voter approval.

## **Fire Districts**

Districts to provide fire protection in rural and/or unincorporated areas, are formed by petition to the county board of supervisors followed by a public hearing. Districts may include area in one or more counties. Districts are governed by an elected board of three to seven members, depending on the population of the area served. Some districts formed before 2010 are governed by an

elected chief and secretary-treasurer. The district may levy ad valorem taxes and may, upon voter approval, issue bonds. Districts may contract with a city or town outside of the service area to provide fire protection for a fee. Districts can merge and consolidate, often creating "fire authorities."

County island fire districts, consisting of only noncontiguous county islands meeting certain criteria in Maricopa County, may be formed by the county board of supervisors upon petition of landowners and after a hearing. A board, initially appointed by the county board of supervisors and later elected, governs each district. Districts may assess and levy a secondary property tax.

## **Flood Protection Districts—1921 Law**

These districts, formerly known as flood control districts, are created upon petition of landowners to the county board of supervisors followed by a public hearing. An elected board of directors governs each district. The districts may levy ad valorem taxes. Voter approval is required for the levy of assessments and the issuance of bonds.

County flood control districts established under the 1978 law and governed by the county board of supervisors are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

## **Health Service Districts**

These districts to provide health clinics and related facilities and ambulance services are established in medically under-serviced areas meeting certain criteria upon petition of voters to the county board of supervisors, followed by a public hearing and referendum. An elected board of directors governs each district. The districts may fix rentals and charges, set ad valorem taxes, and, upon voter approval, issue bonds.

## **Hospital Districts**

After petition by voters, a public hearing, and approval by the state department of health services, hospital districts may be established by the county board of supervisors to provide the operation and maintenance of a hospital, urgent care center, or, in some cases, ambulance service. An elected board of directors administers each district. The districts may set rents, and, after voter approval, may issue bonds. Districts may impose a secondary property tax that must be approved by voters initially and every 5 years following. Certain counties not imposing a secondary property tax may levy a transaction privilege tax, which must be initially approved by voters, and every 5 years following.

## **Irrigation, Water Conservation, and Drainage Districts**

These districts may be called Irrigation or Water Conservation districts and sometimes contain the word "Drainage" if they are vested with the power of drainage. They may be created to provide irrigation, domestic water supply, electric power, and/or drainage after petition of landowners to the county board of supervisors followed by a hearing and referendum. An elected board of directors governs each district. The districts may set a water tax, ad valorem taxes, and special assessments, and may fix tolls and charges. Voter approval is required for bond issues. In addition, "irrigation and drainage districts" with both irrigation and drainage powers, may be established under this law.

### **Irrigation Water Delivery Districts**

These districts are established by the county board of supervisors after petition of landowners and a public hearing. An elected board of trustees governs each district. The districts may set ad valorem taxes, fix rates and fees, and incur indebtedness.

### **Mohave County Water Authority**

This authority was created by a special act of the legislature for purpose of acquiring, constructing, and operating projects to transport, deliver, and treat Colorado River water for municipalities in Mohave County. The board of directors consists of persons appointed by the member local governments. The authority may collect dues from its membership and fees from subcontractors.

### **Pest Abatement Districts—1983 Law**

Districts to control public health pests may be established upon petition to the county board of supervisors after a public hearing and voter approval. An elected board of directors governs each district. The districts may levy assessments.

### **Pest Control Districts—1957 Law**

These districts are created by the county board of supervisors upon petition of crop owners or landowners after a hearing and referendum. A board of directors elected by landowners governs each district. The districts may levy assessments.

### **Phoenix-Mesa Gateway Airport Authority (Joint powers airport authority)**

This authority was established by an act of the state legislature to use a previous military airbase for public purposes. A board of directors appointed by the governing bodies of the cities, towns, counties, and American Indian tribes that are members of the authority governs this entity. The authority may impose fees and charges,

receive appropriations from member governments, and, with voter approval, issue revenue bonds.

## **Power Districts**

Districts to generate and distribute electric power may be established by the county board of supervisors upon petition of agricultural landowners followed by a public hearing and referendum. A board of directors elected by landowners governs each district. The districts may set ad valorem taxes, and, upon voter approval, issue bonds.

## **Public Transportation Authorities**

Intergovernmental public transportation authorities may be established in counties with 200,000 or less in population. The governing body of one or more incorporated cities or towns may petition the county board of supervisors to establish an authority after a public hearing. If the municipalities are in different counties, they may petition for the creation of a joint authority by intergovernmental agreement. Any state university located in a participating municipality may become a member. Each authority is governed by a board of directors appointed by participating entities. The authorities may set fares, and, after voter approval, may levy a county transportation excise tax.

State law established a regional public transportation authority upon voter approval of a transportation excise tax levy in Maricopa County. The authority is governed by a board of directors consisting of one elected official selected by each member city, plus one member appointed by the county. The authority may issue revenue bonds, fix fees and charges, and determine additional funding required from members.

A regional transportation authority was authorized by state act in Pima County and established by the county board of supervisors. The authority is governed by a board consisting of the members of the regional council of governments, which includes the county and all municipalities in the county. The authority may fix fares and other charges, and, with voter approval, issue bonds. The authority may levy a county transportation excise tax with voter approval. Voters must approve the regional transportation plan.

## **Revitalization Districts**

Revitalization districts may be created to plan, improve, and construct sewerage systems, water systems, drainage and flood control, highways, streets, parking facilities, pedestrian malls, parks, landscaping, buildings, traffic control systems, and land clearing activities. The governing body of one or more municipalities may adopt a resolution to establish a revitalization district upon petition of property owners and after a hearing. A board of directors, initially appointed by the participating governments and later elected, governs each district. A district may

establish fees and charges, receive funds from participating governments, and, after voter approval, may levy special assessments and ad valorem taxes. A district may issue revenue bonds after a public hearing.

### Salt River Project Agricultural Improvement and Power District

This district, to provide for irrigation, drainage, water storage, and electric generation and transmission facilities, was created by the Maricopa County board of supervisors upon petition of landowners and after a hearing and referendum. A board of directors elected by landowners governs the district. The district may fix charges, fees, and rentals, and, with voter approval, issue revenue and general obligation bonds. The authorizing legislation specifies the method for computing the ad valorem taxes to be levied for the district.

### Sanitary Districts Encompassing an Area of 160 Acres or More

Sanitary districts to provide sewerage facilities may be established by the county board of supervisors upon petition of property owners followed by a public hearing. An elected board of directors governs each district. The districts may fix fees and rent, set ad valorem taxes, and, after voter approval, may issue bonds.

Two or more sanitary districts may merge to form a single district upon petition of voters to the affected counties' boards of supervisors, and after a hearing and referendum.

Districts having fewer than 160 acres are governed by the county board of supervisors and are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### Special Road Districts

These districts, which build and maintain highways and bridges, are established by the county board of supervisors upon petition of taxpayers and after a hearing and referendum. An elected board of trustees governs each district. The districts may set ad valorem taxes, and, upon voter approval, issue bonds.

Two or more special road districts may by agreement act as a joint special road district. Additionally, a special road overlay district may be created on request of either the board of trustees of two or more contiguous special road districts, or two or more contiguous special road districts that comprise a special road district to the county board of supervisors, and after a referendum.

### Water Conservation Districts (multicounty)

These districts, authorized by 1971 legislation, are established by the state director of water resources upon petition of three or more counties or upon petition of voters followed by a public hearing. An elected board of directors governs each district; the number of members is determined by the participating counties' population. The district boards may fix and collect charges, issue revenue bonds, and set ad valorem taxes. The Central Arizona Water Conservation District was established under this law.

### SUBORDINATE AGENCIES AND AREAS

Shown below are various governmental designations in Arizona that have certain characteristics of governmental units but that are classified in Census Bureau statistics as subordinate agencies of the state or local governments and are not counted as separate governments. Legal provisions for some of the larger of these are discussed below (see "Public School Systems" section regarding educational agencies of this nature).

**Arizona Power Authority (state)**—This authority was created by a special act for the generation and transmission of electric power. A commission appointed by the governor governs the authority. The authority may fix rates, fees, and tolls, and may issue revenue bonds.

#### Housing authorities (municipal and county)—

Municipalities and counties may establish housing authorities by resolution of the governing body. A board of housing commissioners governs each authority; the members are appointed by the mayor of a city or town or by the county board of supervisors. Authorities may set rents and accept federal contributions and grants. Authorities may also issue bonds, including refunding bonds, after approval by sponsoring governments.

**Industrial development authorities (county or municipal)**—Authorities of this type are established to finance and lease airport, commercial, convention, electric, gas, health care, industrial, pollution control, port, residential, sewerage, solid waste disposal, and water supply facilities on the approval of the county or municipal governing body. A board of directors appointed by the county or municipal governing body governs each authority. Industrial development authorities can make loans and charge rents. Only if formed in the counties or municipalities with the population of more than seven percent of the total state population, industrial development authorities can purchase or make loans to mortgage lenders, and issue revenue bonds.

**Natural resource conservation districts (state)**—These districts may be established to carry on soil conservation programs upon petition of landowners to the state land commissioner followed by a public hearing and referendum. A board of five supervisors governs each district; three are elected and two are appointed by the state land commissioner. District revenues are limited to voluntary donations, gifts, and contributions. The districts may receive money from the Arizona Water Protection Fund. These districts have no bond-issuing powers.

**Slum clearance and redevelopment commissions (municipal)**—General legislation authorizes cities and towns to establish these agencies. A five-member board of commissioners, appointed by the mayor with approval of the governing body of the city or town, governs a commission. All administrative and fiscal powers are vested in the municipality; the commissioners perform only the specific duties assigned to them.

Other examples include:

#### **State<sup>1, 2, 3, 4, 5</sup>**

Arizona Commerce Authority  
Arizona Exposition and State Fair Board  
Arizona Housing Finance Authority  
Arizona Industrial Commission  
Arizona School Facilities Board  
Arizona Water Banking Authority  
Arizona Water Protection Fund  
Cotton pest control districts  
Greater Arizona Development Authority  
Radiation Regulatory Agency  
Tourism and Sports Authority  
University of Arizona Health Network  
Water districts  
Water Infrastructure Finance Authority

#### **County**

Air pollution control districts  
Airport authorities  
Antinoxious weed districts  
Community park maintenance districts with an area encompassing no more than 160 acres  
County flood control districts  
County free library districts  
County improvement districts  
County jail districts  
County sports authorities

County stadium districts (Maricopa and Pima Counties)  
County television improvement districts  
Domestic wastewater improvement districts  
Domestic water improvement districts  
“No fence” districts  
Pollution control corporations  
Public health services districts  
Road improvement and maintenance districts  
Rural road improvement districts  
Sanitary districts encompassing an area of fewer than 160 acres  
Sports authority districts (Pima County)  
Theme park district

#### **Municipal**

Airport authorities  
Community facilities districts  
Lake Havasu Sanitary District  
Municipal Improvement districts  
Municipal property corporations  
Pollution control corporations  
Tucson Airport Authority

#### **Other**

Municipal property corporations also may be created by school districts in which case, they would be dependent upon the creating school district.

The grazing districts in Arizona are areas for federal administration of grazing lands. They are not counted as separate governments in Census Bureau statistics.

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

#### **ENDNOTES**

<sup>1</sup> Laws authorizing Arizona Aerospace and Defense Commission were repealed in 2014.

<sup>2</sup> Laws authorizing Arizona Health Facilities Authority were repealed in 2016.

<sup>3</sup> Laws authorizing the Arizona Historical Society in 2016 were repealed.

<sup>4</sup> Laws authorizing the Arizona International Transportation and Port Infrastructure Development Authority were repealed in 2016.

<sup>5</sup> Laws authorizing the Regional Attraction District were repealed in 2017.

# ARKANSAS

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## COUNTY GOVERNMENTS

The entire area of the state of Arkansas is encompassed by county governments. The county governing body is Quorum Court, which consists of the justices of the peace and the county judge. The county judge serves as the chair of the Quorum Court and administers most county affairs. Counties operate under home-rule.

Ten Arkansas counties are each divided into two districts for judicial and various administrative purposes and maintain offices in two county seats. However, the two districts of each respective county are governed by the same set of county officials.

## SUBCOUNTY GENERAL PURPOSE GOVERNMENTS

### Municipal Governments

Municipal governments in Arkansas are the cities and incorporated towns, divided by general law into size groups:

- First-class cities—2,500 or more inhabitants.
- Second-class cities—500 to 2,499 inhabitants.
- Towns—incorporated places with fewer than 500 inhabitants.

However, the 1965 law establishing the above size groups permits towns that had voted previously to become second-class cities to retain that classification; permits cities having a population of 1,500 or more, by ordinance, to become a first-class city, and permits any incorporated town to elect to become a second-class city. There is no official minimum population requirement for incorporation. First-class cities have limited home rule.

## TOWNSHIP GOVERNMENTS

There are no township governments in Arkansas.

## PUBLIC SCHOOL SYSTEMS

### School District Governments

A 1947 act of the legislature provided for the reorganization of all Arkansas school districts into a single type of school government known as "school districts". All school districts in Arkansas are counted as governments in U.S. Census Bureau reporting. An elected board of directors governs each district. The districts may levy taxes and issue bonds.

### Dependent Public School Systems

Arkansas has no dependent public school systems.

### Other Educational Activities

Multicounty educational services cooperatives provide shared educational programs and school district services. The cooperatives are established by resolution of 75 percent or more of the school districts to be served. A board of directors, consisting of one representative of each participating school district, governs each cooperative. Migrant education operating agencies are also established under this law. The educational services cooperatives are classified for Census Bureau statistics as joint educational services agencies of the participating school districts and are not counted as separate governments.

One or more school districts may, by majority vote of their boards of directors, create a model rural early childhood consortium to exemplify the best practices available in rural early childhood education and to serve as a training and development site for both students and teachers. These consortiums are not counted as separate governments in Census Bureau statistics.

Arkansas law authorizes the establishment of multidistrict secondary vocational education centers and community-based education centers. The centers are governed by boards composed of the school superintendents of participating school districts. These centers are not counted as separate governments.

Community colleges, technical colleges, and technical institutes in Arkansas are classified as state institutions and are not counted as separate governments.

The Workforce Development Center Authority serves as a conduit for matching individuals seeking employment with businesses needing workers. The authority oversees the school districts one-stop system of workforce centers, which provide a variety of services to individuals or schools including job matching, career counseling, and educational training resources. The authority enhances the availability, accessibility, responsiveness, and quality of vocational and technical education in Arkansas. It assists cities and counties in upgrading the knowledge and skills of their existing workforce or potential new workforce. The authority also facilitates cooperation between cities, counties, school districts, and vocational-technical schools, and develops new funding sources for vocational and technical education.

## SPECIAL DISTRICT GOVERNMENTS

Arkansas statutes authorize the creation of a variety of special districts or authorities that are counted as governments for Census Bureau statistics. These are discussed in detail below.

### Agencies Created Under Intergovernmental Agreements

Local government units may agree to exercise any of their powers jointly. If a separate legal or administrative entity is created, the board is appointed; the particulars of the board composition are specified in the agreement. The creating agreement also specifies the financing provisions and functions. Separate agencies created by intergovernmental agreements may or may not be counted as governments for Census Bureau purposes, based on the degree of autonomy.

### Conservation Districts

These districts are established by the State Soil and Water Conservation Commission upon petition of landowners and after a public hearing and local referendum. A five-member board of supervisors governs each district, with two members appointed by the state Soil and Water Conservation Commission and three members elected. The boards may levy special benefit assessments. The districts may issue bonds with the approval of the chancery court after a public hearing.

### Consolidated Public Utility System Improvement Districts

These districts may be created by municipalities after landowner petitions and public hearings. Districts may construct, acquire, and operate systems for any combination of water, sewer, and electric utilities, including generation and distribution of electricity; treatment and distribution of water; and collection, treatment, and waste disposal for sewerage. Each district is governed by a board appointed by the county court. The boards may levy assessments, fix and collect fees, and issue bonds. Districts of this type previously created by special acts are considered to operate under this general law.

### Consolidated Waterworks Systems

These systems are created by agreement of two or more public agencies and ordinances or resolutions. Each system is governed by a board of commissioners that is either appointed or elected as specified in the agreement. The systems may fix, charge, and collect rates for water and other services, and issue bonds. Central Arkansas Water was created under this legislation.

### Fire Ant Abatement Districts

These districts may be created after voter petitions and special elections, or the quorum court may, on its own

motion, direct the county to call a special election. The districts are governed by a board appointed by the county commissioners. A property assessment is set by the petition. The districts may issue bonds.

### Fire Protection Districts—1939 and 1979 Laws

Under the 1939 law, fire protection districts may be formed in any designated area by the county court upon petition by landowners. Districts may include portions of incorporated towns that have no equipped fire station and may be formed in towns having a 1970 population of 426 to 435. The districts are governed by boards of commissioners appointed by the county governing bodies. The districts may levy benefit assessments.

Under the 1979 law, fire protection districts may be formed by voter petition, a public hearing, and ordinance of the quorum court, or by the quorum court after a voter petition and referendum. Districts are formed in unincorporated areas but may include cities or towns without organized fire departments for the primary purpose of providing fire protection in rural areas for buildings and other structures. These districts are governed by boards appointed by the county governing body if formed on or before July 3, 1989; those formed thereafter have elected boards. All fire protection districts created under the 1979 law may levy benefit assessments. The districts may issue bonds, but bond issues of districts formed by ordinance method require voter approval.

### Flood Control Districts

Four types of districts for flood control and related activities are authorized by statutes.

**Drainage Improvement Districts (1907 Law)**—Under general law, these districts may be established for the construction of levees upon petition by real property owners to the county court (or to the circuit court if more than one county is encompassed by the proposed district) and after a public hearing. A board of commissioners, appointed by the county or circuit court, governs each district. The board may levy benefit assessments and maintenance taxes, and issue bonds.

Subdistricts authorized to implement projects for land reclamation may be set up under the same general law procedure, but are administered by the board of the main district. They are not counted as separate governments in Census Bureau statistics.

Drainage districts previously created by special acts are considered to operate under this general law;

however, they retain powers and governance conferred by special act.

**Improvement Districts for Rivers (1949 Law)**—These districts are established by the circuit court following petitions by property owners and after public hearings for drainage, levee, or flood control projects approved and authorized by the U.S. Congress and constructed or partially constructed by the U.S. Army Corps of Engineers, or by other federal agencies (for rivers, tributaries, or streams within or bordering Arkansas). A board of commissioners, which includes at least one member from each participating county, is appointed by the circuit court. Districts have all the rights, powers, and privileges of drainage districts organized under existing laws and all amendments of those laws. Districts may levy benefit and special assessments and issue bonds.

#### **Irrigation, Drainage, and Watershed Improvement**

**Districts (1949 Law)**—These districts for coordinated irrigation, flood control and drainage improvements are created on petition of landowners to the circuit court after a public hearing. A board of commissioners appointed by the establishing court governs each district. The districts may fix charges for the sale of water, may levy benefit assessments, and may levy a flat per acre tax for maintenance services. A petition filed with the circuit court is required for the authority to borrow funds or to issue bonds.

**Levee Improvement Districts (1891 Law)**—Levee improvement districts are formed by the county court giving public notice. An elected board of directors governs each district. The districts may levy ad valorem taxes and benefit assessments, and may issue bonds.

A few levee districts have also been established by special acts, including drainage and levee improvement districts.

### **Housing Authorities**

Arkansas statutes authorize the following types of housing authorities:

- Municipal housing authorities.
- County housing authorities.
- Consolidated housing authorities (two or more cities).
- Regional housing authorities (two or more counties).

Under general law, housing authorities are created upon the adoption of a resolution by the governing body of the city or county. The executive head of the municipality appoints the housing commissioners of a municipal housing authority. The governing body of the county appoints the commissioners of a county housing authority. In the case of a consolidated or regional housing authority, one

commissioner is appointed by the executive head of each member municipality or by the governing body of each member county, respectively. Housing authorities may fix rents and issue bonds.

Legislation passed in 1976 grants municipalities and counties all powers granted to housing authorities. Housing authorities administered by county or municipal governing bodies ex officio are not counted as separate governments. See “Subordinate Agencies and Areas” section.

### **Joint County and Municipal Solid Waste Disposal Authorities**

Designated as sanitation authorities by legislation, these authorities are created by agreement between any combination of counties, municipalities, and suburban improvement districts, which include one or more counties. After creation, a variety of special districts may join as approved by the members. These authorities are commissioned to collect, process, and dispose of solid waste; operate recycling operations; collect, treat, or otherwise deal in wastewater, sludge, or treated effluent; and execute solid waste to energy projects in which either steam or electric power is produced and distributed to users. A board of directors, appointed by the participating governments, governs each authority. An authority may fix and collect fees, rents, and charges, and issue bonds.

### **Metropolitan Port Authorities**

Metropolitan port authorities are established by the circuit court following ordinance of each participating county and municipal government and petition of each county court to the circuit court. These authorities are commissioned to develop and maintain ports, river-rail terminals, barge terminals, parks for industrial and commercial operations, and related improvements. The governing body of each participating municipality and county appoints at least one representative to the authority board of directors, with additional members determined by population apportionment. Participating governments are authorized to issue bonds to benefit the authorities and to provide other financial assistance. The authority may fix and collect fees, and issue bonds.

### **Municipal Electric Utility Consolidated Authorities**

Authorized by general legislation in 2003, these authorities may be created by interlocal agreement between two or more municipalities, including a municipality in another state, which own electric utility systems. Authority commissioners are appointed or elected as specified in the agreement. Authorities may fix and collect rates for electricity and other goods and services, and may issue revenue bonds.

## Municipal Improvement Districts

Municipal improvement districts may be established by the governing body of any city or town on petition of property owners and after a public hearing. A board of commissioners appointed by the municipal governing body governs each district. Districts may be established for constructing, maintaining, repairing and operating local improvements of a public nature which include streets and alleys, viaducts, sewers and sewer systems, off-street parking, sidewalks, recreational areas, and other facilities, including without limitation, constructing, reconstructing, widening, extending, and maintaining and operating off-street parking facilities. The boards may issue bonds. The creating government levies a benefit assessment on behalf of the district.

Arkansas statutes have special provisions for the following types of municipal improvement districts, all of which, with the exception of municipal wharf improvement districts, are authorized to levy benefit assessments and issue bonds:

### **Consolidated municipal water and light improvement districts**

**These districts**—These districts may be established by cities of the first- and second-class for the purpose of acquiring, consolidating, repairing, improving, and maintaining existing waterworks plants and systems and an electric plant and system constructed by separate improvement districts. The city is authorized to operate the plants and systems, and to remit excess income from the operation to the district. This general law does not apply to consolidated districts created by special act.

**Municipal drainage improvement districts**—These districts, which encompass all or a part of a city may be created by ordinance in cities of the first class with a mayor-council form of government. A referendum is required upon voter petition challenging the creating ordinance. The mayor appoints one board member and the city council appoints four.

**Municipal wharf improvement districts**—Districts to provide wharves for the transfer and interchange of river and rail freights. These districts may charge tolls, fees, and rents in addition to issuing revenue bonds. The creating government may not levy an assessment for these districts.

In addition, consolidated improvement districts for any combination of water, sewer, or gas pipelines may be formed for the joint operation and maintenance of contiguous districts. A board of commissioners appointed by

the county judge governs each such district. The districts may fix charges for services.

## **Property Owners Improvement Districts—1983 and 1987 Laws**

These districts may be created for the construction, acquisition, equipping, and operation of one or more of the following improvements: waterworks; recreational facilities; systems of gas pipeline; systems for the collection and treatment of sewage; streets, highways, and sidewalks; telephone lines; and rural fire departments including construction of fire houses. Under the 1983 law, these districts are known as property owner's improvements districts; under the 1987 law, they are known as municipal property owner's improvements districts. Under the 1983 law, districts are created upon landowner petition by the county court or, if the district includes multiple counties, by the circuit court. These districts may include an area within a municipality. Under the 1987 law, districts are created upon landowner petition by the municipal governing body or, if the proposed district encompasses land in multiple municipalities, by the governing body with the largest portion of land. These districts may include areas outside any municipality. Each district is governed by a board of commissioners appointed by the creating court or governing body. Districts are authorized to levy benefit assessments and may issue bonds.

## **Public Transportation Authorities**

Authorities to provide a transit system are created by agreement between two or more governments. The authority governing body consists, at a minimum, of one representative for each participating county appointed by the county judge and one representative of the cities within each participating county selected by the mayors. If the authority exists within a single county, the board must consist of at least five members. The authorities may fix and collect fares, and issue revenue bonds.

## **Public Water Authorities**

These authorities may be formed either by two or more cities, counties, or other public bodies. Also, nonprofit corporations involved in the sale and distribution of water may convert to public water authorities. Authorities may treat and distribute raw and potable water, and construct and operate a wastewater treatment plant. A board of directors elected either by the existing board or by water users governs the authority. Authorities may fix and collect rates, rents, fees, and charges, and issue bonds subject to a public hearing.

## **Regional Airport Authorities**

Any two or more municipalities, any two or more contiguous counties, or any combination thereof may establish a regional airport authority by mutual agreement. For major airport facilities, the state may participate in forming a regional airport authority. A management board appointed by the mayor or county judge of each participating municipality and county governs the authority, with each participating government appointing at least one board member. If the state government is a participant, the governor appoints a majority of the board members. The number and the apportionment of additional members are specified in the agreement creating the authority. Regional airport authorities may levy taxes on aviation fuel sold at the airport and on passengers boarding or debarking, and impose fees for the use of airport facilities. The authorities may fix and collect fees, and issue revenue bonds.

Airport commissions appointed solely by one county or municipal government are not counted as separate governments. See "Subordinate Agencies and Areas" section.

## **Regional Intermodal Facilities Authorities**

These authorities may be created by two or more municipalities, two or more contiguous counties, or one or more municipalities together with one or more contiguous counties. These authorities are authorized to construct and operate one or more modes of interconnected movement of freight, commerce, or passengers including railway, highway, air, pipeline, waterway, transit, and communication systems and related industrial, warehouse, distribution, training, and support facilities. The chief executive officers of the participating governments appoint the board. Authorities may issue revenue bonds and levy a tax or fee upon facility users.

Upon petition of property owners, an authority board may create improvement districts for the purpose of financing the construction, reconstruction, or repair of intermodal facilities. The creating board serves as the district's commissioners. These districts are classified as subordinate activities of the creating authority and are not counted as separate governments in Census Bureau statistics.

## **Regional Library Systems**

These systems may be established by any combination of cities and counties by agreement and ordinance. The systems are governed by boards of trustees appointed by the county and municipal library boards if they exist; if not, by the county or municipal governing bodies. Each participating government contributes appropriations and funds from tax levies as specified in the agreement.

## **Regional Mobility Authorities**

Regional mobility authorities may be created by one county or a combination of contiguous counties by adopting an ordinance and entering into a joint agreement with the other participating counties. Authorities may plan, construct, operate, or fund transportation projects or improvements to a transportation system of the regional mobility authority. A board of directors having no fewer than five members including the county judge or designated representative of each member county and the mayor or designated representative of each member first-class city, govern the authority. Authorities may impose and collect passenger charges for public transit system users, parking fees for parking decks or other parking facilities, ferry fees, passenger and freight fees for use of railroads, and freight and user fees for the use of intermodal and port facilities.

## **Regional Solid Waste Management Districts**

Regional solid waste management districts created under previous acts are considered to operate under this law. New districts may be created by designation of the Arkansas Pollution Control and Ecology Commission. Such districts must be composed of whole county jurisdictions and contain more than one county unless that county has a population of at least 50,000. Each district is governed by a board consisting of representatives of the participating counties, of all first-class cities, of all cities with a population of more than 2,000, and of the largest city in each county. The districts may fix rents and fees, levy service fees on residences and businesses, and issue revenue bonds.

As an alternative, districts may be created by interlocal agreement of the local governments in any county with a population of at least 90,000 and a permitted landfill on January 1, 1991. The boards of these districts are established by the interlocal agreements. Districts also may be created by the resolution of the governing body of any authority created under the Joint County and Municipal Solid Waste Disposal Act that includes a county with a population of at least 60,000 that had made an application for a solid waste disposal permit on or before January 1, 1991. The creating authority determines the nature and composition of the governing board.

## **Regional Water Distribution Districts**

These districts are established by the circuit court on petition of the voters after a public hearing. An elected board of directors governs each district. The districts may charge rates, fees, and rents for facilities and services, and issue bonds.

## Rural Road Improvement Districts

Districts for the improvement of roads, highways, and streets that are not part of the state highway system are created by the county court after petition of landowners and a public hearing. A board of commissioners governs each district. The board is initially appointed by the court, if not named in the initiating petition. Thereafter, the remaining commissioners fill vacancies on the district board. The district receives revenue from funds set aside by the state and the federal government for the improvement of roads, the district portion of the road tax, and special benefit assessments. The districts also may issue bonds.

## Rural Waterworks Facilities Boards

Any county quorum court may create by ordinance one or more rural waterworks facilities boards to own, acquire, construct, equip, improve, operate, sell, or lease waterworks treatment and distribution facilities and wastewater collection, treatment, and disposal facilities. Each board consists of a minimum of five members who are initially appointed; thereafter, the remaining board members fill vacancies on the board. The boards may fix and collect rents, fees, and charges, and may issue bonds.

Public facilities boards may petition the county to operate as rural waterworks facilities boards; and, as such, they are authorized to engage also in activities related to wastewater treatment facilities.

## Suburban Improvement Districts and Consolidated Improvement Districts

Suburban improvement districts are authorized for the purpose of improving streets, roads, or highways; laying sidewalks; equipping and maintaining rural fire departments; providing ambulance services; and building and operating recreational facilities, hospitals, libraries, waterworks, sewer systems, telephone lines, and gas lines. The county court may create such districts on petition of landowners. A board of commissioners appointed by the county court governs each district. The districts may levy assessments and receive revenue from the sale or lease of improvements. These districts also may issue bonds.

Consolidated improvement districts for water, sewer, or gas pipelines may be formed by two or more contiguous suburban or municipal improvement districts, or combination thereof for the joint operation and maintenance of their systems. A board of commissioners appointed by the county judge governs each such district. The districts may fix charges for services, levy assessments, and issue bonds.

## Suburban Sewer Districts

The property owners adjacent to any first- or second-class city may form a sanitary sewer district after petition to the county court and a public hearing. A board of commissioners appointed by the county court governs each district. The board may fix and collect fees, levy assessments, and issue bonds.

## Wastewater Treatment Districts

Districts to provide for wastewater collection and disposal are created by resolution of two or more municipalities and petition to the circuit court. In unincorporated areas of the district, 51 percent of landowners must approve by petition. A board of directors governs each district. The districts may fix rates, fees, and rents, and may issue revenue bonds.

## SUBORDINATE AGENCIES AND AREAS

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

**Arkansas Development Finance Authority (state)**—This authority, formerly the Arkansas Housing Development Authority, was created to provide mortgage credit for low- and moderate-income housing. A board of 12 directors governs the authority; 11 members are appointed by the governor with the advice and consent of the Senate, as well as the director of finance and administration who serves in an ex officio capacity. The agency may fix charges in connection with its loans and issue revenue bonds.

**Public facilities boards (municipal or county)**—The governing body of any municipality or county may create by ordinance public facilities boards to acquire, construct, equip, operate, and maintain facilities for health care, residential housing, off-street parking, recreation, tourism, hydroelectric, waterworks, transit, energy facilities, education facilities, and sewers. Each board consists of five members who are initially appointed; thereafter, the remaining board members fill vacancies on the board. The board may fix fees and charges for the use of facilities, and may issue bonds.

**Urban renewal agencies (municipal)**—General law provides for the establishment of these agencies in any city or town where a housing authority has not undertaken such a project. A board of commissioners appointed by

the mayor governs each agency. As an alternative, urban renewal agencies may be administered by the governing body of the municipality in an ex officio capacity. Urban renewal agencies may issue revenue bonds.

Other examples include:

### **State**

Arkansas Earthquake Authority  
Arkansas Geological Survey  
Arkansas Hospital Equipment Finance Authority  
Arkansas Information Network  
Arkansas Natural and Cultural Resources Council  
Arkansas Research and Education Optical Network  
Arkansas Revenue Department Building Commission  
Arkansas Tobacco Settlement Commission  
Economic development districts  
War Memorial Stadium Commission

### **County**

Ambulance services improvement districts  
County airport commissions  
County library boards  
County museum commissions  
County subordinate service districts (airports, ambulance service, fire protection, flood control, highways, parking, sewerage, solid waste collection and disposal, transit, and water supply)  
Housing authorities governed by quorum court  
Rural development authorities  
Viaduct improvement districts

### **Municipal**

Arts and Science Center for Southeast Arkansas  
Auditorium commissions  
Central business improvement districts  
City airport commissions  
City boards of health  
Electric boards  
Historic districts  
Hospital commissions  
Housing authorities governed by a city governing body  
Industrial commissions  
Light and water commissions  
Market authorities  
Municipal electric utility consolidated authorities (limited autonomy)  
Municipal facilities corporations  
Municipal library boards  
Municipal management districts  
Municipal port authorities  
Municipal tollway authorities  
Municipal water and sewer systems  
Park and recreation commissions  
Parking authorities.  
Public utilities boards  
Rogers Museum Commission  
Sanitary boards  
Urban service districts  
Waterworks and sewer commissions  
Waterworks commissions

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

# CALIFORNIA

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## COUNTY GOVERNMENTS

The entire area of the state of California is encompassed by county government except for the city and county of San Francisco. The county governing body is called the board of supervisors.

## SUBCOUNTY GENERAL PURPOSE GOVERNMENTS

### Municipal Governments

Municipal governments in California include cities or towns. All municipalities function either as charter cities or as general law cities. The consolidated city-county government of San Francisco is counted as a municipal government.

### Township Governments

California has no township governments.

## PUBLIC SCHOOL SYSTEMS

### School District Governments

The following types of school districts in California are counted as separate governments in U.S. Census Bureau statistics:

#### Elementary school districts:

- Basic district.
- City district—located wholly or partly within a city.
- Union district—combined elementary districts within the same county.
- Joint union district—combined elementary districts located in different counties.

#### High school districts:

- Union district—possesses two or more component elementary districts and is located within a single county.
- City district—a union high school district lying wholly or partly within a city and county.
- Joint union district—a union high school district having territory in more than one county.
- County district—a union high school district coterminous with a county.

**Unified school district**—A district, frequently urban, providing both elementary and high school education. Unified school districts having a charter city or a city with

a population of 8,000 or more within its boundaries or having an average daily attendance of 2,000 or more are also classified as city school districts and are governed by a city board of education.

**Community college district**—A district providing community college facilities and instruction.

California school districts and community college districts are usually governed by elected boards of education or trustees. The districts serving charter cities may have appointed boards if the charter so specifies. In a few instances, a high school district is governed by the same board as a coterminous elementary school district. In such cases, the two districts are counted as a single school district government in Census Bureau statistics. School district and community college district boards may determine their own fiscal requirements; the counties levy and collect the taxes required. Bond issues are subject to voter approval.

Unified and union high school district library districts are administered by the board of the establishing school district and are not counted as separate governments in Census Bureau statistics.

### Dependent Public School Systems

California statutes provide for the following types of dependent public school systems:

Systems dependent on county governments:

- County special service schools.

Systems dependent on school district governments:

- San Francisco city/county special schools.

### Other Educational Activities

California counties may operate special service schools to provide education for exceptional needs, developmentally disabled, and other persons with special needs. These schools are administered by the county superintendent. The schools are not counted as separate governments in Census Bureau statistics. In a number of counties, these services are provided through itinerant teachers or special classes in the regular schools rather than through separate special schools.

Regional occupational programs provide vocational and technical education. These programs are established by individual counties or consolidated city-counties; by individual school districts (if authorized by special act); by

two or more counties or by two or more school districts. These programs are not counted as separate governments in Census Bureau statistics.

## SPECIAL DISTRICT GOVERNMENTS

California statutes authorize the creation of a wide variety of special districts or authorities that are counted as governments in Census Bureau statistics. These are discussed in detail below. It should be noted that many of the classes listed below have the same name and functions as classes that are listed under "Subordinate Agencies and Areas" section. For these classes, the enabling legislation provides for alternative methods of governing the districts. Where these districts have separate governing bodies, they are counted as governments; when they are governed by county or municipal officials in an ex officio capacity, they are not counted as separate governments.

### Agencies Established Under "Joint Exercise of Powers Agreements" (not included in other types of special district governments shown elsewhere)

Two or more local governments (county, municipal, or special district) may exercise jointly any power common to them. Federal and state governments also may participate in such agreements. When a "joint exercise of powers" agreement provides for the creation of an agency that is separate from the participating governments, a notice of the agreement must be filed with the secretary of state.

Agencies established under "joint exercise of powers" agreements are known by a wide variety of names. The functions performed by, and the powers granted to these agencies are spelled out in the agreements establishing the agency. Agencies established under "joint exercise of powers" agreements may receive contributions from participating governments and, if the agreement so provides, fix charges and issue revenue bonds. In California, councils of government are formed under "joint exercise of powers" agreements and are classified as special district governments.

Agencies resulting from a "joint exercise of powers" agreement between a government and a dependent component agency of that government are classified as a dependent agency of the government and not counted as separate governments in Census Bureau statistics. Joint exercise of powers agencies providing education functions are classified as educational service agencies.

### Air Pollution Control Districts

These districts are established by resolution of the boards of supervisors of two or more counties acting on their own motion or upon petition of voters and after a public hearing. Each district is governed by a regional board consisting of one or more members who are county supervisors and one or more members who are mayors,

city council members, or both, as determined by the member counties and cities. The regional board may set ad valorem taxes and issue bonds.

The Antelope Valley Air Quality Management District, the Bay Area Air Quality Management District, the Eastern Kern County Air Pollution Control District, the Mojave Desert Air Quality Management District, the Sacramento Metropolitan Air Quality Management District, the San Joaquin Valley Unified Air Pollution Control District, and the South Coast Air Quality Management District were established by special acts but operate under provisions similar to those above.

Air pollution control districts serving single counties and "unified" districts serving several counties but lacking autonomy are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### Airport Districts

These districts may be created by resolution of the county board of supervisors after public hearing and subject to approval by the local agency formation commission and a local referendum. An elected board of directors governs each district. The district may levy taxes, fix charges, and issue bonds with voter approval. The Monterey Peninsula Airport District, which was established by a special act, operates under similar provisions.

### Central California Railroad Authority

This authority was created by special act to acquire, and operate abandoned rail lines. It is governed by a board appointed by the councils of governments of member counties. The authority may charge fees for its services and issue revenue bonds.

### Central Coast Hospital Authority

The authority was created by a special act to operate hospital facilities in Monterey County. It is governed by a board of nine members; four who are appointed by the board of the Salinas Valley Memorial Hospital District, and five of whom are appointed by the county board of supervisors. The authority may charge fees for its services, issue debt, and levy a property tax with county and voter approval.

### Community Service Districts

These districts may provide animal control, airport, cemetery, community facility, emergency medical, electric power, fire protection and rescue, flood protection, garbage collection and disposal, graffiti abatement, street and highway, hydroelectric power, library, mosquito abatement, parks and recreation, police protection, security, sewer, street lighting and landscaping, television translator, transportation, underground utility lines, vector

control, and water services and any specially authorized services or any combination thereof. Districts may be proposed either by petition of residents or following a public hearing, by adoption of a resolution or application by the legislative body of any county, city, or special district that contains any territory of the proposed district. Subject to prior approval by the local agency formation commission, districts are established by the county board of supervisors after a referendum. An elected board of directors governs each district. The districts may levy taxes, issue bonds with voter approval, and fix rates and charges.

Districts governed by the county board of supervisors are dependent agencies of the respective county government. See "Subordinate Agencies and Areas" section. Legislation effective in 2006 provides circumstances for transition to an elected board of directors.

### **County Service Authorities for Freeway Emergencies**

Authorities to provide call boxes on freeways are established by resolution of the county board of supervisors and the city councils of a majority of the cities in the county served. A board of directors, two appointed by the county board of supervisors and five selected jointly by the councils of cities in the county, governs each authority. The authorities may impose fees and issue revenue bonds.

The Metropolitan Transportation Commission and the Sacramento Area Council of Governments were authorized by statute to function as the service authority for freeway emergencies in counties within their service areas. In other counties, the county transportation commission or the council of governments may be designated as the service authority for freeway emergencies. See "Subordinate Agencies and Areas" section.

### **County Transportation Authorities and Commissions**

California statutes have authorized creation of the following county transportation authorities or commissions with the power to levy taxes:

- County transportation authorities.
- County transportation commissions.
- Local transportation authorities (general law).

Similar provisions apply to each of these entities. Each is created by county resolution after a referendum. These districts plan and coordinate transit services and may provide transit service. The boards consist of appointed representatives of county and municipal governments within the area served. The commissions may receive county and city appropriations and levy sales taxes after voter approval. The Fresno County Transportation Authority and the Los Angeles County Metropolitan Transportation

Authority, subject to referendum, may impose a sales tax for improvements.

### **Drainage Districts**

California statutes authorize the creation of the following types of districts to provide for drainage of agricultural land:

- Drainage districts—Drainage District Act of 1885.
- Drainage districts—Drainage District Act of 1903.
- Drainage districts—Drainage District Improvement Act of 1919.
- Drainage districts—Drainage District Act of 1923.
- County drainage districts—County Drainage District Act (1955).
- Storm water districts—Storm Water District Act of 1909.

Under the 1885 law, drainage districts may be created by the county board of supervisors upon petition. A board of trustees, elected or appointed, governs each district. The districts may levy taxes and special assessments. The 1885 law has been repealed, but existing districts may continue to operate under its provisions.

Under the 1903 law, drainage districts are established by the county supervisors after a referendum. A board of elected directors governs each district. The districts may levy taxes and special assessments, fix tolls and charges, and may issue bonds with voter approval. The Colusa Basin Drainage District was established by special act with similar provisions.

Under the 1923 law, drainage districts were established by the county supervisors upon petition. A board of directors, appointed by the county supervisors or elected by the voters, governs the district. The districts may levy taxes and special assessments and may issue bonds with voter approval. Since 1953, no new districts may be formed under this law but those then in existence may continue to operate under its provisions.

County drainage districts are similarly established but without a referendum. A board of directors is chosen from the governing bodies of the county and the cities in the district. County drainage districts have powers similar to those of drainage districts under the 1885 and 1903 laws.

Storm water districts also are created by the county supervisors. A board of elected trustees governs each district. Storm water districts have powers similar to those of drainage districts under the 1885 and 1903 laws.

Drainage improvement districts under the 1919 law and storm drainage maintenance districts are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

## **Fire Districts**

Fire protection districts authorized under a 1987 law are established by the county board of supervisors upon petition of voters if approved by the local agency formation commission and the voters at a referendum. The law provides for the establishment of single county, multicounty, single-city and multicity districts to provide fire protection, ambulance, and rescue services. A board of directors, either elected or appointed by the county supervisors, governs each district. The board may levy taxes and issue bonds subject to voter approval.

## **Flood Control and Water Conservation Districts**

The following types of districts to provide flood control facilities may be established by county boards of supervisors upon petition of landowners and after a public hearing:

- Flood control and water conservation districts—1931 law.
- Levee districts—1905 and 1959 laws.
- Protection districts—1880 law.

Flood control and water conservation districts under the 1931 law are governed by trustees appointed by the county supervisors. The districts are financed by special assessments or ad valorem taxes.

Levee districts under the 1905 law have elected boards of trustees. Levee districts under the 1959 law have elected boards of directors. Both types of levee districts may levy property taxes.

Protection districts formed under the 1880 law have elected boards of trustees. The districts may levy special assessments and property taxes.

Some authorities of this type have been created by special acts to provide flood control facilities. Similar provisions apply to each of these authorities.

Most of these districts are governed by elected boards, but the Fresno, Lower San Joaquin, and Yolo county districts have locally appointed boards and the Lassen-Modoc district board consists of supervisors of the two counties served. All of the districts may levy taxes, and most also may levy special assessments. All but the Sacramento River West Side district may issue bonds. Some districts of this type are subdivided into “zones” for purposes of financing improvements. Such zones are classified as dependent activities of the parent districts and are not counted as separate governments.

Flood control districts that are governed by the county board of supervisors in an ex officio capacity are not counted as separate governments in Census Bureau statistics. See “Subordinate Agencies and Areas” section.

## **Geologic Hazard Abatement Districts**

These districts are formed to finance the prevention, mitigation, abatement, or control of land-movement hazards resulting from landslides, subsidence, erosion, or earthquakes, including mitigation or abatement of structural hazards. These districts may be established either by resolution of, or upon petition to, a city or county governing body after a public hearing. The district governing body may be either an elected board or the county or city governing body in an ex officio capacity. The district may levy special assessments and issue bonds.

Districts governed by the county supervisors or the city governing body in an ex officio capacity are not counted as separate governments. See “Subordinate Agencies and Areas” section.

## **Groundwater Management Districts or Agencies**

A number of these agencies have been established by special acts. Similar provisions apply to each of these districts. A board of directors, either elected by the voters or appointed by the county, municipal and special district governments represented governs each district. The districts may impose service charges, including charges for extraction of groundwater.

A special class of groundwater management agency, known as Groundwater Sustainability Agencies, was created in 2014 to implement the Sustainable Groundwater Management Act. Groundwater Sustainability Agencies are tasked with developing long-term groundwater management plans that achieve sustainability in the groundwater resources of the agencies’ basins.

## **Highway Districts**

California general law authorizes the following types of highway districts:

- Bridge and highway districts.
- Separation of grade districts.

Bridge and highway districts may be created by ordinance of the county board of supervisors or upon petition of voters and after a local referendum. A board of directors appointed by the county supervisors governs each district. The districts may issue bonds on approval of the voters, levy taxes, and fix and collect tolls and charges. The Golden Gate Bridge, Highway and Transportation District was established under this law; it provides transit and ferry services, in addition to operating the Golden Gate Bridge and its approaches.

Separation of grade districts provide overpasses, tunnels, and underpasses. These districts are created by ordinance of the county board of supervisors after a hearing and referendum. A board of commissioners, appointed by the

county board of supervisors, governs each district. The districts may issue bonds upon voter approval and may levy taxes.

### Hospital Districts or Health Care Districts

These districts provide hospital and health care facilities. These districts are created by the board of county supervisors upon petition of the voters and after a referendum. An elected board of directors governs each district. The district may establish rates, levy taxes, and, upon voter approval, levy special assessments and issue bonds.

### Housing Authorities

These authorities may be established by the city or county governing body on its own initiative or upon petition of residents. In addition, area housing authorities may be formed by agreements between any two or more counties or cities. A board of commissioners appointed by the mayor or the county governing body governs each authority. In the case of area housing authorities, two commissioners are appointed by the governing body of each member county or city. Each authority may issue bonds and fix rents and charges.

Authorities for which the county or city governing body serves as the housing authority commissioners ex officio or where charter provisions give the county or city governing body power to raise or lower the housing authority budget are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### Irrigation Districts

These districts are created by the county board of supervisors upon petition of landowners and after a referendum. In addition to delivery of irrigation water, the districts may provide domestic water services, sewerage, flood control, and electric power. An elected board of directors governs each district. The districts may levy taxes and special assessments, issue bonds with voter approval, and fix rates, fees, and tolls. In several instances, districts organized under this law have been renamed "water districts."

The Palo Verde Irrigation District was established by special act to provide drainage, flood control, irrigation, and water supply. The district is governed by an elected board of trustees. The district may fix water rates, tolls, and charges and may levy ad valorem taxes and special assessments. It may issue revenue and general obligation bonds with voter approval.

### Library Districts and Library Districts in Unincorporated Towns and Villages

Both types of districts are created by the board of county supervisors upon petition of voters and after a

referendum. An elected board of trustees governs each district. The districts may issue bonds on voter approval and levy taxes. Districts in unincorporated towns and villages also may establish and operate museums.

For public libraries operated by union high school districts and unified school districts, see "Public School Systems" section.

### Memorial Districts

These districts provide and maintain memorial halls, buildings, or meeting places for veterans. These districts are created by the board of county supervisors upon petition of voters and after a referendum. An elected board of directors administers each district. The districts may issue bonds on approval of the voters and levy taxes.

### Military Base Reuse Authorities

These authorities may be organized under general enabling legislation if two-thirds of the legislative bodies in counties and cities eligible for participation pass resolutions in favor of organizing the authority. A board of directors representing each participating county and city is appointed by the legislative bodies from their membership. Each reuse authority is to plan for, finance, and manage the transition of the military base from military to civilian use. The authority board may levy assessments, reassessments, special taxes, and development fees. The authority may issue bonds.

The Fort Ord Reuse Authority was created by special act to convert the former Fort Ord military reservation to productive civilian use and to protect the unique environmental resources of the area. The 13-member board consists of appointees from participating cities and Monterey County. The authority may levy assessments and issue bonds.

The March Joint Powers Authority, created in September 1993, was created under a "Joint Exercise of Powers Agreement" section.

Authorities in which a single county or city governing body serves as the authority governing body ex officio; or where authority activities have been organized under the redevelopment agency of the city or county; or organized as a joint powers authority comprising a single county or city and a subordinate agency of the county or city, are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### Municipal Improvement Districts (special acts)

A number of districts were established by special acts. Substantially the same provisions apply to each of these districts. They may provide a wide range of functions including sewage and garbage disposal, water supply, park and recreational facilities, and fire protection. An elected board of directors governs each district. The

districts may levy taxes and special assessments, impose charges, and issue bonds with voter approval.

The Estero Municipal Improvement District is governed by the city council of Foster City and is therefore not counted as a separate government in Census Bureau statistics. See “Subordinate Agencies and Areas” section.

### Pest Control Districts

General laws provide for the establishment of six types of districts to control insect pests:

- Citrus pest control districts.
- Mosquito abatement or vector control districts.
- Napa County winegrape pest and disease control districts.
- Olive, stone and pome fruit pest control districts.
- Pest abatement districts.
- Table grape pest and disease control districts.
- Winegrape pest and disease control districts.

Each of these types of districts may be created by the county board of supervisors upon petition and after a public hearing. A board of trustees appointed by the county supervisors governs each district. Mosquito abatement or vector control districts may include territory in incorporated cities with the governing bodies of the cities also appointing district trustees. Citrus pest control districts and olive, stone, and pome fruit pest control districts may levy special assessments and ad valorem taxes. Table grape pest and disease control districts may recommend assessments to the county supervisors. Mosquito abatement, pest abatement, and vector control districts may levy property taxes.

### Police Protection Districts (in unincorporated towns)

These districts are established to provide police protection within unincorporated towns by the county board of supervisors upon petition of residents after a public hearing. An elected board of commissioners governs each district. The districts may levy taxes. A 1959 amendment prohibited creation of additional districts under this law but those already in existence may continue to operate under its provisions. Police protection districts in unincorporated territories operate under similar provisions, with the exception that the board of supervisors serves as the ex officio district directors.

### Port and Harbor Districts

California general laws authorize a variety of districts to provide port and harbor facilities:

- Harbor districts.
- Port districts.

- River port districts.
- Small craft harbor districts.

All of these districts are established by county boards of supervisors on petition and after a hearing and referendum.

Harbor districts are each governed by a board of five elected commissioners. A port district encompasses one incorporated city and may include surrounding territory. A district board appointed by the city and county governing bodies governs each district with these exceptions: the Stockton Port district board number and composition has special requirements, the Santa Cruz district has an elected board and districts in Ventura County have city-appointed boards.

River port districts are each governed by a board of commissioners appointed by the governing bodies of the counties and the largest city in the districts.

Small craft harbor districts are governed by boards of five elected directors.

The Humboldt Bay Harbor Recreation and Conservation District and the San Diego Unified Port District were created by special acts with provisions similar to the general laws above. The Humboldt Bay district has an elected board, and the San Diego district board is appointed by the city councils of the cities in the district. The San Diego district operates airport as well as port facilities.

All port and harbor districts organized under the above provisions may levy property taxes, fix charges, and issue bonds upon voter approval.

Harbor improvement districts are governed by the county board of supervisors and are therefore not counted as separate governments. See “Subordinate Agencies and Areas” section.

### Public Cemetery Districts

These districts are established by the county board of supervisors upon petition of landowners and after a hearing and referendum. A board of trustees, appointed by the county supervisors, governs each district. The districts may levy property taxes and charge fees for services.

### Reclamation Districts

Reclamation districts are authorized by general law and are created by the board of county supervisors upon petition of landowners. An elected board of trustees governs each district. The districts may levy special assessments, fix and collect rates and charges for provided services, and issue bonds upon voter approval. Reclamation districts established by special acts have provisions similar to districts established under general law.

## **Recreation and Park Districts**

California statutes provide for the following types of districts to provide recreation and park facilities:

- Recreation and park districts.
- Regional park, open space, and park and open space districts.

Recreation and park districts are established after a public hearing and referendum by city or county governing bodies either on their own initiative or upon petition of voters. The directors of the district may be elected or may be appointed by mayors or county supervisors. The districts may levy taxes and may issue bonds with voter approval.

Regional park and open space districts are established by the board of supervisors of one or more counties upon petition and after a hearing and referendum. An elected board of directors governs each district. The districts may levy taxes and may issue bonds with voter approval.

The Lake Cuyamaca Recreation and Park District was established by a 1961 special act subject to referendum to provide parks and recreational services. A board appointed by the San Diego County Board of Supervisors governs the district. The district may levy taxes and issue bonds with the approval of the voters.

The Mount San Jacinto Winter Park Authority was authorized by a special act to build and operate a ski resort. Its board members are appointed by the governor and the city and county governing bodies. The authority may fix rates and tolls.

The Santa Clara County Open Space Authority was created by a special act to preserve open space in Santa Clara County. A board of directors, initially appointed by the county supervisors but thereafter elected, governs the authority. The authority may levy a special tax on developed property and issue bonds.

The Mountain View Shoreline Regional Park Community is governed by the city council of Mountain View and is therefore not counted as a separate government in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

In 1997 the Coachella Valley Mountains Conservancy in Riverside County and the Santa Monica Mountains Conservancy in Ventura and Los Angeles counties were classified as special districts. Beginning in 2002, these entities are classified as dependent activities of the state of California.

## **Resort Improvement Districts**

These districts provide fire protection, mosquito abatement, parking facilities, police protection, recreation, refuse collection, sewerage, streets, and water supply in unincorporated resort areas. These districts are

established by the county board of supervisors upon petition of landowners and after a referendum. An elected board of directors governs each district. The districts may fix rates and charges, levy taxes, and, upon voter approval, issue bonds. Since 1965, no new districts may be formed under this law but those then in existence may continue to operate under its provisions.

## **Resource Conservation Districts**

These districts provide soil and water conservation services. The districts are established either through petition of landowners or direct resolution of the board of county supervisors subject to approval by the local agency formation commission and a referendum. An elected or appointed board of directors governs each district. The districts may charge fees for services and, under limited circumstances, levy taxes. Similar provisions apply to the Tahoe, Suisun, and Ventura resource conservation districts, which were established by special acts.

Local improvement districts may be created within a resource conservation district as dependent activities of the parent district. These are not counted as separate governments in Census Bureau statistics.

## **Sacramento Ballpark Authority**

This authority was created by special act to construct and operate a professional ballpark in the city of Sacramento. The board is appointed by the boards of supervisors of the city of Sacramento and any participating counties. The authority may issue revenue bonds.

## **San Francisco Bay Area Water Emergency Transportation Authority**

Created by special act in 1999, this authority is responsible for the planning and provision of new or expanded high-speed ferry services and intermodal ground transportation services including terminals, feeder bus service, and parking facilities. The authority is governed by an 11-member board consisting of eight members appointed by the governor and by legislative committees and three members selected by and from the statutory community advisory committee. Authority revenues include annual state appropriations, fees and fares for transit and other services, and grants and gifts. The authority may issue revenue bonds.

## **Sanitation and Sewer Districts**

The following types of districts to provide sewerage and/or solid waste disposal are authorized by general law:

- Garbage and refuse disposal districts.
- Sanitary districts—1923 and 1891 laws.
- County sanitation districts (in Los Angeles and Orange Counties only).

Garbage and refuse disposal districts are established by the county board of supervisors. A board of directors is appointed by the supervisors. The district may levy taxes, fix charges, and issue bonds upon voter approval.

Sanitary districts under the 1923 law are created by the county supervisors upon petition of landowners and after a hearing and referendum. A board of elected directors governs each district. The districts may levy taxes, fix charges, and issue bonds on voter approval. Similar provisions apply to districts organized under the 1891 law. Since 1939, no new districts may be formed under the 1891 law but those already in existence may continue to operate under its provisions.

Sanitary improvement districts created by sanitary districts are dependent activities of the parent district. They are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

The Los Angeles County and Orange County sanitation districts are counted as a single special district government in Census Bureau statistics. In each of these two counties, the districts are governed by boards composed of city and county officials. The districts may issue bonds upon voter approval and levy taxes. In each of these two counties, the operations of the individual districts are closely integrated, with the same engineering and administrative staff and common sewage treatment plant and outfall lines.

Other county sanitation districts in California are not counted as separate governments in Census Bureau statistics. Similarly, municipal sewer districts under the 1911 law, sewer districts in unincorporated territory under the 1899 law and sewer maintenance districts are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

Some authorities of this type have been created by special acts to provide sewerage services. Similar provisions apply to each of these authorities.

Each of these districts is governed by a board chosen by local officials. These districts may each levy taxes, fix charges, and issue bonds on voter approval.

## Transit Districts

These districts are authorized by special acts or by general laws, subject to a referendum. Most of these districts are governed by boards of directors appointed by the governing bodies of the cities and counties in the district but some districts have elected boards. The Tahoe Transportation District also serves portions of Nevada; its board members consist of members of the governing bodies of counties and cities in the district, plus the directors of the state departments of transportation of California and Nevada. Most districts may levy ad valorem

taxes. Some districts also may levy retail sales taxes. Most of the districts may issue revenue bonds without voter approval and general obligation bonds with voter approval.

There also are other agencies involved in transportation that are established under "joint exercise of powers" agreements (see above).

## Utility Districts

California statutes authorize creation of the following types of utility districts:

- Municipal utility districts.
- Public utility districts.

These districts are formed by the county supervisors upon petition of voters (or of public agencies, in the case of public utility districts) and after a hearing and referendum. The districts may provide any combination of water, electricity, transportation, telephone service, sewerage, refuse disposal, fire protection, and recreation services. A board of directors governs each district. The districts may levy taxes, fix charges, and issue bonds with voter approval. The Donner Summit Public Utility District and the Olivehurst Public Utility District were created by special acts with similar provisions.

## Water Supply and Water Conservation Districts

California general laws authorize a variety of districts to provide water supply and/or conservation, as noted below:

- "California" water districts (irrigation and domestic water supply; also sewerage).
- County water authorities—1943 law (irrigation and domestic water supply).
- County water districts (irrigation and domestic water supply; also sewerage and electric power).
- County waterworks districts (irrigation and domestic water supply).
- Metropolitan water districts (water supply and electric power).
- Municipal water districts (domestic water supply; also sewerage and electric power).
- Water conservation districts—1927 law (irrigation and water conservation).
- Water conservation districts—1931 law (irrigation, water conservation, and water supply; also sewerage).
- Water replenishment districts (replenishment of underground water).
- Water storage districts (water storage and distribution; also electric power).

Substantially uniform provisions apply to each of these ten types of districts. Each is created by resolution of the county board or other participating agency, usually upon petition, and after a referendum. The districts have elected boards of directors, except for the county water authorities, county waterworks districts and metropolitan water districts, which have appointed boards. A few districts have been authorized by special acts to perform additional functions. All of these districts may fix charges and levy special assessments, and all except water storage districts may levy property taxes. All except water conservation districts formed under the 1927 law may issue bonds on voter approval.

In addition, a number of districts were created by special acts to provide water for domestic use, irrigation, or wastewater management; some of these districts also may provide sewerage, electric power, and flood control facilities. Most of these agencies have elected boards. Exceptions are the Orange County and Santa Clara Valley water districts, which have some appointed members on their boards, the Bay Area Water Supply and Conservation Agency whose members are appointed by the participating political subdivisions, and the Yuba-Bear River Basin Authority, which has directors appointed by the participating counties. All districts may fix charges, levy property taxes, and issue bonds on voter approval.

County water agencies that are governed by the county board of supervisors in an ex officio capacity are not counted as separate governments. See "Subordinate Agencies and Areas" section.

## Watermaster Districts

These districts are created by special acts to provide watermaster services for specific areas. The districts are governed by boards consisting of members elected by owners of water rights, and members appointed by the county board of supervisors. The districts may charge fees for services.

## SUBORDINATE AGENCIES AND AREAS

Shown below are various governmental designations in California that have certain characteristics of governmental units but which are classified in Census Bureau statistics as subordinate agencies of the state or of local governments and are not counted as separate governments. Legal provisions for some of the larger of these are discussed below (See "Public School Systems" section, regarding educational agencies of this nature). Many of the classes listed below have the same name and functions as classes that are listed under the "Special District Governments" category. For these classes, the enabling legislation provides for alternative methods of governing the districts. Where these districts have separate governing bodies, they are counted as special district governments; when they are governed by county or municipal

officials in an ex officio capacity, for Census Bureau statistics on governments, they are classified as subordinate agencies of the government they serve, and are not counted as separate governments.

**California Education Facilities Authority (state)**—This authority assists private colleges and universities in financing building projects and finances student loans. It is governed by a board composed of the state director of finance, the state controller, and the state treasurer plus two members appointed by the governor. The authority may lend money to institutions, lease facilities to institutions and issue revenue bonds.

**California Health Facilities Financing Authority (state)**—This authority was established to finance construction of health facilities. It is composed of the state treasurer, the state controller, and the director of finance plus members appointed by the governor, the assembly speaker and the Senate Rules Committee. It may issue revenue bonds, make loans, and lease facilities.

**California Housing Finance Agency (state)**—This agency was established to assist housing development. The agency is administered by a board of directors consisting of 13 voting members: the State Treasurer, the Secretary of Business, Consumer Services, and Housing, the Director of Housing and Community Development, the Secretary of Veterans Affairs, seven members appointed by the governor, one member appointed by the Speaker of the Assembly, and one member appointed by the Senate Committee on Rules. The Director of the California Department of Finance, the Director of the Office of Planning and Research, and the executive director of the agency serve as nonvoting ex officio members of the board. The agency may make loans to developers and to mortgage lenders and may issue revenue bonds.

## California Infrastructure and Economic Development Bank (state)

This agency, created by legislation in 1994, provides financing for business development and public improvements. The bank has authority to issue tax-exempt and taxable revenue bonds, provide financing to public agencies, provide credit enhancements, acquire or lease facilities, and leverage state and federal funds.

**California Pollution Control Financing Authority (state)**—This authority was established by act of the legislature to finance and lease pollution control and resource recovery facilities. The authority board consists of the director of finance, the state controller and the state treasurer, who serve in an ex officio capacity. The authority may fix rates, rents, fees and charges and may issue revenue bonds.

**California School Finance Authority (state)**—This authority was established by 1985 legislation to finance the construction of school buildings. The authority board consists of the state treasurer, the director of the state department of finance, and the state superintendent of

public instruction, who serve in an ex officio capacity. The authority may lend money, fix rentals and other charges, and issue revenue bonds.

**California Transportation Commission (state)**—The California Transportation Commission consists of 11 voting members and two nonvoting ex-officio members. Of the 11 voting members, nine are appointed by the governor, one is appointed by the Senate Rules Committee, and one is appointed by the Speaker of the Assembly. This commission is the successor agency to the California Toll Bridge Authority. In addition to formulating statewide transportation plans, it also directs the state department of transportation in the operation of state toll highway crossings. It may also issue revenue bonds and may fix tolls and charges.

**Community facilities districts (local agency)**—Districts may be formed by any city, county, special district, school district, or joint powers authority, following resolution of the governing body and public hearing and subject to referendum approving both the levy of a special tax and a proposition to establish or change the allowable expenditure from tax proceeds. Districts are formed to issue debt for the purpose of providing services in addition to those previously provided by the district or to finance the purchase, construction, expansion, or rehabilitation of public facilities.

**County flood control and flood water conservation districts and county water agencies (county)**—These districts are established by special acts. If they are administered by the county board of supervisors in an ex officio capacity, they are not counted as separate governments. Such districts may levy taxes and issue bonds after a referendum. For flood control and water conservation or water supply and water conservation districts that are governed by a separate board of trustees, see “Special District Governments” section.

**Nonprofit public benefit corporations (county, municipal, or other)**—Nonprofit public benefit corporations to provide public facilities or services may be established by filing articles of incorporation with the secretary of state. A board of directors, composed as specified in the articles of incorporation, governs each corporation. The corporation may fix fees and other service charges and may issue revenue bonds.

Nonprofit public benefit corporations are not counted as separate governments. They are classified as dependent agencies of the county, municipal, school district, or special district government they serve, if they file reports with the state controller and meet one or more of the following statutory requirements: (1) the corporation was created by governmental entities under a “joint exercise of powers” agreement, (2) the corporation has issued tax-exempt bonds to finance facilities subject to a lease to or

agreement with a local government, and (3) the corporation is wholly owned by a local government.

### The California Independent System Operator

**Corporation (state)** was created as a public benefit corporation by a special act of the legislature as part of the state’s power deregulation. It is governed by a board of five members appointed by the governor. The corporation may collect fees for its electric transmission services. It issues debt through the California Infrastructure and Economic Development Bank.

Other examples include:

#### State<sup>1</sup>

Baldwin Hills Conservancy  
California Alternative Energy and Advanced Transportation Financing Authority  
California Consumer Power and Conservation Financing Authority  
California Earthquake Authority  
California Fiscal Recovery Financing Authority  
California Health Benefit Exchange  
California High-Speed Rail Authority  
California Housing Partnership Corporation  
California Passenger Rail Financing Commission  
California Public Capital Improvements Financing Authority  
California State University and Colleges Headquarters Building Authority  
California Tahoe Conservancy  
California Transportation Financing Authority  
California Urban Waterfront Area Restoration Financing Authority  
Coachella Valley Mountains Conservancy  
Consumer Motor Vehicle Recovery Corporation  
Emergency Medical Services Authority  
Sacramento and San Joaquin Drainage District  
Salton Sea Restoration Council  
San Diego River Conservancy  
San Gabriel and Lower Los Angeles River and Mountains Conservancy  
San Joaquin River Conservancy  
San Joaquin Valley Quality Cotton District (formerly One Variety Cotton District)  
Santa Monica Mountains Conservancy  
Sierra Nevada Conservancy  
State Assistance Fund for Enterprise, Business and Industrial Development Corporation  
State Coastal Conservancy  
Surface mining and reclamation districts

#### County

Air pollution control districts (single county)  
Community energy authorities (county)  
Community Revitalization and Investment Authorities  
Community services districts (ex officio boards)

Cotton pest abatement districts  
County regional justice facilities planning agencies (general law and special acts)  
County service authorities for freeway emergencies (governed by the county transportation commission)  
County special health care authorities (Monterey and Santa Barbara Counties)  
County transportation commissions (except those with power to levy taxes)  
Crossing guard maintenance districts  
El Dorado County Toll Tunnel Authority  
Fire protection districts (ex officio boards)  
Flood control maintenance areas  
Garbage disposal districts  
Geologic hazard abatement districts (ex officio boards) (county)  
Harbor improvement districts  
Highway interchange districts (county)  
Highway lighting districts  
Housing authorities (ex officio boards)  
Industrial development authorities  
Infrastructure financing districts (county)  
Infrastructure financing districts in the Border Development Zone (county)  
Integrated financing districts (county)  
Joint county road camp districts  
Landscaping and lighting assessment districts  
Local housing finance agencies  
Local improvement districts—resource conservation or irrigation  
Military base reuse authorities (ex officio boards) (county)  
Open space maintenance districts  
Parking and business improvement areas (county)  
Parking authorities—1949 law  
Permanent road divisions  
Property and business improvement districts—1994 law  
Protection districts—1895 law  
Recreation and park districts (ex officio boards)  
Regional planning districts (joint county)  
Resort improvement districts (ex officio boards)  
Road districts  
Road improvement districts  
Road maintenance districts  
Sacramento Housing and Development Agency  
Sacramento Metropolitan Air Quality Management District  
Sanitary improvement districts  
Santa Clara County Transit Agency  
Sewer districts—1939 law (county)

Sewer districts in unincorporated territory—1899 law  
Sewer maintenance districts  
Sonoma County Dental Health Authority  
Storm drainage districts (Contra Costa County)  
Storm drain maintenance districts—1937 law  
Storm drain maintenance districts—1939 law  
Street lighting districts—1919 law  
Unified air pollution control districts  
Vehicle parking districts—1943 law (county)  
Water authorities (county)

## Municipal

Acquisition and improvement districts (city)  
Community energy authorities (municipal)  
Community rehabilitation districts (municipal)  
Community Revitalization and Investment Authorities  
Crossing guard maintenance districts  
Estero Municipal Improvement District  
Flood control maintenance areas (city)  
Geologic hazard abatement districts (ex officio boards) (municipal)  
Highway interchange districts (municipal)  
Housing authorities (ex officio boards) (city)  
Industrial development authorities (city)  
Landscaping and lighting assessment districts  
Local housing finance authorities (city)  
Military base reuse authorities (ex officio boards) (city)  
Mountain View Shoreline Regional Park District  
Municipal building commissions  
Municipal lighting maintenance districts  
Municipal park improvement districts  
Municipal water districts—1935 law  
Open space maintenance districts (city)  
Parking authorities—1949 law (city)  
Parking districts—1951 law  
Recreation and park districts (ex officio boards) (city)  
San Francisco Port Commission  
Sewer districts—1939 law (city)  
Small craft harbor districts (single city)  
Vehicle parking districts—1943 law (city)

## Other

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

## ENDNOTE

<sup>1</sup>The law authorizing California Bay-Delta Authority Water was repealed in 2010.

# COLORADO

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## COUNTY GOVERNMENTS

The entire area of the state of Colorado is encompassed by county governments, except for two consolidated city-county governments (see "Municipal Governments" section). In Colorado counties, the governing body is called the board of county commissioners. Counties may operate under home-rule charters.

## SUBCOUNTY GENERAL PURPOSE GOVERNMENTS

### Municipal Governments

Municipal governments in Colorado are the cities and the towns. The consolidated city-county governments of Denver and Broomfield operate primarily as cities and are counted as municipal governments. New cities must have a population of at least 2,000. Cities and towns having a minimum population of 2,000 may adopt home-rule charters. In addition, the City of Georgetown operates under a territorial charter granted by the legislature of the former Colorado Territory before 1876.

### Township Governments

Colorado has no township governments.

## PUBLIC SCHOOL SYSTEMS

### School District Governments

The following types of school districts in Colorado are counted as separate governments in U.S. Census Bureau statistics:

- School districts.
- Junior college districts.
- Affiliated junior college districts.

Each school district is governed by an elected board of education. School districts may levy ad valorem taxes for school purposes and, after voter approval, may issue general obligation bonds.

Junior college districts may be organized in areas meeting certain criteria and approved for organization by the state board of community colleges and occupational education. Establishment requires voter petition to the county, or to the secretary of state if in two or more counties, and voter approval. An elected board of trustees governs each junior college district. These districts may levy ad valorem taxes and, with voter approval, issue general obligation bonds. Most junior colleges are, however, part of the state system

of higher education and are not counted as separate governments.

### Dependent Public School Systems

Colorado has no dependent public school systems.

### Other Educational Activities

Area vocational districts are created upon petition of voters to one or more counties after voter approval. These districts are administered by a board of control consisting of the local junior college district board ex officio plus one member appointed by the board of education from each school district served. Each district may impose an ad valorem property tax. The area vocational districts are classified as joint educational service agencies of the school districts served or as adjuncts of a school district; and are not counted as separate governments in Census Bureau statistics.

Boards of cooperative educational services may be established by two or more school districts or by a school district and a postsecondary institution. Each board's composition is specified by the creating agreement. Revenues consist of appropriations from participating school districts and state and federal grants. These boards are classified as joint educational service agencies of the participating school districts and are not counted as separate governments in Census Bureau statistics.

The state is divided into twelve regional service areas. Each area includes at least two school districts and one board of cooperative services. Other education organizations may participate. The areas may provide shared programs and purchases. Each area is administered by a locally appointed regional service council. The council may submit requests for state grants to conduct programs.

School district libraries serving the public were created prior to July 1, 1979. A board of trustees appointed by the school district governs each library. The libraries are funded through a voter-approved property tax. School district libraries are classified as subordinate agencies of the school districts served and are not counted as separate governments in Census Bureau statistics.

## SPECIAL DISTRICT GOVERNMENTS

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

## **Airport Authorities**

Combinations of cities, towns, counties, or an adjoining state acting jointly may establish an airport authority by resolution. Additionally, the general assembly may authorize the governor, on behalf of the state, to join with local governments in establishing an airport authority. Each authority is administered by a board of commissioners appointed by the governing bodies of the sponsoring governments and the governor with the approval of the Senate, if the state government is a member of the authority. The number of board members shall consist of at least five members and no more than nine members and represent the participating governing bodies. Airport authorities may fix rentals, charges, and fees, and may issue revenue bonds.

Airport authorities established by a single county are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

## **Ambulance Districts**

These districts may serve only one county, a portion of one, or two or more contiguous counties, and may not be established in an area served by a fire protection or health service district providing an ambulance service (New language added by the 2016 Colorado legislature). The districts are established by order of the district court following voter (resident and landowner) petition, resolution of the applicable local governments, public hearings, and referendum. A board of directors elected by residents and landowners governs each district. The districts may levy ad valorem taxes, fix fees and charges, and issue revenue bonds. The voters may authorize the power to issue general obligation bonds by the creating referendum.

## **Authorities Established Under Intergovernmental Agreements**

These authorities may be established by agreement between any two or more governments for any functions that the participating governments may perform. The composition of the authority governing body is specified in the agreement establishing the authority. The revenue powers of the authority are also spelled out in the agreement. Authorities established under this law may be known by a variety of names.

## **Cemetery Districts**

The districts may be established by the board of county commissioners upon petition of property owners. The county commissioners appoint a three-member board of directors to govern each district. These boards may set and levy ad valorem taxes.

Cemetery districts that encompass the entire county and are also financed solely by county appropriations are

not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

## **Cherry Creek Basin Water Quality Authority**

This authority was formed by 1988 legislation to provide water pollution control in the Cherry Creek basin in Arapahoe and Douglas Counties. The authority is governed by a board of directors representing the participating counties, cities, and special districts, plus seven members appointed by the governor. The authority may fix rates, tolls, fees, and charges; levy ad valorem taxes and special assessments; and issue revenue or assessment bonds.

## **Conservation Districts**

These districts are established on order of the state conservation board upon petition of landowners to the state and after a hearing and landowner referendum. A board of supervisors elected by landowners governs each district. The districts may levy benefit assessments and ad valorem taxes after voter approval.

## **Denver Health and Hospital Authority**

This authority was created by special act to provide health and emergency services to Denver. The authority is governed by a board of directors appointed by the mayor of Denver with the agreement of the Denver city council. The authority may issue revenue bonds.

## **Denver Metropolitan Scientific and Cultural Facilities District**

Authorized by special act and created by referendum in 1988, this district provides funding for scientific and cultural organizations within an area that includes all of the counties of Adams, Arapahoe, Boulder, and Jefferson; the city and county of Broomfield; the city and county of Denver; and most of Douglas County. The district is governed by a board of directors appointed by the member governments, plus four members appointed by the governor. Subject to voter approval, the district may levy a sales and use tax.

## **Drainage Districts**

Drainage districts are created by order of the board of county commissioners upon landowner petition and after a hearing and landowner referendum. However, if the designated district area is unoccupied, an election is not needed. A board of directors elected by landowners governs each district. The districts may levy benefit assessments and, after voter approval, may issue bonds.

Grand Valley Drainage District was established by a 1923 special act. It is governed by an elected board of directors. The district may levy ad valorem taxes and issue general obligation bonds upon voter approval.

## **Fire Protection Districts**

These districts serve one or more municipalities or counties. The districts are established by order of the district court following voter (resident and landowner) petitions, resolution of the applicable local governments, public hearings, and a referendum. A board of directors elected by residents and landowners governs each district. The districts may levy ad valorem taxes, fix fees and charges, receive and spend an impact fee or other similar development charge, and issue revenue bonds. The voters may authorize the power to issue general obligation bonds at the creating referendum.

## **Forest Improvement Districts**

These districts serve one or more municipalities or counties. The districts are established by resolution or ordinance of the applicable local governments and a referendum of resident voters and taxpaying voters. Each board of directors includes members appointed by the member governments plus one director appointed by each of the following: the state forest service, an environmental organization, a conservation district within the district, a water conservancy district within the district, and a federal land management agency. The districts may levy ad valorem taxes; fix fees and charges; and issue revenue bonds. The voters may authorize the power to issue general obligation bonds at the creating referendum. With voter approval, districts may levy a uniform sales tax throughout the district.

## **Fountain Creek Watershed, Flood Control, and Greenway District**

This district was created by special act. The authority addresses environmental water issues and provides recreation. The district is governed by a board of directors consisting of one director appointed by the Pueblo County commissioners; one appointed jointly by the Colorado Springs city council and the El Paso County commissioners; one appointed jointly by the Pueblo city council and the Pueblo County commissioners; one appointed jointly by the two counties' commissioners; plus one ex officio member from each of the aforementioned local governments. The district may levy ad valorem taxes, service fees, and special assessments. The district may issue bonds subject to voter approval.

## **Ground Water Management Districts**

These districts are established by the state ground water commission upon petition of landowners and after a public hearing and landowner referendum. A board of directors elected by landowners governs each district. The district may levy ad valorem taxes and special assessments and, with voter approval, may issue bonds.

## **Health Assurance Districts**

These districts directly or indirectly provide health care services to residents and their family members. These districts serve one or more municipalities or counties. The districts are established by order of the district court following voter (resident and landowner) petition, resolution of the applicable local governments, public hearings, and referendum. A board of directors elected by resident and taxpaying voters governs each district. The districts may levy ad valorem taxes, fix fees and charges, and issue revenue bonds. The voters may authorize the power to issue general obligation bonds at the creating referendum. With voter approval, the districts may levy a sales tax.

## **Health Service Districts**

These districts provide health care facilities and ambulance service. These districts serve one or more municipalities or counties. The districts are established by order of the district court following voter (resident and landowner) petition, resolution of the applicable local governments, and a public hearing and referendum. A board of directors elected by resident and taxpaying voters governs each district. The districts may levy ad valorem taxes, fix fees and charges, and issue revenue bonds. The voters may authorize the power to issue general obligation bonds at the creating referendum. With voter approval, the districts may levy a uniform sales tax.

## **Housing Authorities**

Colorado statutes authorize municipal and county housing authorities. An individual county or municipality may establish a housing authority through resolution of its governing body upon resident petition and after a public hearing. Housing commissioners are appointed as specified in the creating or amending resolution. The authorities may issue revenue bonds and may fix and collect rentals.

Multijurisdictional housing authorities may be formed by contract of a combination of counties or municipalities. These authorities are governed by boards of directors for which the composition is determined by the participating governments. The authorities may issue revenue and general obligation bonds, and may charge and collect rentals. Subject to voter approval, the authorities may levy ad valorem taxes, sales and use taxes, or development impact fees.

Authorities in which the city or county governing body serves as the housing commissioners in an ex officio capacity are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

## Irrigation Districts

Districts to provide irrigation and drainage facilities are authorized under three laws: the laws of 1905, of 1921, and of 1935. The 1935 law was repealed, but any district then in existence could continue to operate under its provisions. Under the 1905 and 1921 laws, irrigation districts are created by the board of county commissioners upon petition of landowners and after landowner referendum. Boards of directors elected by landowners govern all three types of districts. The districts formed under the 1905 and 1921 laws may issue revenue bonds with voter approval and may levy a special acreage assessment, as well as fix and collect charges for their facilities. Districts formed under the 1935 law may fix charges for their facilities and services and may issue revenue bonds but may not levy taxes.

## Library Districts

Library districts may be formed by resolution or ordinance upon initiation of one or more counties, municipalities, or school districts, or upon voter petition. Alternately, a referendum may be held upon voter petition. A public hearing is required. A board of trustees appointed by the creating governments governs the districts. Districts may levy ad valorem taxes and may issue general obligation bonds, both of which are subject to voter approval.

Regional library authorities may be created by contract of any combination of two or more counties, municipalities, school districts, or library districts; passage of resolutions or ordinances by same; and after a public hearing. The resolution or ordinance of each member government shall specify the authority governance. Subject to voter approval, authorities may levy a sales or use tax, levy an ad valorem tax, and issue revenue and general obligation bonds.

Library capital facilities districts may be created by a library district board, which serves ex officio as the governing body. These districts are not counted as separate governments in Census Bureau statistics; they are dependent activities of the creating library districts.

School district libraries are discussed under "Other Educational Activities" section.

## Mental Health Care Service Districts

These districts serve one or more municipalities or counties. The districts are established by order of the district court following voter (resident and landowner) petition, resolution of the applicable local governments, public hearings, and a referendum. Districts include all of the territory of one or more municipalities or counties. A board of directors elected by resident and taxpaying voters governs each district. The districts may fix fees and charges, and issue revenue bonds. The voters may authorize the power to issue general obligation bonds at

the creating referendum. With voter approval, a district may levy a uniform sales tax.

## Metropolitan Districts

These districts may provide any two or more of the following services: domestic water, sanitation, solid waste collection and disposal, fire protection, parks and recreation, public transportation, safety protection, mosquito control, street improvements, and television relay and translator facilities. These districts serve one or more municipalities or counties. The districts are established by order of the district court following voter (resident and landowner) petition, resolution of the applicable local governments, public hearings, and a referendum. A board of directors elected by resident and taxpaying voters governs each district. The districts may levy ad valorem taxes, fix fees and charges, and issue revenue bonds. The voters may authorize the power to issue general obligation bonds at the creating referendum. Subject to voter approval, districts organized with street improvement, safety protection, or transportation powers may levy a sales tax within that part of the district that is not within the boundaries of an incorporated municipality.

## Metropolitan Football Stadium District

This district was created by 1996 legislation to finance and construct a National Football League stadium in the Denver area. The district is governed by a board of nine directors with one each appointed by the governing bodies of the counties of Adams, Arapahoe, Boulder, Douglas, and Jefferson, one appointed by the city of Denver, two appointed by the governor, and the chair of the Denver Metropolitan Major League Baseball Stadium District serving ex officio. The district may fix rents, fees, rates, tolls, and charges, and upon voter approval, may issue special obligation bonds and collect a sales tax.

## Metropolitan Sewage Disposal Districts

The governing body of any municipality, sanitation district, water and sanitation district, or other public entity authorized to provide sewer service may enact an ordinance designating the governmental units to be included in a proposed metropolitan sewage disposal district. After the units pass ordinances, and after a public hearing, a certificate of incorporation is filed with the division of local government in the state department of local affairs. The district board of directors is appointed by the executives of participating governmental units with the approval of the governing bodies of the same. Apportionment of board members is based on various population criteria. These districts may levy ad valorem taxes during the first 5 years of the existence of the district, fix rates and charges for services, and issue revenue and general obligation bonds after voter approval.

## Park and Recreation Districts

These districts provide parks and recreational facilities or television relay and translator facilities. These districts serve one or more municipalities or counties. The districts are established by order of the district court following voter (resident and landowner) petition, resolution of the applicable local governments, public hearings, and a referendum. A board of directors elected by resident and taxpaying voters governs each district. The districts may levy ad valorem taxes; fix fees and charges for services; and issue revenue bonds. At the creating referendum, the voters may authorize the power to issue general obligation bonds.

## Power Authorities

These authorities are established by contractual agreement between any combination of municipalities that own and operate electric power systems. The contracts may include municipalities of any adjoining state. A board of directors governs each authority; the number and the method of appointment of directors are specified in the contract. Power authorities may fix and collect fees, rates, and charges, and may issue revenue bonds.

## Public Highway Authorities

Authorities to finance beltways in metropolitan areas may be established by contract between two or more county or municipal governments. The state, with approval of the governor, may be a party to the contract. A board of directors includes at least one elected official from each member county or municipality, and, if the state government is a party, at least one director appointed by the governor with consent of the Senate. The authority may fix fees, tolls, rates, and charges for use of its highways, may issue revenue bonds, impose highway expansion fees on building permits issued within authority boundaries, and, after voter approval, impose motor vehicle registration fees.

Local improvement districts may be created by public highway authorities. These districts are governed by the authority board and are not counted as separate governments in Census Bureau statistics.

## Pueblo Depot Activity Development Authority

This authority was established by a special act to develop and manage the area encompassed by a former United States military base. It is governed by a seven-member board of directors appointed by both the city and county of Pueblo. The authority may fix fees, rents, and charges for its services and facilities. The authority also may issue revenue bonds.

## Regional Service Authorities

These authorities are established by the district court upon petition of voters or resolution of a majority of the municipal and county governing bodies in the proposed area, and after a hearing and referendum. The service area, except in the Denver metropolitan area, includes one or more entire counties. The authorities may provide a variety of services: water treatment and distribution; drainage and flood control; sewage treatment; parks and recreation; transportation; solid waste collection and disposal; libraries; fire protection; medical facilities; cultural facilities; housing; weed and pest control; management services for local governments; gas or electric services; jails; and land conservation. A popularly elected board of directors governs each authority. The authorities may fix and collect rates and charges, levy ad valorem taxes and special assessments, and issue revenue and general obligation bonds upon voter approval. The Ouray County Regional Service Authority was created under this law.

Special taxing districts and local improvement districts established by a regional service authority are classified as dependent agencies of the authority and are not counted as separate governments.

## Regional Transportation Authorities

Any combination of two or more municipalities and/or counties or any combination of one or more special districts organized with street improvement, safety protection, or transportation powers and one or more municipalities and/or counties by contract and subject to public hearings and voter approval, may create a regional transportation authority. The state government may, with gubernatorial approval, participate in the contract. Each authority is governed by a board of directors composed of elected officials from each member government. If the state is a party to the contract, the governor appoints one or more additional directors. An authority may fix and collect fees, charges, and tolls; impose a sales and use tax; impose motor vehicle registration fees; impose a tax on overnight rooms or accommodations; and may issue revenue bonds. An ad valorem tax on all taxable property within the territory of the authority is also authorized. Actions to establish or increase any tax and to issue bonds are subject to voter approval.

Local improvement districts established by regional transportation authorities are governed by the authority board and are not counted as separate governments in Census Bureau statistics.

## **Regional Transportation District (Denver)**

This district, authorized by a 1969 law, operates the transit system in Denver and surrounding areas. A popularly elected 15 board of directors governs the district. The district may set charges for services and facilities; levy ad valorem tax, and with voter approval, levy sales taxes. The board may issue revenue bonds.

## **Urban Drainage and Flood Control District (Denver)**

This district was authorized by a 1969 special act to serve the city and county of Denver; the city and county of Broomfield; and the counties of Adams, Arapahoe, Boulder, Douglas, and Jefferson. An appointed board of directors comprised of local officials of member cities and counties governs the district. The district's governing board may fix and collect rates and charges, and levy benefit assessments and ad valorem taxes. The board may also issue revenue and general obligation bonds; general obligation bonds require voter approval.

Improvement districts and sewer districts established by these districts are classified as dependent activities of the district and are not counted as separate governments in Census Bureau statistics.

## **Water Authorities**

These authorities to develop water resources are established by contractual agreement between any combination of municipalities, special districts, or other political subdivisions authorized to own and operate water systems or facilities or drainage facilities. A board of directors, for which the number and manner of selection are specified in the contract, governs each authority. Water authorities may fix rates, fees, and charges, and may issue revenue bonds.

## **Water Conservancy Districts (1922 and 1937 laws)**

A 1922 law permits water conservancy districts to be formed for flood control. The districts may develop parks and recreational facilities. These districts are formed by the district court upon landowner petition or upon petition of a city. A public hearing is required. Each district is governed by a board of directors appointed by the district court. The districts may levy special benefit assessments and issue bonds payable by the assessments.

A 1937 law permits water conservancy districts to be formed to provide water for domestic, industrial, and agricultural purposes. These districts are formed by order of the district court after petition of landowners or electors and a public hearing. A board of directors governs each district; the directors are appointed by the district court or are elected. These districts may issue revenue and, with voter approval, general obligation

bonds. They also may fix rates and levy ad valorem taxes and special assessments.

## **Water Conservation Districts (special acts)**

The Southwestern Water Conservation District is governed by a board of directors, with one member from each county selected by its board of county commissioners. The district may levy ad valorem taxes and special assessments after a hearing, may issue both revenue and, subject to voter approval, general obligation bonds.

The Rio Grande Water Conservation District was established under a 1967 law after a referendum. It is administered by a board of directors composed of two members from each of the counties of Alamosa, Conejos, Rio Grande, and Saguache, and one member from Mineral County; each member is appointed by the respective board of county commissioners. The district board may fix and collect rents, assess annual charges or user fees, levy ad valorem taxes and special assessments, and issue revenue bonds.

The Colorado River Conservation District is governed by a board of directors appointed by the board of county commissioners of each county represented in the district. The district may levy ad valorem taxes and special assessments, and issue revenue and general obligation bonds. This district may provide hydroelectric power in addition to irrigation water.

The Republican River Water Conservation District was created to assist with the 1942 compact signed by Colorado, Kansas, and Nebraska for the equitable apportionment of Republican River waters. The district includes counties located wholly or partially within the Republican River basin. The board of directors is appointed by the member boards of county commissioners and ground water management districts within the district, plus one director appointed by the Colorado Ground Water Commission from the commission membership. The district may impose user fees, annual levies, rental charges, service charges or other charges, and may levy ad valorem taxes. With voter approval, the district may impose a uniform sales and use tax throughout the district. The district may issue revenue bonds, and, with voter approval, general obligation bonds.

## **Water and Sanitation Districts**

Sanitation districts, water districts, and combined water and sanitation districts serve one or more municipalities or counties. The districts are established by order of the district court following voter (resident and landowner) petition, resolution of the applicable local governments, public hearings, and a referendum. A board of directors elected by resident and taxpaying voters governs each district. Water districts may also levy special assessments.

The districts may levy ad valorem taxes, fix fees and charges, and issue revenue bonds. The voters may authorize the power to issue general obligation bonds at the creating referendum. Services directly to residents and property owners in unincorporated territories of a county must be approved by the board of county commissioners.

Upon resolution of the board of a water or sanitation district, subject to public hearing and voter approval, either type of district may convert to a water and sanitation district. In similar fashion, a water and sanitation district may convert to a metropolitan district.

## SUBORDINATE AGENCIES AND AREAS

Shown below are various governmental designations in Colorado that have certain characteristics of governmental units but that are classified in Census Bureau statistics as subordinate agencies of the state or local governments and are not counted as separate governments. Legal provisions for some of the larger of these are discussed below (see "Public School Systems" section regarding educational agencies of this nature).

**Colorado Housing and Finance Authority (state)**—This authority was created by a 1973 law to fund housing for low- and moderate-income families. It is governed by a board of directors composed of the state auditor, a member of the general assembly appointed jointly by the house speaker and Senate majority leader, an executive director of a principal state department, and eight persons appointed by the governor. The authority may issue revenue bonds.

**Colorado New Energy Improvement District (state)**—Created by a 2010 special act, this district finances energy efficiency improvements and renewable energy improvements to eligible participating real property owners. The program operates only in those counties granting permission by resolution. A board of directors appointed by the governor and officers of the legislature, plus the directors of the governor's Energy Office and the state office of economic development serving ex officio, governs the district. The district may impose assessments on benefitted real properties and issue bonds.

**Colorado Student Obligation Bond Authority (state)**—This authority was created by act of the general assembly in 1979 to make student loan credit available to institutions of higher education. A board of nine directors, appointed by the governor with the consent of the Senate, governs the authority. The authority may fix fees and charges in connection with student obligations, and may issue revenue bonds.

**Urban renewal authorities (municipal)**—A municipality may establish an urban renewal authority by resolution, after voter petition and a public hearing. Each authority is administered by a board of commissioners appointed

by the mayor, subject to approval of the local governing body. It may issue revenue bonds.

Other examples include:

### State<sup>1, 2</sup>

Automobile Theft Prevention Authority  
Colorado Agricultural Development Authority  
Colorado Beef Council Authority  
Colorado Channel Authority  
Colorado Educational and Cultural Facilities Authority  
Colorado Health Facilities Authority  
Colorado Sheep and Wool Authority  
Colorado State Fair Authority  
Colorado Water Resources and Power Development Authority  
Denver Metropolitan Major League Baseball Stadium District  
Geothermal management districts  
Great Outdoors Colorado Trust Fund  
Higher Education Competitive Research Authority  
Pet Overpopulation Authority  
Pinnacol Assurance  
Sheep inspection districts  
Statewide Internet Portal Authority  
University of Colorado Hospital Authority  
Water Quality Control Commission

### County

Airport authorities (single county)  
Cemetery districts encompassing an entire county  
County libraries  
County park and recreation districts in unincorporated areas  
County road districts  
Creative districts (county)  
Disposal districts  
Emergency telephone service authorities (911 authorities) (county)  
Federal mineral lease act districts  
Housing authorities with ex officio boards (county)  
Joint libraries  
Law enforcement authorities  
Local improvement districts (established by the county)  
Local marketing districts (county)  
Pest control districts  
Public improvement districts (established by the county)  
Recreational facilities districts (county)  
Regional tourism authorities (county)  
Special taxing districts in home-rule counties  
Underground conversion of utilities districts

### Municipal

Building authorities (municipal)  
Business improvement districts

City water boards	Special improvement districts (includes sewer and storm sewer districts)
Creative districts (municipal)	Underground conversion of utilities districts
Denver Convention Center Hotel Authority	Veterans' housing authorities
Downtown development authorities	Waterworks in cities and towns
Emergency telephone service authorities (911 authorities) (municipal)	Colorado laws also provide for various types of local areas for election purposes and administration of justice.
General improvement districts (1949 law)	
Housing authorities with ex officio boards (municipal)	
Joint libraries	
Local marketing districts (municipal)	
Municipal energy finance authorities	
Municipal libraries	
Recreational facilities districts (municipal)	
Regional tourism authorities (municipality)	

## ENDNOTES

<sup>1</sup> Laws authorizing Colorado Fixed Guideway Authority were repealed in 2004.

<sup>2</sup> Laws authorizing Cover Colorado were repealed in 2015.

# CONNECTICUT

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## COUNTY GOVERNMENTS

Effective October 1, 1960, Connecticut county government was abolished and county functions were transferred to the state government. However, the former county boundaries were retained for election of county sheriffs and for judicial purposes. Thus, Connecticut counties are not counted as governments in U.S. Census Bureau statistics.

## SUBCOUNTY GENERAL PURPOSE GOVERNMENTS

The subcounty general purpose governments in Connecticut consist of municipal (city and borough) governments and town governments. These two types of governments are distinguished primarily by the historical circumstances surrounding their incorporation. In Connecticut, city, borough, and town governments have similar powers and perform similar functions. Towns, which are treated as municipalities in Connecticut statutes, are counted as a separate type of local government in Census Bureau statistics on governments.

The State Constitution authorizes cities, boroughs, towns, consolidated towns and cities, or consolidated towns and boroughs to adopt home rule charters. All subcounty governments in Connecticut are governed by a chief executive officer and a legislative body. The adopted charter must include the number and method of selection of the legislative body and the powers and duties of both the chief executive officer and the legislative body. A legislative body may be a town meeting, a representative town meeting, a board of selectmen, council, board of directors, board of aldermen, or a board of burgesses, or may be a combination of a town meeting or representative town meeting and one of these legislative bodies. A chief executive officer may be the first selectman, a chief administrative officer appointed by the board of selectmen, an elected mayor, an elected warden, a town, city, or borough manager appointed by the subcounty legislative body, or a chief administrative officer appointed by the mayor.

### Municipal Governments

The term "municipality," as defined for Census Bureau statistics on governments, applies only to the boroughs and cities in Connecticut.

Cities are located within town areas. The city of Groton is located within a town area but exists separately and is counted as a separate municipal government. For the other 19 cities, the city and town government have been

consolidated. Each is counted once in Census Bureau statistics on governments as a municipal government and not as a town government.

Boroughs are also located within town areas. Most boroughs exist separately from the overlying town government and are counted as separate municipal governments. The borough of Naugatuck is consolidated with the overlying town government and is counted only once as a borough government. The borough of Woodmont, located within the overlying city (city-town consolidation) of Milford, exists separately, and also is counted only as a borough government.

### Town or Township Governments

The entire area of the state is encompassed by town areas. These are counted as town governments in Census Bureau statistics, except for areas in which a town is consolidated with a city or borough government. Towns in Connecticut provide the services that are associated with counties and municipalities in most states.

## PUBLIC SCHOOL SYSTEMS

### School District Governments

Only the regional school districts in Connecticut are counted as separate governments in Census Bureau statistics on governments. A regional school district is organized by joint action of two or more towns after a referendum. It is administered by a regional board of education consisting of members appointed by the governing body of each participating town. Fiscal needs are determined by the regional school district board and apportioned to the participating towns. The districts may issue bonds with voter approval.

### Dependent Public School Systems

Connecticut statutes provide for the following types of dependent public school systems:

Systems dependent on municipal governments:

- City school systems.

Systems dependent on town governments:

- Town school systems.

The city and town school systems in Connecticut have elected governing bodies, known as local boards of education, that administer the schools; however, their budgets are subject to review and change by the city or

town budget-making authority and governing body. City and town school systems in Connecticut are not counted as separate governments in Census Bureau statistics.

### **Other Educational Activities**

Regional Educational Service Centers (RESC) may be established in any regional state planning area when the state board of education approves a plan submitted by four or more local boards of education to furnish cooperative programs and services. Each center is administered by a board consisting of one representative from each participating local board of education. These centers are classified as joint educational service agencies of the participating public school systems and are not counted as separate governments in Census Bureau statistics.

Two or more boards of education may, through a written agreement, establish cooperative arrangements to provide services and programs. These cooperative arrangements are not counted as separate governments in Census Bureau statistics.

Regional vocational agriculture centers may be established by agreement between any two or more boards of education. These centers are joint activities of participating public school systems and are not counted as separate governments in Census Bureau statistics.

## **SPECIAL DISTRICT GOVERNMENTS**

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

### **Development Districts (special acts)**

Development districts for infrastructure financing and improvements are created by special acts of the legislature and are subject to petition and referendum. They are governed by popularly elected boards. Districts may set taxes, benefit assessments, and fees, and may issue bonds upon entering into an intergovernmental agreement.

### **Fire, Sewer, and Similar Special-Purpose Districts**

A general law in Connecticut provides for the establishment of these special taxing districts. These districts exist for any or all of the following purposes: fire and police protection; street lighting and sprinkling; establishing building lines; planting and care of trees; constructing and maintaining streets, crosswalks, drains, flood or erosion control systems, sewers, and recreational facilities; establishment of a zoning commission or a planning commission and a zoning board of appeals (if the town government does not have a zoning or planning commission); collection and disposal of garbage; tick control; water quality; and ferry service.

Such a district may be established by vote at a town meeting called by the board of selectmen upon the petition of voters in the proposed area. Officers for the district are elected. Each district may issue bonds and set ad valorem taxes as well as special benefit assessments. Districts may contract with a town, city, borough, or other district to provide services.

These special taxing districts may also be created by special acts of the general assembly. These districts are similar in organization to the districts established under general law and are also counted as governments in Census Bureau statistics.

### **First, Second, Third, and Sixth Taxing Districts of Norwalk**

These four taxing districts located within the area of the city of Norwalk were established by the Norwalk city charter and special acts, and may perform the following functions within their defined areas: First Taxing District—water supply; Second Taxing District—electric light and power, and water supply; Third Taxing District—electric light and power; and Sixth Taxing District—public library, street lighting, and sewers. Each of these districts has a separately elected governing body. Each district may set ad valorem taxes, rates and charges for services, and may issue bonds.

Fourth and Fifth Taxing Districts of Norwalk, which constitute the city of Norwalk proper, are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### **Housing Authorities**

Three types of housing authorities governments are commissioned under Connecticut law: municipal housing authorities (serving a single borough, city, or town), regional housing authorities (serving two or more boroughs, cities, or towns), and American Indian housing authorities.

Municipal housing authorities are established by resolution of the borough, city, or town governing body. Each authority is directed by a board of commissioners appointed by the chief executive officer of the borough or city, or the town board of selectmen. The authorities may issue bonds and fix and collect rentals.

Regional housing authorities may be established by two or more boroughs, cities, or towns, and operate under similar provisions.

Under a 1976 general law, housing authorities may also be established for each designated American Indian tribe. These public entities are created by state law and have public boards created under state law. The chief or other governing head of a tribe appoints five members of the tribe to be commissioners. These regional housing

authorities have the same revenue powers as municipal housing authorities.

A city, borough, or town governing body may designate a housing authority as a redevelopment agency. Redevelopment agencies established as separate city, borough, or town agencies are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### **Improvement Associations**

These associations are established by special acts of the general assembly but are under substantially uniform provisions as to organization and operation. An elected board governs each association. Each association may set ad valorem taxes, assessments, and charges for services. These associations may perform one or more of a variety of functions similar to those of fire and sewer districts. Some associations of this type are known locally as "beach associations."

### **Metropolitan District (Hartford Area)**

This governmental district was established by a 1929 special act primarily to provide a water supply and sewerage system for the Hartford metropolitan area. Legislation also authorizes the district to sell, distribute, and transmit hydroelectric power; dispose of solid waste; and operate river front park facilities on the Connecticut River in the Hartford area. A board of 29 commissioners governs the district. Seventeen commissioners are appointed by the governing bodies of cities and towns within the district as specified by statute. In addition, eight commissioners are appointed by the governor, one is appointed by the state house speaker, one is appointed by the minority leader of the state house, one is appointed by the Senate president, and one is appointed by the minority leader of the Senate. The district may set ad valorem taxes; fix charges for water; collect special benefits, user fees, rents, and rates; and issue bonds.

### **Municipal Electric Energy Cooperatives**

A cooperative may be established to provide electric power and facilities by concurrent resolution of two or more municipal electric utilities. A cooperative is governed by a cooperative utility board appointed by the governing body of each municipal electric utility represented; the number of representatives per member utility is specified in the agreement establishing the cooperative. These cooperatives may fix rates, fees, rentals, or charges, and may issue revenue bonds.

The Connecticut Municipal Electric Energy Cooperative was formed under this law.

### **Pomperaug Valley Water Authority**

The Pomperaug Valley Water Authority dissolved in 2013.

### **Putnam Special Service Districts**

This district was established in 1984 to finance fire protection, police protection, and street lighting under provisions of the town charter of Putnam. An elected board of five directors governs the district. The district may levy ad valorem taxes.

Special service districts established under a 1973 general law are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### **Regional Refuse Disposal District One**

This district was established by the towns of New Hartford, Barkhamsted, and Winchester to provide solid waste management. A board of directors appointed by the governing authority of each city and town governs the district. The district may levy assessments and issue revenue and refunding bonds.

### **Regional Resource Recovery Authorities**

These authorities are established by concurrent ordinances by the governing bodies of participating boroughs, cities, or towns to provide waste management and resource recovery services. The number of board members and their method of selection are determined by agreement between the participating governments. The authorities may fix fees or charges, and may issue revenue bonds.

Authorities of this type that serve a single borough, city, or town are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### **Regional Water Pollution Control Authorities**

These authorities, established to provide and operate sewage facilities, may be created by concurrent ordinances of the governing bodies of two or more municipalities (town, city, borough, consolidated town and city, or consolidated town and borough). The creating ordinances determine the number of directors and method of appointment. The authorities may set fees and benefit assessments, and may issue bonds.

Water pollution control authorities created by a single municipality under a different law are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

## **South Central Connecticut Regional Water Authority**

This authority was established by special act to provide water supply for the 20 towns in the South Central Connecticut Regional Water District.

The authority governing board consists of five residents of the district appointed by the representative policy board that, in turn, consists of one member appointed by the chief elected official of each city or town in the district with the governing body's approval, plus one member appointed by the governor.

The authority may fix rates and fees, and issue revenue bonds.

## **Southeastern Connecticut Water Authority**

This authority was established by a 1967 special act to provide water supply in the southeastern part of the state.

The governing body of each participating city and town appoints two members to an advisory board that, in turn, appoints a seven-member board to administer the authority.

The board may fix rates and charges, set special benefit assessments, and issue revenue bonds.

## **Transit Districts**

Any town, city, or borough, by itself or in cooperation with one or more other municipalities, may establish a transit district. A board of directors governs each district, consisting of members appointed by the participating governments as follows: each municipality has at least one director, municipalities with a population from 25,000 to 100,000 have two, and those of 100,000 or more have four. The boards may fix rates, determine the proportionate share of the total appropriation to be paid by each municipality after a public hearing, and issue either revenue or general obligation bonds. Transit districts may provide transit service directly or contract with a public or private transit system to provide services. Transit districts with similar provisions have been authorized by special acts.

## **Tweed-New Haven Airport Authority**

This regional airport serves the south central Connecticut region. The authority is governed by a board of directors; eight directors are appointed by the mayor of New Haven, five are appointed by the mayor of East Haven, and three are appointed by the South Central Regional Council of Governments. The authority may set fees for services and issue revenue bonds.

## **SUBORDINATE AGENCIES AND AREAS**

Shown below are various governmental designations in Connecticut that have certain characteristics of governmental units but that are classified in Census Bureau statistics as subordinate agencies of the state or local governments and are not counted as separate governments. Legal provisions for some of the larger of these are discussed below (see "Public School Systems" section regarding educational agencies of this nature).

### **Connecticut Health and Educational Facilities Authority**

**(state)**—This authority was created by a 1965 act of the general assembly to finance the construction of buildings for nonprofit hospitals, institutions of higher education, childcare facilities, and other such nonprofit organizations. A board of directors, eight of whom are appointed by the governor, plus the state secretary of the office of policy and management and the state treasurer, serving ex officio, governs the authority. The authority may fix rates, rents, fees, and charges; make mortgage loans to qualifying hospitals and institutions; and issue revenue bonds.

**Connecticut Housing Finance Authority (state)**—This agency provides financial assistance for housing for low- and moderate-income families and persons through the purchase of government-insured mortgages. The authority's board of commissioners consists of seven members appointed by the governor, one appointed by the president pro tempore of the Senate, one by the speaker of the house of representatives, one by the minority leader of the Senate and one by the minority leader of the house of representatives, plus the state treasurer, the commissioner of economic and community development, the secretary of the office of policy and management, and the banking commissioner, serving ex officio. The authority may collect fees and charges, and issue revenue bonds secured by income from mortgage payments.

**Connecticut Innovations, Incorporated (state)**—The Connecticut Development Authority was created by a 1973 act of the general assembly to provide mortgage credit for industrial, health care, pollution control, or recreational facilities. Connecticut Innovations, Incorporated merged with CDA (Connecticut Development Authority) on July 1, 2012. Wherever the term "Connecticut Development Authority" is used in the general statutes, the term "Connecticut Innovations, Incorporated" was substituted in lieu thereof. This authority is governed by a board of directors consisting of four members appointed by the governor, one appointed by the president pro tempore of the Senate, one by the minority leader of the Senate, one by the speaker of the House of Representatives and one

by the minority leader of the House of Representatives, plus the commissioner of economic and community development, the state treasurer and the secretary of the office of policy and management, serving ex officio. The authority may make mortgage loans, set fees and rentals in connection with projects and loans, and issue revenue bonds.

**Connecticut Marketing Authority (state)**—This authority was established by a special act to develop and operate marketing facilities and to enable more economical distribution of Connecticut agricultural products. The authority is composed of one public member from each congressional district of the state, two at-large public members, the commissioner of agriculture, and the commissioner of economic and community development. The governor appoints three members of the authority and the president pro tempore of the Senate, the Senate minority leader, the speaker of the house of representatives and the minority leader of the house of representatives each appoint one member. In addition, the governor appoints two members of the authority who are tenants of the Hartford market facility. The authority may set rentals and charges, and issue bonds.

**The Connecticut Port Authority (state)**—This authority was created by act of the general assembly and is responsible for marketing and coordinating the development of the state's ports and maritime economy. The authority's governing board is composed of 15 voting members, including state officials, community leaders, port authority professionals, and individuals with knowledge related to trade, marine transportation, and finance. The authority may authorize the issuance of bonds.

**Connecticut Resources Recovery Authority (state)**—This authority was created by act of the general assembly to finance facilities for recovery of resources from solid waste. A board of 11 directors governs the authority: three are appointed by the governor, two each by the president pro tempore of the Senate and the speaker of the house, and two each by the minority leaders in the Senate and the house. The authority may fix fees, make loans, and, subject to the approval of the state treasurer, issue revenue bonds.

**Redevelopment agencies (municipal and town)**—General law permits cities, boroughs, or towns to establish these agencies or to designate the housing authority of the municipality as the redevelopment agency. Redevelopment agency boards are appointed by the chief executive officer of the sponsoring borough, city, or town with the approval of its governing body. Bonds for redevelopment purposes are issued by the borough, city, or town governments after a public hearing. Two or more municipalities may jointly create a redevelopment agency.

## **Soil and Water Conservation Districts and Boards**

**(state)**—These districts are established by the state commissioner of environmental protection. A district board of supervisors, selected by local residents in accordance with regulations of the state commissioner, governs each district. The districts are financed by state appropriations.

Other examples include:

### **State<sup>1</sup>**

Capital Regional Development Authority  
Connecticut Airport Authority  
Connecticut Green Bank  
Connecticut Equestrian Center Corporation Special Act 14  
Connecticut Higher Education Supplemental Loan Authority  
Connecticut Housing Authority  
Connecticut Lottery Corporation  
Connecticut Public Transportation Commission  
Connecticut River Gateway Commission  
Connecticut State Emergency Response Commission  
Connecticut Student Loan Foundation  
Connecticut Trust for Historic Preservation  
Regional Economic Development Districts  
Regional Tourism Districts  
University of Connecticut Health Center Finance Corporation (formerly John Dempsey Hospital Finance Corporation)

### **Municipal**

Connecticut River Assembly  
Decentralized Wastewater Management Districts  
District Health Departments  
Energy Improvement Districts  
First Fire Taxation District of West Haven  
Fourth and Fifth Taxing Districts and fire districts of Norwalk City Charter  
Historic District Commissions  
Middletown Fire District  
Middletown Sanitary District  
Municipal Districts  
Municipal flood and erosion control boards  
Municipal harbor management commissions  
Municipal resource recovery authorities (serving a single borough or city)  
Municipal storm water authorities  
Municipal water supply systems (city)  
Municipal wetlands and watercourses commissions  
Parking authorities and commissions  
Port authorities or districts  
Public recreational facilities authorities  
Regional emergency medical services councils  
Regional solid waste operating committees  
Sewer authorities

Special service districts—1973 general law  
Village districts 8-2J (these are historic districts)  
Water pollution control authorities

#### **Town**

Decentralized wastewater management districts  
District health departments  
Historic district commissions  
Lake authorities

#### **Municipal districts**

Municipal flood and erosion control boards  
Municipal harbor management commissions  
Municipal resource recovery authorities (serving a single town)

Municipal water supply systems (town)  
Municipal wetlands and watercourses commissions  
Niantic River Gateway Commission  
Parking authorities and commissions  
Port authorities or districts  
Public recreational facilities authorities  
Sewer authorities  
Special service districts—1973 general law  
Taxing districts  
Water pollution control authorities

#### **ENDNOTE**

<sup>1</sup> Legislation authorizing the Lower Fairfield County Convention Center Authority was repealed in 2013.

# DELAWARE

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## COUNTY GOVERNMENTS

The entire area of the state of Delaware is encompassed by county governments. The levy court is the administrative body in Kent County. In New Castle and Sussex Counties the county council is the governing body.

## SUBCOUNTY GENERAL PURPOSE GOVERNMENTS

### Municipal Governments

Municipal governments in Delaware are cities, towns, and villages. Units of all three types are established by special acts of the general assembly. There are no differences between city, town, or village governments that would affect their classification for U.S. Census Bureau statistics. Municipalities with a population of 1,000 or more may operate under home-rule charters.

### Township Governments

Delaware has no organized township governments.

## PUBLIC SCHOOL SYSTEMS

### School District Governments

Effective July 1, 1969, a statewide reorganization provided that all former classes of school districts, including the vocational school districts, become "reorganized school districts." All reorganized school districts are counted as governments in Census Bureau statistics.

Boards of education of the reorganized school districts are elected except for the boards of the vocational-technical school districts, which have boards appointed by the governor. A local school district board may supplement state school funds with a local tax levy if approved by referendum. District bond issues also must be submitted to the local voters for approval.

### Dependent Public School Systems

Delaware has no dependent public school systems.

## SPECIAL DISTRICT GOVERNMENTS

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

### Delaware River and Bay Authority

This authority, established by interstate compact in 1962, operates the Delaware Memorial Bridge; the Cape

May-Lewes Ferry system; the Forts Ferry Crossing; and the New Castle, Cape May, Millville, Delaware Airpark, and Dover Civil Air Terminal airports. The authority also participates in economic development ventures throughout Delaware and in the four southernmost counties of New Jersey. It is administered by a board of commissioners with six members appointed by the governor of Delaware and six by the governor of New Jersey. The authority may fix tolls and other charges for its facilities, and issue revenue bonds.

### District Libraries

District libraries were established upon petition of voters to the school district and after a referendum. No districts have been permitted to be created under this law since 1975. Districts existing at the time were given the option to merge with the county library system or continue under the existing law. District libraries are governed by a five-member board of commissioners, all of whom are residents of the school district in which the library was established, and are appointed by the judge of the superior court in the county in which the district is located. The districts may levy ad valorem taxes.

### Housing Authorities

Housing authorities may be established by order of the state housing authority. The Wilmington Housing Authority board consists of nine commissioners who are jointly appointed by the Mayor of the City of Wilmington, the governor, and the County Executive of New Castle County. Housing authorities may issue bonds, and establish and collect rentals.

### Municipal Electric Companies

Municipal electric companies are formed by a contract between two or more cities or towns, after filing of the contract with the secretary of state. These companies generate, distribute, and sell electric power at wholesale to member municipal electric utilities. Projects may be located within or outside of the state of Delaware. The method for selecting members of the governing body is specified in the contract establishing the company/government. Municipal electric companies may set fees and rates for services, and issue revenue bonds.

### Park Districts in New Castle County

Park districts establish and maintain parks and recreational facilities. Park districts are created by the county council after a petition and local referendum. An

elected board governs each district. The district may fix and collect fees, levy ad valorem taxes, and issue bonds.

## Tax Ditches

Tax ditches provide the drainage of agricultural lands and management of water for resource conservation. Tax ditches are established by order of the superior court for the county after a petition by the landowners through the county soil conservation district, and a public hearing and referendum. An elected board of managers governs each tax ditch. The boards may levy property taxes.

After initial construction of the tax ditch, with prior approval of the Department of Natural Resources and Environmental Control, and with written consent of a majority of involved landowners owning a majority of the drainage area, maintenance responsibilities and powers of the tax ditch may be transferred to the Department of Natural Resources and Environmental Control.

## Tax Lagoons

Tax lagoons provide the maintenance and improvement of lagoons. Tax lagoons are established by order of the superior court for the county after petition by the landowners, approval by the state division of soil and water conservation, public hearings, and referendum. An elected board of lagoon managers administers each tax lagoon. The boards may levy property taxes.

## Water and/or Sewer Authorities

Water and/or sewer authorities may be established by ordinance or resolution of one or more municipalities after a referendum. Each authority formed by multiple municipalities is governed by an appointed board selected by the governing bodies of each participating municipality as determined by agreement. An authority consisting of a single municipality has an appointed board consisting of five members. The authority may fix and collect fees, and issue revenue bonds.

Water and/or sewer authorities governed ex-officio by the governing body of a single municipality are not counted as separate governments. See "Subordinate Agencies and Areas" section.

## SUBORDINATE AGENCIES AND AREAS

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

**Delaware Health Facilities Authority (state)**—This authority was established by act of the general assembly to finance hospital and health care facilities. A board of seven members appointed by the governor governs the authority. The authority may fix and collect fees and rents and may issue revenue bonds.

**Delaware State Housing Authority (state)**—This authority was established by act of the general assembly to provide low- and moderate-income housing. The authority is authorized to make mortgage, construction, and other loans to not-for-profit and limited for-profit housing sponsors; to make loans to mortgage lenders; and to purchase qualified mortgage loans. It is governed by a director appointed by the governor with the consent of the Senate. The authority may charge rents, make mortgage loans, impose fees in connection with its loans, and issue revenue bonds.

**Delaware Transportation Authority (state)**—This authority, authorized by act of the general assembly, was established to acquire, build, operate, and maintain airport, bridge, highway, parking, port, transit, and turnpike facilities, including the Delaware Turnpike. It also may form subsidiaries to which any or all duties and functions of the authority are delegated. The authority may not grant any subsidiary the power to issue bonds, notes, or other obligations of the subsidiary. The authority is governed by the secretary of the state department of transportation, the director of the office of financial management and budget, and the administrator of the transportation trust fund. It may fix and collect charges, fares, fees, rentals, and tolls, and issue revenue bonds.

## Slum clearance and redevelopment authorities

**(municipal and county)**—A city, town, village, or county may create such an authority by resolution. Each authority of this type is governed by a board of commissioners appointed by the county governing body or by the mayor with the consent of the municipal governing body. The authorities may issue bonds. Plans require the approval of the creating government. Regional slum clearance and redevelopment authorities with similar provisions may be created by resolution of two or more municipal or county governments.

**Soil and water conservation districts (state)**—One soil and water conservation district exists in each of the three counties. Each district is governed by a board of four elected supervisors, an optional supervisor (a member of the county governing body in Kent or Sussex Counties and the county executive or designated representative in New Castle County) and two optional supervisors who may be appointed by the secretary of the department of natural resources and environmental control if the district so requests. These districts have no independent revenue-raising powers. Funds are made available to the districts from state appropriations that are matched by the county.

Other examples include:

#### **State<sup>1</sup>**

Delaware Agricultural Lands Preservation Foundation  
Delaware Center for Education Technology  
Delaware Higher Education Supplemental Loan Authority  
Delaware Solid Waste Authority  
Delaware Sustainable Energy Corporation  
Diamond State Port Corporation  
Fort DuPont Redevelopment and Preservation  
Corporation  
Riverfront Development Corporation

#### **County**

Garbage collection districts in Kent County  
Light districts in New Castle County  
Sanitary sewer and water districts in Sussex County  
Sewage disposal and sanitary districts in Kent County  
Special development districts in New Castle County  
Special development districts in Kent County

#### **Municipal**

Business improvement districts  
Parking authorities  
Special development districts (municipal)  
Water and/or sewer authorities  
Wilmington Neighborhood Conservancy Land Bank

#### **Other**

Areas called “hundreds” are historic geographic divisions presently used in property tax assessments.

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

#### **ENDNOTE**

<sup>1</sup> The law authorizing Delaware Economic Development Authority was repealed in 2017.

# DISTRICT OF COLUMBIA

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## COUNTY GOVERNMENTS

The District of Columbia is the permanent seat of the government of the United States. For the purposes of U.S. Census Bureau statistics on governments, there is no state government and no county governments in the District of Columbia. (However, for population statistics, the Census Bureau classifies the District of Columbia as both a separate county area and a separate state area.)

## SUBCOUNTY GENERAL PURPOSE GOVERNMENTS

### Municipal Governments

The District of Columbia is counted as a municipal government in Census Bureau statistics on governments. The city of Washington exists within the District of Columbia but has no separate government. The city is often referred to as Washington, DC; however, the legal name is "District of Columbia."

The District of Columbia performs municipal and also county- and state-type functions. The District Home Rule Act of 1973 permits the residents to vote for a local government. An elected mayor and an elected council, composed of 13 members, govern the District. A chief financial officer is appointed by the mayor with the consent of the council and the consent of the federal house and Senate. An attorney general is popularly elected.

The District of Columbia is subject to control by the U.S. Congress. The budget for the District of Columbia is locally prepared, but subject to final determination by the U.S. Congress and approval by the President of the United States. Congress has reserved the right to enact legislation for the District. The National Capital Service Area, which includes federal buildings and monuments, is a designated area within the District.

### Township Governments

There are no township governments in the District of Columbia.

## PUBLIC SCHOOL SYSTEMS

### School District Governments

There are no independent school district governments in the District of Columbia.

## Dependent Public School Systems

Two public school systems are dependent on the District of Columbia government and are not counted as separate governments in Census Bureau statistics on governments:

- District of Columbia Public Schools.
- University of the District of Columbia.

The District of Columbia public schools system is under the direct governance of the mayor with the advice and consent of the council. The school system is administered by a chancellor who serves at the pleasure of the mayor. An office of education, subordinate to the mayor, is headed by the deputy mayor for education. The chancellor of the District of Columbia Public Schools is appointed by the mayor with the consent of the council.

The University of the District of Columbia was established by special act. The university is administered by a 15-member board of trustees. Eleven trustees are appointed by the mayor with the consent of the council. Three trustees, holding degrees from the university or from one of its three predecessor institutions, are elected by the graduates of the four institutions. One student representative is selected by the university student body.

## SPECIAL DISTRICT GOVERNMENTS

### Washington Metropolitan Area Transit Authority

This authority is an agency of the District, Maryland, and Virginia that is counted under the District of Columbia. It was created by an interstate compact signed by the three governments and approved by Congress. The authority is administered by a board of eight voting directors. The District of Columbia, Maryland, Virginia, and the federal government each appoint two voting members.

The authority may fix rates and fares and may issue revenue bonds. In addition, the authority may receive appropriations from the federal government, the District of Columbia government, and participating Maryland and Virginia local governments.

## SUBORDINATE AGENCIES AND AREAS

The entities listed below are classified as dependent agencies of the District of Columbia government and are not counted as separate governments in Census Bureau statistics.

**District of Columbia Housing Authority**—This authority was created by a special act. The authority is governed by an 11-member board of commissioners consisting of five commissioners appointed by the mayor with the consent of the council; three commissioners elected by residents of the authority's housing properties; one commissioner appointed by the central labor council; one commissioner named by the D.C. Consortium of Legal Services Providers; and the deputy mayor for planning and economic development. The authority may issue revenue bonds.

**District of Columbia Housing Finance Agency**—This agency was established by a special act. This agency provides mortgage credit for low- and moderate-income housing. The mayor, with the consent of the council, appoints the five-member board of directors. The agency may fix interest, fees, and charges, and may issue revenue bonds.

**District of Columbia Tobacco Settlement Financing Corporation**—This corporation was established by a special act. It is governed by a five-member board of directors consisting of the District's chief financial officer, mayor, and the chair of the District's council; one private citizen appointed by the mayor; and one private citizen

appointed by the District's council. The corporation is authorized to issue revenue bonds.

**District of Columbia Water and Sewer Authority**—

This authority was created by a special act to provide water distribution services and sewage collection, treatment, and disposal to the District and to portions of its metropolitan area. The authority is governed by an 11-member board of directors: six are appointed by the mayor with the consent of the council and five are appointed by the mayor upon recommendation of the other participating jurisdictions. The authority may levy and collect charges for services and may issue revenue bonds.

Additional examples include:

Business Improvement Districts

District of Columbia Medical Liability Captive Insurance Agency

District of Columbia Recreation Board

Not-For-Profit Hospital Corporation (commonly known as United Medical Center [UMC])

Public library board of trustees

Washington Convention and Sports Authority

Health Benefit Exchange Authority

# FLORIDA

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## COUNTY GOVERNMENTS

The entire area of the state of Florida is encompassed by county governments except for the consolidated area of Duval County and the city of Jacksonville, which is designated as the city of Jacksonville. Jacksonville is counted as a municipal government, rather than as a county government, in U.S. Census Bureau statistics. Although the metropolitan government of Miami-Dade County performs many municipal-type services and is treated as a “municipality” in some Florida statutes, it is designated as a county and is counted as a county government in Census Bureau statistics.

Each county government in the state is governed by a board of county commissioners. Under general law, county governments may adopt home rule charters. These charters can include a broad range of powers.

## SUBCOUNTY GENERAL PURPOSE GOVERNMENTS

### Municipal Governments

Municipal governments in Florida are the cities, towns, and villages. A municipality is established through passage of a local bill by the legislature to enact its charter, with the exception of municipalities within Miami-Dade County. Municipal governments were given home-rule powers by general law in 1972.

The board of commissioners of Miami-Dade County may provide a method for establishing new municipalities within the county and prescribe their jurisdiction and powers. All cities, towns, and villages in Miami-Dade County are counted as separate municipal governments.

Under general law, the minimum population for incorporation is 1,500 persons in counties with a population of 75,000 or fewer, and 5,000 persons in counties with a population of more than 75,000. The average population density per acre required for incorporation, unless extraordinary conditions can be shown, is 1.5 persons or more per acre. The new municipality must also be a minimum distance of two miles from existing municipalities in the county.

### Township Governments

Florida has no township governments.

## PUBLIC SCHOOL SYSTEMS

### School District Governments

The following types of school districts in Florida are counted as separate governments in Census Bureau statistics:

- County school systems.
- Florida college system districts.

Each county area in the state constitutes a school district for the administration and the operation of public schools. These county school systems are governed by elected school boards. These boards may levy local school taxes and issue bonds with the approval of the voters.

The Florida College System Districts are administered by boards of trustees appointed by the governor with the consent of the Senate. These districts may impose student fees and may borrow money. State funds are distributed to Florida College System Districts in accordance with a statutory formula.

### Dependent Public School Systems

Florida has no dependent public school systems.

### Other Educational Activities

Two or more school districts may enter into an agreement to operate a career center. These centers are counted as dependent activities of the participating school districts and are not counted as separate governments in Census Bureau statistics.

Regional consortium service organizations (also known as educational consortiums) may be formed by school districts with 20,000 or fewer students, development research schools, or the Florida School for the Deaf and the Blind through cooperative agreements to provide services. The organizations receive state grants if at least four school districts join. Each organization's board of directors determines the use of these funds. These entities are classified as dependent activities of participating school districts and are not counted as separate governments in Census Bureau statistics.

## **SPECIAL DISTRICT GOVERNMENTS**

Florida statutes authorize the creation of a variety of special districts that are counted as governments. These are listed and discussed in detail below. Numerous districts authorized by special acts, but that never became active, are not shown below and are not counted in Census Bureau statistics.

### **Agencies Established by Interlocal Agreements—1969 Law (not included in other types of special district governments shown elsewhere)**

Local government units may agree to exercise any of their powers jointly. Such an agreement may establish a separate agency that may or may not be counted as a government for Census Bureau statistics. The functions to be performed by such an agency are specified in the agreement. Agencies established under this law can have a wide variety of names. Examples of entities created under this law are the South Central Regional Wastewater Treatment and Disposal Board and the Florida Municipal Power Agency.

Bond pools and financing commissions created under this act are not counted as separate governments if their debt constitutes a liability of the parties to the agreement establishing such an entity. See "Subordinate Agencies and Areas" section.

### **Airport/Aviation Authorities and Districts**

Some authorities of this type have been created by special acts pursuant to Florida Statutes Chapter 332 to provide and operate airports. Airport authorities and districts may impose rates and charges for use of their facilities. Each of these authorities and districts may issue bonds and may finance industrial facilities.

For airport/aviation authorities and districts that are dependent agencies of county or municipal governments and are not counted as separate governments in Census Bureau statistics, see "Subordinate Agencies and Areas" section.

### **Beach and Shore Preservation Districts**

Some authorities of this type have been created by special act pursuant to Florida Statutes to control flooding and beach erosion. Substantively similar provisions apply to these districts. They are governed by five-member elected boards. They may levy property taxes and special assessments. For beach and shore preservation districts established under general law, which are governed by the county commissioners ex officio and are not counted as separate governments in Census Bureau statistics, see "Subordinate Agencies and Areas" section.

## **Boards of Juvenile Welfare**

These boards, sometimes called children's services councils, are created by county ordinance to provide child guidance and mental health services to care for juveniles and to coordinate juvenile welfare services. Each board consists of members appointed by the governor plus additional state representatives and county representatives, particularly the county superintendent of schools and a judge assigned to juvenile cases. Home-rule counties may, at the county's option, include private representatives on the board. The boards may, with voter approval, levy ad valorem taxes.

### **Calhoun County Transportation Authority**

This authority was created by special act in 1976 to provide a railroad. The authority is governed by a board of seven members appointed by the governor. The authority may issue bonds, set leases, and fix charges.

### **Clay County Utility Authority**

This authority was created by special act in 1994. The authority is governed by a board of supervisors with six members appointed by the county commission and one appointed by the governor. The authority may issue bonds and set rates.

### **Cold Springs Improvement District**

This district was created by special act to provide infrastructure and a variety of services to a specified area in Marion County. The district is governed by a board of supervisors elected by landowners. With voter approval, the district may levy assessments and taxes and issue bonds. The district also may set user charges and fees after a public hearing. The authorizing legislation sets a uniform acreage tax.

### **Community Development Districts**

A 1980 law authorizes the creation of community development districts by ordinance of a county commission (for districts with fewer than 1,000 acres, except those involving two or more municipalities) or by rule of the Florida Land and Water Adjudicatory Commission (for districts with more than 1,000 acres and for districts of any size within the territorial jurisdiction of two or more municipalities), after petition by landowners. If any of a proposed district (of fewer than 1,000 acres) is within a municipality, creation by the county requires municipal approval. As of 2007, these districts may include area within more than one county. These districts may finance various capital improvements including sewers, streets, and water supply systems. A board of five supervisors elected by the landowners governs each district. These districts may levy property taxes and special assessments and may issue bonds.

## **Conservation, Irrigation, and Reclamation Districts**

Some authorities of this type have been created by special acts to provide for drainage, erosion control, reclamation, sewerage, water supply, or any combination of these five functions. These districts are administered by popularly elected boards. The districts may set ad valorem taxes and issue bonds. They may possess additional revenue powers.

For districts of these types that are dependent agencies of county governments and are not counted as separate governments in Census Bureau statistics, see “Subordinate Agencies and Areas” section.

## **County Health Care Districts**

These authorities are created by county ordinance, upon voter approval, to provide funding for health care services. A board of five or more members with two members appointed by the governor and the other members appointed by the county commissioners governs each district. The districts may, upon voter approval, levy ad valorem taxes.

The Palm Beach County Health Care District was created by a special act. It is governed by a seven-member board, with three members appointed by the county commissioners and three members appointed by the governor, plus the director of the Palm Beach County Health Department. It may fix fees and charges, levy ad valorem taxes, and issue general obligation and revenue bonds. General obligation bonds require voter approval.

These districts are to be distinguished from the public health trusts listed under “Subordinate Agencies and Areas” section.

## **County Higher Educational Facilities Authorities**

Authorities to finance the construction of facilities for institutions of higher education are created by ordinance of the county commissioners. A board of five members appointed by the county commissioners governs each authority. The authorities may collect rent and fees and may issue revenue bonds.

The Broward County Education, Research, and Training Authority was created by special act pursuant to this general law. The board includes representatives of the county, the town of Davie, the county school board, and participating educational institutions.

The Dade County Educational Facilities Authority is, under provisions of the charter of the Metropolitan Government of Dade County, subject to county administrative and fiscal control and is therefore not counted as a separate government. See “Subordinate Agencies and Areas” section.

## **County Hospital Boards, Districts, and Authorities**

**General law**—Under general law, the county commissioners may create county hospital boards to provide, operate, and maintain hospitals by petition of resident freeholders and after a local referendum. The governor appoints members of county hospital boards. These boards may determine the amount of required property tax levies and fix fees. A hospital board may also determine the amount of bond issues for which the county issues bonds.

**Special acts**—Provisions for hospital districts established by special acts are substantially the same as for those established under general law. The boards may be elected or appointed by state or local officials. As under the general law, these boards may levy property taxes and fix rates and fees. An exception is the Madison County Hospital District, which receives proceeds from a gambling tax. Most hospital districts may issue district bonds, usually after voter approval. Most hospital districts in Florida operate under special legislation.

The Board of Trustees of Bay Medical Center was created by special act and incorporated in 1948. It serves Bay County. The board of trustees consists of one member selected by the Board of County Commissioners, six nominated by the board of trustees and confirmed by the county, and two nominated by the medical staff of the primary hospital operated by the board of trustees and confirmed by the county. The board may fix and collect fees and issue bonds.

For hospital districts that are dependent agencies of county governments and are not counted as separate governments in Census Bureau statistics, see “Subordinate Agencies and Areas” section.

## **County Water and Sewer Districts**

Under Florida law, the board of county commissioners may establish one or more districts in unincorporated areas of the county. As an alternative, landowners may petition for a referendum of landowners to determine creation. The governing body is a board of commissioners elected by the landowners. The districts may issue general obligation bonds with voter approval and also revenue bonds and assessment bonds. The districts may set ad valorem taxes and fix fees and rates.

County water and sewer districts governed by the board of county commissioners are not counted as separate governments in Census Bureau statistics. See “Subordinate Agencies and Areas” section.

Some authorities of this type have been created by special acts. These districts may have popularly elected boards or boards appointed by the governor. The revenue powers are similar to the provisions authorized by general law.

Districts having an ex officio board or lacking fiscal autonomy are not counted as separate governments in Census Bureau statistics. See “Subordinate Agencies and Areas” section.

### **Daytona Beach Racing and Recreational Facilities District**

This district was created by special act. The district is governed by a district commission composed of two members appointed by the Board of County Commissioners of Volusia County, two members appointed by the city commission of Daytona Beach, and one member appointed jointly. This district may set ad valorem taxes, issue bonds, and set rates, rentals, fees, and charges.

### **Emerald Coast Utilities Authority**

This authority, formerly the Escambia County Utilities Authority, was established by special act to provide water and sewer utilities. The authority is governed by a five-member board that is popularly elected. The authority may fix rates, fees, and charges, levy special assessments, and issue bonds.

### **Everglades Agricultural Area Environmental Protection District**

This district was established after a referendum to operate facilities to prevent, control, and correct environmental problems within the Everglades area in Glades, Hendry, and Palm Beach Counties. A board of six members, five elected by the landowners plus the executive director of the South Florida Water Management District, governs the district. The district may levy special assessments and may issue bonds.

### **Fire Control and Fire Protection Districts**

A 1997 general law provides uniform provisions for fire control and protection districts created by special acts. The creating act may require a referendum. The act provides that the boards may be jointly appointed by the governor, the county commission, and the governing bodies of the participating cities or that the boards may be popularly elected. The act provides that the districts may make leases; issue general obligation, assessment, and revenue bonds; charge user and impact fees; and set ad valorem taxes and non-ad valorem assessments. The creating special act for each district may specify local application providing for the levy and assessment of the taxes and fees.

For districts of this type that are dependent agencies of county or municipal governments and are not counted as separate governments in Census Bureau statistics, see “Subordinate Agencies and Areas” section.

### **Florida Keys Aqueduct Authority**

This authority was created by special act in 1959 to provide water supply. Amending legislation added treatment of wastewater to the authority’s responsibilities. The authority is governed by a board of directors appointed by the governor. The authority may issue bonds and may fix fees, rates, rentals, and other charges.

### **Gas Districts**

Some authorities of this type have been created by special acts to supply gas. A board appointed by the participating governments governs each district. These districts may collect rates and charges, and may issue bonds.

### **Gasparilla Island Bridge Authority**

This authority was established by a special act to operate the Gasparilla Island Bridge and causeway. It is governed by a board of five popularly elected members and four nonvoting members appointed by governing bodies of Lee and Charlotte Counties. The authority may levy ad valorem taxes with voter approval, fix and collect tolls, and issue revenue bonds.

### **Greater Seminole Area Special Recreation District**

This district was created by special act. The district is governed by a board of commissioners composed of five members appointed by the board of county commissioners of Pinellas County and two members appointed by the city council of the city of Seminole. The district may set ad valorem taxes with voter approval.

### **Hastings Drainage District**

This district was created by a 1919 special act to provide drainage in a specified area in Putnam and St. Johns Counties. The district is governed by a board of supervisors elected by the property owners. The district may set ad valorem taxes.

### **Hillsborough County Public Transportation Commission**

This commission was created by a 1983 special act to regulate vehicles for hire within the county. The commission consists of two ex officio members from the city council of Tampa appointed by the council; one ex officio member from the city council of Plant City appointed by the commission; one ex officio member from the city council of Temple Terrace appointed by the council; and three members appointed by the aforementioned. The commission may fix or approve taxicab rates, fares, and charges; may fix fees for permits and driver's licenses; and may fix penalties for driving violations.

## **Housing Authorities**

Florida general law provides for three types of housing authorities: county, municipal, or regional (two or more contiguous counties). The authorities are established by resolution of the county or city governing bodies. Municipal housing authority commissioners are appointed by the mayor; county and regional housing authority commissioners are appointed by the governor. Housing authorities may fix and collect rents and issue revenue bonds.

Area housing commissions to provide public housing have been created by special act in some localities. These acts provide for appointment of the members of the commissions representing the various governments served. These commissions may fix and collect rents, and may issue revenue bonds.

## **Housing Finance Authorities**

Housing finance authorities may be created by ordinance of the county commissioners to provide mortgage credit for low- and moderate-income housing. The five-member authority board is appointed by the county commissioners. The authorities may make loans to mortgage lending institutions, fix charges, and issue revenue bonds.

County governments may reorganize housing finance authorities as agencies of the county government. In counties where such reorganizations have taken place, housing finance authorities are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

## **Joint Electric Power Supply Projects—1975 Law**

Two or more agencies operating electric utilities may, by agreement, create a joint agency to acquire, construct, and operate power supply projects. The composition of the governing body is specified in the agreement. Joint agencies of this type may impose rates and charges and issue bonds.

## **Key West Utility Board**

This board was created to operate electric utilities in Key West. It was authorized by special act. The board is elected by the voters. It may fix charges and issue revenue bonds.

## **Lake Padgett Estates Independent Special District**

This district was created by special act to maintain and operate recreational amenities and associated infrastructure. The district is governed by a popularly elected board of supervisors. The district has the power to set and levy special assessments and, with voter approval, property taxes. The district also may set charges.

## **Lee County Hyacinth Control District**

This district was established by special act. It is governed by the board of the Lee County Mosquito Control District but is a separate legal entity. The Lee County Hyacinth Control District may levy ad valorem taxes.

## **Library Districts**

Some authorities of this type have been created by special acts to operate under the authority of Florida Statute 189.404 to provide and operate libraries. These library districts are financed by property tax levies.

For library districts that are dependent agencies of county governments and are not counted as separate governments in Census Bureau statistics, see "Subordinate Agencies and Areas" section.

## **Mobile Home Park Recreation Districts**

These districts provide street lighting and recreational facilities. They are established by county or municipal ordinance upon voter approval. An elected board of supervisors governs each district. The districts may levy special assessments, fix charges for use of recreational facilities, and issue bonds.

## **Mosquito Control Districts**

A general law provides for establishment of these districts by county commissioners after petition has been made by landowners. The law was repealed in 1980, but existing districts may continue to operate under its provisions. An elected board of commissioners governs each district organized under this law. The districts may levy ad valorem taxes.

Since 1980, any new districts created under general law are governed by the county commissioners ex officio and are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

Some authorities of this type have been created by special acts. An elected board governs each district. The districts may levy ad valorem taxes and, in some cases, may issue bonds.

## **Multicounty Library Cooperatives**

Multicounty library cooperatives may be created by interlocal agreement. The cooperatives are governed by boards composed of representatives of the member libraries. The entities receive local membership fees and federal funding. The cooperatives must meet certain standards to be eligible for state funding.

Single-county library cooperatives are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

## **Municipal Service Districts**

The following municipal service districts were created by special acts to provide various services:

- Lake Asbury Municipal Service District.
- Ponte Vedra Beach Municipal Service District.

The Ponte Vedra Beach district is governed by an elected board. The district may levy ad valorem taxes; fix rates, fees, and charges; and issue bonds. Similar provisions apply to the Lake Asbury district.

## **Navigation and Port Districts and Authorities**

Some authorities of this type have been created by special acts. They provide and operate port facilities and ship channel improvements. Some may also provide and operate airports or finance industrial facilities as well. The governing bodies of these districts may be elected, appointed by local officials, or appointed by the governor. They also may consist of local officials serving ex officio. They may issue bonds, collect tolls and fees, and levy taxes.

For districts of this type that are dependent agencies of the state government and are not counted as separate governments in Census Bureau statistics, see "Subordinate Agencies and Areas" section.

## **Orlando Utilities Commission**

This commission was created by a special act to provide water and electric utilities within the Orlando area. Its members are nominated by the nominating board of the city of Orlando, subject to the approval of the remaining members of the Orlando Utilities Commission itself. The commission may fix service charges and may issue revenue bonds.

## **Performing Arts Center Authority**

This authority was created by special act to own and maintain cultural, civic, and recreational facilities in Broward County. The authority is governed by a 13-member board composed of five members appointed by the county commissioners; two members selected by the commission of the city of Ft. Lauderdale; one member selected by the downtown development authority (of the city of Ft. Lauderdale); one member appointed by the Broward County School Board; and four members appointed by the Broward Performing Arts Foundation. The authority may fix and collect fees and charges, and may issue revenue bonds.

## **Pinecraft Lighting District**

The law authorizing the Pinecraft Lighting District was repealed in 2011.

## **Pinellas Park Water Management District**

This district was created by special act to provide storm drainage to the municipality of Pinellas Park and surrounding area. The district is governed by a board consisting of two members appointed by the city council of Pinellas Park and one member appointed by the county commission for Pinellas County. The district may set ad valorem taxes and fees and may issue bonds.

## **Pinellas Suncoast Transit Authority**

This authority was established by special act. Members of its board are appointed by the county and participating cities. The authority may set rates and charges and, with voter approval, levy ad valorem taxes.

## **Polk Transit Authority**

This authority was established by special act. Members of its board are appointed by the county and participating cities. The authority may set rates and charges and, with voter approval, levy ad valorem taxes.

## **Recreation Districts**

Districts to provide and operate recreational facilities may be established by ordinance of a city or county governing body after a referendum or upon petition of the majority of the voters. A board of supervisors that may be popularly elected or elected by landowners governs each district. The districts may levy taxes, collect user fees, and issue revenue bonds. Some authorities of this type have been created by special acts.

These districts have elected boards and they generally have the same revenue powers as districts created under general law, though the special act may have special applications.

For recreation districts that are governed by county or municipal governing bodies ex officio or lacking fiscal autonomy and are not counted as separate governments in Census Bureau statistics, see "Subordinate Agencies and Areas" section.

## **Regional Transportation Authorities**

These authorities are created pursuant to Florida Statutes Chapter 163, Part V, which is the general law for forming regional transportation authorities. Any two or more contiguous counties, municipalities, other political subdivisions, or combinations thereof may create a charter committee. The charter committee creates and files the charter with the department of state, at which time the authority is activated and legally constituted. Each authority is governed by a board of directors. The governor appoints two members, and each participating entity appoints one or more members, based on population. The authorities may set ad valorem taxes with voter approval, issue bonds, and set fares and other

charges. Some authorities of this type have been created by special acts pursuant to Florida Statutes Chapter 343 to provide and operate regional transportation authorities. Each of these authorities may fix rates, fares, fees, rentals, and charges and may issue revenue bonds.

### **Regional Water Management Districts**

A general law divides the state into the following water management districts to provide flood control and water conservation facilities:

- Northwest Florida Water Management District.
- St. Johns River Water Management District.
- South Florida Water Management District.
- Southwest Florida Water Management District.
- Suwannee River Water Management District.

Each of these districts is administered by a board appointed by the governor with Senate confirmation. Regional water management districts may levy ad valorem taxes and issue general obligation bonds.

Subdistricts or basins are established by the governing body of a regional water management district. They are administered by boards of at least three members appointed by the governor, plus a member of the board of the establishing regional water management district serving as ex officio chairperson. These subdistricts may levy ad valorem taxes, but are not counted as separate governments in Census Bureau statistics.

### **Regional Water Supply Authorities—1974 Law**

These authorities are established pursuant to interlocal agreements to provide wholesale water supply. The composition of the authority governing body is specified in the interlocal agreement. Regional water supply authorities may levy ad valorem taxes, collect charges, and issue revenue bonds.

### **Regional Workforce Development Boards**

Twenty-four boards were established by state law and designated and certified by the governor. The boards sign interlocal agreements to provide services. The boards select administrative entities and local service providers. The boards also oversee the one-stop career centers. The boards are appointed by the governing boards of the counties and municipalities in the designated area. The boards distribute federal funding.

### **Sanitary and Water Supply Districts**

Some authorities of this type have been created by special acts to provide water supply, sewerage, or solid waste disposal facilities. All of these districts may collect charges for their services and issue bonds. All may levy

special benefit assessments and some may set and levy ad valorem taxes.

### **Stewardship Districts**

These districts are created by special act to operate under the authority of Florida Statutes 189.404 and the general law authorizing community development districts. Interlocal agreements may also be required. The districts are governed by a board of supervisors that is initially elected by the property owners but switches to popular election when a minimum number of qualified electors reside in the district. The districts may impose various assessments, property taxes, and user fees. The districts may issue general obligation bonds within limits and also revenue bonds and assessment bonds.

### **Soil and Water Conservation Districts**

These districts are established by the state department of agriculture and consumer services upon petition of landowners and after a local referendum. An elected board of supervisors governs each district. Soil and water conservation districts may require contributions from benefitted landowners.

Watershed improvement districts are created within soil and water conservation districts and are not counted as separate governments in Census Bureau statistics. Their elected boards of directors act under the supervision of the parent soil and water conservation district. With voter approval, they may issue bonds and levy ad valorem taxes.

### **Sun'n Lake of Sebring Improvement District**

This district was created in 1974 by county ordinance to provide water, sewer, irrigation, fire, recreation, and other services. The district is governed by a board of supervisors that is elected by the landowners or appointed by the county. The district may fix fees and rentals, and set maintenance assessments, which may require voter approval.

### **Tallahassee-Leon County Civic Center Authority**

The law authorizing the Tallahassee-Leon County Civic Center Authority was repealed in 2013.

### **Tampa Sports Authority**

This authority was created by special act. The board consists of four members appointed by the mayor of Tampa with the approval of the city council, four members appointed by the board of county commissioners of Hillsborough County, and one appointed by the governor, plus one member from each of the city's and county's governing boards designated by the same. The authority may issue revenue bonds and set fees, rates, and rentals.

## Water Control Districts

Water control districts may be created by special acts pursuant to Florida Statute 298. These districts provide drainage, reclamation, and water conservation facilities. Establishment requires action of the circuit court and landowner election of a governing board. Water control districts may levy benefit assessments and issue bonds. Some districts may set ad valorem taxes. Entities created under this law may be known by a variety of names such as "improvement districts." Entities created pursuant to earlier versions of this law are known as "drainage districts" or "water management districts."

Districts created by a special act but lacking administrative or fiscal autonomy are not counted as separate governments in Census Bureau statistics. Districts created pursuant to Florida Statute 298 by action of the county governing body are governed by the county commissioners serving in an ex officio capacity. These also are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

## SUBORDINATE AGENCIES AND AREAS

Shown below are various governmental designations in Florida that have certain characteristics of governmental units, but that are classified in Census Bureau statistics as subordinate agencies of the state or local governments and are not counted as separate governments. Legal provisions for some of the larger of these are discussed below. (See "Public School Systems" section regarding educational agencies of this nature).

**Expressway Authorities (state)**—Under the Florida Expressway Authority Act, any county or two or more contiguous counties located within a single state transportation district may create an expressway authority by resolution of the boards of county commissioners. These authorities are governed by boards consisting of representatives appointed by the governor and by the county boards. The authorities may make leases, may issue bonds, and may set tolls, rates, fees, rentals, and other charges. The authorities may, at the authority's option, make lease-purchase agreements with state or local agencies or with private entities. The Miami-Dade Expressway Authority was created pursuant to this act.

In addition, some authorities were created by special acts. They operate under similar provisions.

**Florida Housing Finance Corporation (state)**—This agency was created by an act of the legislature to provide mortgage credit for low and middle-income housing. A board of eight members appointed by the governor, plus the secretary of community affairs ex officio, governs the agency. The agency may fix fees and charges, make mortgage loans, and issue revenue bonds.

**Industrial development authorities (county)**—These authorities are established by resolution of the county governing body to finance the construction of industrial, airport, port, pollution control, health care, commercial, or recreational facilities. The authority board consists of five members appointed by the county governing body. The authority may fix charges, set fees and rent, and issue revenue bonds. The county may levy ad valorem taxes on behalf of an authority.

**Jacksonville Transportation Authority (state)**—This authority was created by special act. The authority is governed by a board consisting of three members appointed by the governor with Senate confirmation and three members appointed by the mayor of the City of Jacksonville with city council confirmation, plus the district secretary for the state department of transportation district that includes Jacksonville. The authority may make leases, issue bonds, and set tolls, rates, fees, rentals, and other charges. The authority may, at its option, make lease-purchase agreements with the state.

**Seminole and Miccosukee Tribal Special Improvement Districts (state)**—Two districts were created by the state of Florida to plan, contract for, and implement programs for law enforcement, housing, education, health care, and related activities. Each district is governed by a tribal governing body. The districts may accept gifts, grants, and loans.

Other examples are:

### State<sup>1</sup>

- CareerSource Florida, Inc. (formerly Workforce Florida Inc.)
- Citizens Property Insurance Corporation
- Enterprise Florida, Inc.
- Florida ABLE, Inc.
- Florida Agriculture Center and Horse Park Authority
- Florida Correctional Medical Authority
- Florida Development Finance Corporation
- Florida Engineers Management Corporation
- Florida Export Finance Corporation
- Florida Healthy Kids Corporation
- Florida Is For Veterans, Inc.
- Florida State Fair Authority
- Florida Tourism Marketing Corporation
- Florida Virtual School
- Florida Water Pollution Control Financing Corporation
- H. Lee Moffitt Cancer Center and Research Institute
- Higher Educational Facilities Financing Authority
- Inland Protection Financing Corporation
- Local health units
- Navigation districts (under supervision of the state division of resource management)
- Space Florida
- Suwannee River Authority

## **County**

General laws and substantially uniform special acts:  
Advertising authorities (aka convention development tax authorities)  
Airport authorities and districts created by local ordinance pursuant to  
Beach and shore preservation districts  
Community redevelopment agencies  
County fine arts councils  
County land authorities  
County research and development authorities  
County water and sewer districts with ex officio boards  
Development authorities and districts  
Health facilities authorities  
Housing finance authorities reorganized as agencies of the county  
Law libraries  
Mosquito control districts with ex officio boards  
Municipal service benefit units  
Municipal service taxing units  
Planning and zoning districts and commissions (special acts)  
Public health trusts  
Recreation districts with ex officio boards  
Recreation and water conservation and control districts and authorities (special acts)  
Regional jails  
Safe neighborhood improvement districts  
Single-county library cooperatives (special acts)

Special improvement service districts (special acts)  
Special road and bridge districts (special acts)  
Water control districts with ex officio boards or lacking fiscal autonomy

## **Municipal**

General laws and substantially uniform special acts:  
Airport authorities and districts created by local ordinance  
Community redevelopment agencies  
Downtown development and improvement authorities (special acts)  
Health facilities authorities  
Historic preservation boards  
Recreation districts  
Safe neighborhood improvement districts  
Urban renewal commissions  
Utilities boards and commissions

## **Joint Dependent Agencies**

Educational facilities benefit districts (joint district school board and local general purpose governments)  
Florida laws also provide for various types of local areas for election purposes and administration of justice.

## **ENDNOTE**

<sup>1</sup> Legislation authorizing Technological Research and Development Authority was repealed in 2013.

# GEORGIA

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## COUNTY GOVERNMENTS

The entire area of the state of Georgia is encompassed by county governments except for the areas of Bibb, Chattahoochee, Clarke, Echols, Muscogee, Quitman, Richmond, and Webster counties. These areas are served by the Macon-Bibb County Consolidated Government, Cusseta-Chattahoochee Unified Government, Unified Government of Athens-Clarke County, Statenville-Echols County, Consolidated Governments of Columbus and Muscogee, Georgetown and Quitman County Unified Government, Augusta-Richmond Consolidated Government, and Webster-Preston County, respectively.

These consolidated governments are counted as municipal governments, rather than county governments in U.S. Census Bureau reporting on government statistics. Most Georgia counties are governed by a board of county commissioners, but in some counties the governing authority is a sole county commissioner. Georgia counties operate under home rule.

## SUBCOUNTY GENERAL PURPOSE GOVERNMENTS

### Municipal Governments

Municipal governments in Georgia are the cities and towns. Cities and towns may operate under charters passed as special laws by the General Assembly or by home rule charters. The most common form of governance for municipalities in Georgia is the mayor-council. There are no significant differences between the cities and towns with regard to legal status and powers that affect their classification for Census Bureau statistics.

A 1963 law provides that a minimum population of 200 inhabitants is required for incorporation as a municipality.

### Township Governments

Georgia has no township governments.

## PUBLIC SCHOOL SYSTEMS

### School District Governments

The following types of school districts in Georgia are counted as separate governments in Census Bureau statistics:

- County boards of education.
- Independent (city) school districts.

The county board of education in each county administers all local schools in the county except those operated by independent (city) school districts. Members of all county boards of education are elected. The county boards of education determine the amount of money to be raised by local school taxes and may issue bonds.

The independent (city) school districts in Georgia were established by special acts of the General Assembly prior to the adoption of the 1945 constitution; therefore, the legal provisions under which they operate are not uniform. By provision of the 1983 constitution, new independent school districts cannot be created. Members of the boards of independent school districts are elected.

### Dependent Public School Systems

Georgia has no dependent public school systems.

### Other Educational Activities

Several building authorities created for the purpose of providing buildings, facilities, and services for individual school districts have been created by special acts. These authorities are authorized to issue debt with debt service provided under contractual arrangements such as lease/purchase agreements with the school districts. They are counted as dependent activities of the respective school districts. Officers of the authorities are appointed, usually by the school district board of education, and may include school district and board of education officials serving ex officio.

The regional educational service agencies provide supplementary services to school districts and are financed by state funds and by contributions from participating school districts. For Census Bureau statistics, they are classified as joint educational service agencies of the school districts they serve. They are not counted as separate governments.

Any city, county, county school system, independent school system, or other political subdivision of the state possessing a power to tax may separately or jointly establish, maintain, and operate one or more junior colleges. The creating government establishes a mill tax to help fund the junior college. No junior colleges currently exist under this provision.

Governance of Gwinnett Technical College, previously known as Gwinnett Technical Institute, was shared

between Gwinnett County Public Schools (GCPS) and the Technical College System of Georgia (TCSG) until July 1, 2004, when partial governance by GCPS was transferred to TCSG. The Technical College System of Georgia now retains full governance over the college. Other technical colleges in Georgia are operated by the state government.

## SPECIAL DISTRICT GOVERNMENTS

Georgia statutes authorize the creation of a variety of special districts or authorities that are counted as separate governments in Census Bureau statistics. These are discussed in detail below.

### Airport Authorities

A number of airport authorities have been authorized by special acts but with similar provisions for administration and operation. The authorities are governed by boards appointed by officials of the establishing governments and, in a few cases, also have one or more local officials serving ex officio. These authorities may issue revenue bonds and impose charges for their facilities and services.

Airport authorities lacking autonomy are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### Community Improvement Districts

These districts may be created by the Georgia General Assembly through the enactment of local legislation, subject to approval of owners of taxable real property within the district and the governing bodies of any affected counties or municipalities. They may provide such services as streets, parks, sewerage, water, ports, public transportation, parking, and other services as specified in the local legislation. They are governed by boards that can consist of local officials, members elected by property owners, or any combination of the two as specified in the authorizing legislation. Districts may levy ad valorem property taxes, special assessments, and fees as specified in the authorizing legislation and may issue general obligation and revenue bonds.

Districts that lack the autonomy to be classified as separate governments are classified as dependent agencies of the county or municipality they serve and are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### Community Mental Health, Developmental Disabilities, and Addictive Diseases Service Boards

Existing boards of this type were reauthorized under a 2006 law to contract with various state departments to provide services to regions established by the state. They are governed by boards that include members appointed by member counties (where the number of members is based on population). The board may appoint one

additional member, including elected officials. The boards may fix and collect fees. These boards may be referred to as community service boards.

Community mental health, developmental disabilities, and addictive diseases service boards governed by county boards of health are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### Development Authorities (Industrial and Economic)

Joint development authorities may be created under general law by resolution of any combination of municipalities and counties or by any county in the state of Georgia and any contiguous county in an adjoining state. The resolution creating a joint development authority specifies the number and composition of the board. Joint authorities conduct a variety of projects including air and water pollution control facilities, sewage and solid waste disposal facilities, and industrial parks. The authorities may issue revenue bonds.

Development authorities, whether created by a single government or jointly by two or more governments, may be established under general law or special constitutional amendments. These authorities may be designated as an industrial development authority, industrial development and building authority, industrial building authority, or economic development authority.

Development authorities created by a single government are classified as a dependent activity of the creating government (county or municipality). Those created by a single county and the city designated as the county seat are classified as a dependent activity of the county government, except in circumstances where the authority is identified as a dependent activity of the city. Those created by a single county and multiple cities with the county area are classified as a dependent activity of the county government except in circumstances where the authority is identified as a dependent activity of one city. Those authorities created by multiple counties are classified as special district governments except in circumstances where the authority is identified as a dependent activity of one of the county governments. None of these development authorities are counted as separate governments in Census Bureau statistics. See "Subordinate Areas and Agencies" section.

### Dougherty County Stadium Authority

The Dougherty County Stadium Authority (formerly listed as the Albany Stadium Authority) was authorized by special act. The governing body is appointed by the city and county governing bodies and by the county board of education. The authority may fix and collect fees and may issue revenue bonds.

## **Hospital Authorities**

Hospital authorities may be created by resolution of one or more county or municipal governing bodies, or a combination of the two, to provide hospital facilities. A board appointed by the creating governing body(ies) governs each authority. The authority board may issue bonds, fix and collect fees for services, and accept gifts and grants. Although these entities have no authority to levy taxes, the governing body of a county or city may levy an annual ad valorem tax to pay for services or facilities provided by the authorities.

## **Housing Authorities**

Housing authorities may be organized in any county or city where the governing body has adopted a resolution declaring the need for a housing authority on its own motion or upon petition of residents. Generally, the mayor or the county governing body appoints the commissioners of city or county housing authorities, respectively. The authorizing resolution determines the composition and size of the board. The authorities may issue bonds and fix and collect rentals. Georgia laws also provide that two or more contiguous counties may establish regional housing authorities with the same legal powers as city or county housing authorities. Additionally, two or more municipalities may form a consolidated housing authority. Two or more housing authorities may form a joint authority.

## **Interlocal Risk Management Agencies—1986 Laws**

These agencies are created by intergovernmental agreement between two or more governments to pool liability insurance under the provisions of either of two laws: one applying to local governments and the other to school districts. Before an agency may be established, a certificate authorizing the creation must be issued by the State Commissioner of Insurance. The number and the manner of selection of the agency trustees are specified in the intergovernmental agreement. The agency may fix rates for its services.

## **Joint Resource Recovery Development Authorities**

These authorities are formed for the purpose of recovering and utilizing resources contained in sewage sludge and solid waste, and for the generation of electrical and other forms of energy from water resources. They may be created by ordinance or resolution of the governing bodies of any number of counties or municipalities regardless of location. Each participating governing body appoints two members, and the board of the authority appoints one additional member. The authorities may issue bonds.

## **Lake Allatoona Preservation Authority**

The law authorizing Lake Authorities was repealed in 2015.

## **Lower Chattahoochee Regional Transportation Authority**

This authority was created by a 2012 act to acquire and operate a transit system for Quitman, Randolph, and Stewart Counties. A board of seven members governs the authority, of whom two members are appointed by the governing bodies of each of the counties. This authority may set fares, other charges, and issue bonds.

## **Macon-Bibb County Transit Authority**

This authority was created by a 1980 special act to acquire and operate a transit system for the city of Macon and Bibb County upon joint resolution by the governing bodies. A board of seven members governs the authority, of whom four are appointed by the mayor of the city of Macon with the consent of the city council and three are appointed by the Bibb County board of commissioners. The authority may set fares and other charges and issue bonds.

## **Metropolitan Atlanta Rapid Transit Authority**

This authority was authorized by a constitutional amendment to operate the transit system in the Atlanta area. It is administered by a 12-member board of directors, composed of ten members appointed by the governing bodies of the city of Atlanta, DeKalb County, and Fulton County, plus the commissioner of transportation. The executive of the Georgia Regional Transportation Authority also serves as a nonvoting member. The authority may fix and collect fees and issue revenue bonds. In addition, the authority receives the proceeds of a sales tax.

## **Municipal Electric Authority of Georgia**

This authority was created by 1975 legislation to generate and transmit bulk electric power for sale to political subdivisions in the state. The governing body consists of nine members selected by representatives of participating local governments. The authority may impose rates, fees, and other charges on member governments and may issue revenue bonds.

## **Municipal Gas Authority of Georgia**

This authority was created by 1987 legislation to provide wholesale supplies of gas to member governments which own and operate natural gas distribution systems. The governing body consists of nine members selected by representatives of participating local governments. The authority may impose fees and set rates for member governments and may issue revenue bonds.

## **North Fulton Regional Radio System Authority**

This authority was created by 2013 legislation to provide for the development of a regional communication system. The four member governing body consists of representatives from the City of Sandy Springs, the City of Milton, the City of Alpharetta, and the City of Roswell. The authority may impose fees and set rates for member governments and may issue revenue bonds. The authority may fix rates and collect revenues, tolls, fees, and charges.

## **Regional Solid Waste Management Authorities**

Regional authorities to provide the collection and disposal of solid waste are created by ordinance of the governing bodies of two or more county or municipal governments. A board of directors, consisting of representatives appointed by the participating governments plus an additional member appointed by the board itself, governs each authority. The authorities may fix and collect rentals and other charges and may issue revenue bonds. Some of these authorities have been established by special acts.

Solid waste management authorities established by a single county or municipal government are not counted as separate governments in Census Bureau statistics. Additionally, authorities formed as joint ventures within a single county area are classified as a dependent activity of the county government. See "Subordinate Agencies and Areas" section.

## **Savannah Economic Development Authority**

This authority was established by constitutional amendment enacted by the General Assembly and ratified by voters. The authority may acquire, construct, operate, sell, or lease various self-liquidating projects such as industrial and manufacturing plants, wharves, docks, roads, bridges, terminals, and ferries. A 19-member board administers the authority; members are appointed on a rotating basis by the mayor and aldermen of the City of Savannah, the existing board of the Savannah Economic Development Authority, and the county commissioners of Chatham County. The authority may issue revenue bonds and fix and collect rentals and charges for its facilities and services.

## **Soil and Water Conservation Districts**

Soil and water conservation districts may be formed by the state soil and water conservation commission on petition of local landowners after a local referendum. A board of supervisors of at least five members governs each district, with two members appointed by the state soil and water conservation commission and the others elected. In districts serving three or more counties, the state soil and water conservation commission appoints one member per county and the rest are elected. These authorities may impose charges on benefitted landowners and may accept grants.

## **South Georgia Governmental Services Authority**

This authority, which succeeded the South Georgia Business Development Authority, was created by special act to provide broadband cable television and Internet services, particularly a fiber optic network, to specified counties and cities. The eight-member board is appointed by the cities of Cairo, Camilla, Moultrie, and Thomasville and may include city or county officials ex officio. The authority may issue bonds.

## **South Georgia Regional Information Technology Authority**

This authority was created in 2007 by special act to provide communication services including broadband, Internet, cable television, and associated services to private and public users in the counties of Baker, Calhoun, Early, Miller, and Mitchell. The 11-member board is comprised of two residents from each county appointed by the governing authority of the county and one member appointed by the other members of the authority. The authority is empowered to accept grants and gifts; to fix and collect rates, fees, and charges for services, facilities, and commodities; and to issue revenue bonds.

## **Water and Sewer Authorities (special acts)**

A number of water and sewer authorities to provide water supply or sewerage or both have been created by special acts but with substantially similar provisions. They are administered by boards appointed by officials of the governments they serve. Each water and sewer authority may issue revenue bonds and impose charges for services. Some of these authorities are designated as "utilities authorities."

Water and sewer authorities that are governed by the county commissioners ex officio are classified as subordinate agencies of the local government and not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

## **SUBORDINATE AGENCIES AND AREAS**

Shown below are various governmental designations in Georgia that have certain characteristics of governmental units but that are classified in Census Bureau statistics as governments as subordinate agencies of the state or local governments and are not counted as separate governments. Legal provisions for some of the larger of these are discussed below (see "Public School Systems" section regarding educational agencies of this nature).

### **Georgia Building Authority and Georgia Education Authority (state)**

**Authority (state)**—These authorities have been established to provide for a variety of public buildings including buildings for markets, prisons, hospitals, universities, schools, and state offices. Substantially similar legal provisions apply to each agency. Their governing

bodies include state officers in an ex officio capacity plus an additional member appointed by the governor. These authorities receive revenues from rentals and charges for facilities and may issue revenue bonds.

**Georgia Highway Authority (state)**—This agency was established by act of the General Assembly to build state highways and bridges. The authority board consists of the governor, the commissioner of transportation, and the director of the Office of Planning and Budget, serving in an ex officio capacity. The authority may fix rentals and may issue revenue bonds.

**Georgia Housing and Finance Authority (state)**—This authority, formerly the Georgia Residential Finance Authority, was authorized by act of the General Assembly to provide mortgage credit for low- and moderate-income housing. The authority is governed by the Board of Community Affairs serving in an ex officio capacity. The authority may fix and collect fees for facilities and services in connection with its loans and may issue revenue bonds.

**Georgia Ports Authority (state)**—This authority was established by a 1945 general law to acquire, build, operate, and maintain port facilities. Members of the authority governing board are appointed by the governor. The authority may fix and collect fees and issue revenue bonds.

**Private Colleges and Universities Authority (state)**—This authority was created by act of the General Assembly to finance facilities for private institutions of higher education. A board of five members appointed by the governor governs the authority. The authority may fix and collect fees and may issue revenue bonds.

**Resource Recovery Development Authorities (county or municipal)**—These authorities are created by ordinance or resolution of the governing body of a county or municipality. The authorities are governed by a board of five directors appointed by the county or municipality. The authorities may issue revenue bonds.

**State Road and Tollway Authority (state)**—This authority was authorized by act of the General Assembly to build toll highway facilities. Authority board members consist of the governor, the commissioner of transportation, the director of the Office of Planning and Budget, and one member each appointed by the lieutenant governor and the Speaker of the House of Representatives. The authority may fix and collect tolls and may issue revenue bonds.

**Urban Redevelopment Agencies (municipal or county)**—A municipality or county, in lieu of undertaking urban redevelopment itself or conferring the power on a housing authority or on a downtown development authority, may, by resolution, establish an urban redevelopment agency. An agency board of commissioners, appointed by the mayor or by the board

of county commissioners, governs each agency. These agencies may issue revenue bonds.

Other examples include:

## State<sup>1,2</sup>

ABLE Program Corporation  
Brain and Spinal Injury Trust Fund Commission  
George L. Smith II Georgia World Congress Center Authority  
Georgia Agricultural Exposition Authority  
Georgia Development Authority  
Georgia Education Trust  
Georgia Environmental Facilities Authority  
Georgia High Risk Health Insurance Plan  
Georgia Higher Education Assistance Corporation  
Georgia Higher Education Facilities Authority  
Georgia International and Maritime Trade Center Authority  
Georgia Lottery Corporation  
Georgia Public Telecommunications Commission  
Georgia Rail Passenger Authority  
Georgia Regional Transportation Authority  
Georgia Seed Development Commission  
Georgia Sports Hall of Fame Authority  
Georgia Student Finance Authority  
Georgia Student Finance Commission  
Georgia Superior Court Clerks' Cooperative Authority  
Georgia Technology Authority  
Jekyll Island State Park Authority  
Lake Lanier Islands Development Authority  
North Georgia Mountains Authority  
Oconee River Greenway Authority  
OneGeorgia Authority  
Regional mental health, developmental disabilities, and addictive diseases planning boards  
Sapelo Island Heritage Authority  
Southwest Georgia Railroad Excursion Authority  
State Museum of Agriculture  
Stone Mountain Memorial Association

## County

Agencies established under general law and substantially uniform special acts:  
Airport authorities (lacking autonomy)  
Community mental health, developmental disabilities, and addictive diseases service boards (governed by county boards of health)  
County boards of health  
Community improvement districts lacking sufficient autonomy:  
Development authorities (industrial and economic)  
Development authorities (industrial and economic) created under special act and lacking autonomy  
Fire and fire protection districts  
Health districts (serving one or more counties)  
Land Banks

Lincoln County Recreation Authority	Downtown development authorities
Public building authorities	Land Banks
Public facilities authorities	Parking authorities
Public safety and judicial facilities authorities	Public building authorities
Public service authorities and districts	Public facilities authorities
Recreation authorities	Public safety and judicial facilities authorities
Recreation systems created as authorities under general law	Recreation authorities
Regional jail authorities	Recreation systems created as authorities under general law
Regional public libraries	Regional jail authorities (municipalities)
Residential care facilities for the elderly authorities	Regional public libraries
Solid waste management authorities	Residential care facilities for the elderly authorities
Tourism authorities	Solid waste management authorities (single municipality)
Water and sewerage authorities districts	Tourism authorities

## Municipal

Agencies established under general law and substantially uniform special acts:

- Airport authorities (lacking autonomy)
- Business improvement districts
- Convention and visitors bureau authorities
- Development authorities (industrial and economic)
  - created under special act and lacking autonomy
- Development authorities (industrial and economic)
  - created under general law

## ENDNOTES

<sup>1</sup> The Georgia Medical Center Authority closed in 2013.

<sup>2</sup> The Georgia Music Hall of Fame Authority closed in 2011.

# HAWAII

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## COUNTY GOVERNMENTS

The entire area of the state of Hawaii is encompassed by county governments, except for Kalawao County and the city and county of Honolulu.

Kalawao County consists of that portion of the island of Molokai commonly known as the Kalaupapa Settlement. It is under the justification of the Department of Health and governed by the laws and rules relating to the department and the care of treatment of persons with Hansen's disease. The sheriff, appointed by the Department of Health and generally a resident of the county, is the only county officer of Kalaweo. Kalawao County is classified, in U.S. Census Bureau statistics on governments, as an adjunct of the state government and is not counted as a separate county government.

The city and county of Honolulu is a consolidated city-county government. For Census Bureau statistics on governments, the city and county of Honolulu is counted as a municipal government, rather than as a county government.

In the three counties with county government—Hawaii, Kauai, and Maui—the governing body is the county council. Each county government also has an elected mayor.

## SUBCOUNTY GENERAL PURPOSE GOVERNMENTS

### Municipal Governments

Honolulu, which has a combined city and county government, is the only Hawaiian local government that is counted in Census Bureau statistics on governments as a municipal government.

## TOWNSHIP GOVERNMENTS

Hawaii has no township governments.

## PUBLIC SCHOOL SYSTEMS

### School District Governments

Hawaii has no independent school district governments.

### Dependent Public School Systems

Hawaii has one dependent public school system: the state Department of Education. It is dependent on the state government. The governor shall nominate and, by and with the advice and consent of the Senate, appoint the members of the board of education, as provided by law.

The school districts in Hawaii are administrative areas of the state department of education and are not counted as separate governments in Census Bureau statistics.

## SPECIAL DISTRICT GOVERNMENTS

Hawaii statutes authorize the creation of various special districts or authorities, but only the soil and water conservation districts and the Office of Hawaiian Affairs are counted as special district governments in Census Bureau statistics.

### Soil and Water Conservation Districts

"Soil and Water Conservation Districts have been reclassified as subordinate agencies of the state. See "Subordinate Agencies and Areas" section."

### Office of Hawaiian Affairs

This office was established by voter approval of a constitutional amendment that was implemented by statute. Its purpose is the betterment of conditions of native Hawaiians. The office is administered by a board of nine elected trustees. The office may issue bonds and receives revenue in connection with a large land trust.

## SUBORDINATE AGENCIES AND AREAS

Shown below are various governmental designations in Hawaii that have certain characteristics of governmental units, but that are classified in Census Bureau statistics on governments as subordinate agencies of the state or local governments and are not counted as separate governments. Legal provisions for some of the larger of these are discussed below (see "Public School Systems" section, regarding educational agencies of this nature).

**Hawaii Community Development Authority (state)**—This authority was established by the legislature and placed within the state department of business, economic development, and tourism. The authority currently consists of members who include the director of finance and the director of transportation, and the following who are appointed by the governor: a cultural specialist, at-large members, and representatives of community development districts (CDDs). Serving as ex officio, nonvoting members are the director of planning and permitting of each county in which a CDD is located and the chairperson of the Hawaiian Homes Commission. The authority acquires, improves, and sells properties for long-range planning and implementation of community development. The

director of finance may issue bonds as authorized by the legislature for the authority's purposes.

"Community development districts" are administrative areas of the Hawaii Community Development Authority and are not counted as governments in Census Bureau statistics.

**Redevelopment agencies (county or municipal)—**

Redevelopment agencies are established by resolution of the city or county governing body. A board of five members appointed by the mayor governs each agency. Redevelopment agencies may issue revenue bonds and accept federal grants.

**Stadium Authority (state)**—This authority was established by the legislature and placed within the department of accounting and general services. The authority consists of nine members appointed by the governor. Serving as ex officio, nonvoting members are the president of the University of Hawaii and the superintendent of education. The authority manages and promotes Aloha Stadium and its related facilities.

Other examples include:

**State**

Agribusiness Development Corporation  
Aloha Tower Development Corporation  
Hawaii Health Systems Corporation  
Hawaii Housing Finance and Development Corporation  
Hawaii Public Housing Authority  
Hawaii Strategic Development Corporation  
Hawaii Technology Development Corporation  
Hawaii Tourism Authority  
High Technology Innovation Corporation  
Kakaako Community Development District  
Marine conservation districts  
Natural Energy Laboratory of Hawaii Authority  
Research Corporation of the University of Hawaii  
Soil and Water Conservation Districts  
Urban, rural, agricultural and conservation district (Land Use Commission

**County and City-County (Honolulu)**

Community facilities districts  
Honolulu Authority for Rapid Transportation  
Water supply boards

Hawaii law also divides the state into administrative districts for election, taxation, judicial, and other purposes.

# IDAHO

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## COUNTY GOVERNMENTS

The entire area of the state of Idaho is encompassed by county governments. The county governing body is called the board of county commissioners.

## SUBCOUNTY GENERAL PURPOSE GOVERNMENTS

### Municipal Governments

The municipal governments in Idaho are cities, although the terms "town" and "village" are used on occasion in the statutes. Any unincorporated, contiguous area containing at least 125 qualified electors may file a request to the board of county commissioners to become a city.

### Township Governments

Idaho has no township governments.

## PUBLIC SCHOOL SYSTEMS

### School District Governments

The following types of school districts in Idaho are counted as separate governments in U.S. Census Bureau statistics:

- Elementary school districts.
- School districts.
- Joint school districts.
- Specially chartered school districts.
- Community college districts.

Legislation provides for elementary school districts (Grades 1 through 8) and school districts (Grades 1 through 12). All school districts may give instruction in kindergarten. Districts located in two or more counties are further designated as joint school districts. There also are school districts operating under special charters. State law also provides for community college districts.

School districts are governed by elected boards of trustees. They may levy local school taxes and, contingent upon voter approval, issue bonds.

### Dependent Public School Systems

Idaho has no dependent public school systems.

### Other Educational Activities

Dormitory housing commissions may be established by the governing body of a junior college district to provide low cost housing and student union buildings. These

commissions are not counted as separate governments in Census Bureau statistics.

Cooperative service agencies are created by contract between two or more school districts to provide special educational services. The composition of the agency board is specified in the contract creating the agency. The member school districts, upon voter approval, may collect ad valorem taxes for support of the agency. Cooperative service agencies are classified for Census Bureau statistics as joint educational service agencies of the participating school districts. They are not counted as separate governments.

School subdistricts may be created by the board of trustees of any school district that operates two or more high schools, on its own motion or upon petition of school electors after a referendum. The creating board of trustees governs each subdistrict. Subdistricts may, upon voter approval, issue debt and levy taxes. School subdistricts are classified as part of the participating school district and not counted as separate governments in Census Bureau statistics.

## SPECIAL DISTRICT GOVERNMENTS

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

### Agencies Established Under Joint Exercise of Powers Agreements

Two or more public agencies may agree to exercise any of their powers jointly. The board, powers, and functions of such an agency are specified in the agreement. Such an agreement may establish a separate agency that may or may not be counted as a government in Census Bureau statistics, depending on the provisions. Those agencies not counted as separate governments by the Census Bureau are identified below. Authorities established under this law may be known by a variety of names.

### Aquifer Recharge Districts

Aquifer recharge districts are established by the state department of water resources on petition of water users and after a public hearing. A board elected by water users governs each district. The districts may borrow money and secure loans with revenue from assessments on water users.

## **Auditorium Districts**

Auditorium districts are established by the district court on petition of voters and after a public hearing and referendum. A popularly elected board of directors governs each district. Auditorium districts may charge rates and tolls and levy a hotel/motel room sales tax. Districts created after January 1, 1987, or that have a population of 25,000 or fewer, may levy ad valorem taxes. Bond issues in excess of \$75,000 must be submitted to the voters. These districts are also known as community center districts.

## **Cemetery Maintenance Districts**

Cemetery maintenance districts are established by petition of 15 or more landowners to the board of county commissioners after a public hearing and referendum. A popularly elected board of commissioners governs each district. Cemetery maintenance districts may levy ad valorem taxes and issue bonds.

## **Drainage Districts**

Drainage districts are established by the district court after petition of landowners and a public hearing. A board of drainage commissioners appointed by the judge of the district court governs each district. Drainage districts may levy benefit assessments, charge fees for services, and issue bonds.

## **Fire Protection Districts**

Fire protection districts are established by the county commissioners on petition of landowners and after a public hearing and referendum. An elected board of commissioners governs each district. The district commissioners may levy ad valorem taxes and charge and collect fees for services.

## **Flood Control Districts**

Flood control districts are established by the director of the state department of water resources upon petition of voters to the county commission and after a public hearing. A board of commissioners appointed by the director of the state department of water resources governs each district. The districts may levy ad valorem taxes.

## **Ground Water Districts**

Ground water districts are established by the county commission upon petition by ground water users and after a public hearing and voter approval. A board of directors elected by ground water users governs the district. The districts may levy special assessments and incur indebtedness. If voters so petition, contracts to borrow money are subject to voter approval.

## **Ground Water Management Districts**

Ground water management districts maintain wells in aquifers experiencing declines in water level. The districts are created upon petition of water users to the state department of water resources after a public hearing. A board of three members, elected by the water users, governs each district. The districts may levy special assessments and borrow money. If the voters so petition, contracts to borrow money are subject to voter approval.

## **Highway Districts**

Highway districts may cover all or part of a county. Joint highway districts may be formed in areas covering more than one county. These districts are established by the county commissioners upon petition of voters to the county clerk and after a local referendum. The creation of countywide districts may be initiated by the county commission. An elected board of commissioners governs each district. The districts may levy ad valorem taxes, receive a share of the county road and bridge funds, and issue bonds.

Local improvement districts may be created within a highway district as dependent activities of the parent highway district. They are not counted as separate governments in Census Bureau statistics.

## **Hospital Districts**

Hospital districts are established upon petition of voters to the board of county commissioners and after a public hearing and local referendum. A board of trustees, initially appointed by the county commissioners, but thereafter elected, governs each district. The districts may fix fees for services, levy ad valorem taxes, and issue bonds. Bond issuance may require voter approval.

Hospital districts governed by the county board of supervisors, ex officio, are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

## **Housing Authorities**

A county or municipal government may establish a housing authority by resolution of its governing body on its own motion or on petition of residents. A board of commissioners appointed by the county governing body (in the case of county housing authorities) or by the municipal governing body (in the case of municipal housing authorities) governs each authority. Housing authorities may impose charges and rents for their facilities and may issue revenue bonds.

## **Irrigation Districts**

Irrigation districts are established by the county commissioners following petition of landowners, review by the state department of water resources, a public hearing,

and a referendum. A board of directors elected by the landowners governs each district. Irrigation districts may levy assessments and issue bonds if authorized by the voters. In addition, districts may levy an acreage tax for an emergency fund. Some districts organized under this law may be named "reservoir districts."

Irrigation lateral districts, established within irrigation districts, have provisions similar to those for irrigation districts above.

Local improvement districts created by irrigation districts have no separate governmental structure and are not counted as separate governments in Census Bureau statistics.

## Levee Districts

Levee districts provide retaining structures around natural lakes. The districts are created upon petition of taxpayers to the district court and after a public hearing and referendum. An elected board of commissioners governs each district. The districts may levy property assessments. With voter approval, the districts may levy amounts higher than authorized by law.

## Library Districts

Library districts may be created by the county commissioners upon petition of voters and after a hearing and referendum. A popularly elected board of trustees governs each district. The district may levy ad valorem taxes and issue bonds.

School-community library districts operate under similar provisions but serve areas coterminous with school districts. No new districts may be established.

## Port Districts

Port districts may be established in any county adjoining a commercial waterway by the county commission on its own motion or upon petition of voters. A popular referendum is required. A popularly elected port commission governs each district. The district may levy ad valorem taxes, impose charges, and issue both revenue and general obligation bonds. General obligation bonds, however, require voter approval.

Industrial development districts created by port districts have no separate governmental structure and are not counted as separate governments in Census Bureau statistics.

## Recreation Districts

Recreation districts are established by the board of county commissioners on petition of voters and after a local referendum. A popularly elected board of directors governs each district. The districts may levy ad valorem

taxes, impose rates and charges for facilities and services, and upon voter approval, issue bonds.

Similar provisions apply to recreation districts by planned unit developments. These districts are established by the board of county commissioners upon petition of property owners in the development area.

## Regional Public Transportation Authorities

Regional public transportation authorities are established by the governing body of a city, county, or countywide highway district upon popular referendum. A board appointed by the participating governments governs each authority. The authorities may issue revenue bonds and may set fares and fees.

## Regional Solid Waste Disposal Districts

Regional solid waste disposal districts are created by joint resolution of the commissioners of two or more counties. A board of directors appointed by the commissioners of the counties represented governs each district. The districts may fix rates, fees, tolls, and charges, and may issue revenue bonds. Domestic septic districts may also be created under this law.

## Soil Conservation Districts

Upon petition of landowners, soil conservation districts are established by the state soil and water conservation commission after approval via referendum. A board of supervisors consisting of two members appointed by the state soil and water conservation commission and three elected members governs each district. The board may request an additional two members. The district board may require contributions for services.

## Water and Sewer Districts

Water and sewer districts are established by the district court upon petition of taxpayers and after a public hearing and local referendum. A popularly elected board of directors governs each district. Water and sewer districts may levy ad valorem taxes, fix rates and charges, and upon voter approval, issue bonds. Districts may join together to form joint water and sewer districts. Recreational water and sewer districts are also created under this law and have the same governance and powers.

Water and sewer subdistricts, which are governed by the directors of the parent water and sewer district, are not counted as separate governments in Census Bureau statistics. Local improvement districts may be established within water and sewer districts but these also are not counted as separate governments.

## Watershed Improvement Districts

Watershed improvement districts are created by the state soil and water conservation commission upon petition of

landowners and after a landowner referendum. A board of three directors, one appointed by the state soil and water conservation commission and two elected, governs each district. The districts may levy special assessments and, upon voter approval, issue bonds.

## SUBORDINATE AGENCIES AND AREAS

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

### **Idaho Housing Agency and Finance Association**

**(state)**—This agency was authorized by an act of the legislature. It was created to provide mortgage credit for low- and moderate-income housing. A board of seven commissioners appointed by the governor governs the agency. The agency may receive grants and gifts, fix charges in connection with its loans, and issue revenue bonds.

**Idaho State Building Authority (state)**—This authority is commissioned to construct and operate facilities to meet the needs of the state government. A board of commissioners appointed by the governor governs the authority. The authority may collect rents and charges and may issue bonds.

Other examples include:

### **State<sup>1</sup>**

Forest protective districts  
Idaho Bond Bank Authority  
Idaho Energy Resources Authority  
Idaho Food Quality Assurance Institute  
Idaho Health Facilities Authority  
Idaho Transportation Board  
Idaho Water Resources Board  
Lake Pend Oreille, Pend Oreille River, Priest Lake, and  
Priest River Commission  
Lava Hot Springs Commission  
Park and Recreation Board  
Water districts  
Water measurement districts

### **County<sup>2</sup>**

Ambulance service districts  
Aquifer protection districts  
Burn seeding areas  
Community infrastructure districts (county)  
County hospital boards  
County irrigation, drainage, and reclamation projects  
County museum boards  
County-based intermodal commerce authorities  
Extermination control districts (agricultural pests)  
Fair districts  
Herd districts  
Joint powers boards for emergency communications services (county)  
Local improvement districts  
Mosquito abatement districts (county)  
Noxious weed control districts  
Public health districts  
Television translator districts  
Weather modification districts

### **Municipal**

Business improvement districts—1980 law  
Business improvement districts—1987 law  
City-based intermodal commerce authorities  
Community infrastructure districts (municipal)  
Joint powers boards for emergency communications services (municipal)  
Local improvement districts  
Mosquito abatement districts (municipal)  
Urban renewal agencies

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

## **ENDNOTES**

<sup>1</sup> The legislation authorizing the Idaho Aquaculture Commission was repealed in 2016.

<sup>2</sup> The legislation authorizing stumpage districts was repealed in 2014.

# ILLINOIS

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## COUNTY GOVERNMENTS

The entire area of the state of Illinois is encompassed by county governments. The county governing board is the county board, except in Cook County where the statutes identify the governing board as the Board of Commissioners of Cook County. Any county may establish a county executive form of government with or without home-rule as decided by referendum.

## SUBCOUNTY GENERAL PURPOSE GOVERNMENTS

The subcounty general purpose governments in Illinois consist of municipal (city, village, and town) governments and township governments.

### Municipal Governments

Municipal governments in Illinois are the cities, villages, and incorporated towns. There are no differences of legal powers or status that would affect their classification for U.S. Census Bureau statistics on governments. The minimum population requirement for incorporation as a city is 2,500. For villages, the requirements for incorporation vary with the population of the county and other criteria. Municipalities having a population of 25,000 or more automatically become home-rule governments. Municipalities with populations of fewer than 25,000 have the option of selecting home rule by referendum. In counties that have township governments, municipalities exist within those township areas, except for the city of Chicago.

### Township Governments

Township governments exist in 84 of the 102 Illinois counties. Within these 84 counties, the only areas lacking township governments are the city of Chicago and the town of Cicero. For the town of Cicero, township and municipal functions are discharged by a single board of elected officials. Some townships are coterminous or nearly coterminous with a city or village, but have their own elected officials. These township governments are counted as separate governments in Census Bureau statistics.

Although sometimes referred to locally as "towns," Illinois townships are not to be confused with incorporated towns. An elected township supervisor is the chief administrative officer.

## PUBLIC SCHOOL SYSTEMS

### School District Governments

The following types of school districts in Illinois are recognized as governments:

- Chicago School District.
- Common school districts.
- Community college districts.
- Community high school districts.
- Community unit school districts.
- Non-high school districts.
- Special charter districts.
- Township high school districts.

Elected boards govern these districts except for the Chicago School District and the Chicago Community College District, for which the boards are appointed by the Mayor with the approval of the city council, and the special charter districts, which may have elected or appointed boards. All of the districts may levy local taxes and issue bonds.

### Dependent Public School Systems

#### School District Dependent

Two or more contiguous school districts may jointly operate one or more cooperative high schools if each district has an enrollment of less than 600 students in grades 9 through 12. A district with 600 or more students enrolled in grades 9 through 12 can be included with one or more districts with less than 600 students if they obtain a size waiver. The schools will be governed by a board consisting of an equal number of representatives from each of the participating districts, or upon agreement, a proportional number of representatives based on the number of attending students in each district. Each participating school district shall pay its share for the maintenance and operation of the cooperative high school. Participating school districts combined into a cooperative high school are not counted as separate governments in Census Bureau statistics.

#### Other Educational Activities

Area vocational centers and special education cooperatives may be formed by joint agreement between

two or more school districts. A board consisting of representatives of each participating school district governs each entity of these two types. Participating school districts share the costs of these entities. These centers and cooperatives are classified as joint educational service agencies of the participating school districts and are not counted as separate governments in Census Bureau statistics.

Educational service regions replaced the former county school units administered by county superintendents. Each region originally served one county but now may serve multiple counties because of minimum population requirements. Each region is headed by a regional superintendent of schools and is also governed by a regional board of trustees; the latter deal primarily with district boundary changes. Educational service regions are not counted as separate governments in Census Bureau statistics.

Township land commissioners manage school lands and funds in certain counties. These boards are not counted as separate governments in Census Bureau statistics.

Emergency financial assistance and financial oversight panels may provide emergency state financial aid and oversight to school districts. Members of these panels are appointed by the state superintendent of education. These panels are classified as state agencies and are not counted as separate governments in Census Bureau statistics.

Educational service centers are established by the state board of education and function primarily to coordinate and provide special and ordinary services to affiliated school districts. These service centers are governed by boards consisting of members appointed by the regional superintendent. Education service centers are classified as dependent activities of their member school districts and are not counted as separate governments in Census Bureau statistics.

## SPECIAL DISTRICT GOVERNMENTS

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

### Addison Creek Restoration Commission

The law authorizing Addison Creek Restoration Commission was repealed in 2015.

### Airport Authorities

These authorities are created by the circuit court judge upon voter petition and after a hearing and referendum. Each authority is governed by a board of commissioners that is appointed by municipal, county, or state officials

depending on criteria specified by the authorizing legislation. The authority boards may levy property taxes, fix rates and fees, and issue bonds. Bonds exceeding three-quarters of one percent of assessed value require voter approval.

Similar provisions apply to metropolitan airport authorities established by state law in counties with populations of between 600,000 and 3,000,000 and contiguous to a county with a population of more than 1,000,000. Some authorities have been established by special acts.

Interstate airport authorities may be created by joint agreement between two or more local governments in Illinois and any governmental body of any adjoining state. Each authority is governed by a board composed of an equal number of members from each party state and may include a federal representative. The budget is allocated to the participating governments. The authorities may issue bonds.

The Kankakee River Valley Area Airport Authority was established under a special act. The authority is governed by a board appointed by the governing bodies of Kankakee and Will counties. The authority may set rents, rates, and fees, and issue bonds.

Joint airport commissions may be created by agreement between a park district and a county or municipality. These commissions are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

The Greater Rockford Area Airport Authority was established under a special act. The authority is governed by a board appointed by the city of Rockford, city of Loves Park, village of Machesney Park, and Winnebago County. The authority may set rents, rates, and fees, and issue bonds. The Board of Commissioners of the airport authority may establish a rail authority by resolution.

### Cemetery Maintenance Districts

These districts are created by the circuit court judge upon voter petition and after a hearing and referendum. Each district is governed by a board of trustees appointed by county, municipal, or township officials depending on the area of the district. If a district is located in more than one county, the board is appointed by the members of the general assembly from the overlying legislative districts. The boards may levy property taxes.

Cemetery boards of trustees and cemetery boards of managers created under earlier laws authorizing the counties, municipalities, and townships to directly create such boards are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

## **Chicago Transit Authority**

This authority, which operates local transit service for the Chicago metropolitan area, was created by special act. The Chicago Transit Board, which consists of three members appointed by the governor and four members appointed by the Mayor of Chicago, governs the authority. The authority may issue bonds and fix rates and fares.

## **Civic Center Authorities**

Under the civic center code, special acts authorize civic center authorities; community center authorities; metropolitan civic center authorities; metropolitan exposition and auditorium authorities; metropolitan exposition, auditorium, and office building authorities; the Boone County Community Building Complex Committee; the Leyden Township Space Needs Authority; and the Metropolitan Pier and Exposition Authority. Most of these authorities operate under similar provisions as follows: each authority is governed by a board appointed by the governing body of the county, city, village, township, or park district served. The authorities may have more than one government represented on the board. The authorizing legislation may permit ex officio members from the appointing body or city managers to serve on the board. All of these authorities may fix and collect fees and, upon voter approval, issue revenue bonds and set property taxes. Some authorities also may issue general obligation bonds, upon voter approval, according to specific authorizing legislation for the particular authority. For some authorities, the authorizing legislation permits either the authority or the local governing body to also levy sales or use taxes.

The exceptions to the above provisions are as follows: the board of the Springfield Metropolitan Exposition and Auditorium Authority is popularly elected. The boards of the Will County Metropolitan Exposition and Auditorium Authority and the Metropolitan Pier and Exposition Authority (Chicago) include gubernatorial appointees. The Springfield Metropolitan Exposition and Auditorium Authority may issue revenue and general obligation bonds without voter approval unless a referendum is petitioned for, and may levy property taxes without voter approval. The Metropolitan Pier and Exposition Authority may issue revenue bonds without voter approval and may impose sales and use taxes but not property taxes.

A general law, also under the civic center code, authorizes metropolitan exposition, auditorium, and office building authorities. These may be created by resolution of one or more counties meeting requirements for assessed property valuation. Each authority is governed by a nine-member board appointed by the county chair with the consent of the county board. For boards created by multiple counties, each county is represented on the board in proportion to its assessed valuation. These

authorities may fix and collect fees and, upon voter approval, issue revenue and general obligation bonds, and levy property taxes.

Civic center authorities that are governed by a county, municipal, or township governing body ex officio are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

## **Conservation Districts**

These districts are established to conserve open spaces for recreational purposes. Such districts are created upon voter petition to the circuit court of a county with fewer than 1,000,000 in population and having no forest preserve; or upon petition of voters from not more than five counties with no forest preserve, followed by a referendum. The district board of trustees is appointed by the chairpersons of the county governing bodies in the district with the consent of the county governing bodies. District boards may charge fees, levy property taxes, and with voter approval, issue bonds.

## **County Historical Museum Districts**

These districts provide museums and historic preservation efforts. These districts may be created in a single county or in a group of up to five contiguous counties, each with fewer than 1,000,000 in population and no forest preserves. The districts are created upon voter petition to the circuit court of the most populous county to be served and after a hearing and referendum. A board of five trustees appointed by the governing bodies of the participating counties governs each district. The districts may charge fees for its services. The districts also may set ad valorem taxes, which may require voter approval.

## **County Water Commissions—1985 Law**

These commissions were established under former law but were reorganized under provisions of the 1985 law. The commission members are appointed by the governing bodies of the participating governments. The commissions may set sales and use taxes and, after voter approval, set property taxes and issue general obligation bonds.

## **Drainage Districts**

In 1955, a new drainage code was enacted effective on January 1, 1957, that repealed the Farm Drainage Act of 1885 and the Levee Act of 1879. The act provided that all drainage districts organized under prior laws would continue in existence but would operate under the provisions of the new drainage code. Illinois law now authorizes the following types of drainage districts:

- Drainage districts.
- Drainage and levee districts.
- Mutual drainage districts.

- Mutual drainage and levee districts.
- Outlet drainage districts.

These districts provide drainage and levee facilities for agricultural, mining, and sanitary purposes. The districts may be established by the circuit court after petition of landowners and a hearing. A referendum may be required. In certain situations, an individual user may petition for the creation of a drainage district. The districts are governed by three commissioners who are appointed by the circuit court or, upon petition of landowners, elected. An exception is that districts organized under the Farm Drainage Act have elected boards unless the landowners choose to change from an elected to an appointed board. All types of drainage districts may levy benefit assessments and may issue bonds.

Drainage subdistricts are governed by the board of trustees of the parent district. These subdistricts are not counted as separate governments in Census Bureau statistics.

### **EastSide Centre**

This entity was created by intergovernmental agreement of the city of East Peoria, Fon du Lac Park District, East Peoria Community High School District 309, East Peoria Grade School District 86, East Peoria Mass Transit District, and the township of Fondulac. The center is governed by an 11-member board appointed by the participating governments per the creating agreement. The center is funded by fees, gaming tax revenues, bonds, certificates of participation, and state grants.

### **Exposition Authorities and Councils**

Exposition authorities provide expositions, convention facilities, stadiums and exhibitions, and other forms of public entertainment. The authorities may be created in park districts located in whole or in part in any city with a population of 200,000 or more. The authorities are created upon petition of park district commissioners to the secretary of state. A board of commissioners appointed by the mayor with the consent of the city council governs each authority. The authorities may fix rentals, fees, and charges, and may issue revenue bonds.

Exposition councils, which perform functions similar to those of exposition authorities, are created after resolution or ordinance of a county or city of a specified population size range and petition to the secretary of state. A board of commissioners appointed by the presiding officer of the creating government, with that government's consent, governs each council. The councils may fix rentals, fees, and charges, and may issue revenue bonds. General obligation bonds may be issued if voters approve both the bonds and a tax to amortize the bonds.

### **Fire Protection Districts**

These districts provide fire protection and ambulance services. The districts are established by the circuit court upon voter petition and after a referendum. Each district is governed by a local board of trustees that may be elected if approved by local referendum or appointed by county, municipal, or township officials depending on the area and population in the district. If a district is located in more than one county, the board must represent each county in proportion to the population of that county. District boards may issue bonds with voter approval and may levy property taxes.

### **Flood Prevention Districts**

These districts may be created by a board of county commissioners. The districts are managed by a board of three commissioners who are appointed by the chairman of the board of the county in which the district is located. The county imposes a county flood prevention occupation tax on behalf of the district and the district may issue revenue bonds.

### **Forest Preserve Districts**

Districts to preserve forests for recreational use and for control of floodwaters may be created in a single county by the circuit judge after a petition, hearing, and referendum. Each district is governed by a board of elected commissioners. Districts may levy a property tax and issue bonds with voter approval.

Districts governed by the county or city governing body serving in an ex officio capacity are not counted as governments in Census Bureau statistics. "See Subordinate Agencies and Areas" section.

### **Fox Waterway Agency**

This agency was established by special act after voter approval to maintain a recreational waterway. An elected seven-member board governs the agency. The agency may fix charges for use of its facilities. This agency was formerly known as the Chain O'Lakes-Fox River Waterway Management Agency.

### **Hospital Districts**

These districts provide and operate hospital facilities in counties of fewer than 1,000,000 in population. The districts are established by the circuit court judge upon voter petition and after a referendum. The board of directors of a district located in one county is appointed by the presiding officer of the county board. In districts located in more than one county, the directors represent each county in proportion to its relative population in the district. Districts may issue bonds, levy property taxes, and fix charges for the use of facilities and services. Voter approval may be required before bonds are issued.

## **Housing Authorities**

These authorities may be established by the governing bodies of municipalities having more than 25,000 inhabitants or by any county. Each authority is governed by a board of commissioners appointed by the presiding officers of the municipalities or county. The authorities may issue bonds and fix rents, fees, and charges.

The Chicago Metropolitan Housing Development Corporation is classified as a dependent agency of the Chicago Housing Authority and is not counted as a separate government in Census Bureau statistics.

## **Joint Water Commissions and Joint Water and Sewer Commissions**

Two separate laws authorize the creation of these commissions. The commissions may be formed by any two or more municipalities with fewer than 500,000 in population. The mayor or president of each governing body appoints the commissioners plus, the chair of the county governing body appoints one member. A water commission that meets the participatory requirements shall also appoint a commissioner. The commissions may set rates and charges, and issue revenue bonds.

## **METRA Commuter Rail Board**

This board, which operates commuter rail service in the Chicago area, consists of seven members of whom one is appointed by DuPage County; two jointly by Kane, Lake, McHenry, and Will counties; three by Cook County; and one by the city of Chicago. The board may issue bonds, fix rates and fares, and receives the proceeds of tax levies and other funds from the Regional Transportation Authority.

The Northeast Illinois Commuter Railroad Corporation, which operates some of the commuter railroad facilities, is governed by the METRA Commuter Rail Board. It is classified as a subsidiary of the METRA Commuter Rail Board and is not counted as a separate government in Census Bureau statistics.

## **Mosquito Abatement Districts**

These districts are established by the circuit court judge upon voter petition and after a hearing and referendum. Each district is governed by a board of trustees appointed by the county or municipal governing body or the township board of auditors, depending on the area in the district. In home-rule counties, the chief executive appoints the district trustees. The district boards may levy property taxes.

## **Municipal Joint Action Agencies**

Municipal joint action agencies provide water supply, sewage treatment, and waste collection and disposal. Municipal joint action water agencies are created by

written agreement between two or more counties, municipalities, townships (in counties with a population of fewer than 700,000), or public water districts. Municipal joint action agencies for sewage or solid waste are created by agreement between two or more counties or municipalities. A board of directors representing the participating governments as specified in the agreement governs the agency. The agencies may fix rates, rents, and charges, and issue revenue bonds. Municipal joint action water agencies may also levy ad valorem taxes and, upon voter approval, issue general obligation bonds.

## **Municipal Power Agencies and Municipal Natural Gas Agencies**

These agencies provide electric power to two or more municipalities. The agencies are formed by agreement between the participating governments. A board of directors representing participating governments, as specified in that agreement, governs the agency. The agencies may fix rates, rents, and charges, and issue revenue bonds. Similar provisions apply to municipal joint action gas agencies.

## **Museum Districts**

Districts to provide museum facilities may be created within a single county for contiguous areas containing at least one historical site and at least one municipality. The districts are created upon petition to the circuit court after a hearing and referendum. A board of commissioners appointed by the presiding officer of the county board, with the consent of that board, governs each district. The boards may levy ad valorem taxes, fix rates and charges, and issue bonds. Bond issues may require voter approval.

Districts with the same boundaries as the county or a municipality are governed by the county or municipal governing body, respectively, in an ex officio capacity and are not counted as separate governments. See "Subordinate Agencies and Areas" section.

## **New Harmony Bridge Authority**

New Harmony Bridge Authority was established under a special act. The authority is governed by a board appointed by the governor, the White County Board, and the mayor of Phillipstown. The authority may set tolls for transit over the bridge and issue bonds.

## **PACE Suburban Bus Division**

This board operates suburban bus service in the Chicago area. The board consists of 13 members: six are appointed by Cook County; one is appointed by each of DuPage, Kane, Lake, McHenry, and Will counties; the Chairman appointed by the governor for the initial term (after the initial term the board members elect the Chairman) and the Commissioner of the Mayor's office for People with Disabilities from the City of Chicago. The board may issue

bonds, fix rates and fares, and receive the proceeds of tax levies and other funds from the Regional Transportation Authority.

## Park Districts

General park districts may be created with populations of fewer than 500,000. Township park districts and pleasure driveway and park districts, established under earlier laws, may continue or may reorganize as general park districts. A general park district is established by the circuit court judge upon voter petition and after a referendum. Each general park district and township park district is governed by an elected board of trustees or commissioners. Each pleasure driveway and park district is governed by either an elected or appointed board of trustees. Park districts may set fees, issue bonds, and levy property taxes. Tax levies may require voter approval.

The Chicago Park District was created by a special act. A board of seven commissioners appointed by the Mayor with the approval of the city council governs the district. The district has the same revenue powers as other park districts.

The Metro-East Park and Recreation District was created by referendum in Madison and St. Clair counties. Other counties in the area are permitted to join. The district is governed by a board appointed by the governing bodies of the two counties. The district may issue revenue bonds and impose sales taxes and fees.

## Port and Regional Port Districts

Some authorities of this type have been established by special acts. Similar provisions apply to each of these districts. Their board members are selected by the governor and/or by local officials according to the provisions outlined in authorizing legislation for each specific district. All of these districts may issue bonds upon voter approval and collect rates and fees. All except the Illinois International Port District may levy taxes, after referendum approval. Most of these districts maintain and operate aquariums, museums, and planetariums, as well as port and terminal facilities.

## Prairie Trail Authority

This authority was created by special act to maintain a system of linked pathways and bicycle trails. DuPage, Kane, Lake, McHenry, and Will counties are eligible to participate. The authority is governed by a board of directors appointed by the president of either the local conservation district or local forest preserve district. Each county's number of representatives is based on population. The authority determines the contributions of the member counties.

## Public Building Commissions

These commissions may be established by resolution of the governing body of any municipality with 3,000 or more inhabitants or by resolution of the county seat or county board of any county and a referendum. The governing body consists of a board of five or more commissioners who are appointed by the presiding officers of the participating governments with the consent of the governments. The commissions may collect rentals or other charges and may issue revenue bonds. The creating governments may set and levy property taxes on behalf of the commissions.

## Public Library Districts

These districts may serve one or more counties. The districts are established by the circuit court judge upon petition of either voters or the board of a local tax supported library and after a hearing and referendum. Also, tax supported public libraries created under other acts may convert, with voter approval, to public library districts. The initial board of trustees that administers each district is appointed by the presiding officer of the county governing body, with the advice and consent of that body. Subsequent boards are elected. Library district boards may levy property taxes as approved in the initial referendum and may levy additional taxes with voter approval. The boards also may issue bonds with voter approval.

## Regional Library Systems

Library systems that serve ten or more public libraries or that consist of a single public library serving a city of more than 500,000 in population may be created upon approval of the board of directors of the participating libraries and the approval of the state librarian. Library systems are governed by a board of five to 15 directors selected by member libraries, except in the case where the board of a public library serving a city of more than 500,000 in population shall serve as the board. The systems are funded by revenue from contracts, fees, and grants.

## Regional Transportation Authority

This authority was formed by act of the general assembly to coordinate bus and rail transit services in the Chicago metropolitan area primarily through making grants to, and purchasing service from, existing public and private transit systems. The authority governing body is a board of 13 directors: four members appointed by the city of Chicago; four appointed by Cook County; one appointed by DuPage County; two selected through a majority vote by Kane, Lake, McHenry, and Will counties; and the chairperson of the Chicago Transit Authority. The

thirteenth member, the board chairperson, is selected by the other 12 members. The authority sets retail occupation and use taxes and may issue bonds.

### **Rescue Squad Districts**

Districts to provide rescue services may be established in contiguous areas serving at least 300 persons upon voter petition to the circuit court and after a referendum. A board of five trustees governs each district; its members are appointed by the municipal, township, or county governing body depending on the area in the district. If the district includes area in two or more counties, board members are selected by each county in proportion to population. The districts may levy ad valorem taxes.

### **River Conservancy Districts**

Districts to prevent stream pollution, conserve and protect water supplies, and promote public health are established by the circuit court judge upon voter petition and after a referendum. A board of trustees governs each district; the trustees are appointed by county, municipal, or township officials depending on the area served and the population of the district. The districts may levy ad valorem taxes up to a specified amount without voter approval and additional taxes with voter approval.

### **Roseland Community Medical District**

The district was established under a special act to perform economic development activities in the area surrounding the Roseland hospital. The authority is governed by a commission appointed by the governor, the mayor of the City of Chicago, and the chairman of the County Board of Cook County. The commission may issue bonds and sell and lease property.

### **Sanitary Districts**

Illinois general laws authorize the following types of sanitary districts:

- Sanitary districts—1907 law.
- Sanitary districts for sewerage—1917 law.
- Sanitary districts for drainage and sewage disposal—1936 law.

Sanitary districts under the 1907 law, which provide sewerage and sanitary drainage facilities to a contiguous area within two counties, may be established by the circuit court judge upon voter petition and after a hearing and referendum. A five-member district board of trustees is elected from subdistricts or at large. The districts may issue bonds with voter approval and set ad valorem taxes. Additional taxes require voter approval.

Sanitary districts for sewerage under the 1917 law serve one or more municipalities. The districts may be established by the circuit court judge upon voter petition

and after a hearing and referendum. A board of trustees is appointed by the presiding officer of the county governing body with the consent of the county. If the district is located in more than one county, trustees are appointed by members of the general assembly from the overlying legislative districts. The board may levy ad valorem taxes and special assessments, impose charges, and with voter approval, issue bonds. Districts organized under this law may also provide and maintain waterworks upon voter approval.

Sanitary districts for drainage and sewage disposal under the 1936 law may be formed in contiguous areas of single counties outside the boundaries of any municipality. The districts are established by the circuit court upon voter petition and after a hearing and referendum.

Each district is governed by a three-member board of trustees appointed by the presiding officer of the county governing body with the consent of the county, or elected upon voter approval. The board may levy ad valorem taxes and special assessments, impose charges, and with voter approval, issue bonds. Additional taxes require voter approval. Districts organized under this law may also provide and maintain waterworks upon voter approval.

In addition to districts formed under the above laws, the Metropolitan Water Reclamation District of Greater Chicago (formerly the Metropolitan Sanitary District of Greater Chicago), the North Shore Sanitary District, and the Metro-East Sanitary District were created by special acts. These districts have elected or appointed boards with financing powers similar to the general law districts above.

### **Soil and Water Conservation Districts**

Soil and water conservation districts may be established by the state department of agriculture, upon voter petition and after a hearing and referendum. A board of five directors elected from among landowners in the district governs each district. The district may levy compulsory charges against landowners for work performed.

In addition, subdistricts may be established in watershed areas of a soil and water conservation district and a property tax levy made for this purpose. These subdistricts are not counted as separate governments in Census Bureau statistics.

### **Solid Waste Disposal Districts**

These districts are authorized by general law to provide and maintain solid waste disposal facilities. The districts may be created coextensive with a single county of fewer than 3,000,000 in population; coextensive with a group of not more than five adjoining counties each with a population of fewer than 3,000,000; coextensive with a single township; or coextensive with a group of not more

than five adjoining townships. The districts are established upon voter petition to the circuit court and after a hearing and local referendum. In the case of multicounty or multitownship districts, formation must be approved by the state environmental protection agency. A five-member board of trustees, appointed by the presiding officers of the governing bodies served by the district, administers each district. The district board may levy property taxes, charge fees, and with voter approval, issue bonds.

### **Special Recreation Associations**

These associations may be established by two or more park districts or municipalities. The associations are governed by boards described in the creating agreements. The associations may set fees. The participating governments may set and levy property taxes on behalf of the associations.

### **Street Lighting Districts**

These districts are established by the circuit court judge upon voter petition and after a hearing and referendum. A three-member board of trustees is appointed by the presiding officer of the county governing board with the board's advice and consent. If the district includes area in two or more counties, board members are selected by each county in proportion to population. The districts may levy ad valorem taxes up to a specified amount without voter approval and additional taxes with voter approval. The districts may, with voter approval, issue bonds.

### **Surface Water Protection Districts**

Districts to provide flood control facilities may be established by the circuit court on petition of resident voters after a public hearing and local referendum. A five-member district board of trustees is appointed by the county governing body or, in home rule counties, by the chief executive. In districts located in more than one county, the district board is appointed by each respective county governing body in proportion to population. The districts may levy taxes and issue bonds after voter approval.

### **Township Hospital Boards**

These boards may be created in any township with a population of fewer than 500,000 upon voter petition and a referendum. Each board of directors is composed of five to eleven members appointed by the township board. The boards may set property taxes, and fix and collect rents and charges. The boards also may issue revenue bonds with voter approval.

### **Transit Districts**

Under general law, local mass transit districts may be created to operate, maintain, or subsidize transit

services through ordinance or resolution of one or more municipalities, counties, or any combination thereof. A board of trustees governs each district. If the district consists of a single municipality or county, the municipal governing body or county board appoints three to five members. If the district consists of one or more municipalities or counties, or combinations of both, the municipal governing bodies or county boards appoint members in proportion to the percentage of service received. In addition, a 1975 law permits the creation of mass transit districts upon petition to the circuit court by residents of a unit area of contiguous land without regard to political boundaries, and after a referendum. The trustees of such districts are appointed by the presiding officer of the county governing body with the advice and consent of that body. Under both laws, districts may issue revenue bonds, fix rates for service, and with voter approval, levy property taxes.

Similar provisions apply to the Metro East Mass Transit District in the East St. Louis area, which was established by special act. This district may also levy sales taxes.

### **Transportation Service Associations**

These associations provide and subsidize railroad passenger service. They are established by joint resolution of two or more local governments or public universities. The agreement creating the association specifies the method of selecting the association directors. Participating governments share in the costs pursuant to the terms of the agreement.

### **Tuberculosis Sanitarium Districts**

A general law authorizes tuberculosis sanitarium districts that must lie wholly within a single county. These districts may be established by the circuit court judge upon voter petition and after a hearing and referendum. A board of directors is appointed by the presiding officer of the county governing body with the consent of that body. The districts may levy property taxes and issue bonds. Bond issues for other than the acquisition of land require voter approval.

Another general law authorizes tuberculosis sanitarium boards in a single county or in two or more adjoining counties. These boards are created upon voter approval of the supporting tax with an intergovernmental agreement also required for two or more participating counties. The boards created in a single county are appointed by the county chair with the consent of the county board. Joint boards are composed of three representatives appointed from each county. In addition to the tax set by voters, boards created by intergovernmental agreement also receive reimbursements for expenditures as specified in the agreement. The participating county or counties may issue bonds on behalf of any of these boards.

## Water Supply Districts

Illinois general laws authorize the following types of water supply districts:

- Public water districts.
- Water authorities.
- Water service districts.

Public water districts provide water supply and sewerage services. These districts may be created in contiguous areas of not more than 500,000 in population. The districts are created by the circuit court upon voter petition and after a hearing and referendum. A seven-member board of trustees is appointed by county, municipal, or township officials depending on the area within the district. If the district includes area in two or more counties, board members are selected by each county in proportion to population. The voters may petition for a referendum to convert to an elected board. These districts may fix water rates and rentals, issue revenue bonds, and with voter approval, levy a property tax.

Water authorities to provide water supply services serve any contiguous area. The authorities operate under provisions similar to those for public water districts except that voter approval is not required to levy property taxes.

Water service districts to provide water supply may be created outside the corporate boundaries of any municipality. The districts are created upon voter petition to the circuit court judge and after a hearing and referendum. A three-member district board of trustees is appointed by the presiding officer of the county governing body. If the district includes area in two or more counties, board members are selected by each county in proportion to population. The district board may levy property taxes, impose charges for water service and, with voter approval, issue bonds.

## SUBORDINATE AGENCIES AND AREAS

Shown below are various governmental designations in Illinois that have certain characteristics of governmental units but are classified in Census Bureau statistics as subordinate agencies of the state or local governments, and are not counted as individual governments. Legal provisions for some of the larger of these are discussed below. (See "Public School Systems" section regarding educational agencies of this nature.)

**Capital Development Board (state)**—An act of the general assembly established this board to build or otherwise provide for capital improvements to school districts and various state facilities. The board consists of seven members appointed by the governor with the consent of the Senate. The board makes grants for school construction and renovation under the direction of the

state board of education and directs disbursements of state funds for capital projects.

**Illinois Housing Development Authority (state)**—This authority, established by act of the general assembly, may make mortgage loans to provide housing for persons of low- to moderate-income. A board of nine members, appointed by the governor with the consent of the Senate, governs the authority. The authority may fix fees and charges, and issue revenue bonds.

**Illinois Sports Facilities Authority (state)**—This authority was created to finance the construction of stadiums in the Chicago area. A seven-member board governs the authority. The governor and the mayor of Chicago each appoint three members and the governor appoints the chair with the approval of the mayor. Gubernatorial appointments require the consent of the Senate. The authority may fix rates, rents, fees, and charges; impose a hotel occupancy tax; and issue revenue bonds.

**Illinois State Toll Highway Authority (state)**—An act of the general assembly established this authority to build, operate, and maintain state toll highways. The authority governing board consists of the governor and the secretary of the state department of transportation, ex officio, plus nine members appointed by the governor with the consent of the Senate. The authority may collect tolls and issue revenue bonds.

**Illinois Student Assistance Commission (state)**—An act of the general assembly created this commission to finance scholarships, grants, and loans to students. The commission consists of ten members appointed by the governor with the consent of the Senate. The commission may receive interest on loans and issue revenue bonds.

Other examples include:

### State<sup>1, 2</sup>

Central Illinois Economic Development Authority

Downstate Illinois Sports Facilities Authority

Downstate School Finance Authority

Downstate School Finance Authority for Elementary Districts

Eastern Illinois Economic Development Authority

Financial advisory authorities

Forest fire protection districts

Illinois Criminal Justice Information Authority

Illinois Finance Authority

Illinois Grain Insurance Corporation

Illinois Investment and Development Authority

Illinois Medical District Commission

Illinois Mortgage Insurance Prairie State 2000 Authority Agency

Illinois Power Agency

Illinois Urban Development Authority

Illinois Violence Prevention Authority

Joliet Arsenal Development Authority  
Quad Cities Regional Economic Development Authority  
Southeastern Illinois Economic Development Authority  
Southwestern Illinois Development Authority  
Tri-County River Valley Development Authority  
Upper Illinois River Valley Development Authority  
Western Illinois Economic Development  
Will-Kankakee Regional Development Authority

Mid-America Medical District  
Museum districts with ex officio boards  
Railroad terminal authorities  
Recreation boards  
Riverdale Development Authority  
Road districts (municipal)  
Village library commissions  
Water districts—1899 law (serving two or more municipalities)

## **County**

Cemetery board of trustees  
Civic center authorities with ex officio boards (special acts)  
Community mental health boards (county)  
County airport board of directors (law of 1943)  
County airport commissions (act of 1945)  
County library boards  
DuPage County Fair and Exposition Authority  
Forest preserve districts (with ex officio boards)  
Land clearance commissions (county)  
Local economic development commissions (county)  
Museum districts with ex officio boards  
Public health districts  
Regional juvenile detention authorities  
Road districts (county)

## **Township**

Boards of library trustees (township)  
Cemetery board of managers (township)  
Civic center authorities with ex officio boards (special acts)  
Community mental health boards (township)  
Land clearance/redevelopment commissions  
Mosquito abatement districts—1988 law  
Multitownship assessing districts  
Road districts (township)  
Special fire districts—1982 law  
Special police districts—1982 and 1983 laws  
Special refuse collection and disposal districts  
Township health districts  
Township special service areas

## **Joint Dependent Agencies**

Joint airport commissions created by intergovernmental agreement of a park district and a county or municipality  
Local economic development commissions  
Regional Fire Protection Agencies

## **ENDNOTES**

<sup>1</sup> The law authorizing Addison Creek Restoration Commission was repealed in 2015.

<sup>2</sup> Illinois Manufacturing Technology Alliance was abolished in 2002.

# INDIANA

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## COUNTY GOVERNMENTS

The entire area of the state of Indiana is organized by county governments except for the former county of Marion. Marion County and the City of Indianapolis are consolidated to operate as one government, designated under the City of Indianapolis, and is governed by an elected mayor and city-county council. Indianapolis is counted in U.S. Census Bureau statistics as a municipal government, rather than as a county government. An organized county government in Indiana consists of an elected board of commissioners and an elected county council.

## SUBCOUNTY GENERAL PURPOSE GOVERNMENTS

The subcounty general purpose governments in Indiana consist of the municipal (city and town) governments and the township governments.

### Municipal Governments

Municipal governments in Indiana are designated cities and towns. Cities are further divided into three classes as follows:

- First class—600,000 inhabitants or more.
- Second class—35,000 to 599,999 inhabitants.
- Third class—fewer than 35,000 inhabitants.

Other municipalities of any population size are called towns. Conversion from town to city status or from city to town status is not automatic. A provision is made for towns with a population of more than 2,000 residents to become cities upon a petition of voters and after a referendum. Cities may become towns upon petition of two-thirds of the taxpayers to the circuit court. Second- and third-class cities are governed by an elected mayor and council. All cities and towns exist within township areas.

### TOWNSHIP GOVERNMENTS

Township governments are present in all of the county-type areas in Indiana. Townships are governed by an elected trustee and township board.

## PUBLIC SCHOOL SYSTEMS

### School District Governments

The following types of school districts in Indiana are counted as separate governments in Census Bureau statistics:

- School cities and school towns.
- Township school corporations.
- County school corporations—1949 law.
- County school corporations—1969 law.
- Consolidated school corporations.
- Metropolitan school districts.
- Community school corporations.
- United school corporations.

All types of school districts in Indiana are considered by Indiana law to be school corporations. All may levy school taxes after a public hearing and referendum and may borrow money. In most instances, school cities and school towns are governed by an elected board of school commissioners. Township school corporations are governed by elected township school trustees. County school corporations under the 1949 law are governed by a county board of education that is either appointed or popularly elected. County school corporations created under the 1969 law are governed by an elected board of education.

Consolidated school corporations may be formed by the merger of any two or more school corporations in the same or adjoining counties through a joint resolution of the governing bodies of participating school corporations. The school board of a consolidated school corporation may be appointed or elected.

Metropolitan school districts are mergers of two or more school corporations of any type in a single county or in adjoining counties by resolution of the participating schools' governing bodies or after petition by voters and after a referendum election. These districts are governed by an elected metropolitan board of education.

Community school corporations may be created by merging, subdividing, or reorganizing any two or more school corporations. Community school corporations may be created by the state board of education on its own motion or on petition of the governing bodies of existing school corporations, after a hearing. After approval from school boards, these corporations can be created by petition of voters or after an election. These districts are governed by a board of trustees that may be either elected or appointed. United school corporations are community school corporations comprising territory in two or more adjacent counties.

### **Dependent Public School Systems**

Indiana has no dependent public school systems.

### **Other Educational Activities**

Public holding companies (lessor corporations) are created by public school districts to build and lease school buildings to the creating school district. Any lease agreements must first be approved by the school corporation after a public hearing is held. The manner of appointment and composition of the governing bodies of the companies are specified in the creating charters. The companies may issue stocks and bonds. School districts may issue bonds to fund the leases. After 6 years of leasing a property, school corporations have the option to purchase the property covered in the lease. School building corporations are classified as dependent agencies of the creating school district and are not counted as separate governments in Census Bureau statistics on governments.

Indiana law generally authorizes interlocal agreements between school districts. These agreements provide for exercise of powers by one or more school districts on behalf of other parties to the agreement or jointly by the participating entities. Agencies created by such interlocal agreements between school districts are classified as joint educational service agencies of the sponsoring school districts and are not counted as separate governments in Census Bureau statistics.

Vocational education schools may be established by one or more school corporations. Similarly, career and technical education schools may be established by two or more school corporations. Both are classified as joint educational service agencies of the sponsoring school corporations and are not counted as separate governments in Census Bureau statistics.

Educational service centers provide for the sharing of programs and services among school corporations. The centers are established by the state department of education but are locally governed. They are counted as joint education service agencies of the participating

school districts and are not counted as separate governments in Census Bureau statistics.

Joint programs are established by agreements between the sponsoring school districts. The programs are classified as joint educational service agencies of the sponsoring school districts and are not counted as separate governments in Census Bureau statistics.

Special education cooperatives may be created by two or more school corporations. These cooperatives are governed by a board of managers per the authorizing agreement. The cooperatives are classified as joint educational service agencies of the sponsoring school districts and are not counted as separate governments in Census Bureau statistics.

Public school foundations may be created by school corporations using grants or gifts. The governing body of the school corporation appoints the board members of the foundation. The foundation distributes the income from the endowment to the school corporation to be used for educational purposes. The foundations are not counted as separate governments in Census Bureau statistics.

The board of trustees of a school corporation may establish, maintain, and equip a public playground in third-class cities. The board may levy an ad valorem tax for this purpose. These are not counted as separate governments in Census Bureau statistics, but are included as part of the establishing school corporation.

Indiana law allows certain school corporations to enter into agreements to create innovation network schools within vacant, underutilized, or under-enrolled school buildings. Innovation network schools have more autonomy and do not have to adhere to all the requirements and laws governing school districts. These are not counted as separate governments in Census Bureau statistics, but are included as part of the establishing school corporation.

## **SPECIAL DISTRICT GOVERNMENTS**

Indiana statutes authorize the creation of a variety of special districts or authorities that are counted as separate governments in Census Bureau statistics. These are discussed in detail below.

### **Area Park Districts**

An area park district to provide public parks may be established under general law by the ordinances of two or more counties. The governing board consists of members appointed by each participating county with representation in proportion to population. The area park districts may set and levy ad valorem taxes.

## **City-County Building Authorities**

Authorities to finance and lease public buildings, hospitals, public markets, or correctional facilities may be established by resolution of the county executive, the county fiscal body, and the municipal fiscal body of the county seat after petition of these governing bodies to the county auditor and after a public hearing. Each such authority is governed by a five-member board of directors appointed by a majority vote of the building authority trustees who, in turn, are appointed by the municipal and county fiscal bodies and the county and municipal executives. The authority board of directors may issue revenue bonds and collect rentals for the lease of properties constructed for use by the sponsoring governments.

## **Conservancy Districts**

Conservancy districts may be formed for any or all of the following purposes: flood prevention and control; reclamation; irrigation; water supply; sewage collection, treatment, and disposal; regulation of watercourses; and provision of parks and facilities in connection with water management. These districts may be established by the circuit court upon petition by freeholders or by a municipality. Approval is subject to review by the state natural resources commission and hearings conducted by both the circuit court and the state natural resources commission. A board of directors, initially appointed by the board of county commissioners and thereafter elected by the freeholders at the annual district meeting, governs each district. These boards may charge rates and fees, levy ad valorem and special benefit taxes, and issue revenue bonds.

Subdistricts established by conservancy districts are not counted as separate governments in Census Bureau statistics. Levee associations and districts may reorganize under the conservancy district statutes.

## **County Toll Road Authorities**

Authorities to acquire, construct, finance, and operate toll roads are established upon concurrent resolutions of the county executives and county and municipal fiscal bodies of one or more counties and municipalities that are county seats of those counties, subject to a public hearing. A board of five trustees appointed by officials of participating counties and their county seats governs the authority. The board of trustees, in turn, appoints the five-member board of directors, which is responsible for control of the toll road authority. The board of directors of an authority may fix fees, tolls, and charges, and may issue revenue bonds. No county toll road authorities were reported in existence as of June 30, 2017.

In Marion County, construction and financing of toll roads by authorities organized under this law requires approval by the city-county legislative body and the legislative body of the unit involved. Thus, authorities of this type in Marion County are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

## **Drainage Maintenance and Repair Districts**

Drainage districts may be organized by the circuit court on petition of landowners in the area subject to public hearing. Districts may not be established under this law after June 30, 2001, but districts in existence prior to this date may continue to function. A board of three drainage commissioners appointed by the county commissioners governs each district. The boards may levy special assessments.

## **East Chicago Waterway Management District**

Authorized in 1994, the district is governed by a seven-member board of directors of whom four are appointed by the executive of East Chicago, two by the governor, and one by the legislative body of East Chicago. The district was created to ease navigation and to improve water quality in the Indiana Harbor and Ship Canal and in the Grand Calumet River.

## **Hospital Bonding Authorities**

These authorities are created by resolution of the legislative body of any county, second- or third-class city, or town in which one or more private nonprofit hospitals is located, following a written request by the hospital governing board. A board of five directors appointed by the board of county commissioners or by the city or town executive governs each authority. The authorities may set rates; collect rents, fees, and charges; and issue revenue bonds.

## **Housing Authorities**

Housing authorities may be established by the fiscal body of a city, town, or county on resolution of its own motion or upon petition of residents and after a public hearing. The mayors of cities or the fiscal bodies of towns or counties appoint the housing authority commissioners. The authorities may issue revenue bonds after a public hearing and with approval of the creating governing body, and fix and collect rents.

Indianapolis is authorized to designate a department, division, or agency of the consolidated city government to perform the public housing function, and such an entity is not classified as a special district government, and is not counted as a separate government in Census Bureau statistics.

## **Interstate Airport Authorities**

Authorities to provide airports may be established by joint agreement between local governments in Indiana and any adjoining state upon resolution or ordinance of the governing bodies of all participating governments. An appointed board consisting of representatives of all participating governments, as detailed in the agreement creating the authority, governs each authority. Authorities may impose fees for its facilities and services and may issue revenue bonds.

## **Joint Electric Power Agencies**

Joint electric power agencies may be created by two or more municipalities by resolution or ordinance of their respective governing bodies to provide electric power. A board consisting of one commissioner appointed by the governing body of each participating municipality governs the agency. The agency may fix, charge, and collect rents, rates, fees, and charges, and may issue revenue bonds. The Indiana Municipal Power Agency was established under this law.

Electric power agencies serving only one municipality are classified as dependent agencies of the municipality they serve and are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

## **Joint Park Districts**

Joint park districts may be created by two or more neighboring cities or towns by ordinance. Districts are governed by a joint park board consisting of all the park board members of participating cities and towns. The joint park board determines the amount of money that each participating government must appropriate for the support of the district. Joint park districts may issue bonds after a public hearing and after getting approval from the fiscal bodies of participating governments. Districts may levy special ad valorem taxes.

## **Library Districts**

Class-one library districts are all districts established after March 13, 1947; class-two library districts are those established prior to March 14, 1947, and that have not converted to class-one districts. A class-one library district may be established in a municipality, township, county, or part of a county that meets population and land value requirements. Class-one districts are created by resolution of the governing body of the municipality, township, or county either upon the governing body's own initiative or upon voter petition. A library board of seven members appointed by the governing bodies of the county, municipalities, townships, or school districts served governs each class-one district. The districts may levy ad valorem taxes and, in some cases, after approval of the county fiscal body, issue bonds. Provisions concerning the

class-two library districts are similar to those governing class-one districts. Class-two library districts may charge fees and levy ad valorem taxes.

A library building or leasing corporation may be established to provide library buildings under lease-purchase arrangements. These corporations have been reclassified for Census Bureau statistics as dependent agencies of the library districts that they serve, and are not counted as separate governments in Census Bureau statistics.

## **Multiple Jurisdiction Infrastructure Authorities**

Authorities to assist in the development of infrastructure may be established by ordinance of the participating municipalities and, if the county is participating, order of the county executive. A joint agreement specifying the contribution of funds by the participating governments is included in the creating ordinance. An appointed board of directors consisting of two representatives of each participating government (one appointed by the chief executive and one by the fiscal body) governs the authority. The authority may, after a public hearing, fix fees, rates, and charges and may issue revenue bonds.

## **Northern Indiana Commuter Transportation District**

This district, formed in 1977 by general law with special application, upon ordinance of counties served, provides interstate commuter rail service—the South Shore Line, between Chicago, Illinois and South Bend, Indiana, with service through Lake, La Porte, Porter, and St. Joseph Counties. A board of trustees consisting of one trustee appointed by the county commissioners of each county served, one trustee who is a member of the county council of each county served, and three trustees appointed by the governor governs the district. The district may fix rates, fees, and tolls for use of its facilities and may issue revenue bonds.

## **Northwest Indiana Regional Development Authority**

This authority was created by special act to fund airports, transportation, shoreline development, and other economic development projects. The law applies to Lake and Porter Counties and the cities of East Chicago, Gary, and Hammond. The authority is governed by a board consisting of representatives of the participating counties and cities, plus members appointed by the governor. The authority may issue bonds and set leases. The authority receives funding from the participating local governments as established by the authorizing act.

## **Regional Development Authorities**

Authorities to assist with transportation and economic development may be established by two or more counties located in the same economic growth region

or adjacent to such a region. A county or a second-class city may participate in establishing such an authority if the fiscal body of the county or second-class city adopts an ordinance. An authority is governed by a development board of appointed members from participating governments and, if the state provides any funding, an additional member is appointed by the governor. An authority may issue bonds and collect lease rentals. An authority receives funding from participating governments.

### **Regional Water, Sewage, and Solid Waste Districts**

Regional water, sewerage, and solid waste districts may be established to provide one or more services including water supply, sewerage treatment, or solid waste disposal. Districts are established by the state department of environmental management upon petition of one or more counties, municipalities, towns, townships, conservancy districts, or other municipal corporations, and, in most cases, after a public hearing. If a district includes state-owned land, it must be authorized by the state department of natural resources. Districts established prior to 1972 were established by court order. Districts are governed by a board of trustees, either elected or appointed as determined in the establishing order by the governing bodies having territory in the district. In some cases, the governor may appoint members. A district may fix and charge rates for services, and after approval by a public hearing, may issue revenue bonds.

### **Soil and Water Conservation Districts**

A single soil and water conservation district with boundaries conterminous with county boundaries exists in each county of the state. A five-member board of supervisors consisting of two members appointed by the state soil conservation board and three elected members governs each district. These districts may accept voluntary contributions from any source and may require contributions from benefitted landowners.

### **Solid Waste Management Districts**

Authorities to provide solid waste management facilities are established by ordinance of one or more counties. The board of directors includes members appointed by the executives and the governing bodies of participating cities and counties and ex officio members of those governments as specified by statute. The district may charge fees and levy ad valorem taxes after approval from the fiscal boards of participating counties; they may also charge special assessments and issue revenue bonds.

In Marion County, similar districts are governed by the Indianapolis board of public works ex officio and are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### **SUBORDINATE AGENCIES AND AREAS**

Shown below are various governmental designations in Indiana that have certain characteristics of governmental units but that are classified in Census Bureau statistics as subordinate agencies of the state or local governments and are not counted as separate governments. Legal provisions for some of the larger of these are discussed below (see "Public School Systems" section regarding educational agencies of this nature).

**Indiana Finance Authority (state)**—This authority combined the former state office building commission, Indiana development finance authority, Indiana transportation finance authority, Indiana health and educational facility financing authority, and the recreational development commission. The authority assumed all powers and duties regarding the wastewater revolving loan program, drinking water revolving loan program, supplemental drinking water and wastewater assistance program from the state treasurer, the state auditor, the department of environmental management, and the budget agency. The Indiana Finance Authority issues revenue bonds payable from lease rentals under lease agreements with various state agencies to finance the building or acquiring of state buildings and structures. The authority is governed by a board consisting of the budget director of the office of management and budget, the state treasurer, and three members appointed by the governor. The authority may fix and collect charges and fees and issue revenue bonds.

**Indiana Housing and Community Development Authority (state)**—This authority, created by statute in 1978, provides mortgage credit for low- and moderate-income housing. The authority is governed by a seven-member board, including four members appointed by the governor, plus the lieutenant governor, the finance director of the Indiana Finance Authority, and the state treasurer. The authority may fix charges in connection with its loans and may issue revenue bonds.

**Local improvement bond banks (municipal)**—These agencies are created to market bonds issued by local governments in their respective counties. Banks are governed by a five-member board of directors appointed by the mayor. These banks may fix fees and charges and may issue revenue bonds.

**Regional transportation authorities—1981 law (county or municipal)**—These authorities may be established by ordinance by the fiscal body of a county or municipality. Other counties or municipalities within the same planning district may join upon passing a resolution. There can be only one authority within an area designated as a transportation planning district. Each authority's board represents local, state, and private interests. These authorities, subject to fiscal control by the creating local government, may charge fares, rents, and other fees and

may issue revenue bonds. These districts may be known as “regional bus authorities.”

Other examples include:

## State

Achieving a Better Life Experience  
Board for Depositories  
Indiana Bond Bank  
Indiana Economic Development Corporation  
Indiana Education Savings Authority  
Indiana Natural Resources Foundation  
Indiana Recycling Market Development Board  
Indiana Secondary Market for Education Loans, Inc.  
Indiana Stadium and Convention Building Authority  
Indiana White River State Park Development Commission  
Kankakee River Basin Commission  
Lake Michigan Marina and Shoreline Development Commission  
Law Enforcement Academy Building Commission  
Little Calumet River Basin Development Commission  
Maumee River Basin Commission  
Ohio River Greenway Development Commission  
Ports of Indiana (formerly Indiana Port Commission)  
Residual Malpractice Insurance Authority  
River commissions  
River Marina Development Commission (in Evansville area)  
St. Joseph River Basin Commission  
Transborder Water Resource Authority  
Upper Wabash River Basin Commission  
Wabash River Heritage Corridor Commission

## County

Airport authorities (county)  
Community revitalization enhancement districts (county)  
County capital improvement board of managers  
County cemetery commissions  
County convention and visitors commissions (in various counties)  
County drainage boards  
County hospital (building) corporations  
County onsite waste management districts  
Crane Development Authority  
Economic development commissions (county)  
Economic improvement districts (county)  
Fire protection districts  
Flood plain commissions (county)  
Local boards of aviation commissioners (county)  
Local environmental response financing districts (Tippecanoe County)

Military base reuse authorities (county)  
Orange County development commission  
Park districts (county)  
Port authorities (county)  
Public communications systems and computer facilities districts (county)  
Redevelopment authorities (county)  
Redevelopment commissions (county)  
Regional development authorities  
Special improvement districts—1987 law (county)  
Tourism boards (Jefferson County)

## Municipal<sup>1</sup>

Airport authorities (municipal)  
Automated transit districts  
Civic center building authorities in second-class cities (South Bend and Mishawaka)  
Community revitalization enhancement districts (municipal)  
County toll road authorities in Marion County (Indianapolis)  
Department of Public Utilities of Consolidated City (Indianapolis)  
Economic development commissions (municipal)  
Economic development project districts—1987 law (Indianapolis)  
Economic development project districts—1990 law (Evansville, Fort Wayne, Hammond, and South Bend)  
Economic improvement districts (municipal)  
Electric power agencies serving a single municipality  
Flood control districts in first-class cities (Indianapolis)  
Flood control districts in second- and third-class cities—1981 law  
Flood plain commissions (municipal)  
Fort Wayne-Allen County Convention and Tourism Authority—created prior to the 1982 law  
Gary Building Authority  
Indiana Central Canal Maintenance and Improvement District (Indianapolis)  
Local boards of aviation commissioners (municipal)  
Local environmental response financing districts (Columbia City)  
Marion County Capital Improvement Board  
Marion County Convention and Recreation Facilities Authority (Indianapolis)  
Marion County Health and Hospital Corporation (Indianapolis)  
Metropolitan Development Commission (a redevelopment commission)  
Metropolitan thoroughfare districts (Indianapolis)

Military base reuse authorities (municipal)  
Municipal improvement districts  
Park districts (municipal)  
Port authorities (municipal)  
Professional sports and convention development areas  
(Indianapolis)  
Public communications systems and computer facilities  
districts (Indianapolis)  
Public transportation corporations—1965 law  
Redevelopment authorities (municipal)  
Redevelopment commissions (municipal)  
Sanitary boards (municipal)  
Sanitary districts (Indianapolis)  
Special improvement districts—1987 laws  
Waterworks districts

Waterworks districts in second-class cities of 175,000 to  
185,000 population (Evansville district includes the  
entire county)

### **City-county**

Evansville-Vanderbough Levee Authority District  
Military base reuse authorities (joint)  
Port authorities (joint)

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

### **ENDNOTE**

<sup>1</sup> Fire protection districts removed.

## COUNTY GOVERNMENTS

The entire area of the state of Iowa is encompassed by county governments. The county governing body is called the county board of supervisors. A constitutional amendment grants home rule.

## SUBCOUNTY GENERAL PURPOSE GOVERNMENTS

The subcounty general purpose governments in Iowa consist of municipal (city) governments. The townships in Iowa are not counted as separate governments in U.S. Census Bureau statistics on governments.

### Municipal Governments

All municipalities in Iowa are now designated as cities, including those governments that were designated as "towns" prior to July 1, 1975. A constitutional amendment grants home rule.

### Township Governments

The civil townships in Iowa are distinct geographical areas governed by a board of trustees. The trustees are often elected, but may be appointed by the county board of supervisors if authorized by voter referendum. The main functions of these townships are fire protection, cemetery maintenance, and fence maintenance and boundary dispute. Townships in Iowa are classified as administrative subdivisions of the counties and are not counted as separate governments in Census Bureau statistics.

## PUBLIC SCHOOL SYSTEMS

### School District Governments

The following types of school districts in Iowa are counted as separate governments in Census Bureau statistics:

- Community school districts.
- Consolidated school districts.
- Independent school districts.
- Merged school areas.

All school districts are governed by elected boards of directors. Districts may issue bonds after a local referendum and may levy taxes.

Two or more school systems or parts of school systems may combine resources to form a merged school area to operate a community college or area vocational school. Each merged school area is a school corporation that is governed by a board of directors consisting of one

member elected from each member school district. The board may determine tuition rates, set property taxes, and, with voter approval, issue bonds.

### Dependent Public School Systems

Iowa has no dependent public school systems.

### Other Educational Activities

State law established area education agencies encompassing the state to provide special services. Boards of directors selected by the boards of member districts govern the agencies. Fiscal needs are met by the participating school districts and by state grants. The agencies are classified as joint educational service agencies of the school districts served and are not counted as separate governments in Census Bureau statistics.

## SPECIAL DISTRICT GOVERNMENTS

Iowa statutes authorize the creation of a variety of special districts or authorities that are counted as governments in Census Bureau statistics. These are discussed in detail below.

### Airport Authorities

These authorities may be established by two or more counties or cities. Creation requires the passage of an ordinance by each participating government following a public hearing. Each authority is governed by a board appointed by the governing bodies of the member governments. An authority may fix and collect rates, fees, and charges, and issue revenue bonds. Participating governments may levy taxes for airport purposes after a hearing.

Airport authorities that serve a single municipality are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### Benefited Fire Districts

Since 1975, benefited fire districts may no longer be established in Iowa. However, such districts already in existence may continue to operate. Each district is governed by a three-member board of trustees, appointed by the county board of supervisors. The district may levy taxes and, after a public hearing and referendum, issue bonds.

## **Benefited Law Enforcement Districts**

These districts may be established by resolution of the county supervisors, upon petition of property owners and after a public hearing. An initial property tax must be approved by a popular referendum. Each district is governed by a popularly elected board. The districts may annually levy ad valorem taxes. With voter approval, the districts may issue bonds and levy ad valorem taxes for repayment.

## **Benefited Recreational Lake and Water Quality Districts**

These districts provide recreation facilities. The districts may be established by resolution of the county supervisors, upon petition of property owners and after a public hearing. An initial property tax must be approved by a popular referendum. Each district is governed by a popularly elected board. Where the state owns at least 400 acres of land contiguous to a lake in the district, the natural resources commission appoints two additional members to the board. The districts may annually levy ad valorem taxes. With voter approval, the districts may issue bonds and levy ad valorem taxes for repayment.

## **Benefited Secondary Road Services Districts**

These districts are established by resolution of the county board of supervisors upon petition of property owners and after a public hearing. An initial property tax must be approved by popular referendum. Each district is governed by a popularly elected board. The districts may annually levy ad valorem taxes. With voter approval, the districts may issue bonds and levy ad valorem taxes for repayment.

## **Benefited Street Lighting Districts**

These districts are established by resolution of the county board of supervisors upon petition of property owners and after a public hearing. An initial property tax must be approved by popular referendum. Each district is governed by a popularly elected board. Upon voter approval, the districts may levy ad valorem taxes and issue bonds.

## **Benefited Water Districts and Subdistricts**

These districts and subdistricts serve part of any or all incorporated city or cities. The districts may be created by resolution of the county board of supervisors upon petition of the voters and after a public hearing. Improvement projects, however, must be approved by referendum. Voters elect five nominations, of which three are appointed by the county supervisors to serve as the board of trustees. These boards may issue special assessment bonds, levy ad valorem taxes, and fix and collect charges for water. The county sets the special

assessment rates. Benefited water districts may be formed as combined water and sanitation districts under the same provisions.

## **Community Clusters**

Community clusters are special districts that provide joint functions, services, facilities, and development of infrastructure. They are formed by joint powers agreements between two or more cities, counties, or special taxing districts. The composition of the governing body is specified in the agreement. The entities may receive revenue through revenue-sharing arrangements. Revenue sharing from ad valorem taxes requires voter approval. As of June 30, 2017, no entities of this type were reported in operation.

## **Community Mental Health Centers**

These centers may be formed by resolution of one or more county boards of supervisors and approval of the state department of human services. Each center is governed by a board of popularly elected trustees. The boards may bill the counties for services.

Community mental health boards that are established as private nonprofit corporations are classified as private entities and are out-of-scope for the Census of Governments.

## **Emergency Medical Services Districts (Benefited and City)**

These districts may be established by a county board of supervisors or the governing body of a municipality upon petition of property owners and after a public hearing. The initial property tax must be approved by popular referendum. Each district is governed by a popularly elected board of three trustees. The district may levy ad valorem taxes and, with voter approval, may issue bonds.

## **Emergency Response District**

This type of district may be created as a pilot program by Crawford County on its own motion and resolution after a public hearing. The district is governed by the county board of supervisors, the county sheriff, and the mayor of each participating city. The district may levy property taxes and issue bonds.

## **Housing Agencies**

A housing agency authority may be established by resolution of a city or county governing body. Each authority is administered by a board of five commissioners appointed by the mayor, by and with the consent of the local governing body. These authorities may set and collect rents and fees. The creating government may issue revenue bonds on behalf of the agency.

A city or county government may alternatively choose to exercise housing powers, rather than establish a housing authority. See "Subordinate Agencies and Areas" section.

### **Joint 911 Service Boards**

State legislation requires each county board of supervisors to establish a joint 911 service board to develop enhanced emergency telephone communication systems statewide. Each political subdivision that has a public safety agency operating within the territory served by the board is entitled to voting membership on the board. Each of these districts has a program manager appointed by the state. The law provides for a variety of funding including a base surcharge on local telephone service. The board or the program manager may request voter approval to impose additional surcharges.

### **Joint Building Authorities**

These authorities created to finance, construct, operate, and maintain public buildings may be established by a county and the city forming the county seat. The chair of the county board, the mayor, and the city clerk must file articles of incorporation with the state to create the authority. A board of three commissioners (one representing the county, one representing the city, and one appointed jointly by both governments) governs each authority. The authorities may fix rates, rentals, fees, and charges for the use of any and all buildings or space owned and operated by the authority. With voter approval, the authorities may issue revenue bonds. As of June 30, 2017, no entities of this type were reported in operation.

### **Joint Solid Waste Service Agencies**

These agencies are created by intergovernmental agreement between any two or more local governments and after approval by the environmental protection commission. The composition of the agency governing body is specified in the agreement creating the agency. The agencies may impose license and permit fees, receive revenue for services rendered under contract, and issue revenue bonds.

### **Joint Transit Agencies**

These agencies are created by agreement between one or more cities and other public agencies. A board of trustees, composed according to terms of the agreement creating the agency, governs the agency. The agency may impose fees and charges for its facilities. Participating governments may issue bonds on behalf of the agency after voter approval.

### **Joint Water Utilities**

A joint water utility may be created by joint resolution of two or more city councils upon their own motion or upon

voter petition and after popular referendum. Each utility is governed by a board of trustees, known as a joint water utility board that is appointed by the mayors with the approval of the city councils. The utilities may contract to sell water, set rates and charges, and issue revenue bonds.

### **Library Districts**

Library districts, composed of two or more counties and or cities, may be established by the governing bodies of member counties or cities on petition of voters after a referendum. Each district is governed by a board of trustees appointed by the governing bodies of member cities and counties. The board may determine the amount of taxes needed from its members and accept gifts. As of June 30, 2017, no entities of this type were reported in operation.

Libraries serving only one county or city are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### **Library Service Areas**

State law divides the state into seven regions to provide supportive library services to existing public libraries and to construct or lease additional facilities. Each library service area is governed by a board of trustees appointed by the local area education agency, public libraries, public librarians, trustees of community colleges, and the commission of libraries. Library service areas are funded by contracts and a statutorily set local ad valorem tax.

### **Levee and Drainage Districts**

Levee and drainage districts may be formed by the county board of supervisors upon petition of the landowners and after an engineer's report and a public hearing. An elected board of three trustees governs each district. These districts may, after a hearing, issue bonds and levy benefit assessments. A district may merge with two or more drainage or levee districts with approval from all participating entities.

Drainage subdistricts have no separate governing body and are not counted as separate governments in Census Bureau statistics. Levee and drainage districts under the management of county boards of supervisors or county boards of drainage commissioners are also not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### **Port Authorities**

These authorities may be created by resolutions of the governing bodies of two or more political subdivisions. A board of directors, appointed by the creating political subdivisions, governs each authority. An authority may set service charges and rental fees and, after a public

hearing, may issue revenue bonds. Participating political subdivisions may allocate tax revenues to the authority.

### **Real Estate Improvement Districts**

These districts are created upon petition of property owners to a county or city governing body and after a public hearing and popular referendum. The districts are governed by a popularly elected board of trustees. The districts may levy ad valorem taxes and special assessments and may fix charges for services. The districts also may issue general obligation and revenue bonds. As of June 30, 2017, no entities of this type were reported in operation.

### **Regional Transit Districts**

These districts may be created by a county with more than 175,000 inhabitants (Linn County) in conjunction with any contiguous counties and cities that wish to participate. A commission appointed by the participating governing bodies governs each district. A district may issue revenue bonds, establish and collect fares, and, with approval of the governing bodies of participating counties, may levy ad valorem taxes and issue general obligation bonds.

### **Rural Improvement Zones**

These entities serve areas surrounding private lake developments in counties with fewer than 20,000 inhabitants. The entity may be created by resolution of the county board of supervisors upon petition of residents and after a public hearing. A popularly elected board of trustees governs each zone. The board may borrow money, issue certificates, and levy ad valorem taxes.

### **Rural Water Districts**

These districts may serve one county or two or more adjacent counties. The districts are established by the county board of supervisors upon petition of property owners and after a hearing. Alternatively, an existing nonprofit corporation may petition the county board of supervisors for conversion to a rural water district. A board of directors is elected by the members (property owners and tenants) to govern each district. The districts may fix rates and issue revenue bonds.

### **Sanitary and Sanitary Sewer Districts**

These districts may be formed by the county board of supervisors upon petition of voters and after a public hearing and popular referendum. Districts may serve multiple counties. Each district is governed by a board of trustees that is popularly elected. The districts may issue general obligation and revenue bonds, levy ad valorem taxes and special assessments, and fix rates and charges. Trustees may dissolve a portion of the sanitary district

and transfer responsibility for those services to another governmental entity by resolution.

### **Soil and Water Conservation Districts**

These districts are established by the state soil and water conservation committee after a petition and hearing. An elected board of five commissioners governs each district. A district may require contributions from landowners for services.

Soil and water conservation subdistricts are dependent activities of the soil and water conservation district creating them and are not counted as separate governments in Census Bureau statistics.

### **Special Land Use Districts**

These districts are created to oversee a specific site of historical and/or cultural significance for the purpose of preserving its distinctiveness. The districts are established by the county board of supervisors upon a petition of the voters and after public hearing and referendum. A board of popularly elected trustees governs each district. The districts may levy ad valorem taxes.

### **Watershed Management Authorities**

Two or more governments, including cities, counties, and soil and/or water conservation districts located within the same U.S. Geological Survey Hydrologic Unit Code (HUC 8) may form a watershed management authority. These authorities are governed by a board of directors. Members of a board of directors of an authority shall be divided among the political subdivisions comprising the authority and shall be appointed by the respective political subdivision's elected legislative body.

These authorities may not levy taxes nor acquire land through eminent domain. They were created to solicit grant funds for projects.

### **SUBORDINATE AGENCIES AND AREAS**

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

Among the subordinate agencies and areas listed below, some represent "special taxing areas," i.e., entities that serve a portion, rather than all of a county and for which a tax may be levied against the assessed value of property in the area served. In Iowa, the only county-related entities of this kind are the "townships" discussed in detail above.

**Iowa Finance Authority (state)**—This authority was established to provide mortgage credit for low- and moderate-income housing. It also provides loans to economic development programs, finances sewage treatment projects, and various other programs. The authority is governed by a board of nine members appointed by the governor with the consent of the senate. The authority may fix fees and charges, make mortgage loans, and issue revenue bonds.

**Other examples include:**

**State**

Economic Development Authority  
Honey Creek Premier Destination Park Authority  
Iowa Advance Funding Authority  
Iowa Agricultural Development Authority  
Iowa Cultural Trust  
Iowa Higher Education Loan Authority  
Iowa Innovation Corporation  
Iowa Lottery Authority  
Iowa Propane Education and Research Council  
Iowa Student Loan Liquidity Corporation  
Mississippi River Parkway Commission  
Missouri River Preservation and Land Use Authority  
State Interagency Missouri River Authority  
Tobacco Settlement Authority

**County**

Agricultural extension districts and council  
Airport authorities (single county)  
Airport commissions (single county)  
County conservation boards  
County enterprise commissions  
County public hospitals

Cultural and entertainment districts (county)  
District health departments  
Emergency management commissions  
Highway drainage districts  
Levee drainage districts (ex officio)  
Library districts (single county)  
Loess Hills Development and Conservation Authority  
Regional Mental Health and Disability Service Systems  
Secondary road assessment districts  
Soil conservation and flood control districts (ex officio)  
Southern Iowa Development and Conservation Authority  
Special assessment and joint special assessment districts

**Municipal**

Airport authorities (single city)  
Airport commissions (single city)  
Cultural and entertainment districts (municipal)  
Hospital or health care facility trustees  
Housing authorities (ex officio)  
Joint electrical utilities  
Library districts (single city)  
Regional sports authority districts  
Revitalization areas  
Self-supported municipal improvement districts  
Unified law enforcement districts  
Urban renewal agencies

**Private associations**

The rural electric cooperatives in Iowa are classified as private cooperatives and are not counted as separate governments in Census Bureau statistics.

Iowa laws also provide for various types of local area associations for election purposes and administration of justice.

# KANSAS

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## COUNTY GOVERNMENTS

The entire area of the state of Kansas is encompassed by county governments, except for the Unified Government of Wyandotte County and Kansas City and the Unified Government of Greeley County. The county governing body is called the board of county commissioners. The Unified Government of Wyandotte County and Kansas City is counted as a municipal government, rather than as a county government, in U.S. Census Bureau statistics on governments. The Unified Government of Greeley County is the result of the consolidation of Greeley County and the city of Tribune and is also counted as a municipal government, rather than a county government, in Census Bureau statistics.

## SUBCOUNTY GENERAL PURPOSE GOVERNMENTS

### Municipal Governments

All of the municipal governments in Kansas are designated as cities. Cities are divided by general law into the following size classes:

- Cities of the first class—15,000 inhabitants or more.
- Cities of the second class—2,000 to 14,999 inhabitants.
- Cities of the third class—fewer than 2,000 inhabitants.

Cities of the second class may continue as such until they reach a population of 25,000, when they are required by law to become cities of the first class; similarly, cities of the third class may remain as such until they reach a population of 5,000. A 1963 law, as amended in 2011, specifies a minimum population requirement of 250 or more inhabitants for incorporation or 250 platted lots each served by water and sewer lines owned by a nonprofit corporation. Also, a territory designated as a national landmark by the Congress of the United States may incorporate without meeting other requirements for incorporation. Population in existing cities may fall below designated population minimums for their class designation without changing class. The Kansas Constitution allows cities the power of home rule. Cities of the third class exist within township areas, while cities of the first and second class exist outside the area of any township.

### Township Governments

The entire areas of Kansas are covered by townships, except for areas where cities of the first class and second

class exist. If a township government becomes inactive, its activities are assumed by the respective county government; the inactive townships are not counted as governments in Census Bureau statistics. All or only part of the townships within a county area may become inactive.

## PUBLIC SCHOOL SYSTEMS

### School District Governments

The following types of school districts in Kansas are counted as separate governments for Census Bureau statistics:

- Unified school districts.
- Community college districts.
- Municipal universities.

An elected board of education or “school board” governs each unified school district, except for the Fort Leavenworth School District. The board of education of that district is appointed by the commanding general of Fort Leavenworth. Kansas legislation allows unified school districts to apply to operate as public innovative districts. Designation as innovative school districts allows districts to opt out of most state laws and rules and regulations in order to improve student achievement. They are still essentially unified school districts operating under fewer restrictions but with the same funding and governing powers.

Community college districts were created by the state board of regents upon petition of one or more school districts and after a referendum. A moratorium prohibits the creation of new community colleges. An elected board of trustees governs each community college district.

Municipal universities are governed by boards of regents, with three members appointed by the mayor with approval of the governing body of the city, one member appointed by the county commission, three members appointed by the governor, one member selected by the state board of regents from its membership, and the mayor of the city serving ex officio. Washburn University of Topeka was the only municipal university reported in operation as of June 30, 2017.

All school district governments in Kansas may levy ad valorem school taxes and, with voter approval, issue bonds. In addition, municipal universities may impose a

county-wide retailers' tax. A community college district may charge tuition and fees.

## Dependent Public School Systems

Kansas has no dependent public school systems.

## Other Educational Activities

Agencies providing special education and related services may be established by two or more school districts under the Interlocal Cooperation Act. A board of directors governs each such agency; the number of representatives from each participating school district is specified in the agreement. The agency may receive contributions from participating school districts and state and federal grants. These agencies are classified as joint agencies of the participating school districts and are not counted as separate governments in Census Bureau statistics.

Two or more boards of school districts, community colleges, municipal universities, technical colleges, or state educational institutions may enter into agreements to provide career technical education programs, after approval by the state board of regents. Career technical education programs may receive state and federal funds.

Educational service centers may be established by an interlocal cooperation agreement pursuant to general law between two or more school districts. A board of directors appointed according to terms specified in the agreement administers each center. The participating school districts contribute funds for the support of the centers. For Census Bureau statistics, educational service centers are classified as joint educational service agencies of the participating school districts and are not counted as separate governments.

Special education cooperatives are formed by agreement between two or more school districts and with the approval of the state board of education. One of the participating districts sponsors the programs; the other participating districts make contributions. These cooperatives are classified as joint educational service agencies of the participating school districts and are not counted as separate governments in Census Bureau statistics.

The Kansas City Public Library, originally the Public Library of Kansas City, was established by special act in 1873 and resolution of the board of the Unified School District 500. The library is governed by the board of education, ex officio. The board of education may levy ad valorem taxes on behalf of the library.

## SPECIAL DISTRICT GOVERNMENTS

Kansas statutes authorize the creation of a variety of special districts or authorities that are counted as

separate governments in Census Bureau statistics. These are discussed in detail below.

## Cemetery Districts

The following types of cemetery districts are counted as governments in Census Bureau statistics on governments:

**Cemetery district associations**—established by petition of voters to the board of county commissioners; governed by an elected board of directors.

**Cemetery districts (joint city and township)**—established by cities of the second class or third class in conjunction with one or more townships, upon petition of voters to the county commissioners and resolution by the city governing body; administered by a board of trustees composed of the township trustees and the city mayor.

**Cemetery districts (township)**—established upon petition of voters to the county commissioners plus resolution adopted by the township; governed by an elected board of directors.

**Cemetery districts (abandoned cemeteries)**—established by resolution passed by the county board upon petition of voters and agreement of the city of the third class wherein the district resides; governed by a board of trustees composed of township trustees and the mayor.

All of the above types of cemetery districts may levy an ad valorem tax. Cemetery district associations may issue bonds.

## City-County Airport Authorities

In any city of the first class in a county with a population between 125,000 and 200,000, an authority may be established by referendum to acquire, operate, and develop a surplus Air Force base. A board of five directors governs each authority, including two appointed by the board of county commissioners and three appointed by the mayor. The authority may levy ad valorem taxes, fix charges, and issue bonds. The Metro Topeka Airport Authority was formed under this act.

## Community Building Districts

General law authorizes any city of the third class together with its surrounding area to be organized as a community building district upon petition of voters to the board of county commissioners. An elected board of directors governs each district. The districts may levy ad valorem taxes.

## Conservation Districts

These districts are established upon petition of land occupiers to the state conservation commission, after a

referendum. A board of five elected supervisors governs each district. The districts may require contributions. The county may levy ad valorem taxes on behalf of the district.

### **Drainage Districts**

There are four general laws authorizing drainage districts in Kansas. A 1905 law provides for establishment by the board of county commissioners upon petition of taxpayers; two 1911 laws provide for establishment by the district court upon petition of landowners; and a 1963 law authorizes joint drainage districts in two or more counties upon petition of landowners filed with the secretary of state, plan approval by the chief engineer of the state division of water, and a referendum. The joint drainage districts and those established under the 1905 law are governed by elected boards of directors; under the 1911 laws, administration is either an elected board of supervisors or an elected board of directors, depending on the particular statute under which the district was established. Each of these types of districts may levy ad valorem taxes or benefit assessments. Districts may issue bonds with voter approval.

### **Ground Water Management Districts**

These districts are established on petition of voters to the chief engineer of the state division of water resources. Establishment is subject to plan approval and district referendum. A board of directors elected by water users governs each district. The district may levy special assessments, fix charges for its services, and, after voter approval, issue bonds.

### **Horsethief Reservoir Benefits District**

The Horsethief Reservoir Benefits District was authorized by a 2004 act of the legislature and established after voters in the district approved a sales tax. The district was established to manage recreational facilities of the Horsethief Reservoir within the boundaries of Finney, Ford, Gray, and Hodgeman counties. The district is governed by an eight-member board consisting of members appointed by each participating county's board of commissioners, one member each appointed by the governing bodies of the cities of Dodge City and Garden City, one member appointed by the Pawnee watershed district, and the secretary of wildlife and parks. The district may levy a sales tax, as authorized in the creation of the district, issue bonds, and charge fees. The district may also receive appropriations from the state and Pawnee watershed district.

### **Hospital Districts—1984 Law**

Districts to provide hospital facilities to any two or more adjoining political subdivisions are established by petition to and resolution of the board of county commissioners,

districts in some counties may require a referendum. An elected board governs the district. The district may fix rates and fees, levy ad valorem taxes, and with voter approval, may issue bonds. Hospital districts organized under former laws repealed in 1984 may continue to operate under provisions of this 1984 law.

### **Housing Authorities**

Housing authorities may be created by resolution of the governing body of a city or county. The authority commissioners are appointed by the mayor or the board of county commissioners. Housing authorities may fix rentals and issue revenue bonds.

As an alternative, cities may exercise the powers of a housing authority. In cities exercising this option, the housing authority is not counted as a separate government for Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### **Improvement Districts**

These districts plan and construct public works and improvements necessary for public health, convenience, or welfare. The districts are formed by the county commissioner upon petition and after a public hearing. An elected board of directors governs each district. The districts may levy ad valorem taxes and special benefit assessments. Improvement districts may also charge rates and fees, and issue bonds.

### **Industrial Districts**

Industrial districts acquire land and acquire or construct buildings for the purpose of manufacturing, warehousing, distribution, and/or research and development for the products of agriculture or industry. Under general law, industrial districts may be established on resolution of the board of county commissioners, upon petition of landowners, and after a public hearing. An elected board of directors governs each district. The districts may levy ad valorem taxes and issue both general obligation and revenue bonds.

### **Irrigation Districts**

Irrigation districts may be established under an 1891 law by a petition of landowners to the board of county commissioners, or under a 1941 law requiring landowner petition to the division of water resources of the Kansas board of agriculture and a public hearing. An elected board of commissioners administers each district under the 1891 law; a board of directors elected by landowners governs each district under the 1941 law. Both types of districts may collect rates and charges, levy taxes on the benefitted lands, and, with voter approval, issue bonds.

## **Joint Port Authorities**

Joint port authorities may be created by ordinance or resolution and joint agreement by any combination of counties and cities, and with approval of the state legislature. Each authority is governed by a board of directors appointed by the participating governments. These authorities may issue revenue bonds and, subject to referendum, levy ad valorem taxes.

Authorities serving a single city or county are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

## **Library Districts**

Kansas statutes authorize the following types of library districts:

**Library boards in Hutchinson and Salina**—These library boards, serving the named cities, operate under special provisions not applicable to other library boards. Each of the three boards is appointed by the mayor with the consent of the council. The directors may levy an annual ad valorem tax.

**Library boards in third class cities and townships**—These districts may be created upon petition of voters to the board of county commissioners after a referendum approving the creation of the library and an annual tax levy. A board of popularly elected directors governs each district. The districts may levy ad valorem taxes and, upon voter approval, issue bonds.

**Regional library system boards—1965 law**—Any one or more local library boards may petition the state library board for establishment of a regional library system board. The counties and the member libraries to be served are specified in the petition. The system board consists of one or more representatives of each member library board plus one or more representatives appointed by the governor to represent areas within the system boundaries but not served by a member library board. Regional library system boards may levy ad valorem taxes.

**Topeka and Shawnee County Library District**—This library district was created in 1992 by resolution of the board of trustees of the former Topeka public library and after a referendum. A board of trustees appointed by the city and county governs the district. The district may levy ad valorem taxes and, upon voter approval, may issue bonds.

## **Municipal Energy Agencies**

Agencies to provide electric utilities and energy projects are established by an agreement between two or more municipalities and with approval of the attorney general; a referendum may be required on voters' petition. A board of directors governs each agency; the composition and

manner of selection is specified in the agreement creating the agency. The agencies may fix rates and charges for services and may issue revenue bonds. The Kansas Municipal Energy Agency was created under this law.

## **Public Wholesale Water Supply Districts**

Any county, township, city, town, water district, state agency, or other municipal corporation may form a district of this type by agreement, subject to approval by the attorney general. The sponsoring governments appoint the members of the district governing body. The districts may collect fees and charges and issue revenue bonds. Certain districts, with voter approval, may issue general obligation bonds.

## **Reading Fire Benefit District**

This district was created by resolution of the board of county commissioners upon petition of landowners. An elected board of directors governs the district. The board of directors may levy ad valorem taxes and, in some cases after a referendum if petitioned by voters, issue general obligation bonds.

## **Riverfront Authorities**

These authorities are established by special acts to promote economic development along river areas. They are governed by boards of directors appointed by the participating governments. The authorities may set fees, rents, and charges.

## **Shawnee County Fair Association**

This association was created by special act. It is governed by a board of directors elected by the residents of city of Topeka and the townships in Shawnee County plus three additional members elected at large within the county. The association may levy an ad valorem tax that is subject to referendum on voter petition.

## **Water Supply Districts**

Kansas statutes authorize the following types of water supply districts:

**Rural water districts—1957 law**—Districts organized under this law are created upon petition of landowners to the board of county commissioners and after public hearings. A board of directors elected by landowners governs each district. The districts may levy benefit assessments and issue revenue bonds.

**Rural water supply districts—1941 law**—Districts organized under this law are established upon petition of landowners to the board of county commissioners after a hearing. The landowners within the district constitute the district board of directors. The district may levy benefit assessments and may issue bonds.

**Water Assurance Districts—1986 Law**—Districts to provide water assurance from federally operated reservoirs are established by petition of water rights holders to the secretary of state and approval by the chief engineer of the Kansas water office and after a referendum. An elected board of directors governs each district. The district may impose charges. The Kansas water office may issue revenue bonds for reservoir projects; the bonds are payable through revenue obtained from contracts with the district for water supply storage in federal reservoirs.

**Water supply and distribution districts in Franklin, Johnson, Miami, and Wyandotte counties**—Boards organized under this law are established by the county commissioners upon petition of the voters and after a public hearing. An elected district board governs each district. The districts may fix water rates, levy ad valorem taxes, and, upon voter approval, issue revenue bonds.

**Waterworks boards in cities of more than 15,000 in population with an adjacent military reservation**—

This law applies to the city of Leavenworth. Boards under this law are established upon petition to the city clerk after a referendum. The waterworks board is elected. The board may fix rates. Bonds, which require voter approval, are issued in the name of the city.

## **Watershed Districts**

These districts construct and operate works of improvement for water management. These districts are established by petition of landowners to the secretary of state and chief engineer of the division of water resources of the state board of agriculture and after a referendum. In certain situations, the county board of commissioners may initiate the establishment of a watershed district. A board of directors elected by landowners governs each district. The districts may levy an ad valorem tax after a public hearing and special benefit assessments, collect fees and rentals, and, after voter approval, issue bonds. Two or more counties may form a watershed joint district.

## **SUBORDINATE AGENCIES AND AREAS**

Shown below are various governmental designations in Kansas that have certain characteristics of governmental units but that are classified in Census Bureau statistics as subordinate agencies of the state or local governments and are not counted as separate governments. Legal provisions for some of the larger of these are discussed below (see “Public School Systems” section regarding educational agencies of this nature).

**Kansas Turnpike Authority (state)**—This authority was established by special act. The authority board consists of two members appointed by the governor, plus the state secretary of transportation the chair of the Senate committee on transportation, and one member from the house transportation committee appointed by the speaker of the house. The authority may collect tolls and charges and issue revenue bonds.

**Urban renewal agencies (municipal)**—These agencies are created by resolution of the municipal governing body. A board of five commissioners appointed by the mayor with the consent of the governing body administers each agency. The sponsoring municipality may appropriate funds, levy ad valorem taxes and special assessments, and issue bonds for urban renewal purposes.

Other examples include:

### **State**

Capitol Area Plaza Authority  
County extension districts  
Information Network of Kansas, Inc.  
Kansas Bioscience Authority  
Kansas Development Finance Authority  
Kansas Electric Transmission Authority  
Kansas Housing Resources Corporation  
Lower Smoky Hill Supply Access District  
University of Kansas Hospital Authority

### **County**

Benefit (improvement) districts for fire protection, street lights, storm and sanitary sewers, water supply, industrial drainage, and road improvement (county)  
County fire districts  
County free fairs  
County hospital boards—1984 law  
County library boards  
County park boards of trustees  
County sports authorities  
Extension districts  
Fire districts in Johnson County  
Johnson County Airport Commission  
Johnson County Park and Recreation District  
Johnson County Wholesale Water Supply District  
Joint county fire protection districts  
Port authorities (county)  
Public building commissions (county)  
Public improvement districts  
Regional library boards—1951 law  
Rural housing incentive districts (county)  
Sewer districts

Storm drainage districts  
Transportation development districts  
Water districts (counties of fewer than 100,000 inhabitants and adjoining a federal reservoir flood control project or Finney County)

## **Municipal**

Airport authorities (cities with 250,000 or more inhabitants)  
Benefit (improvement) districts for sidewalk, street, or alley improvements; underground utilities; watercourse alteration; and parking stations (city)  
Bioscience development districts  
Cemetery boards  
City land banks  
City library boards (except Hutchinson and Salina)  
Hospital boards in cities of the first class and second class  
Housing authorities governed by the municipality  
Lighting districts (cities of the second class and third class)  
Metropolitan Transit Authority (Topeka)  
Municipal transit systems (cities more than 225,000 in population)  
Natural gas authorities  
Port authorities (city)  
Public airport authorities

Public building commissions (city)  
Recreation systems  
Redevelopment districts  
Rural housing incentive districts  
Self-supported municipal improvement districts  
Sewerage or drainage taxing districts  
Storm drainage districts (cities between 100,000 and 150,000 in population and cities in urban area counties)  
Transportation development districts (city)

## **Township**

Benefit (improvement) districts for fire protection and lighting (township)  
Regional library boards  
Special fire protection districts (townships with over 10,000 population and outside the limits of an incorporated city)  
Township library boards  
Township sewerage districts

## **Joint City-County**

Joint port authorities (city-county)  
Joint storm drainage districts (city-county)  
Kansas statutes also provide for various types of local areas for election purposes and administration of justice.

# KENTUCKY

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## COUNTY GOVERNMENTS

The entire area of the state of Kentucky is encompassed by county governments except the area of the former counties of Fayette and Jefferson. These two governments are counted as municipal governments, rather than as county governments in U.S. Census Bureau statistics.

Counties are governed by a fiscal court composed of the county judge/executive and the justices of the peace; or the county judge/executive and three elected county commissioners. The county judge/executive is an elected official who is a member of the fiscal court and is the presiding officer of the fiscal court. Counties operate under home rule.

## SUBCOUNTY GENERAL PURPOSE GOVERNMENTS

### Municipal Governments

Municipal governments in Kentucky are the cities classified by the court. The classification of cities includes first-class cities and home-rule-class cities. First-class cities include cities operating under the mayor-alderman plan of government. Home-rule-class cities include cities operating under either the city manager plan, the mayor-council plan, or the commission plan of government. Any city can organize under the mayor-council plan, the commission plan or the city manager plan only with the majority of popular votes. The city shall be considered reclassified on the effective date of a change in the form of government. Communities must have 300 or more inhabitants to incorporate.

The “unincorporated urban places” in Kentucky are geographical areas without associated governmental structure. They are not counted as governments in Census Bureau statistics.

### Township Governments

Kentucky has no township governments.

## PUBLIC SCHOOL SYSTEMS

### School District Governments

The following types of school districts in Kentucky are counted as separate governments in Census Bureau statistics:

- County school districts.
- Independent (city) school districts.

The county school districts encompass the entire area of the county except for localities within an independent school district. The independent school districts, by contrast, embrace “designated cities,” which are cities classified as a city of the first-, second-, third-, fourth-, or fifth-class as of January 1, 2014, under the city classification system in effect prior to January 1, 2015; although some cities, including Louisville, are served by county school districts. An elected board of education governs each school district. The board may determine the rate of ad valorem tax levies for school purposes; may impose additional occupational license, utility gross receipts for satellite and cable service, gross receipts license, and excise taxes; and may issue general obligation bonds with the approval of the voters.

### Dependent Public School Systems

Kentucky has no dependent public school systems.

### Other Educational Activities

General law provides for municipal colleges in cities with populations equal to or greater than 3,000, except for cities of the first class. Municipal colleges are administered by boards of trustees appointed by the mayor and the legislative body of the city. On behalf of the college, the city governing body may levy taxes with voter approval and may issue bonds. A municipal college is classified for Census Bureau statistics as a dependent agency of the city it serves. It is not counted as a separate government in Census Bureau statistics.

A municipal college support district may be established by the fiscal court of a county in which such a municipal college is located to provide for a tax levy outside the city area. Such a district is classified as a dependent agency of the county government and is not counted as a separate government in Census Bureau statistics.

In addition, boards of education of designated cities may establish or acquire junior colleges and levy ad valorem taxes for their support upon voter approval. These are classified as part of the school district operating them and are not counted as separate governments in Census Bureau statistics.

Two or more local boards of education, under the Interlocal Cooperation Act, may establish educational cooperatives to provide services for member districts. Real and personal property may be transferred to the cooperatives. Cooperatives may employ staff transferred from the local boards of education. The Kentucky Board

of Education may allot funding to cooperatives to provide educational services.

## SPECIAL DISTRICT GOVERNMENTS

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

### Ambulance Service Districts

These districts may be formed by a single city or county or two or more cities or counties or cities within those counties. Districts are established by a fiscal court or the county or city ordinance of each member city and county after voter petition and approval by the fiscal court or city legislative body. As an alternative, these districts may be established by ordinance without petition. Each ambulance service district is governed by a board of directors representing the counties and cities served; the number of directors selected by the governing body of each county or city is determined by statute. The district may levy ad valorem taxes and set service charges.

### Conservation Districts

These districts may be formed by the state soil and water conservation commission upon petition of landowners in the area of the proposed district and after a public hearing and referendum of property owners. A board of seven supervisors governs each district. The initial board includes three supervisors appointed by the state soil and water conservation commission and four elected supervisors; their successors are elected. The districts may require contributions from landowners for services rendered. A district may request operating funds from the fiscal court through the levy of a millage tax or from the county's general funds.

Watershed conservancy districts may be formed as subdistricts of a conservation district upon a petition, hearing, and referendum. Subject to the approval of the conservation district board, the elected board of directors of these watershed conservancy districts may levy ad valorem taxes and special assessments, and issue bonds. These districts are not counted as separate governments in Census Bureau statistics.

Agricultural districts for the preservation of farmland also may be created. These districts are governed by the conservation district supervisors in an ex officio capacity and are thus classified as dependent activities of the conservation district. They are not counted as separate governments in Census Bureau statistics.

### Drainage Districts

Kentucky law provides for the organization of any of the following types of drainage districts that are counted as governments in Census Bureau statistics:

- Drainage districts—Act of 1912.
- Drainage, levee, and reclamation districts—Act of 1918.

Under the 1912 law, drainage districts are established by county ordinance after voter petition, a public hearing, and approval by the fiscal court. The county board of drainage commissioners with one elected director per district is the governing body for all districts in the county formed under the 1912 law. In counties with 75 or more drainage districts, a five-member board of supervisors is elected by taxpayers within each of five supervisor districts designated by the county judge. These districts may levy assessments and issue bonds.

Under the 1918 law, drainage, levee, and reclamation districts are established by county ordinance after voter petition, a public hearing, and approval by the fiscal court. An elected board of drainage commissioners governs each district. The districts may levy assessments and issue bonds.

Kentucky laws also provide for drainage corporations, listed under "Subordinate Agencies and Areas" section.

### East Kentucky Corporation

The legislation authorizing this authority was repealed effective 2015.

### Emergency Service Boards

These boards are authorized in single counties that have a countywide fire protection district and an interlocal agreement to provide fire service to the largest city in the county. Multicounty boards are authorized where at least one county meets the requirements for a single county board. The boards replace existing fire protection, ambulance, and rescue squad districts. The boards are created by action of the fiscal courts of the participating counties. The board of directors is appointed by the county judge/executive(s) with the approval of the fiscal court(s). The boards may levy ad valorem taxes and collect fees. Upon dissolution, the fire protection, ambulance, or rescue squad districts replaced resume existence.

Once an emergency services board assumes control over fire, ambulance, or emergency squad districts, a fiscal court, or fiscal courts through an interlocal agreement, may opt to provide the emergency services either directly or through an agency of the county government with services supported by a dedicated county ad valorem tax. Boards operating as part of a county government are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### Fire Protection Districts

Kentucky law provides for the organization of two types of fire protection districts—fire protection or volunteer

fire protection districts, which are established by county ordinance upon petition of voters and following a public hearing and approval by the fiscal court. Both types of districts are governed by boards of trustees consisting of three members appointed by the county judge/executive or mayor in a consolidated government and four members elected. District boards may levy ad valorem taxes. Both types of districts also may provide ambulance services.

Fire protection subdistricts may be created within the area of an existing fire district upon petition of landowners to the fiscal court. Subdistricts are governed by the fire protection district board, ex officio, and are not counted as separate governments in Census Bureau statistics.

For fire protection districts established by and governed by water district boards, see "Water Districts" section.

### Flood Control Districts

Flood control districts are created by the state secretary for environmental and public protection upon petition of landowners. The board of directors is appointed by the county judges/executives of counties in the district and the mayor of any city within the district with a population equal to or greater than 8,000, based upon the most recent federal decennial census. The number of directors representing each member county or city is specified by statute. These districts may levy an annual ad valorem tax and may issue bonds.

### Hospital Districts

Hospital districts may be created for one county or for two or more counties by the secretary of the cabinet for health and family services following petition by voters to the fiscal court(s) of all counties in the proposed district, a public hearing, approval by the fiscal court(s), and ordinance of each fiscal court. When there is one county participating, the district board is appointed by the county judge(s)/executive(s) with approval of the fiscal court(s). When there are two or more counties participating, the district board consist of persons from each county represented as specified by statute. In circumstances where the full complement of five board members has not been satisfied by statutory appointments, the remaining board members are elected by the sitting board members from candidates recommended by the secretary. Hospital district boards may issue revenue bonds, fix and collect charges for services, and levy ad valorem taxes.

### Housing Authorities

Three of the four types of housing authorities authorized in Kentucky—county, regional, and city-county housing authorities—are counted as special district governments. Housing authorities may be established by resolution of the respective city or county governing bodies. The respective city or county governing bodies also appoint

the housing authority commissioners. These housing authorities may issue bonds and establish and collect rentals and charges.

Municipal housing authorities are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### Joint Sewer Agencies

Joint sewer agencies to provide sewer and drainage facilities may be formed under legislation enacted either in 1998 or in 2002. Agencies generally have the powers of a metropolitan sewer district except when specified otherwise.

A city with a population less than 20,000 and the county in which it is located or the city and a sanitation district, by enacting identical agreements, may establish a joint sewer agency. The legislative body of any city with a population greater than 20,000 but less than 100,000, together with the county in which it is located or together with the sanitation district may, subsequent to agency formation, by ordinance, elect to be within the jurisdiction of the joint sewer agency. The governing body is determined in the joint agreement. Joint sewer agencies may fix and collect rates and charges, and may issue revenue bonds.

As an alternative to creating a metropolitan sewer district, any city with a population equal to or greater than 20,000 but less than 100,000 and the county within which it is located may, by enactment of identical ordinances, establish a joint sewer agency. Any city with a population of less than 20,000 within the county may subsequently, by ordinance, elect to be within the jurisdiction of the joint agency. The establishing ordinance determines the governing body. Rates and charges for services are established by the legislative body of the city and the fiscal court of the county. Agencies may issue revenue bonds. Any city with a population greater than or equal to 20,000 but less than 100,000 and the county in which it is located may also authorize revenue bonds. The Paducah-McCracken County Joint Sewer Agency was established under this legislation.

### Joint Water Commissions

Joint water commissions may be formed by two or more cities to provide an adequate supply of water; two or more water districts; or any combination of cities, water districts, water associations, and federal agencies. Commissions are created by order of the county judge/executive following resolution or ordinance of each participant. The commission is composed of members appointed by the participating entities. The commission may fix and collect fees and may issue revenue bonds.

## **Land Bank Authorities**

These authorities, to acquire tax delinquent property to provide housing and industries within a county, are created by an interlocal agreement between any city, county, or local school district, and the state. The authority governing body consists of one member appointed by each participating government, one member appointed by the superintendent of schools of the county school district or of the independent school district, and one member appointed by the governor. The authorities may fix rentals.

## **Levee Districts**

These districts are authorized in counties with a population of less than 200,000. The districts are established by county ordinance after voter petition and approval by the fiscal court. In addition, multicounty levee districts may be formed. The governing body, a board of levee commissioners, is appointed by the county judge/executive. The district board may issue bonds and levy ad valorem taxes and assessments.

## **Louisville-Jefferson County Air Pollution Control District**

Air Pollution Control Districts, previously classified as special district governments, have been reclassified as a dependent activity of the respective city or county governments effective for the 2017 Census of Governments. See "Subordinate Agencies and Areas" section.

## **Metropolitan Sewer Districts**

Metropolitan sewer districts may be established by city ordinance to provide joint sewerage services in and around each city with a population equal to or greater than 20,000 and in each county containing a city with a population equal to or greater than 20,000. With the exception of counties containing a consolidated local government, a seven-member board governs each district; four members are appointed by the city mayor and three by the county judge/executive. The Louisville-Jefferson County Metropolitan Sewer District, created under this legislation, serves a consolidated local government and has an eight-member board appointed by the mayor.

The district may fix and collect rates for sewer services and may issue revenue bonds. Capital improvements may be financed through the issuance of bonds with front-footage assessments or other assessment method or tax by the municipality or county, subject to public hearings and ordinance.

Construction subdistricts established by metropolitan sewer districts are dependent activities of the parent district and are not counted as separate governments in Census Bureau statistics.

## **Public Library Districts**

Under the 1960 and 1964 laws, public library districts may be created by one or more counties by county ordinance after voter petition and approval by the fiscal court. The governing body is a board of trustees chosen by the county judge/executive with the approval of the fiscal court from recommendations by the state department for libraries and archives. The districts may issue bonds and levy ad valorem taxes.

Under a 1944 law, regional libraries may be established by contract by two or more adjacent counties on the initiative of the governing bodies or following voter petition and a referendum. A board of trustees appointed by joint action of the county boards of member counties governs each district. Their fiscal needs are met by county appropriations; the amount to be contributed by each member county is in proportion to the assessed valuation of the county.

Single-county and single-city public libraries created under the 1944 laws are not counted as separate governments in Census Bureau statistics. Public libraries established prior to June 13, 1944 are considered as operating under the authority of the 1944 law. See "Subordinate Agencies and Areas" section.

## **Regional Park Authorities**

These authorities are created by the fiscal courts of two or more counties or by voter petition and majority vote in each participating county. The authorities are governed by a board of directors consisting of three citizens from each participating county appointed by the fiscal courts. Each fiscal court chooses from a list of candidates provided by the cities within the county and by the county planning commission if one exists. The authorities may levy taxes with voter approval and issue bonds.

## **Rescue Squad Districts**

These districts are created by ordinance of the fiscal court in one or more counties following voter petition, a public hearing, and approval of the fiscal court. The board of directors is appointed by the county judge/executive, the mayor of an urban-county, or the chief executive of another government of each participating county. All appointments require the approval of the legislative body of the jurisdiction. The districts may levy ad valorem taxes.

## **Riverport Authorities**

Authorities for the purpose of establishing, maintaining, and operating riverport and river navigation facilities and for acquiring and developing property to attract river-oriented industry may be created by one or more cities or counties with the approval of the state transportation cabinet. Authority members are appointed by the creating governments. The authorities may issue revenue

bonds and may fix and collect fees. The participating governments may appropriate funds or levy taxes for the benefit of the authorities.

### Road Districts

Two types of road districts for the improvement and maintenance of roads not designated as being either county or state roads may be created.

Public road districts may be established by county ordinance in cities for the improvement and maintenance of public roads, following voter petition, a public hearing, and approval of the fiscal court. A board of directors appointed by the county judge/executive with the approval of the fiscal court governs each district. The district may issue bonds and levy special assessments against abutting property owners.

Subdivision road districts may be established by county ordinance for the improvement and maintenance of public roads in residential subdivisions located in unincorporated areas of counties following voter petition, a public hearing, and approval of the fiscal court. A seven-member board of trustees is comprised of four members elected by the residents of the district and three appointed by the county judge with approval of the fiscal court. Districts may levy an ad valorem tax.

### Sanitation Tax Districts

One or more sanitation tax districts may be established by resolution of the legislative body on its own initiative or upon petition of the metropolitan sewer district in counties with cities. A board of five members appointed by the county judge/executive with the approval of the fiscal court governs each district. Districts are authorized to establish a comprehensive sewage and sewage treatment system, a storm water and surface drainage system, or both within the district. The metropolitan sewer district may construct and operate the district system(s) and may issue bonds secured by rentals for construction. The districts may levy ad valorem taxes.

### Solid Waste Management Districts

Districts of this type are established by one or more counties by county ordinance after voter petition, a public hearing, and approval by the fiscal court. The composition of the board of directors is determined by the fiscal court as either, (1) the district board may consist of the county judge/executive of each county in the district plus the mayor of the most populous city in each of these counties or, (2) the district board may be appointed by the county judge/executive subject to confirmation by the respective fiscal court. Solid waste management districts may fix and collect fees, levy ad valorem taxes, and issue bonds. Districts established prior to June 17, 1978 may be named "garbage and refuse districts."

### Transit Authorities

Transit authorities encompassing two or more counties or cities may be established by joint resolution of the participating governments. A board appointed by the participating governments governs each authority. Transit authorities may set fares and other charges and issue bonds. In addition, the governments served by a transit authority may, with voter approval, levy ad valorem taxes for the benefit of the authority. The Transit Authority of Northern Kentucky (serving Boone, Campbell, and Kenton Counties) and the Fulton City-Fulton County Transit Authority were established under this law.

Transit authorities serving only one county or city are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### Urban Service Districts

A general law of 1960 provides for the establishment of these districts by the fiscal court, after petition of the voters, for any of the following purposes: police and fire protection; construction and maintenance of streets, alleys, and walks; library services; garbage and trash collection and disposal; street lighting and cleaning; parks and playgrounds; and sewer, drainage, and sewage treatment services and facilities. A council elected by the voters governs each district. The district may fix and collect fees for services and may levy assessments.

### Water Districts

These districts may acquire, maintain, and operate water facilities and sewage disposal systems. These districts also may acquire and operate gas distribution systems if the primary supply is within the district or county. After the Public Service Commission of Kentucky finds a need, a district is established by ordinance of the fiscal court after petition of landowners, a public hearing, and approval by the fiscal court. The county judge/executive appoints a board of commissioners for each district. The district board may issue bonds, levy benefit assessments, and fix and collect fees. The districts may establish fire protection districts coterminous with the establishing district and administered by the water district board. For fire protection districts governed by a separate board, see "Fire Protection Districts" section.

### SUBORDINATE AGENCIES AND AREAS

Shown below are various governmental designations in Kentucky that have certain characteristics of governmental units but that are classified in Census Bureau statistics as subordinate agencies of the state or local governments and are not counted as separate governments. Legal provisions for some of the larger of these are discussed below (see "Public School Systems" section regarding educational agencies of this nature).

**Joint sewer agencies (county or municipal)**—These agencies that provide sewer and drainage facilities are established jointly by ordinance of the governing body of a city with a population of less than 20,000 (based upon the most recent federal decennial census) and the governing body of the county within which the city is located, or by a city with a population equal to or greater than 20,000 but less than 100,000 (based upon the most recent federal decennial census) and a sanitation district. The agency is administered either as a separate entity or by a jointly appointed administrator, joint board, or one of the merging entities, as set out in the ordinance creating the joint agency. Agency revenues are from rates, rentals, and charges fixed by the city and county governing bodies acting jointly. Bond issues require the approval of the city and county governing bodies.

**Kentucky Housing Corporation (state)**—This agency was created to provide mortgage credit for low- and moderate-income housing. The corporation is governed by a 13-member board of directors consisting of eight members appointed by the governor, plus the lieutenant governor, the secretary of finance and administration, the commissioner of the governor's office for local development, the attorney general, and the secretary of the cabinet for economic development. The corporation may fix and collect fees in connection with its loans and issue revenue bonds.

**Municipal housing authorities (municipal)**—All cities may create a housing authority. The authority board consists of the mayor of the city plus members appointed by the mayor with the approval of the city governing body. The sponsoring city government may issue bonds for housing projects payable solely from housing authority income. The authority may charge rentals for use of facilities and accept financial and other aid from the federal and municipal governments and other public agencies (see “Special District Governments” section for county, city-county, and regional housing authorities).

**Nonprofit corporations financing public facilities (county, municipal, school district, special district)**—A number of nonprofit corporations have been established in Kentucky to finance public facilities. Such corporations may be established by any county, city, school district, or other political subdivision. The governing body is comprised of public officials of the establishing governmental agency as ex officio members or of individuals appointed by the governmental agency or public officials of the governmental agency. These corporations may negotiate lease-rental agreements with the establishing government and may issue revenue bonds.

**State Properties and Building Commission (state)**—This commission was created by act of the legislature for the purpose of issuing debt to finance development of state and local government public facilities, including

assistance to school districts in financing public school building projects and for industrial development projects. In addition, the commission must approve any debt issued for the state or any of its agencies by or on behalf of the Kentucky Economic Development Finance Authority and any bonds for some economic development purposes. Commission members are the governor, the lieutenant governor, the attorney general, the secretary of the cabinet for economic development, and the secretary of the finance and administration cabinet. The commission may charge rentals for its facilities and issue revenue bonds.

**Urban renewal and community development agencies and local development authorities (municipal or county)**—These agencies and authorities may be created by resolution of the governing body of a county or municipality. Board members are appointed by the chief executive officer of the city or the county judge/executive with the approval of the city or county governing body. Revenues include taxes levied by communities within the area of operation and the proceeds of bonds issued by these communities, appropriations from the sponsoring government, and tax increments. These agencies and authorities may issue revenue bonds.

Other examples include:

#### **State<sup>1</sup>**

Agriculture Water Quality Authority  
Appalachian/Kentucky Artisans Gateway Center Authority  
Area development districts  
Bluegrass State Skills Corporation  
Covered wooden bridge authorities  
Early Childhood Development Authority  
Eastern Kentucky Exposition Center Corporation  
Enterprise Zone Authority of Kentucky  
Governmental Services Center Authority  
Louisville and Southern Indiana Bridges Authority  
Kentucky Agricultural Finance Corporation  
Kentucky Agriculture Resources Development Authority  
Kentucky Asset/Liability Commission  
Kentucky Asset Resolution Corporation  
Kentucky Assistive Technology Loan Corporation  
Kentucky Authority for Educational Television  
Kentucky Center for the Arts Corporation  
Kentucky Coal Fields Endowment Authority  
Kentucky Economic Development Finance Authority  
Kentucky Economic Development Partnership  
Kentucky Educational Savings Plan Trust  
Kentucky Employers' Mutual Insurance Authority  
Kentucky Grain Insurance Corporation  
Kentucky Health and Geriatric Authority  
Kentucky Health Care Improvement Authority  
Kentucky Higher Education Assistance Authority  
Kentucky Higher Education Student Loan Corporation  
Kentucky Horse Park Commission

Kentucky Horse Racing Authority  
Kentucky Infrastructure Authority  
Kentucky Local Correctional Facilities Construction Authority  
Kentucky Lottery Corporation  
Kentucky Mountain Regional Recreation Authority  
Kentucky Nature Preserves Commission  
Kentucky Public Transportation Infrastructure Authority  
Kentucky River Authority  
Kentucky School Facilities Construction Commission  
Kentucky Sports Authority  
Kentucky Tobacco Settlement Trust Corporation  
Kentucky Tourism Development Finance Authority  
Kentucky Turnpike Authority  
Mining and Minerals Trust Fund  
Northern Kentucky Convention Center Corporation  
Purchase of Agricultural Conservation Easement Corporation (PACE)  
Stream Restoration and Mitigation Authorities

## **County<sup>2</sup>**

Air boards or airport authorities (county)  
Air pollution control districts  
County Buildings commissions  
Community improvement districts (in counties containing cities of the first, second, third, or fourth class)  
Cooperative extension service districts (sometimes called "extension districts")  
County health boards  
District health boards  
Drainage corporations  
Emergency service boards  
Independent district health departments  
Industrial development authorities  
Mental health and taxing districts (county)  
Public health taxing districts  
Public libraries (single county)  
Regional jail authorities

Sanitation districts  
Sewer construction districts  
Surface water drainage districts  
Tourism and convention commissions (county)  
Transit authorities (single county)

## **Municipal**

Air boards or airport authorities (city)  
Industrial development authorities  
Joint park and recreation boards (joint city)  
Lexington-Fayette Urban County Health Board  
Louisville-Jefferson City-County Board of Health  
Mental health taxing districts (municipal)  
Motor vehicle parking authorities (single city and urban county)  
Public libraries (cities of the first class)  
Public libraries (cities of the home-rule class)  
Service districts in urban counties  
Surface water drainage districts  
Tourism and convention commissions (municipal)  
Transit authorities (single city)

## **Joint City-County**

Air boards or airport authorities (joint city-county)  
City-county health departments  
Industrial development authorities  
Joint park and recreation boards (joint city-county)  
Motor vehicle parking authorities (joint city-county)  
Tourism and convention commissions (joint city-county)  
  
Kentucky laws also provide for various types of local areas for election purposes and administration of justice.

## **ENDNOTES**

<sup>1</sup> Legislation authorizing Neighborhood Improvement Districts was repealed.

<sup>2</sup> Legislation authorizing Kentucky Wood Products Competitiveness Corporation was repealed in 2013.

# LOUISIANA

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## PARISH GOVERNMENTS

In Louisiana, the county governments are legally designated "parish" governments. The entire area of the state is encompassed by parish governments except for the consolidated parish-municipal governments of East Baton Rouge, Lafayette, Orleans, and Terrebonne. The parish governing body is called the police jury, except in parishes that adopt a home-rule charter where it is known as the parish council.

## SUBPARISH GENERAL PURPOSE GOVERNMENTS

### Municipal Governments

Municipal governments in Louisiana are the cities (municipalities having 5,000 inhabitants or more), towns (municipalities having 1,001 to 4,999 inhabitants), and villages (municipalities having 1,000 or fewer inhabitants). The Baton Rouge, Lafayette, New Orleans, and Terrebonne parish-municipal consolidated governments are counted as municipal governments. Minimum population for incorporation is 201. Municipal governments may adopt a home-rule charter.

### Township Governments

Louisiana has no township governments.

## PUBLIC SCHOOL SYSTEMS

### School District Governments

The following types of school districts in Louisiana are counted as separate governments in U.S. Census Bureau statistics:

- Parish school districts.
- City school districts.

An elected school board administers each school district. The city school districts of Baker, Bogalusa, Central, Monroe, and Zachary were each established by a special act and constitutional amendment. Both the parish and city school districts may, upon voter approval, levy taxes and issue bonds.

### Dependent Public School Systems

Systems dependent on the state government:

The Recovery School District was created to take over failing schools. It is administered by a superintendent appointed by the Louisiana Board of Elementary and

Secondary Education, and is funded by the state of Louisiana. These dependent school systems are not counted as separate governments in Census Bureau statistics.

### Other Educational Activities

The Northeast Louisiana Sales Tax District was established by a special act to provide additional funds for school districts and parish purposes by means of a district-wide sales tax not to exceed one percent. It is governed by a board of commissioners composed of the president of the Monroe city school board and the presidents of the parish school boards of Caldwell, Catahoula, Concordia, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, and West Carroll parishes. This district is not counted as a separate government in Census Bureau statistics.

The Lafourche Parish Special Education District 1 was created by special act in 1976. It manages an education and training institution for mentally retarded, disabled, and other health-impaired children and adults. The district has the power to levy property taxes and issue bonds. The district is governed by a board of commissioners. Three commissioners are appointed by the Lafourche Parish Council and two are appointed by the Lafourche Parish School Board. For Census Bureau statistics, this district is not counted as a separate government, but is classified as a dependent activity of the parish school district.

Louisiana statutes also authorize parish school boards to establish various kinds of subordinate areas or bodies for local school administration: school districts within parishes, school subdistricts, and consolidated school districts. These are not counted as separate governments in Census Bureau statistics.

Educational facilities improvement districts are created by act of state legislature within school districts. Each is governed by a board of directors appointed by the respective school board. The districts may levy a sales and use tax with voter approval and may issue revenue bonds. These districts are dependent on the controlling school district and are not counted as separate governments in Census Bureau statistics.

Public school districts may create public benefit corporations to construct or improve school properties. These corporations may issue revenue bonds. These corporations are not counted as separate governments in Census Bureau statistics.

The Special School District is an educational service agency administered by the Department of Education established for funding the costs of special education and related services for students enrolled in the special school programs and special schools. The governing authority for the Special School District is the state superintendent. The Special School District is classified as a dependent agency of the state and is not counted as a separate government in Census Bureau statistics.

## SPECIAL DISTRICT GOVERNMENTS

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

### Abbeville Film and Visitors Commission District

This district was created by special act to provide economic development to the city of Abbeville. The commission is appointed by the mayor with confirmation by the governing body of the city. The district may, upon voter approval, levy a hotel occupancy tax.

### Airport Authorities (special acts)

The Chennault International Airport Authority was established by joint agreement pursuant to 1986 legislation. The authority is governed by a board of commissioners, of whom two are appointed by Calcasieu Parish, two by the city of Lake Charles, two by the parish school board, and one member is appointed by a majority vote of the other six appointed members. The authority may receive revenue from the sale or lease of its facilities and may, upon voter approval, levy ad valorem taxes, and issue bonds.

The legislation establishing Southeast Regional Airport was repealed in 2014.

### Algiers Park Commission

This commission was created by special act to acquire, construct, develop, maintain, and operate park facilities within the fifteenth ward of Orleans Parish. The commission consists of seven members. Each of the two state representatives for the ward appoints one member; each of the two state senators for the ward appoints one member; the city council of New Orleans appoints one member; the mayor appoints one member; and the parish assessor appoints one member. The commission may set leases and concession fees.

### Amite River Basin Drainage and Water Conservation District

This district has been reclassified as a subordinate agency of the state and is not counted as a separate government in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

## Arena Authorities and Districts (special acts)

The legislation establishing the Beauregard Parish Covered Arena Authority was repealed in 2012.

The Vernon Parish Arena District has been reclassified as a subordinate agency of Vernon Parish and is not counted as a separate government in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### Bayou Lafourche Fresh Water District

This district was established by special act to provide fresh water in portions of Ascension, Assumption, and Lafourche parishes. It is governed by a board that is appointed by the governor. The district may fix charges for water, levy property and special taxes, and issue bonds with the approval of the voters.

### Bi-State Corridor Commission

This commission was created by 1991 legislation to finance the construction of a highway between Red River, Bienville, Sabine, and Webster parishes in Louisiana and Columbia County in Arkansas. The commission consists of representatives of the cities and parishes served plus one member appointed by each of the Louisiana and Arkansas highway departments. With voter approval, the commission may fix and collect user fees and taxes, except ad valorem taxes. The state may issue revenue bonds for the authority.

### Cameron Parish Water and Wastewater Board for District Number 1

Cameron Parish Water and Wastewater Board for District Number 1 has been reclassified as a subordinate agency of Cameron Parish and is not counted as a separate government in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### Capital Area Groundwater Conservation District

This district was authorized by special act to provide for development of groundwater resources in the parishes or consolidated governments of East Baton Rouge, East Feliciana, Pointe Coupee, West Baton Rouge, and West Feliciana. It is governed by a board of 17 commissioners appointed by the governor from panels submitted by various public and private agencies. The district may fix user charges.

### Central Louisiana Regional Infrastructure Beltway Commission

This commission was authorized by special act to construct a transportation and utility corridor to serve the parishes of Grant and Rapides. The commission consists of local and state officials, ex officio, and one representative appointed by the Central Louisiana

Chamber of Commerce. The commission may set tolls and other charges, and may issue revenue bonds.

### **Community Center Authorities and Districts (special acts)**

The Acadia Community Center District was created by special act to build and operate a community center. The district is governed by a ten-member board of commissioners appointed by the parish. The district may levy ad valorem taxes and issue bonds with voter approval. The district also may fix and collect service charges.

The West Calcasieu Parish Community Center Authority was created by special act to build and operate a rodeo arena, sports complex, or community center. The district is governed by a seven-member board. The governing authorities of the City of Sulphur, City of Westlake, City of DeQuincy, and Town of Vinton each appoint one member. The governing authority of Calcasieu Parish appoints three members. The authority may fix and collect service charges.

### **East Baton Rouge Recreation and Park Commission**

The East Baton Rouge Recreation and Park Commission was created by special act. The nine-member board of commissioners includes the mayor-president, a member of the school board, a member of the planning commission, and six members appointed by the metropolitan council. The commission may levy property taxes and issue bonds with voter approval.

### **Economic Development Districts (special acts)**

Some districts of this type have been created by special acts to encourage economic development. Similar provisions apply to each of these districts. Each is governed by a board of commissioners. All of the boards represent local governments and also may represent the state or private interests in accordance with the provisions of specific authorizing legislation. The districts may impose rentals and charges for use of their facilities. All districts also have one or more of the following revenue powers: the power to levy property taxes with voter approval, the power to levy sales and use taxes with voter approval, the power to issue revenue bonds, or the power to issue general obligation bonds with voter approval.

### **Expressway Authorities and Commissions**

The Lafayette Metropolitan Expressway Commission was created by special act. The commission consists of 11 members: two appointed by the Lafayette Economic Development Authority; two by the Greater Lafayette Chamber of Commerce; two by the University of

Louisiana-Lafayette; one by the city/parish president of the Lafayette consolidated government; two by the secretary of the state department of transportation and development; one by the chief executive officer of the incorporated areas of the parish other than the city of Lafayette; and one by the governing authority of the Lafayette consolidated government. The district may set fees and issue bonds.

The Ouachita Expressway Authority was created by special act. The board of commissioners consists of two members appointed by the Ouachita Parish Police Jury; two by local chambers of commerce; one by the Ouachita Council of Governments; one by the United States representative from the fifth congressional district; and three by the state government plus six state senators and representatives serving ex officio. The authority may set fees and tolls, and may issue revenue bonds.

### **Fire Protection Districts (special acts)**

Two fire protection districts created by special acts of the state legislature are recognized by Census Bureau as separate governments. The Ward One Fire Protection District Number 2 of Ville Platte and the St. Mary Ward Four Fire Protection District are each governed by a board appointed by their parish governing authority. The districts may levy ad valorem taxes with voter approval and issue bonds.

See also "Fire protection districts (parish or joint parish-municipal)" among the "Dependent Agencies and Areas."

### **Grant Parish Recreation Authority**

This district has been reclassified as a subordinate agency, is parish dependent, and is not counted as a separate government in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### **Joint Electric Power Generation and Transmission Facilities**

Joint electric power generation and transmission facilities serving two or more municipalities are established by agreement among participating municipalities when each passes an ordinance ratifying the agreement. The composition of the governing body is specified in the agreement establishing the facility. Member municipalities may appropriate funds for the facility and issue bonds on its behalf. The amount of funds to be appropriated and the bonds to be issued by each participating municipality are specified in the agreement.

Public power authorities serving a single municipality are not counted as separate governments. See "Subordinate Agencies and Areas" section.

## **Juvenile Justice Districts, Detention Center Authorities, and Youth Center Authorities (special acts)**

Some districts of this type have been created by special acts to provide facilities for the rehabilitation of juvenile offenders. Similar provisions apply to each of these districts.

Each is governed by a board of commissioners or directors that may be appointed by local judges, and district attorneys, parish police jury commissions and sheriffs, local city councils and, in some cases, by Department of Public Safety and Corrections officials. The districts may assess fines on offenders and, upon voter approval, may levy ad valorem taxes and issue bonds.

## **Lafourche Arc Taxing District**

This district was established by a special act of legislature to provide services, training, advocacy, and resources to individuals with developmental disabilities. The district is governed by a board of seven commissioners appointed by the governing authority of Lafourche parish. The board may levy ad valorem taxes after voter approval and receive grants.

## **Louisiana Energy and Power Authority**

This authority was established to provide electric power as needed across the entire state. Individual municipalities may elect to participate. A board of directors, consisting of one representative from each participating municipality, governs the authority. The authority may fix and collect rents and fees for use of electric power and energy, services, facilities, and commodities. The authority may issue bonds.

## **Louisiana Local Government Environmental Facilities and Community Development Authority**

This authority was established by 1991 legislation to assist local governments in constructing, extending, and repairing environmental facilities such as sewage treatment and solid waste disposal facilities. A board of directors consisting of representatives of the participating governments governs the authority. The authority may fix and collect fees and rentals, enter into cost sharing agreements with participating governments, and issue bonds.

## **Louisiana Municipal Natural Gas Purchasing and Distribution Authority**

This authority was established by 1987 legislation and resolutions of participating governments. A board of directors consisting of representatives of each participating municipality governs the authority. The authority may fix and collect fees and issue revenue bonds.

## **Natchitoches Historic District Development Commission**

This commission was created by act of the state legislature. The commission's 16 members represent state, local, and private interests. All of the state and local commission members are officials acting ex officio. A portion of a statutory tax is earmarked for this commission. The commission may issue bonds.

## **Neighborhood Improvement Districts (special acts)**

Districts for the purpose of security and other purposes have been created by special acts. These districts are governed by boards of commissioners consisting of representatives appointed by local and state officials and representatives appointed by or nominated by the local homeowners association. The districts may set fees and special ad valorem taxes, with voter approval. The districts may be named neighborhood improvement districts, crime prevention districts, or security districts.

Neighborhood improvement districts created by special act, established by a governing body of the parish, or lacking fiscal or administrative autonomy or created pursuant to general law enacted in 2008, are counted as parish or municipal dependent agencies and are not counted as a separate government in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

## **New Orleans Planetarium—Science Center Commission**

This commission was created by an act of state legislature. The commission consists of nine members appointed by the mayor of the City of New Orleans. Four of the members must be superintendents of public education for four specified parishes. The commission may fix and collect admission fees.

## **Northshore Harbor Center District**

This district, formerly known as the East St. Tammany Events Center District, was established by 1986 legislation to acquire, construct, develop, maintain, and operate an events center. The district governing body consists of one member appointed by the mayor of the City of Slidell, three by the city council of Slidell, one by the board of aldermen of the Town of Pearl River, one by the council of the St. Tammany Parish, one by the police jury of the St. Tammany Parish, one by the Greater Slidell Area Chamber of Commerce, and one by the St. Tammany Parish Tourist and Convention Commission, plus four members appointed by members of the state legislature. The district may fix and collect fees and rentals for its facilities and services. Upon voter approval, it may levy ad valorem taxes and special assessments and may issue bonds. The district also may levy a tax on hotel and motel rooms and overnight camping facilities.

## **Parish Hospital Service Districts**

General law authorizes parish hospital service districts in parishes meeting certain population requirements. These districts are created by act of state legislature. The districts are governed by boards of nine commissioners appointed by the governor, with Senate confirmation, and from nominees by the parish governing authority. The districts may fix and collect fees. The districts may levy taxes and issue bonds with voter approval.

Special acts authorized two hospital service districts in St. Tammany Parish. The districts are governed by boards with members appointed by local officials, and for one district, also by members appointed by the district's legislative delegation. The districts may issue both revenue and general obligation bonds and may set and levy a special tax subject to voter approval.

Other parish hospital service districts lack autonomy and are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

## **Plaquemines Parish Courthouse District**

This courthouse is no longer in existence.

## **Port, Harbor, and Terminal Districts (special acts)**

Some districts of this type have been created by special acts. Similar provisions apply to each of these districts.

Each is governed by a board of commissioners appointed by the governor or by local officials according to provisions of specific authorizing legislation. All of these districts may fix and collect fees for the use of their facilities, levy ad valorem taxes, and issue bonds, except the Port of South Louisiana district, which may not levy taxes.

A number of districts of this type are not counted as separate governments in Census Bureau statistics. For these districts, title to property used by the districts is vested specifically in the state or the districts are subject to state administrative or fiscal controls. In addition, the Plaquemines Port, Harbor, and Terminal District, which is governed by the parish commission council, is also not counted as a separate government in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

## **Recreation and Water Conservation Districts (special acts)**

Some districts of this type have been created by special acts to provide conservation for agricultural, recreational, commercial, industrial, and sanitary purposes.

These districts may be governed by a board of commissioners appointed by the parish police, juries of parishes or municipalities where the district is located, or

selected by the governor typically from nominees by the police juries and legislators for the participating parishes. With voter approval, these districts may levy property taxes, and issue bonds. Some of the districts may also levy parcel fees or permit fees for the use of facilities.

Recreation and water conservation districts (also known as reservoir districts) lacking fiscal or administrative autonomy are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

## **Red River, Atchafalaya River, and Bayou Boeuf Gravity Drainage District**

This district was created by act of the state legislature. The district is governed by a board of five commissioners. The governor appoints one commissioner and the governing authorities of the parishes of Avoyelles and St. Landry each appoint two commissioners. The district may levy an acreage tax and an ad valorem tax, with voter approval.

Other gravity drainage districts are classified as parish activities and are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

## **Regional Transit Authority**

The Regional Transit Authority was established by an act of the state legislature to provide bus and rail transit in the New Orleans metropolitan area. The governing body consists of three commissioners from each participating parish plus two commissioners appointed by the chief executive officer of the parish that generates the most revenue. The authority may set fares, use taxes, and other charges, and, with voter approval, levy transportation-related taxes. The authority may issue revenue bonds. Participating local governments may levy transportation-related taxes for the benefit of the authority.

## **River Parishes Convention, Tourist, and Visitors District**

This district was created by act of the state legislature. The district serves the parishes of St. Charles, St. John the Baptist, and St. James. The district is governed by a board of nine commissioners consisting of three members representing each parish. All appointments are subject to the confirmation of the state Senate. The district may levy a hotel/motel occupancy tax and issue bonds.

## **River Parishes Transit Authority**

This authority was authorized by special act to provide transit service in St. Charles, St. James, and St. John the Baptist parishes. It is governed by a board of commissioners appointed by the police juries of the participating parishes. The authority may fix fares, rentals,

charges, head taxes, and use taxes. The authority may issue revenue bonds.

### **St. Bernard Parish Arts, Culture, and Entertainment District**

This district was authorized by special act. The district is governed by a board of 11 commissioners with one member each appointed by the governor; the lieutenant governor; the president of the parish; the parish council; the St. Bernard Parish Economic Development Corporation; the local chamber of commerce; the chancellor of the Nunez Community College; and the local school board. Specified congressional members also appoint members. Upon voter approval, the district may set taxes and issue general obligation bonds.

### **St. Landry Road Commissions**

Road districts were created by acts of state legislature in districts three, four, five, six, and eleven of St. Landry Parish. Each is governed by a board of commissioners appointed by the governing authority of St. Landry Parish. These districts may levy sales and ad valorem taxes, and, with voter approval, may issue general obligation bonds.

### **St. Tammany Parish Events Center District**

The legislation authorizing this district was repealed.

### **Solid Waste Disposal Districts (special acts)**

The Evangeline Parish Solid Waste Disposal District is governed by a commission consisting of 13 commissioners, six are appointed by the governing authority of Evangeline Parish and seven are appointed by the mayors of all municipalities within the parish. The commission may levy ad valorem taxes and, with voter approval, issue bonds.

The St. Landry Parish Solid Waste Disposal District was established by law to provide a waste collection and disposal system for all of St. Landry Parish. The district is governed by a nine-member board of commissioners appointed by the parish government, various municipalities and St. Landry Parish Municipal Association. The district may levy a property tax and issue bonds with voter approval. The district may receive the proceeds of a parish-wide sales tax upon voter approval.

The South Central Louisiana Solid Waste District is governed by a board consisting of two members from each participating parish; participating municipalities may submit nominees to the parish. The districts may fix and collect fees. With the approval of the voters and the governing authorities of the parishes, the district may levy taxes and issue bonds.

### **South St. Landry Community Library District**

Created by a special act of the 1990 legislature, the district may acquire, construct, and maintain library equipment and facilities. A board of seven commissioners, three appointed by the participating municipalities and four appointed by the parish police jury, governs the district. The district may receive pro rata contributions from member governments and, with voter approval, levy a special tax.

### **Southwest Acadiana Parishes Public Housing Rehabilitation District**

This district was created by special act to serve the parishes or consolidated governments of Acadia, Lafayette, St. Landry, and Vermilion. The district is governed by a 13-member board of commissioners. The presidents of the governing authorities of Acadia and Vermilion parishes each appoint three members. The governor appoints, with Senate confirmation, three members for each of Lafayette and St. Landry governing bodies from nominees submitted by the respective legislative delegations, and the secretary of the Department of Children and Family Services is a commissioner on the board. The district may levy and collect taxes; it is permitted to levy any tax that is authorized by the state constitution for any of the state's political subdivisions. The district directs refunds of sales and use taxes to eligible applicants.

### **Teche-Vermilion Fresh Water District**

This district was established by a 1969 special act to establish, maintain, and protect a fresh water supply in Bayou Teche and the Vermilion River. It is governed by a board of commissioners composed of one member from each of the parishes in the district appointed by the respective police juries. The district board may levy ad valorem and special taxes and may issue bonds. Tax levies may require voter approval.

### **Vermilion and Iberia Railroad Development District**

This district was formed by a special act to acquire, upgrade, and maintain a rail line in Vermilion and Iberia Parishes. It is governed by a board of commissioners consisting of two members appointed by each parish governing authority, and one member appointed by the Twin Parish Port Commission and the University of Louisiana at Lafayette. The district may levy an ad valorem tax, with voter approval, and issue bonds.

### **Watershed Districts (special acts)**

Some districts of this type have been created by special acts to provide flood control, water conservation, and water supply facilities. Similar provisions apply to each of these districts.

Each district is governed by a board of commissioners appointed by the governing bodies of the parishes served. The districts may levy ad valorem taxes and issue bonds, except for the Caddo Lake Watershed District, which has the power to sell water. The Jackson-Bienville Parishes Dugdemona Watershed District was not reported in operation as of June 30, 2017.

### **West Calcasieu Parish Community Center Authority**

This authority, was established by 1992 legislation to build, maintain, and operate a rodeo arena, sports complex, or community center. A board of seven commissioners governs the district. One commissioner is appointed by each of the following: the Town of Vinton; the cities of Sulphur, Westlake, and DeQuincy; the Calcasieu Parish; the state House of Representatives; and the state Senate. The authority may fix and collect fees and rentals for its services and facilities.

### **SUBORDINATE AGENCIES AND AREAS**

Shown below are various governmental designations in Louisiana that have certain characteristics of governmental units but that are classified in Census Bureau statistics as subordinate agencies of the state or local governments and are not counted as separate governments. Legal provisions for some of the larger of these are discussed below (see "Public School Systems" section regarding educational agencies of this nature).

Provisions of the 1974 State Constitution substantially reduced the fiscal and administrative autonomy of districts created by parish or municipal governments leading several districts to be classified as dependent agencies of parish or municipal governments instead of separate entities. The provisions state that the governing authority of a local government shall have power over any agency to abolish the agency and require prior approval of any charge or tax levied or bond issued by the agency.

**Drainage districts (parish)**—Districts of this type provide drainage for agricultural lands. The districts include gravity drainage districts, which may be consolidated and levied, and pumped drainage districts. Drainage districts are governed by a board of commissioners appointed by the parish police jury except in St. Charles Parish where drainage districts are governed by the parish council. Drainage districts organized prior to 1921 may issue bonds and are required to levy an acreage tax or forced contribution while any bonds are outstanding.

Gravity drainage districts are created by the governing authorities of one or more parishes on their own initiative or upon landowner petition. These districts may levy acreage taxes, ad valorem taxes, or forced contributions, and may issue bonds with voter approval. Some drainage districts may levy a sales and use tax, special tax, or parcel

fee with voter approval. Consolidated gravity drainage districts may be created by the governing authority of any parish on its own initiative or upon request of two or more drainage districts within one parish.

Levied and pumped drainage districts are created by the governing authorities of one or more parishes on their own initiative or upon landowner petition. The approval of the state department of public works is required for formation. These districts may levy taxes, including acreage and maintenance taxes. The district also may issue bonds with voter approval. Drainage districts in Assumption Parish also may levy special taxes with voter approval.

A special act authorizes Jefferson Parish to create drainage districts (including consolidated drainage districts and subdistricts). Another special act created the River Oaks Drainage District Number 1 in Ouachita Parish. The respective parish governing authority governs each district ex officio. The districts may levy taxes and issue bonds; voter approval is required for the districts in Jefferson Parish.

Subdistricts of drainage districts may be created. They are not counted as separate governments in Census Bureau statistics.

**Fire protection districts (parish or joint parish-municipal)**—These districts are established by resolution of the parish governing body after a hearing and with a concurring resolution of any municipality included in the district. The governing body of the district may be the governing body of the parish ex officio, the parish and municipal governing bodies may appoint the members, or the state code may specify the nature of a particular board. The districts may levy taxes with voter approval and may issue bonds. In certain parishes, districts may collect service charges, which may require voter approval.

**Greater Baton Rouge Port Commission (state)**—This commission was established by special act to operate port facilities in the Baton Rouge area. It consists of 15 members appointed by and serving at the pleasure of the governor from names submitted by the legislative delegations for the parishes in the port area and the Louisiana Farm Bureau Federation. The commission may fix and collect fees and charges for its services and facilities, issue revenue bonds, and, with voter approval, levy ad valorem taxes.

**Greater New Orleans Expressway Commission (state)**—This commission has the authority to maintain and police expressways at locations approved by the state department of highways and the governor. The members of the authority are appointed by the participating governments and by the governor. The authority may fix and collect tolls and issue revenue bonds.

**Hospital service districts (parish or municipal)**—Parish police juries may divide parishes into one or more hospital service districts or combine with other parishes to form a hospital service district to operate hospital facilities. Administration is by a board of commissioners appointed by the police jury. The districts may charge rates for services. Voter approval is necessary for tax levies and bond issues. In districts established in two or more parishes, the appointment of commissioners to the board is based on the assessed value of property of the district in each parish.

**Housing authorities (parish or municipal)**—Four types of housing authorities are authorized under Louisiana statutes:

**Municipal housing authorities**—Established by resolution of the municipal governing body with authority commissioners appointed by the chief executive officer of the municipality.

**Consolidated housing authorities**—Established by the governing bodies of two or more municipalities with one authority commissioner appointed by the chief executive officer of each member municipality.

**Parish housing authorities**—Established by the parish governing body with authority commissioners usually appointed by the chief executive officer of the parish.

**Regional housing authorities**—Established by the governing bodies of two or more parishes with one authority commissioner appointed by the governing body of each member parish.

All housing authorities may collect rentals and fees, and issue revenue bonds. The Jefferson Parish Housing Authority may levy an ad valorem tax with the approval of the voters and the parish council.

**Levee districts (state)**—A number of levee districts have been created under general law. A board of commissioners appointed by the governor governs each district. Districts created by special act may have board members appointed by state legislators and public utilities. Each levee district may levy ad valorem taxes and assessments and issue bonds. Some districts may levy sales and use taxes with voter approval. These districts also may be known as levee and drainage districts; coastal area levee districts; or as conservation, drainage, and levee districts.

#### **Louisiana Economic Development and Gaming**

**Corporation (state)**—The corporation was created by a special act to develop and control the gaming industry for the development of the state economy. A board of nine directors appointed by the governor governs the corporation. Funding is derived from the corporation's operations.

**Louisiana Housing Corporation (formerly the Louisiana Housing Finance Agency) (state)**—This corporation provides assistance in the financing of housing needs of low- and moderate-income families, senior citizens, and persons with disabilities. The corporation is governed by a board of eleven members, including the state treasurer, six members appointed by the governor, two members appointed by the president of the Senate, and two members appointed by the speaker of the House of Representatives. The agency may collect fees and charges, and may issue bonds.

**Louisiana Stadium and Exposition District (state)**—This district was created by act of state legislature to plan, construct, maintain, and operate facilities in Orleans and Jefferson parishes, including the Superdome, for sport, athletic, and other public events. The district is governed by a board consisting of 12 ex officio members, including state and local officials, and five members appointed by state and local officials. The district may charge admission fees and charges, levy and collect hotel occupancy taxes, and issue revenue bonds. The district also administers the Louisiana Sports and Entertainment District.

**Neighborhood improvement districts (parish or municipal)**—These districts are authorized by special acts to provide additional security to specified areas. Districts may be created by act of the state legislature or may be created by the parish governing authority. The creating law may specify that the district is governed by a board consisting of private and public representatives, or the authorizing law may permit the parish to determine the nature and composition of the board or may permit the parish to govern ex officio. The city or parish levies, for the benefit of the district, a tax set by the district and approved by the voters, or imposes parcel fees. The districts may be named neighborhood improvement districts, crime prevention districts, or security districts.

**Offshore Terminal Authority (state)**—This authority is under the state department of transportation and development. The authority was established to promote, plan, finance, develop, and control offshore port terminal facilities within the coastal waters of Louisiana. The authority is governed by a board of 11 commissioners appointed by the governor: two are selected from the six deepwater ports, one from each of the five public service commission districts, three selected at large, and one selected from the parish from which the terminal is offshore. The authority may fix and collect fees and issue revenue bonds.

**Port Commission of New Orleans (state)**—This commission operates port facilities in New Orleans. It consists of seven members appointed by the governor from nominations made by various organizations. The commission may fix and collect tolls and charges. Bond issues must be approved by the governor.

**Public trusts (state, parish, municipal, or special district)**—Public trusts are established by a legal instrument or will, upon approval of the governor and the legislature (if the state is the beneficiary government) or upon approval of the governing body of a parish, municipal, or special district government (if a parish, a municipality, or a special district is the beneficiary government). Public trusts are authorized by law to perform diverse functions and may be known by a wide variety of names. The method of selecting the governing body is specified in the legal instrument or will creating the trust; however, if the state is the beneficiary government, the governor appoints members to the governing body. Agencies of this type may fix fees and charges for use of their properties or services and may issue revenue bonds. If a parish or a municipality is the beneficiary government, the issue of such bonds requires voter approval.

**Road districts (parish)**—Parish governing authorities may create road districts and subroad districts. The parish governing authority may abolish a district in its entirety or may change or alter the boundaries thereof. If a district is composed of territory wholly within one parish, the governing authority of that parish is the governing authority of the district. If a district is composed of territory partly within two or more parishes, the governing authorities of those parishes in joint session constitute the governing authority of the district. The districts, upon voter approval, may fix special maintenance taxes and issue bonds.

**Sewerage districts (municipal)**—These districts may be established upon resolution of the governing authority of the municipality, except in the City of New Orleans. The governing authority of the municipality may govern the district ex officio or may appoint a board of sewerage commissioners. The districts may issue bonds. The creating municipality may levy taxes or parcel fees for the district. Municipalities may choose to create the sewerage district or a sewerage subdistrict under a law authorizing special assessments and monthly service charges. Some sewerage districts may operate under older laws.

Consolidated sewerage districts may be created within a parish from existing parish (see “Sewerage districts outside municipalities” section) or municipal sewerage districts with the consent of the governing authorities of the municipalities involved. These districts are governed by the parish police jury ex officio and are dependent agencies of the parish government and are not counted as separate governments in Census Bureau statistics. In a few parishes, consolidated sewerage districts have been created by special act.

Municipalities with a population of 1,000 persons or fewer may, upon petition of property owners, create taxing districts for conducting sewerage projects. The completed

sewerage projects become part of the municipal sewerage system.

**Sewerage districts outside municipalities (parish)**—These districts may be established upon resolution of the police jury after a hearing. The police jury appoints the district board of supervisors. The districts may fix and collect fees and may issue revenue bonds upon approval of the parish governing body. The district board or the creating parish may levy ad valorem taxes or parcel fees for the district.

**Transportation authorities (state, parish, or municipal)**—

These authorities are created under the Louisiana Transportation Development Act. They are created by ordinance of any parish or municipality or any combination of contiguous parishes, municipalities, or parishes and municipalities. Through public/private partnerships, the authorities build major roads and levy tolls to pay for the roads. The boards are specified in the articles of incorporation but must include at least five directors appointed by the creating authorities, the secretary of the state department of transportation and development, and if applicable, the chair of the area’s metropolitan planning organization. The authorities may set tolls and issue bonds.

Other examples include:

## State

Acadiana Area Human Services District  
Ambulance Service District Commission  
Amite River Basin Drainage and Water Conservation District  
Ascension-St. James Airport and Transportation Authority  
Banking development districts  
Bayou D’Arbonne Lake Watershed District  
Bayou Desiard-Bayou Bartholomew Cut-Off Loop Water Conservation Board  
Black Bayou Watershed District  
Capital Area Human Services District  
Ernest N. Morial-New Orleans Exhibition Hall Authority  
(including New Orleans Public Facility Management, Inc.)  
Fourteenth and Sixteenth Wards Neighborhood Development District  
Florida Parishes Human Services Authority  
Historic district and landmark commissions (state)  
John K. Kelly Grand Bayou Reservoir District (Formerly the Black Lake Bayou Recreation and Water Conservation District)  
Judicial enforcement districts  
Lafayette Parish Law Library Commission  
Livingston Parish Museum and Cultural Center  
Louisiana Agricultural Finance Authority  
Louisiana Coastal Protection and Restoration Financing Corporation  
Louisiana Correctional Facilities Corporation  
Louisiana Economic Development Corporation

Louisiana Educational Television Authority  
Louisiana Health Education Authority  
Louisiana Health Plan  
Louisiana I-12 Retirement District  
Louisiana International Deep Water Gulf Transfer Terminal Authority  
Louisiana Office Building Corporation  
Louisiana Recovery Authority  
Louisiana Road Home Corporation  
Louisiana State Bond Commission  
Louisiana Student Financial Assistance Commission  
Louisiana Tourism Promotion District  
Louisiana Transportation Authority  
Louisiana Tuition Trust Authority  
Louisiana Utilities Restoration Corporation  
Louisiana Workers Compensation Corporation  
Mississippi River Bridge Authority  
Monroe and Northeast Louisiana Technology and Business Incubation Center  
New Orleans Center for Creative Arts  
New Orleans Exhibition Hall Authority Economic Development District  
Non-Flood Protection Asset Management Authority  
Northeast Delta Human Services Authority  
Parimutuel live racing facility economic redevelopment and gaming control assistance districts (special acts)  
Parish health units  
Parish sales tax districts  
Port commissions under state administrative or fiscal control:  
    Avoyelles Parish Port Commission  
    Columbia Port Commission  
    Greater Krotz Springs Port Commission  
    Lake Providence Port Commission  
    Madison Parish Port, Harbor, and Terminal District  
    Poverty Point Reservoir District  
    Red River Waterway District  
    Richland Parish Economic Development Board  
    River Region Cancer Screening and Early Detection District  
    Sabine River Authority, State of Louisiana  
    Seventh Ward Neighborhood Development District  
    Soil and water conservation districts  
    South Central Louisiana Human Services Authority  
    Southeast Louisiana Flood Protection Authority-East  
    Southeast Louisiana Flood Protection Authority-West Bank  
    Turkey Creek Reservoir District  
    Twelfth and Thirteenth Wards Neighborhood Development District  
    Twenty-Seventh Judicial District Criminal Justice Commission

Agricultural industrial boards  
Airport authorities (parish)  
Airport districts  
Ambulance service districts  
Assessment districts for financing the parish assessor's office  
Beachfront development districts  
Bossier Parish Elderly Services District  
Business improvement districts  
Calcasieu Parish community center and playground districts  
Calcasieu Parish Gaming Revenue District  
Calcasieu Parish Interstate Highway Lighting District  
Calcasieu Parish Law Library Commission  
Cameron Parish Water and Wastewater District Number 1  
Capital Area Transit System  
Cemetery districts (special acts) (Grant, LaSalle, Rapides, St. Landry, St. Mary, Sweet Lake-Grand Lake of Cameron Parish)  
Coliseum authorities  
Communications districts (911)  
Community center and playground districts (special acts)  
Community development districts (parish)  
Consolidated special service districts (drainage, fire, garbage, gravity drainage, hospital, recreation, sewerage, waterworks, and waterworks and sewerage)  
Consolidated waterworks and sewerage districts (parish)  
Criminalistics laboratory commissions (special acts)  
Drug rehabilitation services districts of the fourth and twenty-third judicial districts  
East Jefferson Parish Culture and Recreation District  
Economic development districts and authorities (special acts) (East Feliciana, Gentilly, Grant, Iberia, Orleans, Southwest Ouachita)  
Economic development districts in local governmental subdivisions with a population of fewer than 200,000 (parish)  
Environmental protection districts  
Evangeline-Ville Platte Recreation District  
Fire and emergency training services districts  
Fire ant abatement districts  
Garbage districts  
Gas utility districts  
Grant Parish Recreation Authority  
Historic district and landmark commissions (parish)  
Historic preservation districts/historic district commissions  
Iatt Lake Water Conservation District  
Iberville Parks and Recreation District  
Individual sewerage system districts  
Industrial development boards (parish)  
Industrial districts  
Irrigation districts  
Jackson Parish Detention Center Commission  
Jackson Parish Industrial District  
Jefferson Parish Communication District  
Jefferson Parish Economic Development and Port District

## **Parish**

Acadiana Cultural and Entertainment Special District  
Agricultural arena authorities

Jefferson Parish Human Services Authority  
Jefferson Parish public improvement districts  
Jefferson Parish Redevelopment Authority  
Joint authorities, commissions, and districts for specified public purposes  
Lake Charles Civic Center Authority  
Lake Forest Plaza District  
Law enforcement districts  
Lincoln Parish Detention Center  
Lincoln Parish Geographic Information System District  
Livingston Parish Law Enforcement District  
Local and regional economic development districts (parish)  
Mosquito abatement districts  
Multiparish juvenile detention home districts  
Navigation districts  
New community development corporations  
Nibletts Bluff Park Commission  
Parish library boards of control  
Parish school loan fund committees  
Parish water and sewer commissions  
Plaquemines Port Harbor and Terminal District  
Playground and recreation boards (parish)  
Recreation districts  
Recreational facilities districts  
Redevelopment agencies (parish)  
Road lighting districts  
Special fire protection districts and subdistricts (parish)  
Special taxing districts (East Feliciana, Jefferson, Lincoln, Livingston, St. Tammany)  
St. Bernard Parish Housing, Redevelopment, and Quality of Life Commission  
St. Bernard Parish Water and Sewer Commission  
St. James Parish Youth Center  
St. Landry Parish public works districts  
St. Tammany Parish animal control districts  
St. Tammany Parish Environmental Services Commission  
St. Tammany Parish Sales Tax District  
St. Tammany Parish special recreation districts  
Tax increment development corporations (parish)  
Terrebonne Parish Detention Center  
Tourist commission  
Union Parish Detention Center  
Vernon Parish Arena District  
Vermilion Mosquito Abatement District  
Vermilion Parish Hospital Sales Tax District Number 2  
Veterans' memorial districts  
Waterworks districts (parish)  
West Baton Rouge Museum Board  
Westmoreland Special District  
Workforce investment boards  
Zachary Taylor Parkway District

Alexandria Central Economic Development District  
Alexandria Special Economic Development Taxing District  
Alexandria Taxing District  
Ambulance service districts (municipal)  
Audubon Park Commission  
Bayou Vermilion District  
Bio District New Orleans  
Bluebonnet Convention Hotel Taxing District  
Broussard Environmental Service and Enhancement District  
Business improvement districts  
Capitol House Taxing District  
Central Business District Historic District Landmarks Commission  
Community and Historic Preservation District of the City of Abbeville  
Community development districts (municipal)  
Community improvement agencies (special acts)  
Covington (City of) public improvement districts  
Downtown development districts (special acts)  
East Baton Rouge infrastructure development districts  
East Baton Rouge special taxing districts  
Economic development authority created by two or more municipalities (in any parish with a population more than 13,000 and fewer than 14,000) (municipal)  
French Quarter Management District  
Grambling Legends Square Taxing District  
Greater Baton Rouge Airport District  
Greater Baton Rouge Parking Authority  
Greater Baton Rouge Water Conservation District  
Historic district and landmark commissions (municipality)  
Historic preservation districts/historic district commissions  
Industrial development boards (municipal)  
Joint authorities and districts for special public statistics  
Joint sales and use tax commissions  
Kenner Assistance District  
Lafayette Centre Development District  
Lafayette Economic Development Authority  
Lake Catherine Sewage and Water District  
Lake Charles (City of) Taxing District  
Local and regional economic development districts (municipal)  
Lutcher-Gramercy General Improvement District  
Municipal library boards of control  
Municipal service districts in Baton Rouge  
Municipal utilities commissions (municipalities of 6,000 to 7,000 population)  
New community development corporations  
New Iberia Commercial Historic District  
New Orleans Aviation Board  
New Orleans Building Corporation  
New Orleans City Park Taxing District  
New Orleans Economic Development Commission  
New Orleans Historic District Landmarks Commission  
New Orleans Housing Commission  
New Orleans International Airport Sales Tax District

## Municipal

Airport authorities (municipal) including Lafayette Airport Commission

New Orleans International Trade Building Corporation  
New Orleans Redevelopment Authority  
New Orleans Regional Business Park (formerly the New Orleans Business and Industrial District)  
New Orleans Sewerage and Water Board  
Old LNB Building Redevelopment District  
Opelousas (City of) Special District  
Orleans Parish Communications District  
Orleans Parish Juvenile Services Financing District  
Orleans Parish Law Enforcement District  
Ouacita Riverfront Development Commission  
Playground and recreation boards (municipal)  
Public power authorities  
Redevelopment agencies (municipal)  
Sewerage Control Commission of East Baton Rouge  
Sulphur Industrial Development District  
Tacony Restoration District/Authority  
Tax increment development corporations (municipal)

Terrebonne Parish Corrections and Rehabilitation Commission  
Transportation Center Authority for the City of New Orleans  
Vidalia Riverfront Development District  
Washington Museum and Tourist Commission  
Washington (Town of) Special District

### **Joint Parish-Municipal**

Consolidated waterworks and sewerage districts (joint parish-municipal)  
Local and regional economic development districts (joint parish-municipal)  
New Orleans Regional Recycling and Resource Recovery Authority (NORRA)  
Waterworks districts (joint parish-municipal)  
Louisiana laws also provide for various types of local areas for election purposes and administration of justice.

# MAINE

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## COUNTY GOVERNMENTS

The entire area of the state of Maine is encompassed by county governments. The county governing body is the board of county commissioners. The counties are responsible for only limited functions in Maine: principally the maintenance of the courthouse probate court and county jail, the registry of deeds and registry of probate, the provision of county sheriff functions, and certain services for unorganized territory within the county such as solid waste management functions and maintenance of roads. Some counties own and maintain county airports.

## SUBCOUNTY GENERAL PURPOSE GOVERNMENTS

The subcounty general purpose governments in Maine consist of municipal (city) governments and town or plantation governments. These two types of governments are distinguished primarily by the historical circumstances surrounding their incorporation. In Maine, the city, town, and plantation governments perform most local government services.

About 40 percent of the area of the state, however, has no city or town government. Gores, American Indian reservations, and unorganized or unincorporated territories exist outside the areas of cities, towns, and plantations. Most governmental services in these areas, which are not provided by county governments, are provided by the state. Village corporations are counted as special district governments for U.S. Census Bureau statistics on governments (see "Special District Governments" section).

### Municipal Governments

The term "municipality" as defined for Census Bureau statistics on governments applies only to cities in Maine. Cities are created by special legislation. Under home rule, however, cities may draft their own charters on petition of voters and after an election. Towns and plantations, to which the term "municipalities" is generally applied by Maine statutes, are counted for Census Bureau statistics on governments as town governments, rather than municipal governments.

### Town or Township Governments

Although not differing in legally authorized powers from the cities, the towns and plantations in Maine are counted as town governments in Census Bureau statistics on governments. The town executive body is known as a board of selectmen, while the plantation executive body is the board of assessors. Town governments exist in each

county in Maine. Under home rule provisions, towns may draft their own charters. Towns and plantations perform many of the duties elsewhere commonly associated with county governments.

Under Maine law, the term "township" refers to tracts of land within unorganized territory and not to towns, plantations, or other local governments.

## PUBLIC SCHOOL SYSTEMS

### School District Governments

Only the following types of school districts in Maine are counted as separate governments in Census Bureau statistics:

- School administrative districts.
- Regional school units.
- Community school districts.
- Incorporated school districts.
- Interstate school districts.
- Career and technical education regions.
- Tribal school committees.

School administrative districts, which serve two or more participating cities, towns, or plantations, that were established prior to June 7, 2007, and have not been reorganized into a regional school unit, may continue to function; however, no new districts may be established. An elected board of directors governs each school administrative district. The board submits an annual budget, including ad valorem tax levies for participating municipalities, for approval to voters. The districts also may issue bonds after voter approval.

The residents of two or more school administrative units may file with the commissioner of education to reorganize and consolidate as a regional school unit. The participating school administrative units must hold public meetings and submit a reorganization plan for voter approval; regional school units must provide kindergarten through grade 12 education and may not serve fewer than 2,500 students, with a few exceptions in both cases. Each regional school unit is governed by a board of directors; the board composition and manner of selection is determined at a joint meeting of participating areas. District budgets, including ad valorem assessments, must be approved by voters. Costs are shared among all municipalities and towns within the regional school unit. Bonds issued for school construction require voter approval.

Community school districts are school administrative units formed, upon voter approval, between two or more participating cities, towns, or plantations, and operate any combination of grades from kindergarten through grade 12. Each community school district is governed by a district school committee and an elected board of trustees. District school committee members are selected by and from the elected school committees of the participating cities, towns, and plantations, except that districts providing kindergarten and grades 1 through 12, inclusive, must elect the members. A community school district may elect to authorize the district school committee to perform the functions of the district board of trustees. The district school committee determines district tax requirements, subject to voter approval, to be collected by the participating cities, towns, and plantations. District budgets must be presented to and approved by voters. The committee may issue bonds. No new community school districts may be established after June 7, 2007.

Maine law also provides for incorporated school districts serving a single city or town. A meeting of the voters governs the district. Financial provisions for incorporated school districts are similar to those for school administrative districts.

Interstate school districts provide for the construction and operation of schools in one or more school districts in both Maine and New Hampshire. Districts require approval from each state board of education and adoption by member school districts. The districts are governed by an elected board where the composition is determined in the articles of the creating agreement. They may issue bonds, with approval, and make special assessments.

Career and technical education regions were established by state law with approval of the commissioner of education to provide vocational education. The regions are governed by cooperative boards; the composition and selection method of each board is determined by the participating school boards. The cooperative boards have the power to issue bonds subject to referendum. The budget of a district is subject to public hearing and requires voter approval.

Tribal school committees created by the Passamaquoddy Tribe and the Penobscot Nation are also classified as independent school district governments. An elected tribal school committee governs each school under the laws applicable to school administrative units.

## **Dependent Public School Systems**

Maine statutes provide for the following types of dependent public school systems:

Systems dependent on municipal governments:

- City school systems.

Systems dependent on town governments:

- Town school systems.

Systems dependent on the state government:

- Schools in unorganized territory.

Education in Maine is provided principally through the city and town school systems. These systems are classified for Census Bureau statistics as dependent agencies of city or town governments and are not counted as separate governments. Although these school systems are governed by elected school committees, their fiscal needs are provided by the city and town governments they serve.

The schools in unorganized territory are operated and maintained by the state department of education.

Two or more school administrative units in existence as of July 1, 2009, may form a regional education cooperative by entering into a cooperative agreement and filing an application with the commissioner of education. Regional education cooperatives allow member units to share the responsibilities and costs of functions and services specified in the creating agreement. A cooperative board consisting of one school member from each participating unit governs the cooperative. Participating units share costs in accordance with the creating agreement.

A school administrative unit may enter into a collaborative agreement with other school administrative units, and whenever possible, with local, county, and state governments, to share delivery and cost of administrative and instructional functions. The collaborative agreement states the terms and cost sharing for participating units.

## **Other Educational Activities**

Two or more school administrative units may form an alternative organizational structure through an interlocal agreement and approval by the commissioner of education and voters. Alternative organizational structures are primarily formed to consolidate administrative services of member units. The participating school administrative units are recognized as discrete units and these structures are not counted as separate governments in Census Bureau statistics.

Maine law provides for school unions, formerly known as supervisory unions. School unions are composed of school administrative units joined for the purpose of providing joint administrative services, including a joint superintendent. These unions are joint educational service agencies of the public school systems they serve and are not counted as separate governments in Census Bureau statistics.

Maine law also provides, by special act, for school "districts" to erect and maintain buildings for city and town schools. These "districts" are dependent activities

of the cities or towns they serve and are not counted as separate governments in Census Bureau statistics.

Career and technical education centers, which provide vocational education to secondary students, are dependent activities of the participating school districts and school systems and are not counted as separate governments in Census Bureau statistics.

School administrative units that do not maintain any one or more of the grades from kindergarten through grade 12 may contract with other schools, both public and private, to educate their students. Contracts must be filed with the commissioner of education and may include additional requirements. Contracts with private schools must be approved by the commissioner of education. Contracts with private schools require that a joint school committee be formed to govern the school. This joint committee is composed of an equal number of representatives from the public school and the private school. Joint committees are classified as dependent activities of the administering school units and are not counted as separate governments in Census Bureau statistics.

## **SPECIAL DISTRICT GOVERNMENTS**

Maine statutes authorize the creation of a variety of special districts or authorities that are counted as separate governments in Census Bureau statistics. These are discussed in detail below. The term "municipality," as used in the following descriptions, refers to cities, towns, and plantations.

### **Airport Authorities**

A general law authorizes one or more municipalities or counties, or combinations of municipalities and counties, to create airport authorities upon referendum and with approval by the Federal Aviation Administration. This law has no effect on prior special acts that created airport authorities. Each authority is governed by a board of directors; the composition of the board and the manner of selection of the directors is specified in the creating charter. The authorities may set and impose fees and, with voter approval, may issue revenue and general obligation bonds.

### **Capital Riverfront Improvement District**

This district was authorized by special act and created in 1999 upon an act of the governing body of the city of Augusta. The district was charged with development of a river front area. The district is governed by a board consisting of city officials, members appointed by the council of the City of Augusta, state officials, and members appointed by the governor. The district may set fees, rentals, and other charges and may issue securities.

### **Cemetery Districts**

Cemetery districts are created by special acts, subject to local referendum, with similar provisions as to their administration and financing. An elected board governs each district. The districts may sell lots.

### **Cobbossee Watershed District**

A 1971 special act, subject to local referendum, authorized the establishment of this district to control the level and improve the quality and purity of the water in the Cobbossee Stream Watershed. A board of trustees appointed by the officials of the participating cities, towns, and water districts governs this district. Bond issues must be approved by the voters. The district budget also is subject to voter approval at an annual district meeting. The cost of financing the district is apportioned to the constituent underlying governments on the basis of their assessed valuation.

### **Hospital Districts**

These districts are each authorized by special act and subject to local referendum but have similar powers. An elected board administers each district. Hospital districts may collect charges, determine the amount of taxes to be levied for their use, and issue bonds.

### **Housing Authorities**

Housing authorities may be created under state law by resolution of a city or town governing body on its own initiative or upon voter petition. Each housing authority is governed by a board of directors appointed by the creating governing body. These authorities may issue bonds and fix and collect rents from the housing projects.

### **Kennebec Regional Development Authority**

This authority was commissioned by special act and established after voter approval in participating cities, towns, and plantations in Kennebec and Somerset counties. The authority is governed by a general assembly consisting of at least one member appointed by the municipal officers of each of the participating cities, towns, and plantations plus additional members from areas based on total aggregate state valuation. An executive board is selected from among the general assembly members to handle daily functions of the authority when the assembly is adjourned. The authority may set taxes and, with voter approval, issue general obligation bonds.

### **Kennebec Valley Gas District**

The Kennebec Regional Gas District was created to assist and help coordinate with the provision of natural gas from third-party suppliers or distributors of natural gas to the citizens, organizations, and businesses of the district. The

district assists in aggregating customers for the purpose of procuring natural gas supply to customers within the district who elect to participate in such aggregation. The board of directors is composed of no more than seven appointed directors. A board of directors manages all of the affairs of the district.

### **Joint Exercise of Powers Boards**

Any two public agencies may create an agreement to exercise powers jointly and may create a separate legal entity with a governing board to perform the functions. The agreement is filed with the secretary of state. The powers and financing of such a board are detailed in the creating agreement.

### **Lewiston-Auburn Water Pollution Control Authority**

This authority was authorized by a special act in 1967. It is administered by a board of directors consisting of the director of the Lewiston Department of Public Works, the Lewiston City Administrator, the president of the Auburn Sewerage District trustees, the superintendent of the Auburn Sewerage District, the Auburn City Manager, an employee of the City of Auburn designated by the City Manager, and an employee of the City of Lewiston designated by the City Administrator. The authority board determines its fiscal needs and apportions them to the City of Lewiston and the Auburn Sewerage District. The authority may issue bonds.

### **Light and Power Districts**

These districts are established by special acts approved by local referendum to acquire and operate power houses and sell electric power. An elected board of trustees governs each district. Light and power districts may issue bonds and fix and collect rates for services. The districts may reorganize as municipal electric districts.

### **Maine Municipal and Rural Electrification Cooperative Agency**

This agency was established by 1981 legislation to provide wholesale electric power. The agency is governed by a board of directors. Each participating municipality and cooperative appoints a member, the governor appoints one member, and the Director of the governor's Energy Office serves ex officio. The agency may fix rents, rates, and other charges and may issue revenue bonds.

### **Municipal Electric Districts**

These districts, to provide electric power, may be established upon voter petition or upon the initiative of the governing bodies of one or more municipalities, after voter approval. An elected board of trustees governs each district; if the district serves more than one municipality, there are two trustees elected from each participating municipality. The districts may fix rates and may issue

revenue bonds. The issuance of revenue bonds may require voter approval. Districts may be formed under this law by the Penobscot Nation or the Passamaquoddy Tribe; such districts are known as "tribal power districts."

### **Port Districts**

Port districts are created by special acts, subject to local referendum, to provide docking and transportation facilities for islands and coastal ports in the state. An elected board of trustees governs each district. Port districts may fix and collect fees and charges for facilities and services, set special assessments, and issue bonds.

### **Refuse Disposal Districts**

These districts provide solid waste disposal and resource recovery. The districts are established by application of one or more municipalities, or by a county on behalf of unorganized territories, to the State Planning Office after a public hearing and referendum. A board of directors, appointed by the participating governments in accordance with agreement, governs each district. The districts may fix fees and charges, issue bonds, and, after voter approval, levy special assessments.

Districts of this type that serve only one municipality or unorganized territory are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### **Sanitary Districts or Sewer Districts**

Under the Maine Sanitary District Enabling Act, establishment of sanitary districts may be initiated by petition of the voters of one or more municipalities or unorganized territories and referendum, or may be initiated by the municipal officers. Districts are established after approval of the application by the State Board of Environmental Protection and after a public hearing and voter approval. An elected board of trustees governs each district. Sanitary districts may collect rates and charges, levy benefit assessments, and issue bonds. Community sanitary districts operate under similar provisions.

Sewer districts may be created by special act. Existing sewer districts created by special act may reorganize as sanitary districts under the provisions of the Maine Sanitary District Enabling Act. Existing and new sewer districts established under special act are required to conform to uniform provisions similar to those for sanitary districts.

### **Soil and Water Conservation Districts**

These districts may be formed by the State Department of Agriculture, Food, and Rural Resources upon petition of the occupiers of the land within the proposed district and after a public hearing and a local referendum. Each district is governed by a board of five supervisors: two are

appointed by the commissioner of the State Department of Agriculture, Food, and Rural Resources and three are elected. The districts may require contributions from landowners for services.

### Transportation Authorities and Districts

A general law permits two or more municipalities to establish a transit district. Municipalities not in the same geographic public transportation region must gain approval from the State Department of Transportation to form a district. The district governing body is a board of directors appointed by the officials of the member municipalities; the number of directors depends on the population size of each participating municipality. The entities may fix fares, issue bonds, and set property taxes. The Greater Portland Transit District, which serves the Cities of Portland and Westbrook and the Town of Falmouth, was established under this law with special provisions.

The Lewiston-Auburn Transportation Authority was established by a 1959 special act. A board of five trustees appointed in a manner determined jointly by the two participating cities governs the authority. It may fix rates and charges and issue bonds.

The Casco Bay Island Transit District was authorized by a 1981 special act to operate ferry services. A board of ten elected directors governs the district plus one director appointed by the City of Portland and one director appointed by the Commissioner of the Maine Department of Transportation. The district may fix tolls and issue revenue bonds.

Districts serving only one city or town are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### Village Improvement Corporations

Village corporations or "village improvement societies" are established by special legislation for limited special purposes within town areas. An elected board of assessors, trustees, or managers governs each corporation. These corporations may levy ad valorem taxes and fix charges for services.

### Washington County Emergency Medical Services Authority

This authority was created by a 2001 special act. The authority is governed by a board of directors appointed by the governing bodies of member cities and towns, plus one member appointed by the Washington County Commissioners to represent the unorganized areas. The authority may set fees.

### Water and Standard Districts

Water and standard districts, which also may provide electric power, may be established by special acts and referendum. The Standard Water District Enabling Act of 1996 recommends conformity in the authorizing legislation for water districts formed after January 1, 2007. Each district is governed by a board of trustees that may be elected or appointed as determined in the creating charter. The districts may set rates and issue bonds. Voter approval of the level of debt authorization may be required as the result of voter petition. Bonds of \$150,000 or more require voter approval. Some of the districts may levy special assessments. Several districts of this type are named "utilities districts" or "water and electric districts."

### SUBORDINATE AGENCIES AND AREAS

Shown below are various governmental designations in Maine that have certain characteristics of governmental units but that are classified in Census Bureau statistics as subordinate agencies of the state or local governments and are not counted as governments. Legal provisions for some of the larger of these are discussed below (see "Public School Systems" section regarding educational agencies of this nature).

**Loring Development Authority (state)**—This authority was established by special act to acquire and manage the properties within the geographical boundaries of Loring Air Force Base. A board of trustees governs the authority; 12 members plus one commissioner of a department of State Government are appointed by the governor subject to confirmation by the Senate. The authority may issue revenue bonds after a hearing and subject to the approval of the Maine Finance Authority, and set and collect fees, charges, and rents. The treasurer of state may issue state-guaranteed bonds at the request of the authority with authorization by the legislature and voter approval. The authority may establish a port of entry, international airport, foreign trade zone, and free port area at its discretion, but requires federal approval. The authority has many municipal powers such as the power to create special utility districts, provide fire and police protection, and provide public works.

Special utility districts within the geographical boundaries of Loring Air Force Base (sanitary districts, refuse disposal districts, and water districts) created by the authority are subsidiaries of the authority.

**Maine Municipal Bond Bank Authority (state)**—The Maine Municipal Bond Bank was created by act of the legislature to provide adequate capital markets for local governments in Maine. The bank is governed by a board of five commissioners consisting of the Treasurer of

State and the Superintendent of Financial Institutions serving ex officio plus three commissioners appointed by the governor. The bank may fix fees and charges for its services and issue bonds.

**Maine State Housing Authority (state)**—This authority was established to provide mortgage credit for low- and moderate-income housing. The authority is governed by a board of ten members, nine of whom are appointed by the governor plus the Treasurer of State serving ex officio. The authority may fix fees and charges in connection with its loans and issue revenue bonds.

**Maine Turnpike Authority (state)**—This authority was established by special act. The authority board of directors consists of six members appointed by the governor plus the Commissioner of Transportation. The authority may collect tolls and charges and may issue revenue bonds.

**Urban renewal authorities (city and town)**—A general law provides that these authorities may be established on resolution of municipal officials and after local referendum. A board of trustees appointed by officials of the sponsoring municipality governs each agency. These agencies receive revenue from charges and, after a hearing and with approval of municipal officers, may issue revenue bonds. The sponsoring government may levy taxes and issue bonds on its behalf.

The Portland Development Commission and the Bangor Urban Renewal Authority were established by special acts. Each is administered by a board of commissioners appointed by the respective city council. Other provisions for these two agencies are similar to those provided under general law above.

Other examples include:

### State<sup>1</sup>

Baxter State Park Authority  
ConnectME Authority  
Finance Authority of Maine (FAME)  
Jobs for Maine's Graduates  
Maine Children's Trust Incorporated  
Maine Criminal Justice Academy  
Maine Development Foundation  
Maine Economic Growth Council  
Maine Governmental Facilities Authority  
Maine Health and Higher Educational Facilities Authority  
Maine Health Data Organization  
Maine Military Authority  
Maine Port Authority

Maine Public Utility Financing Bank  
Maine Rural Development Authority  
Maine School of Science and Mathematics  
Maine Technology Institute  
Midcoast Regional Redevelopment Authority  
Northern Maine Transmission Corporation  
Northern New England Passenger Rail Authority  
Public health districts  
Washington County Development Authority

### County

Lincoln and Sagadahoc Multicounty Jail Authority  
Regional county corrections authorities

### Municipal

Capital improvement districts  
City health boards  
City parking districts  
Conservation commissions  
Energy commissions  
Municipal development districts  
Primary assessing districts  
Refuse disposal districts (single city)  
Transportation districts (single city)

### Town

Bethel Airport Authority  
Capital improvement districts  
Conservation commissions  
Energy commissions  
Municipal development districts  
Norridgewock Airport Authority  
Northern Aroostook Regional Airport Authority  
Primary assessing districts  
Town health boards  
Town of Kittery Port Authority  
Town parking districts  
Transportation districts (single town)

### Other

The following are geographical areas outside the area of any town or organized plantation and are not counted as governments: gores, surpluses, islands, and townships.

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

### ENDNOTE

<sup>1</sup> The Maine Educational Loan Authority merged into the Finance Authority of Maine under Public Law, Chapter 170, Maine 127th Legislature.

# MARYLAND

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## COUNTY GOVERNMENTS

The entire state of Maryland is encompassed by county governments, with the exception of the area of the city of Baltimore. Baltimore City is an independent city outside the area of any county and is counted as a municipal government, rather than a county government. Baltimore County is a county government, but excludes the area of Baltimore City. A number of counties operate under home-rule charters. These counties are governed by county councils.

In counties without home-rule charters, the county governing body is known as the board of county commissioners. In addition, some counties operate under a special code option, but their governing bodies are still designated as boards of county commissioners.

## SUBCOUNTY GENERAL PURPOSE GOVERNMENTS

### Municipal Governments

The municipal governments in Maryland are the cities, towns, and villages. There are no differences between city and town governments that would affect their classification for U.S. Census Bureau statistics. All municipal governments in Maryland, except the city of Baltimore, are treated as a single class in state legislation since 1955. Incorporation as a municipality requires a minimum population of 300. There are 20 municipalities with population under 300 that were created prior to 1955. Municipalities operate under home-rule.

Some “villages” in Montgomery County have been formed as special taxing units, rather than incorporated as municipal governments. These are counted as special district governments, rather than as municipal governments in Census Bureau statistics. See “Special District Governments” section.

### Township Governments

Maryland has no township governments.

## PUBLIC SCHOOL SYSTEMS

### School District Governments

Maryland has no independent school district governments.

### Dependent Public School Systems

In Maryland, the local public school systems are not counted as separate governments. Maryland statutes

provide for the following types of dependent public school systems:

Systems dependent on county governments:

- County boards of education.
- County and regional community colleges.

System dependent on municipal governments:

- Baltimore City schools.

County schools are administered by a county board of education, which is either appointed by the governor or elected.

County school fiscal requirements are determined and provided for by the county governing body. The county school systems are classified in Census Bureau statistics as dependent agencies of the county government.

Baltimore City schools are governed by a board of commissioners jointly appointed by the governor and the mayor. Fiscal requirements are subject to review and are provided for by the city of Baltimore. The Baltimore City School System is not counted as a separate government in Census Bureau statistics, but is classified as a dependent agency of the city of Baltimore.

Most community colleges in Maryland are classified in Census Bureau statistics as dependent on the county governments for which they serve. Community colleges are governed by a board of trustees appointed by the governor, either with consent of the Senate or on the recommendation of the Maryland Higher Education Commission. Fiscal requirements of the colleges are determined and provided for by the sponsoring county governments. In the case of regional community colleges, which serve two or more counties, each participating county provides its share of the fiscal requirements of the college in proportion to enrollment.

### Other Educational Activities

County boards of education may enter into agreements with other county boards of education, other educational institutions or agencies, or the county boards of commissioners or county councils to provide joint services. If a separate administrative entity is created, the agreement specifies the nature of the board and the funding arrangements. As of June 30, 2017, no joint agreements under this provision exist.

## SPECIAL DISTRICT GOVERNMENTS

Maryland statutes authorize the creation of a variety of special districts or authorities that are counted as governments in Census Bureau statistics. These are discussed in detail below.

### Cooperative Library Corporations

These entities may be formed as nonstock corporations by two or more county boards of library trustees. They are governed as specified in their articles of incorporation. They may collect user fees and receive state and local funding.

### Drainage Districts and Ditches

Maryland statutes authorize the following types of independent districts to provide for drainage of agricultural lands:

**Drainage or levee districts**—Drainage or levee districts may be established by the board of county commissioners on petition of landowners. A board of drainage commissioners is appointed by the county commissioners. The board may issue bonds and levy special benefit assessments. As of June 30, 2017, no drainage districts appear to have been established under this law.

**Public Drainage Associations**—These associations may be organized by the board of county commissioners upon petition of the landowners after a public hearing. An elected board of managers governs each association. Public drainage associations may levy special benefit taxes and issue bonds.

**Storm drainage districts**—These districts may be established by local law in charter and code home-rule counties. Financial provisions governing storm drainage districts vary according to terms of the local legislation.

**Tax ditches (drainage)**—Legislation authorizing these districts was repealed in 1941. Tax ditches in operation in 1941 are permitted to continue. Drainage ditches were established by the boards of county commissioners on petition of landowners and after a public hearing. Elected boards of managers govern the ditches. Tax ditches may levy special benefit taxes.

### Housing Authorities

Housing authorities may be established in counties or in cities upon resolution or ordinance of the governing body. They are governed by boards of commissioners appointed by the highest elected official or as specified in legislation for individual county housing authorities. The authorities may issue bonds and fix and collect rentals.

Housing authorities governed by the county governing body or subject to county fiscal controls are not counted

as separate governments in Census Bureau statistics. See “Subordinate Agencies and Areas” section.

### Northeast Maryland Waste Disposal Authority

This authority was created by special act to provide resource recovery facilities. The authority board consists of one member representing each member county and Baltimore City who are appointed by the governor from lists approved by the chief executive officers of the counties submitting the lists. The director of the Maryland Environmental Service also serves on the board. The authority may fix and collect fees and rentals, and issue revenue bonds.

### Public Watershed Associations

These associations provide watershed protection, water conservation, drainage, recreation, flood control, and soil conservation. The county governing body or the mayor and City Council of Baltimore City may establish these associations upon petition of landowners and after public hearing. An elected board of directors governs each association. The board may issue bonds and may levy assessments on benefited land.

### Soil Conservation Districts

These districts are created by the state soil conservation committee upon petition of the land occupiers after a public hearing and local referendum. A board of supervisors, with four members appointed by the state soil conservation committee and one appointed by the county governing body, governs each district. The districts may require contributions from landowners for services performed and establish and implement a fee system.

### Special Tax Districts

The following special tax districts are counted as special districts. The services they provide are specified in the creating legislation and may include services such as streets, lighting, parking, water supply, sanitation, drainage, recreational facilities, police, or fire.

In Allegany County:

The Bel Air Special Taxing Area, Bowling Green and Robert's Place Special Taxing Area, Corriganville Special Taxing District, Crespatown Special Taxing District, Ellerslie Special Taxing Area, McCoole Special Taxing District, Moscow Special Taxing District, Mount Savage Special Tax Area, and Potomac Park Addition Taxing District are counted as special districts in Census Bureau statistics. All but the Corriganville Special Taxing District and the Moscow Special Taxing District were created by state law and local referendum prior to the passage of code home-rule in Allegany County. The governing bodies are elected. The county levies a property tax on behalf of the

districts. The Crespatown Special Taxing District may issue bonds.

In Montgomery County:

The Friendship Heights and "The Hills" Special Tax District, Oakmont Special Tax District, and Village of Drummond Special Taxing Area are counted as special districts in Census Bureau statistics. These districts were created by state law prior to the passage of charter home-rule in Montgomery County. The governing boards are elected. The statutes set a minimum tax for the county to levy on behalf of each district. The governing boards may levy special assessments with the approval of the county. The Oakmont Special Tax District and Village of Drummond Special Taxing Area may issue bonds.

For special tax districts in these counties and other counties that are not counted as separate governments, see "Subordinate Agencies and Areas" section.

### **Upper Potomac River Commission**

This commission was established by special act to reduce pollution in the Potomac River by providing facilities for the treatment and disposal of sewage and industrial wastes. The commission consists of three members: a chair appointed by the governor and one member each appointed by the county commissioners of Allegany and Garrett Counties. The commission may issue revenue bonds, and fix and collect fees for facilities related to pollution control.

### **Washington County Free Library**

This library was formed under a special act to provide library services to the residents of Washington County. It is governed by a board of nine trustees. The library may obtain revenue through donations, sales, investments, and state and local appropriations.

### **SUBORDINATE AGENCIES AND AREAS**

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

#### **Maryland Health and Higher Educational Facilities Authority (state)**

An act of the state legislature created this authority to finance the construction of buildings for hospitals and institutions of higher education. The authority is governed by a board of nine members including eight members appointed by the governor, plus the state treasurer ex officio. The authority may fix and collect fees and rents; make loans to participating

hospitals or institutions of higher education; and issue revenue bonds.

#### **Maryland-National Capital Park and Planning Commission (joint county)**

This commission provides park and recreational facilities plus planning services in Montgomery and Prince George's Counties. It was created by special act. The governing body consists of ten members, five appointed by the Montgomery County council with the consent of the county executive and five appointed by the Prince George's County executive with the consent of the county council. Revenue needs are met by county tax levies. In addition, the commission may issue bonds. The commission also acts as governing body for the Maryland-Washington Metropolitan District and the Maryland Washington Regional District. These two districts are not counted as separate governments.

**Maryland Transportation Authority (state)**—This authority was created by 1970 legislation to finance, operate, and maintain all state toll highways, bridges, and tunnels, and finance other transportation-related facilities by revenue bonds. Authority members are the secretary of the department of transportation plus six members appointed by the governor with the consent of the Senate. The authority may impose rates and charges for its facilities and issue revenue bonds.

Other examples include:

#### **State**

Auxiliary and Academic Facilities Bond Authority  
Canal Place Preservation and Development Authority  
Chesapeake Bay Trust  
Forest conservancy districts  
Historic St. Mary's City Commission  
Maryland Affordable Housing Trust  
Maryland Agricultural and Resource Based Industry Development Corporation  
Maryland Agricultural Land Preservation Foundation  
Maryland Clean Energy Center,  
Maryland Deposit Insurance Fund Corporation  
Maryland Economic Development Corporation  
Maryland Education Development Collaborative  
Maryland Environmental Service  
Maryland Food Center Authority  
Maryland Heritage Areas Authority  
Maryland Historical Trust SFP  
Maryland Industrial Development Financing Authority  
Maryland Port Commission (including Maryland Port Administration)  
Maryland-Potomac Water Authority (joint state-county)  
Maryland Small Business Development Financing Authority  
Maryland Stadium Authority  
Maryland Veterans Trust  
Maryland Venture Capital Trust  
Maryland Technology Development Corporation

Regional Additive Manufacturing Partnership of Maryland  
Seafood Marketing and Aquaculture Development  
Program  
Southern Maryland Higher Education Center

## County

Allegany County Transit Authority  
Anne Arundel County Recreational Facilities Revenue  
Authority  
Baltimore County Metropolitan District  
Baltimore County Revenue Authority  
Baltimore County revitalization districts  
Battery Park tax area (Montgomery County)  
Bedford Road Fire Taxing Area (Allegany County)  
Bowling Green Fire Taxing Area (Allegany County)  
Calvert County Economic Development Authority  
Commercial district management authorities  
County library boards  
Crofton Special Community Benefit District (Anne Arundel  
County)  
Crystal Beach Manor Special Taxing District (Cecil County)  
Electric lighting districts  
Erosion districts  
Garrett County Memorial Hospital  
Historic districts  
Housing authorities governed by county governing body  
or under county fiscal control  
Howard County Economic Development Authority  
Howard County fire districts  
Howard County Mental Health Authority  
Industrial development authorities (county)  
Land bank authorities (County)  
LaVale Fire Taxing Area (Allegany County)  
LaVale Rescue Taxing Area (Allegany County)  
Maryland-Potomac Water Authority (joint state-county)  
Montgomery County Fire Tax District  
Montgomery County Recreation District  
Montgomery County Revenue Authority  
Montgomery County Student Loan Refinance Authority  
Montgomery County Suburban District  
Noise abatement districts (Montgomery County)  
Octoraro Lakes Special Taxing District (Cecil County)  
Parking authorities (county)

Parking lot districts (Montgomery County)  
Prince George's County Redevelopment Authority  
Prince George's County Revenue Authority  
St. Mary's County Building Authority Commission  
St. Mary's County Metropolitan Commission  
St. Mary's County Special Tax District (fire)  
Sanitary (or "metropolitan") districts governed by county  
governing body  
Shore erosion control districts  
Special community benefit districts  
Special improvement districts (Prince George's County)  
Special taxing areas for public transportation  
Special taxing districts  
Special taxing districts in home-rule counties  
Urban district corporations (Montgomery County)  
Urban districts (Montgomery County)  
Washington County Museum of Fine Arts  
Washington Suburban Transit District  
Water and/or sewer authorities  
Waterways improvement districts  
Wicomico Urban Services Commission

## Municipal

Baltimore City Child First Special Authority  
Baltimore Civic Center Commission  
Baltimore Community Lending  
Community Benefits districts (Baltimore City)  
Drainage districts (Takoma Park)  
Enoch Pratt Free Library (Baltimore)  
Historic districts  
Industrial development authorities (municipal)  
Land bank authorities (municipal)  
Lexington Market Authority (Baltimore)  
Parking authorities (municipal)  
Special taxing districts created by municipalities in home-  
rule counties  
Urban renewal agencies  
Urban renewal authorities for slum clearance  
Water and/or sewer authorities  
Waterways improvement districts

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

# MASSACHUSETTS

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## COUNTY GOVERNMENTS

Massachusetts has five county areas with governments that are counted as county governments for U.S. Census Bureau statistics on governments. These are Barnstable, Bristol, Dukes, Norfolk, and Plymouth counties. For all county governments, except Barnstable County, the governing body is called the board of county commissioners. Barnstable County operates as the Cape Cod Regional Government under a home rule charter; it is governed by a board of regional commissioners. The other county governments have the option to choose a home rule charter.

County governments perform limited functions including provisions of jails and other correctional institutions, recording of deeds, and provisions of courthouses. The county may also maintain agricultural schools (see “Public School Systems” section) and hospitals. Barnstable County may perform additional functions under its home rule charter.

Suffolk County encompasses an area larger than the city of Boston, but it is substantially consolidated with the city of Boston for governmental purposes. The combined city and county government is counted as a municipal government, rather than a county government in Census Bureau statistics on governments. The cities of Chelsea and Revere and the town of Winthrop are also counted as separate governments within the area of Suffolk County in Census Bureau statistics on governments.

The area and the governing body of Nantucket County are identical with those of the town of Nantucket; the town selectmen serve as county commissioners. Nantucket is counted as a town government, rather than as a county government in Census Bureau statistics.

The remainder of the state consists of county areas with no county governments. County-type functions in these areas are provided by the state. These areas continue to serve as political districts for election purposes.

In the county areas with no county government, some of the county governments have been officially abolished. The cities and towns in the abolished counties may jointly charter a regional council of governments. These councils are counted as special districts rather than county governments in Census Bureau statistics. See “Special District Governments” section.

## SUBCOUNTY GENERAL PURPOSE GOVERNMENTS

The subcounty general purpose governments in Massachusetts consist of municipal (city) governments and town governments. These two types of governments are distinguished primarily by the historical circumstances surrounding their incorporation. In Massachusetts, city and town governments have similar powers and perform similar functions.

### Municipal Governments

The entire area of the state is covered by cities and towns. The term “municipality,” as defined for Census Bureau statistics on governments, applies only to cities in Massachusetts. Towns, which are treated as municipalities in Massachusetts statutes, are counted for Census Bureau statistics as towns rather than municipal governments. See “Town or Township Governments” section.

Cities are established by special acts of the general court. The minimum population requirement for incorporation as a city is 12,000. Cities may adopt home rule charters or one of several standard charters. Cities may be governed by a council or board of aldermen, and may or may not have a mayor, a city manager, or both.

### Town or Township Governments

The entire area of the state of Massachusetts is encompassed by town governments except for areas located within the boundaries of cities. Although not differing in legally authorized powers from cities, units in Massachusetts designated as “towns” are counted in Census Bureau statistics on governments as a separate type of government. The town executive body is known as a board of selectmen. Most towns have either an open town meeting or a representative town meeting form of government. Massachusetts towns may adopt home rule charters.

## PUBLIC SCHOOL SYSTEMS

### School District Governments

Only the following types of school districts in Massachusetts are counted as separate governments in Census Bureau statistics:

- Regional school districts (also known as “academic regional school districts”).
- Regional vocational-technical school districts.
- Independent vocational-technical schools.

Each of these types of school districts is created by election. The type of governing body is determined at the election creating the district. These districts may issue bonds and determine their fiscal needs, which are provided by the participating towns.

## Dependent Public School Systems

Massachusetts statutes provide for the following types of dependent public school systems:

Systems dependent on county governments:

- County agricultural schools.

Systems dependent on municipal governments:

- City school systems.

Systems dependent on town governments:

- Town school systems.

Systems dependent on state government:

- Independent agricultural and technical schools.
- Lawrence School System.

County agricultural schools are governed by boards of trustees consisting of the board of county commissioners in an ex officio capacity, plus other members appointed by the governor. The schools are financed through county appropriations. Bristol and Norfolk counties are the only counties that operate schools of this type. County agricultural schools are classified in Census Bureau statistics as dependent agencies of county governments and are not counted as separate governments.

The city school systems and town school systems each have an elected school committee to administer the schools; however, their fiscal requirements are determined and provided for by the respective city and town governments. City and town public school systems are classified in Census Bureau statistics as dependent agencies of city or town governments and are not counted as separate governments.

The city of Quincy operates the only junior college in Massachusetts established by a city. Quincy College is classified as a dependent agency of the city and is not counted as a separate government in Census Bureau statistics. See "Subordinate Agencies and Areas" section. Massachusetts statutes indicate that no junior colleges may be established after January 1, 1959.

Independent agricultural and technical schools are high schools that operate under the general supervision of the state department of education. The schools require state approval and are subject to state fiscal control. These schools are also counted as dependent agencies of the state and are not counted as separate governments in Census Bureau statistics.

## Other Educational Activities

In Massachusetts, the superintendency unions or districts (for the joint employment of superintendents) are classified as joint educational service agencies of the public school systems for which they serve and are not counted as separate governments in Census Bureau statistics.

Educational collaboratives in Massachusetts may be formed by agreement between any two or more public school systems to provide vocational or special education. A board of directors appointed by the participating school systems governs each collaborative. The collaboratives may receive contributions from participating public school systems and may accept state and federal grants.

## SPECIAL DISTRICT GOVERNMENTS

Massachusetts statutes authorize the creation of a variety of special districts or authorities that are counted as separate governments in Census Bureau statistics. These are discussed in detail below.

### Burncoat Pond Watershed District

This district was created by a 1998 special act and a landowner referendum. The district is governed by a management committee consisting of three elected members; one selectman, serving ex officio, from each of the towns of Spencer and Leicester; and one member appointed by the Massachusetts Audubon Society for as long as the society owns property in the district. The district may issue bonds. The property owners set assessments that are collected by the district.

### Conservation Districts

Conservation districts to provide soil conservation are created by the state commission for conservation of soil, water, and related resources in the division of conservation services, upon petition of landowners and after a hearing. An elected board of five to seven supervisors governs each district. The districts may require contributions from benefitted landowners and, with approval of the state commission, establish fees.

### Council of Governments

In county areas where the county government has been abolished, the cities and towns may jointly charter a regional council of governments. The charter is binding on those communities where a majority of voters in the city or town approve it. The councils provide a variety of services including public safety, housing, tourism, health, education, sewer, fire protection, solid waste, and transportation. The composition and manner of selection of the members of the council are specified in the charter. The councils may set assessments, with voter approval, and also may set fees. The budgets may require voter

approval. The Franklin Regional Council of Governments was authorized by a 1996 special act with similar provisions.

## Economic and Industrial Development Corporations

These corporations are created by special acts. Each corporation serves selected areas in one city or town. The corporations may provide development for commercial, industrial, or research facilities or may provide infrastructure. Each corporation is governed by a board of directors appointed by the municipal governing body or the chief executive officer of the municipality. Local private agencies may nominate some board members. The corporations may issue bonds, make loans, and set fees and rentals. Development plans may require voter approval. The corporations have a variety of names.

Similar corporations created under general law and under special acts requiring plan approval by the creating government are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

## Fire and/or Water Districts

Fire and/or water districts have been individually established by special acts, subject to a local referendum, that provide substantially uniform provisions as to their operation and financing. These districts may provide fire protection, water supply, or both. An elected board of commissioners or prudential committee governs each district. An exception is the board of the Dedham-Westwood Water District, which is appointed by the governing bodies of the two participating towns. The districts may fix rates and charges and, with voter approval, set taxes. Some districts also may issue bonds with voter approval.

Fire districts also may be created under a general law in towns with at least 500 inhabitants by the board of selectmen upon petition and after a referendum. The governing body of each such fire district is an elected prudential committee. Each district may set ad valorem taxes.

## Goose Pond Maintenance District

This district was created by a 1994 special act for preservation and recreation projects for Goose Pond in the towns of Lee and Tyringham, after a referendum. The district is governed by a prudential committee consisting of three elected members, plus one member from each board of selectmen of the towns of Lee and Tyringham, serving ex officio. The board also has nonvoting members representing federal, state, local, and private interests. The district may levy assessments and issue bonds with voter approval.

## Housing Authorities

A general law in Massachusetts provides for the creation of housing authorities in cities and towns upon determination of the respective municipal officers. Each authority's governing body has five members: one member is appointed by the state department of housing and community development, and the other four members are appointed by the city mayor with approval of the city council (in cities) or are elected (in towns). The authorities may fix rates, rents, and charges for the use of facilities and issue bonds. An authority may also include an operating agency known as an urban renewal agency. Massachusetts housing authorities may undertake redevelopment projects in addition to providing assisted housing.

Any combination of cities and towns may form a regional housing authority under this general law with approval of the respective municipal officers and the state department of housing and community development. A regional housing authority has the same powers as city or town housing authorities.

In addition, regional housing authorities have been created by special acts. The governing boards consist of members appointed by the county commissioners, plus members appointed by the state department of housing and community development. The authorities have the same powers as housing authorities created under general law.

## Improvement Districts

Improvement districts provide street lighting, libraries, sidewalks, and police protection. The districts may be established by vote of the town meeting in towns with at least 1,000 inhabitants. An elected prudential committee and clerk governs each district. The district may set ad valorem taxes.

## Joint Powers Authorities

Two or more cities or towns may enter into a joint agreement to create a joint power entity to jointly exercise their powers. Joint power entities are governed by the board of directors representing each participating government. Scope of activity, manner of funding, and delegated powers are specified in the agreement. The board of directors may borrow money and apply for state, federal or corporate grants, or contracts.

## Lynn Water and Sewer Commission

This commission was created by a 1982 special act to serve the city of Lynn. The commission consists of two members appointed by the mayor with the approval of the city council, two members appointed by the city council, plus one city council member selected by the city

council. The commission may set rates, rentals, fees, and charges and may issue both general obligation and special obligation bonds.

### **Massachusetts Municipal Wholesale Electric Company**

This company is a public corporation organized to provide and operate facilities for the wholesale generation of electric power. It is governed by a board of 12 members; 7 members are elected by member cities and towns from among their respective managers of municipal lighting and members of their municipal light boards, 2 board members are appointed by the governor, and 3 directors appointed by the towns of Hampden, Ludlow, and Wilbraham. The company may fix charges for the sale of electric power to member cities and towns and may issue bonds.

### **Model Water and Sewer Commissions**

Under a 1992 law, model water and sewer commissions may be created in any city or town with approval of the city or town governing body. Upon creation, the existing water or sewer works are transferred to the commission. Each commission is governed by a board of three members appointed by the municipal governing body. The commissions may issue bonds and set fees, rates, and other charges. Regional water and sewer district commissions also may be formed under this law by cities, towns, or existing water commissions; such creations may be ratified by state special acts.

Water and sewer commissions created under a separate 1967 general law lack autonomy and are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### **Regional Public Safety Communications and Dispatch Center for the towns of Cohasset, Hingham, Hull, and Norwell**

These centers were created by a 2010 special act establishing regional public safety communications dispatch centers to provide emergency police, fire, and EMS dispatch services. These districts are governed by board of directors consisting of appointees from the participating towns. These districts may borrow money and accept grants. These districts accept appropriations from member towns.

### **Regional Refuse Disposal Districts**

General law authorizes cities and towns to establish regional refuse disposal districts through an agreement by the city council or during a town meeting after a referendum. A committee, selected by agreement between member cities and towns, governs each regional refuse disposal district. The creating agreement states how refuse facilities shall be constructed, maintained,

and operated. The district committee may issue bonds and apportion district costs to member cities and towns. Similar provisions apply to regional refuse disposal districts and solid waste management districts established by special acts.

### **Regional Transit Authorities**

Specified combinations of cities or towns may establish a regional transit authority to provide, operate, and maintain transit service, facilities, and equipment. Each authority is governed by an administrator appointed by an advisory board. The advisory board consists of the mayor or the city manager of each member city and the chair of the board of selectmen or town manager of each member town. The authorities may fix charges, leases, rates, and fares and issue bonds.

### **Restoration/Preservation Districts**

Several districts have been created by special acts for lake preservation and for recreation projects. The districts are governed by boards elected by property owners, some may include town and state officials. The districts may levy special assessments and issue bonds.

### **Road Maintenance Districts**

The Sherwood Forest Road Maintenance District, the Sherwood Greens Road Improvement and Maintenance District, and the Becket Woods Road and Maintenance District were created by special acts, followed by a referendum of the property owners, to repair and maintain designated roads in the town of Becket. Each is governed by a prudential committee elected by the property owners. Each may set ad valorem taxes with voter approval. The Becket Woods and Sherwood Greens districts may, with voter approval, issue bonds.

### **Sewer Districts**

Sewer districts are individually established by special acts to provide sewerage facilities. The special acts provide substantially the same provisions as to their organization and operation. An elected board of commissioners governs each district. The boards may fix charges, set taxes (with voter approval) and/or benefit assessments, and issue bonds.

The South Essex Sewerage District board, an exception to the above description, consists of appointed and ex officio officials of the establishing governments. The MFN Regional Wastewater District is also an exception with a board composed of appointed members from the participating towns of Mansfield, Foxborough, and Norton, plus an additional member appointed by the board itself. These districts determine their own fiscal requirements and apportion the amount to be contributed by each participating government.

## **Transportation Area**

A single city or town, or two or more cities or towns, may, after a local referendum and a public hearing, establish transportation areas for operation of transit systems. A board of trustees, appointed by the city councils and town selectmen, governs each transportation area. The area board of trustees may fix and collect tolls, rates, and fees and may issue bonds. Participating cities and towns may be assessed for any deficit.

## **Upper Cape Regional Water Supply Cooperative**

This cooperative was authorized by a 2000 special act to provide supplementary water supply. The town of Falmouth and the water districts of Bourne, Mashpee, and Sandwich were permitted to create and participate in this cooperative after a referendum. The cooperative is governed by a board of managers consisting of two members appointed by each participating entity. The cooperative may set fees, rates, rents and other charges. The cooperative may, with the approval of two-thirds of the participating entities, issue bonds and levy assessments against the participating entities.

## **Water Pollution Abatement Districts**

General law provides that water pollution abatement districts may be established by the state division of water pollution control and with the approval of the water resources commission in one or more cities or towns, after a local referendum. Districts are governed by a commission consisting of two members selected by the board of selectmen of each participating town and two members selected by the city council of each participating city, with one additional member appointed if a city or town has a population of more than 20,000 inhabitants but less than 50,000, and two additional members appointed if the city or town has a population of more than 50,000 inhabitants. These districts may issue general obligation bonds. District costs are apportioned to member cities and towns. Some districts of this type are called "water quality districts" or "sanitary districts." Similar provisions apply to water pollution control districts authorized by special acts.

## **Whitin Reservoir Water District**

This district was created by a 2008 special act to provide protection of water sources in the town of Douglas after a meeting of landowners and a referendum. The district is governed by a management committee elected by property owners plus one member appointed from the Douglas board of selectmen. The district may set assessments with property owner approval and may issue bonds.

## **Woburn Golf and Ski Authority**

This authority was created by a 1968 special act and referendum to establish and operate golf and ski facilities in a portion of the city of Woburn. A board of directors, consisting of nine members appointed by the mayor of Woburn with the approval of the city council, governs the authority. The authority may fix and collect rates and fees and may issue revenue bonds.

## **SUBORDINATE AGENCIES AND AREAS**

Shown below are various governmental designations in Massachusetts that have certain characteristics of governmental units but that are classified in Census Bureau statistics as subordinate agencies of the state or local governments and are not counted as separate governments in Census Bureau statistics. Legal provisions for some of the larger of these are discussed below (see "Public School Systems" section regarding educational agencies of this nature).

**Building authorities (state)**—The Massachusetts State Colleges Building Authority and the University of Massachusetts Building Authority were both created by special acts to construct and lease buildings for use by state agencies and institutions. Each of these authorities is governed by a board appointed by the governor. All of these agencies may issue bonds to be financed from fees, charges, and rental income from properties constructed and leased.

**Massachusetts Convention Center Authority (state)**—This authority was created by a 1982 act of the General Court to develop convention center facilities in the Boston area. The authority is governed by a board of 13 members, nine of whom are appointed by the governor and two are appointed by the mayor of Boston, plus the secretary of administration and finance and the collector-treasurer of the city of Boston, serving ex officio. The authority may fix rates, fees, and charges and issue revenue bonds.

**Massachusetts Home Mortgage Finance Agency (state)**—This agency was created by a 1974 act of the General Court to provide mortgage credit for low- and moderate-income housing. The agency board consists of the nine members of the Massachusetts Housing Finance Agency, ex officio. The agency may fix fees and charges; make mortgage loans; and issue revenue bonds.

**Massachusetts Housing Finance Agency (state)**—This agency, also known as MassHousing, was created by a 1974 act of the General Court to finance the construction and the rehabilitation of low- and moderate-income housing. The agency is governed by a board of nine members, seven of whom are appointed by the governor, plus the secretary of housing and community development and the secretary of administration and finance, both serving ex officio. The agency may make

mortgage loans; fix fees, charges, and rents; set interest rates; and issue revenue bonds.

**Massachusetts Port Authority (state)**—This authority, also known as MassPort, was established by 1956 special legislation. Its board consists of seven members appointed by the governor with the consent of the governor's council. The authority may charge tolls, rates, fees, and rentals and may issue revenue bonds.

**Massachusetts Water Resources Authority (state)**—This authority was created in 1985 by act of the General Court to operate the water supply and sewage disposal system in the Boston metropolitan area. A board of 11 directors governs the authority, including two members appointed by the governor, three members appointed by the mayor of Boston, one member appointed by the mayor of Quincy, one member appointed by the president of Winthrop, and three members selected by an advisory board representing local governments in the area, plus the secretary of the executive office of environmental affairs serving ex officio. The authority may impose charges, fees, and rates; may specify the amounts to be assessed by participating cities and towns; and may issue revenue bonds.

**Municipal light boards (city or town)**—Any municipality that has established a gas or electric plant may elect a municipal light board to manage the plant. These boards may set rates. Municipal light boards may consist of three or five members either elected or appointed. The creating municipality provides appropriations and tax levies. A municipal light board may exist along with a municipal gas and electric department.

**Redevelopment authorities or community development authorities (municipal and town)**—Any town or city may establish such an authority once a need is declared. If there is a local housing authority in the city or town, the local housing authority must give consent before this type of authority may be established. A five-member board administers each redevelopment authority, with four members either appointed by the mayor or the city manager (in cities) or elected (in towns), plus one member appointed by the state department of housing and community development. Redevelopment authorities may issue bonds and collect rentals.

Other examples include:

## State

Commonwealth Corporation  
Commonwealth Health Insurance Connector Authority  
Community Economic Development Assistance Corporation  
Government Center Commission  
Health districts

Massachusetts Bay Transportation Authority  
Massachusetts College Student Loan Authority  
Massachusetts Commonwealth Zoological Corporation  
Massachusetts Corporation for Educational Telecommunications  
Massachusetts Development Finance Agency (MassDevelopment)  
Massachusetts Growth Capital Corporation  
Massachusetts Housing Partnership Fund  
Massachusetts Legal Assistance Corporation  
Massachusetts Life Sciences Center  
Massachusetts School Building Authority  
Massachusetts Technology Development Corporation  
Massachusetts Technology Park Corporation  
Massachusetts Water Pollution Abatement Trust  
Metropolitan air pollution control districts  
Pollution Liability Reinsurance Corporation  
Quinebaug and Shetucket Rivers Valley Heritage District and Commission  
Route 3 North Transportation Improvements Association  
South Boston Community Development Foundation  
Woods Hole, Martha's Vineyard, and Nantucket Steamship Authority

## County

Cape Cod Commission  
The Cape Vineyard Electric Cooperative

## Municipal

Airport commissions  
Beverly Harbor Management Authority  
Boston Water and Sewer Commission  
Cambridge Public Health Commission (also known as Cambridge Health Alliance)  
Conservation commissions  
Cultural districts  
Drinking water protection districts  
Economic development and industrial corporations—1972 general law and special acts (special acts requiring plan approval by the city council) (city)  
Geriatric districts  
Historic districts  
Hospitals for chronic disease  
Industrial development financing authorities  
Newburyport Water and Sewer Commission  
Park and recreation commissions (special acts)  
Park commissioners boards  
Parking authorities (special acts)  
Public beach districts  
Quincy College  
Regional health districts  
Salem and Beverly Water Supply Board  
Veterans' service districts  
Waste disposal facilities financing authorities  
Newburyport Water and Sewer Commission

## **Town**

Airport commissions  
Baker Hill Road District  
Belmont Housing Trust, Inc.  
Bourne Recreation Authority  
Cemetery commissioners boards  
Conservation commissions  
Cultural districts  
Drinking water protection districts  
Economic development and industrial corporations—1972  
general law and special acts (special acts requiring plan approval by the town selectmen) (town)  
Geriatric Authority of Milford (Countryside Healthcare of Milford)  
Groton Country Club Authority  
Harvard Wastewater Management District Commission  
Historic districts  
Hospitals for chronic diseases  
Industrial development financing authorities  
Industrial sewer districts (special acts)  
Kingston Sewer Commission  
Land banks (special acts)  
Lexington Housing Assistance Board, Inc.  
Marion Open Space Acquisition Commission  
Park and recreation commissions (special acts)  
Park commissioners boards  
Parking commissions and authorities (special acts)

Provincetown Pier Corporation  
Public beach districts  
Regional health districts  
Road and sewer commissions  
Rockland Sewer Commission  
Veterans' service districts  
Waste disposal facilities financing authorities  
Water commissions  
Wellesley Housing Development Corporation  
West Stockbridge Water and Sewer Commission

## **Joint City-Town**

Economic development and industrial corporations—1972  
general law and special acts (requiring plan approval by the town selectmen) (joint)  
Public beach districts  
Regional health districts  
Southeastern Regional Planning and Economic Development District  
Veterans' service districts  
Westover Metropolitan Development Corporation  
Weymouth-Braintree Regional Recreation and Conservation District

Massachusetts laws also provide for various types of local areas for election purposes, administration of justice, and air pollution control.

# MICHIGAN

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## COUNTY GOVERNMENTS

The entire area of the state of Michigan is encompassed by county governments. The county governing body is called the board of county commissioners. Most counties operate in accordance with general statutes, although they may also organize under a locally approved charter.

## SUBCOUNTY GENERAL PURPOSE GOVERNMENTS

The subcounty general purpose governments in Michigan consist of municipal (city and village) governments and township governments.

### Municipal Governments

Cities in Michigan are organized as special charter, fourth class, or home-rule. Only one special charter city remains, Mackinac Island. Existing fourth-class cities may adopt a home rule charter or continue to operate under general law. Unincorporated territory with a population between 750 and 2,000 and a density of 500 persons per square mile may be incorporated as a home rule city. Villages meeting population requirements may reincorporate as cities.

Villages operate under either home rule charters or general law. Villages are included within township governments; that is, villagers participate in township affairs and pay township taxes in addition to having their own village government. Villages are organized primarily to establish local regulatory ordinances and to provide local services such as fire and police protection, public works, and utilities. A minimum population of 150 and a density of 100 persons per square mile are required for incorporation as a home rule village.

### Township Governments

Township governments encompass the entire state except for areas within the boundaries of cities. Townships of 2,000 or more inhabitants may organize as "charter" townships. Some Michigan statutes apply the term "municipality" to township governments.

## PUBLIC SCHOOL SYSTEMS

### School District Governments

The following types of school districts in Michigan are counted as separate governments for U.S. Census Bureau statistics:

- First-class school districts.
- General powers school districts.
- Local act school districts.
- Community college districts.

A first-class school district is one with at least 100,000 students; local act school districts are created by special act of the legislature; and all other school districts are general powers school districts. The governing body of a first-class school district or general powers school district is an elected board of education. The school districts may issue bonds, some of which require voter approval. Local act school districts operate under similar provisions.

Community college districts may be formed by counties, school districts, or intermediate school districts (See "Other Education Activities" section). Community college districts also may be formed upon voter petition. Each district is administered by an elected board of trustees. The boards are authorized to levy taxes up to limits approved by the voters and, with voter approval, to issue bonds.

### Dependent Public School Systems

There are no dependent public school systems in Michigan.

### Other Educational Activities

Intermediate school districts provide vocational education, special education, and other services for participating school districts. Each district is governed by a board composed of one representative of each school district. These districts may levy ad valorem taxes; however, the budgets must be approved by the participating school districts. Taxes for certain purposes require voter approval. The districts are classified as joint educational service agencies of the participating school districts and are not counted as separate governments in Census Bureau statistics.

The board of education of a school district having a population of 10,000 or more may operate community (junior) colleges as an extension of the school services provided by the district.

Promise zone authorities may be created by a city, township, county, local school district, or intermediate school district to promote access to postsecondary education by school districts.

## **SPECIAL DISTRICT GOVERNMENTS**

Michigan statutes authorize the creation of a variety of special districts or authorities that are counted as separate governments in Census Bureau statistics. These are discussed in detail below.

### **Agencies Formed Under Intergovernmental Agreements—1968 Law**

The Urban Cooperation Act of 1967, effective in 1968, permits two or more governments (county, city, village, township, school district, or special district) to jointly exercise any power common to them. When such an agreement establishes a separate agency, the agreement specifies the functions, the method of selecting board members, and the method of allocating the agency budget to each participating government. Agencies formed under this law may fix charges and borrow money.

### **Agencies Formed Under Intergovernmental Contracts—1951 Law**

Two or more municipal corporations, including school districts, special districts, and the like, may exercise jointly any power common to them except the provision of public utilities. Such an intergovernmental contract may create a separate legal entity that may or may not be counted as a government in Census Bureau statistics. The board of such a legal entity consists of ex officio representatives of the participating governments. The authorized functions and powers are set by the intergovernmental agreement. Authorities established under this law may be known by a variety of names.

In addition, two or more municipal corporations, other than counties, in counties with a population of one million or more (Wayne and Oakland Counties) may jointly establish authorities to select single cable television franchises. The creating agreement establishes the nature of the board and delegates the powers. These authorities are counted as separate governments in Census Bureau statistics.

### **Airport Authorities**

A 1970 general law, with special application to Ingham County, provided for the formation of an airport authority by resolution of the county and any city exceeding 100,000 in population (Lansing) within its boundaries. Contiguous counties may participate. The airport authority board consists of three members appointed by the mayor with the advice and consent of the city council; three members appointed by the Ingham County board of commissioners; and two members from each other county comprising the authority appointed by their respective legislative bodies. The authority board determines its fiscal requirements, which are provided by the participating governments. The participating governments

may set and levy ad valorem taxes, with voter approval, on behalf of the airport authority. The authority may also impose ad valorem taxes and may issue revenue bonds.

Joint airport authorities may be created by resolution of the legislative bodies of two or more cities, counties, townships, or villages. The composition and manner of appointment of the authority's governing body are set forth in the creating resolution. An authority may issue bonds, upon voter approval if so petitioned; levy ad valorem taxes after voter approval; and determine its financial requirements, which are provided by the participating governments. The participating governments may set and levy ad valorem taxes, with voter approval, on behalf of the airport authorities.

### **Community Swimming Pool Authorities**

These authorities may be created by resolution of two or more cities, villages, or townships. Each authority is governed by a board of directors consisting of four members appointed by the participating government with the largest population and one member appointed by each of the other participating governments, plus the superintendent of the board of education. The authorities may set taxes and collect fees. The authorities may issue general obligation limited tax bonds, with voter approval, and may issue revenue bonds.

### **Cooperative Library Boards**

These boards are created by agreement between participating public libraries with the approval of the state legislative council. Each board is governed by representatives appointed by the member libraries. The boards receive state appropriations on a per capita basis and may fix and collect nonresident borrowing fees. The member libraries are required to fund deficits as specified in the agreement.

### **County Water, Sewer, and Garbage Disposal Systems**

Any two or more adjoining counties may, by action of their county boards of commissioners, establish a joint entity for the administration of county water, sewer, and sewer and garbage disposal systems. The board of such an entity is composed of members of each county's boards of county road commissioners, drain commissioners, and/or public works. The amounts to be contributed by each city, township, or village are determined by contract. The participating governments may set and levy property taxes to fulfill contract obligations. The systems may determine rates, charges, and assessments. The counties may jointly issue revenue bonds to finance these systems.

Systems created by a single county are not counted as separate governments for Census Bureau purposes. See "Subordinate Agencies and Areas" section.

## **District Library Boards**

Two or more county, municipal, township, or school district governments may establish a district library upon approval of each of the participating governments subject to a backdoor referendum. The composition of the library board is specified in the agreement creating the district library. Each participating government supports the district library through appropriations or tax levies. Tax levies and general obligation bond issues for library purposes require voter approval.

## **Emergency Service Authorities**

Any two or more counties, cities, villages, or townships may incorporate an authority to provide emergency services, including fire protection, ambulance, and police protection, upon approval of the articles of incorporation by the governing body of each participating government and, upon petition, and voter referendum. The method of selecting the authority governing body is specified in the articles of incorporation. The authorities may set and levy ad valorem taxes upon voter approval. Participating governments may set and levy additional ad valorem taxes to support the authorities.

## **Grand Rapids Kent County Convention Arena Authority**

This authority was created by a special act of the legislature and a joint resolution of the city and county to acquire, construct, and operate convention centers and related facilities. The authority is governed by a board consisting of two members appointed by the city, two appointed by the county, one appointed by the governor, and two appointed by the aforementioned five. The authority may fix fees and charges and may issue bonds.

## **Huron-Clinton Metropolitan Authority**

This authority acquires and develops parks and limited-access highways in southeastern Michigan. A special act permitted the creation of this authority by referendum in the designated counties. The authority is governed by a board of commissioners, consisting of one member appointed by each of the participating county boards of commissioner, and two appointed by the governor. The authority may set ad valorem taxes, issue revenue bonds, and collect fees, tolls, and charges.

## **Joint Agencies for Electric Power**

These agencies may be created to generate and distribute electric power by resolution of the legislative bodies of two or more counties, cities, villages, townships, or metropolitan districts. The governing body is a board of commissioners composed of representatives of the participating governments. An agency may set rents, rates, and fees and issue revenue bonds.

## **Joint Hospital Authorities**

These authorities may be created by resolution of the legislative bodies of two or more cities, villages, or townships with the approval of the voters. Each participating government appoints members to the governing board; the number of members is based on the population of the government. Seven additional members are selected by these appointees. The authorities determine their fiscal needs, which are provided by the participating cities, villages, and townships. In addition, joint hospital authorities may issue bonds. The participating governments may set and levy ad valorem taxes on behalf of the authorities; the levies may require voter approval.

## **Joint Municipal Endeavors**

These joint municipal endeavors may be created by resolution of the legislative bodies of two or more local governments, or one or more local governments and a public agency, with approval of the governing bodies of each participating local government. The participating governments are authorized to enter into a contract with each other to form a joint endeavor to perform or exercise any function, service, power, or privilege that they or a public agency could each exercise separately. The composition of the authority, board, or entity's governing board created by the joint endeavor is specified in the agreement that created the joint endeavor. A joint endeavor may levy a tax of not more than five mills on all taxable property in the areas served by the joint endeavor for the purpose of providing revenue to the joint endeavor. A joint endeavor may levy a new tax or increase an existing tax only if a majority of the electors in each local government served by the joint endeavor vote to approve the tax. Municipal joint endeavors that lack sufficient fiscal or administrative autonomy are classified as subordinate agencies of their respective members and not counted as separate governments in Census Bureau statistics.

## **Mass Transportation Authorities—1963 law**

Any city with a population not exceeding 300,000 may, by action of its governing body, incorporate a mass transportation authority to provide transit service. The method of selecting the authority governing body members is specified in the articles of incorporation. Mass transportation authorities may fix fares and other charges and may issue revenue bonds. The authorities may set and levy a property tax with voter approval.

Authorities governed by the city governing body ex officio are not counted as separate governments for Census Bureau purposes. See "Subordinate Agencies and Areas" section.

## **Metropolitan Councils**

These councils provide public improvements and services, including water supply, sewerage, solid waste collection and disposal, parks and recreation, transportation facilities, higher education facilities, and economic development and planning. The councils are established by an agreement between two or more local governments subject to a backdoor referendum. The composition of the metropolitan council governing body is specified in the agreement creating the council. Metropolitan councils may fix charges for their facilities and services, levy ad valorem taxes with voter approval, and require the participating governments to contribute to the council in proportion to their assessed valuation. If their articles of incorporation so permit, they may also issue bonds.

## **Metropolitan Transportation Authorities—1967 law**

Under general law, metropolitan transportation authorities may be established to provide transit service in major metropolitan areas by resolution of the county board of commissioners of one or more contiguous counties. A board of directors consisting of nine members is appointed by the governor with the consent of the Senate; six of the appointments are made from lists submitted by the boards of commissioners of the member counties and the mayor of any city within the authority with a population exceeding 500,000. The board of the Southeastern Michigan Transportation Authority consists of county officials ex officio and representatives selected by the governing bodies of the participating counties. Metropolitan transportation authorities may fix and collect rates, fares, tolls, and other charges and issue revenue bonds.

## **Port Authorities—1978 law**

These authorities provide, operate, and maintain port facilities. Any city and county, combination of counties, or a combination consisting of at least one city and one county may, by joint resolution, request the governor to authorize the incorporation of a port authority. Each authority's governing board includes one member appointed by the governor and at least one representative appointed by each of the participating governments. In a county with a population of more than 1,500,000, one member is appointed by the governor, two by the county board of commissioners, and two by the mayor of a city having a population of at least 750,000. Authorities may set and collect rates, fees, and charges, and may issue revenue bonds.

## **Public Transportation Authorities—1986 Law**

Authorities to provide transit service may be created under this law by one or more counties, cities, townships,

or villages, or combination thereof. The composition of the authority governing body is specified in the agreement creating the authority. The authorities may fix fares, fees, rents, and charges. With voter approval, they may also levy ad valorem taxes and issue general obligation bonds.

In addition, mass transportation authorities created under the Urban Cooperation Act of 1967 for the purpose of providing public transportation may create a public transportation authority under this law, along with some metropolitan transportation authorities.

## **Recreation Authorities**

Two or more counties, cities, villages, townships, school districts, or voting districts may create articles of incorporation for a recreational authority and pass resolutions calling for a referendum. After voter approval of an ad valorem tax, the articles of incorporation are filed with the secretary of state. Each recreation authority is governed by a board of directors; the size of the board and the method of selection are named in the articles of incorporation. The authorities may set ad valorem taxes with voter approval and may issue bonds.

## **Regional Libraries**

Regional libraries serve two or more counties as designated by the state board for libraries. The county boards of supervisors must approve the plan for their counties by resolution. The participating counties appoint the governing board, which may include one supervisor ex officio from each county board. The libraries are funded by local appropriations and may, with voter approval, be funded by tax levies.

## **Regional Convention Facility Authority**

An act of the legislature created a regional convention facility authority for the city of Detroit and Wayne County. The authority is governed by a board of directors for which one member is appointed by the governor with Senate consent, one by the chief executive officer of Detroit, one by the chief executive officer of Wayne County, and one by each of the chief executive officers of the two bordering counties with the highest populations. The authority may issue bonds and set fees.

## **Soil Conservation Districts**

The state creates these districts on petition and after both a hearing and referendum. The governing board consists of five directors popularly elected. The districts may require contributions from benefitted landholders. Counties may levy an ad valorem tax, with voter approval, and remit the proceeds of the tax to the conservation district.

## Water and Sanitation Districts and Authorities

Michigan general laws authorize the following types of districts or authorities to provide for water supply and sanitation:

- Charter water authorities—1957 law.
- Metropolitan districts—1929 law.
- Garbage or rubbish collection or disposal authorities—1947 law.
- Sewage disposal, water supply, and solid waste management system authorities—1955 law.
- Water authorities—1952 law.
- Water and/or sewage disposal districts—1994 law.

Charter water authorities may acquire and operate water supply systems. Any two or more cities, villages, or townships having a combined equalized valuation of \$200 million or more may pass resolutions and conduct referendums for the purpose of jointly creating an authority. A board of commissioners, appointed by the legislative bodies of the member governments, governs each authority. The authority may collect rates and charges, set ad valorem taxes, and issue general obligation bonds.

Metropolitan districts acquire and maintain water and sewage disposal systems, as well as parks and transportation facilities. The districts may be formed by any two or more cities, villages, or townships. A referendum is required. Each district's charter provides for election or appointment of governing bodies. The districts may levy ad valorem taxes, issue revenue and mortgage bonds, and collect rates, tolls, and excises. In lieu of levying taxes, the district may prorate expenses to the participating governments.

Garbage or rubbish collection or disposal authorities may be formed by any two or more cities, villages, or townships. The composition and manner of appointment of the governing body are set forth in the articles of incorporation. These authorities determine the fiscal requirements, which are provided by the participating governments. These authorities may also issue revenue bonds. Landfill authorities, sanitation authorities, incinerator authorities, resource recovery authorities, and sanitary districts operate under the same provisions as garbage or rubbish collection or disposal authorities.

Sewage disposal, water supply, and solid waste management system authorities may be formed by any two or more counties, cities, villages, or townships. The composition and manner of appointment of the governing body are set forth in the articles of incorporation. These authorities determine the fiscal needs, which are provided by the participating governments. In addition, authorities may issue revenue bonds. Cooperative authorities, solid waste management authorities, utilities authorities, and

waste water authorities operate under the same provisions as sewage disposal and water supply system authorities.

Water authorities are formed by agreement between any two or more cities, villages, or townships. The articles of incorporation provide for the method of selecting the governing body, as well as the method of determining the amount to be paid by each participating municipality to the authority for services. A water authority may issue revenue bonds.

Water supply and/or sewage disposal districts may be created by the state department of natural resources upon petition of two or more metropolitan districts, water or sewer authorities, cities, villages, or townships, after passage of resolutions and after a local referendum. A popularly elected board of directors governs each district. The districts may collect rates and charges, levy special benefit assessments, and issue revenue bonds.

## SUBORDINATE AGENCIES AND AREAS

Shown below are various governmental designations in Michigan that have certain characteristics of governmental units but that are classified in Census Bureau statistics as subordinate agencies of the state or local governments and are not counted as separate governments. Legal provisions for some of the larger of these are discussed below (See "Public School Systems" section regarding educational agencies of this nature).

**Drainage districts (county)**—Michigan law authorizes four types of drainage districts to provide drainage for agricultural and health purposes:

- Chapter 3 and Chapter 20 drainage districts (each covering portions of a single county).
- Chapter 5 and Chapter 21 drainage districts (each covering portions of two or more counties).

Each type is established upon petition of landowners or local governments to the county drain commissioner or the state director of agriculture followed by a public hearing. Chapter 3 districts are governed by the county drain commissioner. Chapter 20 district boards include the drain commissioner, the chair of the county board of supervisors, and the chair of the board of county auditors. Chapter 5 and Chapter 21 districts are governed by a board consisting of the county drain commissioners plus the state director of agriculture. Special provisions apply to the boards in certain counties. Each district certifies, to the governing body of each county, city, village, or township served, the amount of property taxes and special assessments to be levied for district purposes. All types of drainage districts may issue bonds.

**Housing commissions (county, municipal, or township)**—A housing commission is established by county, city, village, or township ordinance; a local referendum is required if voters petition for a commission.

A commission consists of five members appointed by the chief administrative officer of the county, city, village, or township. A housing commission may fix and collect rentals and, in the name of the parent government, issue revenue bonds. Housing commissions may also perform redevelopment functions.

**Joint water and sewage disposal systems**—1947 law (county, municipal, or township)—Two or more county, city, village, township, or metropolitan districts may create a system with a joint board or commission by ordinance after a referendum. Each participating government appoints one member to the joint board or commission plus one member is selected by the board itself. Alternative governing arrangements are available. Participating governments may issue bonds.

**Michigan Finance Authority (state)**—This authority was established by special act to finance a variety of activities. The authority replaced the Michigan Forest Finance Authority; Michigan Higher Education Assistance Authority; Michigan Higher Education Student Loan Authority; Michigan Municipal Bond Authority; Michigan State Hospital Finance Authority; and other state agencies. The authority is governed by a board of directors consisting of six members appointed by the governor with the advice and consent of the Senate. The state treasurer also serves on the board. The authority may issue revenue bonds.

**Michigan State Building Authority (state)**—This authority was established by special act to finance the construction of state buildings. It is governed by a board of trustees appointed by the governor. The authority may impose rentals for use of facilities and issue revenue bonds.

**Michigan State Housing Development Authority (state)**—This authority was established to provide mortgage credit for low- and moderate-income housing. The authority is governed by a board of seven members, four of whom are appointed by the governor with the consent of the Senate plus three heads of principal departments of the executive branch of the state government. The authority may fix fees and charges, make mortgage loans, and issue revenue bonds. In addition, the authority may, upon approval of the legislature and the voters, receive proceeds of state general obligation bonds.

Other examples include:

## State

Automobile Theft Prevention Authority  
Base conversion authorities  
Forest improvement districts  
Local Community Stabilization Authority  
Low-Level Radioactive Waste Authority  
Mackinac Bridge Authority  
Mackinac Island State Park Commission

Medical control authorities  
Michigan Broadband Development Authority  
Michigan Economic Growth Authority  
Michigan Education Trust  
Michigan Enterprise Zone Authority  
Michigan Export Development Authority  
Michigan Family Farm Development Authority  
Michigan Land Bank Fast Track Authority Act  
Michigan Next Energy Authority  
Michigan Veterans' Facility Authority  
State Strategic Fund

## County

Art institute authorities  
Building and parking authorities (county)  
Community mental health service boards  
County health districts  
County library boards  
County park and recreation commissions  
County public hospital boards of trustees  
County water, sewer, and garbage disposal systems (1939 law) (single county)  
Economic development commissions  
Economic development corporations (county)  
Emergency telephone districts  
Empowerment zone development corporations (county)  
Health facilities corporations (county)  
Historic districts (county)  
Joint boards or commissions for intergovernmental transfers (county)  
Joint building and parking authorities (county)  
Joint county medical care facilities  
Lake improvement (“inland lake”) districts  
Local hospital finance authorities (county)  
Regional airport authorities  
Regional park and recreation commissions  
River management districts (county)  
Zoological authorities

## Municipal

Birmingham Area Cablecasting Board  
Birmingham Triangle District Corridor Improvement Authority  
Brownfield redevelopment authorities (municipal)  
Building and parking authorities (municipal)  
Business improvement zones  
Commercial redevelopment districts (municipal)  
Corridor improvement authorities (single municipality)  
Downtown development authorities (municipal)  
Economic development corporations (municipal)  
Empowerment zone development corporations (municipal)  
Health facilities corporations (municipal)  
Historic district (municipal)  
Joint boards or commissions for intergovernmental transfers (municipal)

Joint building and parking authorities (municipal)  
Joint environmental management authorities  
Joint fire protection districts (municipal)  
Joint water supply systems—1945 law  
Library boards (municipalities)  
Local development finance authorities (municipal)  
Local hospital finance authorities (municipal)  
Market authorities  
Mass transportation authorities with ex officio  
boards—1963 law  
Municipal lighting authorities  
Neighborhood improvement authorities  
Plant rehabilitation and industrial development districts  
(municipal)  
Regional airport authorities  
River management districts (municipal)  
Rural fire protection districts (municipal)  
Tax increment financing authorities  
Technology park districts (municipal)

### **Township**

Brownfield redevelopment authorities (township)  
Building and parking authorities (township)  
Commercial redevelopment districts (township)  
Corridor improvement authorities (single township)  
Downtown development authorities (township)  
Economic development corporations (township)  
Empowerment zone development corporations (township)  
Fire assessment districts  
Historic districts (township)  
Joint boards or commissions for intergovernmental  
transfers (township)

Joint building and parking authorities (township)  
Joint fire protection districts (township)  
Library boards (township)  
Local development finance authorities (township)  
Local hospital finance authorities (township)  
Plant rehabilitation and industrial development districts  
(township)  
Regional airport authorities  
Resort district authorities  
Rural fire protection districts (township)  
River management districts (township)  
Technology park districts (township)  
Township water supply districts—1941 law

### **Joint County-Municipal**

Joint boards or commissions for intergovernmental  
transfers (joint)  
Joint building and parking authorities (joint)  
Municipal joint endeavors (joint)  
River management districts (joint)

### **Other**

Industrial districts within port authorities are classified  
as subordinate activities of a port authority and are not  
counted as separate governments for Census Bureau  
statistics on governments.

School districts also may participate in the creation of  
joint building and parking authorities.

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

# MINNESOTA

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## COUNTY GOVERNMENTS

The entire area of the state of Minnesota is encompassed by county governments. The county governing body is called the County Board of Commissioners. Ramsey County, under special legislation, became a home-rule county in 1992.

## SUBCOUNTY GENERAL PURPOSE GOVERNMENTS

The subcounty general purpose governments in Minnesota comprise municipal (city) governments and township or town governments.

### Municipal Governments

The term "municipality," as defined for U.S. Census Bureau statistics on governments, applies only to the cities in Minnesota. Towns or townships in Minnesota are counted as township governments and not as municipal governments in Census Bureau statistics on governments.

Minnesota cities are divided into four classes according to population size, as follows:

- First class—more than 100,000 inhabitants.
- Second class—more than 20,000 and not more than 100,000 inhabitants.
- Third class—more than 10,000 and not more than 20,000 inhabitants.
- Fourth class—not more than 10,000 inhabitants.

Charter cities are municipal governments that have adopted home-rule charters. All other municipal governments (including those that were originally villages, towns, or boroughs) are statutory cities. There are no differences between cities that would affect their classification for Census Bureau purposes. Some cities, but not all, exist within township areas.

### Township Governments

Township governments exist in 84 of the 87 Minnesota counties. In those counties that have township governments, township governments do not cover the entire area of the counties. All unorganized territory and some, but not all, cities exist outside the area served by any township government. In recent years, some township governments in Minnesota have been dissolved. The terms "town" and "township" are used interchangeably in Minnesota with regard to township governments. The township governing body is the board of supervisors.

A number of metropolitan area towns, or urban towns, have powers similar to those of municipal governments under special powers granted by the Minnesota statutes.

## PUBLIC SCHOOL SYSTEMS

### School District Governments

The following types of school districts in Minnesota are counted as separate governments in Census Bureau statistics:

- Common school districts.
- Independent school districts.
- Special school districts (special acts).

An elected board administers each school district of the above three types. School districts may levy school taxes and issue bonds. The Pine Point School, part of Pine Point School District, is administered by the White Earth Reservation Tribal Council under special legislation.

### Dependent Public School Systems

### Other Educational Activities

Minnesota has the following types of educational service agencies in operation:

- Area learning centers.
- Cooperative facilities districts.
- Education districts.
- Interdistrict councils (under Joint Powers Act).
- Intermediate school districts.
- Regional management information centers.
- Service cooperatives.
- Vocational centers (cooperative centers for vocational education).

Area learning centers to provide vocational education to secondary school pupils with special needs may be established by a school district either alone or in cooperation with other public or private entities. For Census Bureau statistics, they are not counted as separate governments, but are joint educational service agencies of the school districts they serve.

Cooperative facilities districts operate joint schools or programs. The districts are created by a joint powers agreement between two or more school districts. A board consisting of representatives of the member school

district boards governs each district. The member districts may levy a property tax and issue general obligation bonds with voter approval.

Education districts to provide educational and school support services to participating school districts may be established by agreement between four or more school districts. A board of appointed representatives of the participating school districts governs each education district; these representatives serve at the pleasure of the school district they represent. Education districts may levy ad valorem taxes and issue bonds after voter approval. School districts may pair up, as enhanced pairing districts, to certify some tax levies jointly and to perform other functions jointly. Education districts are not counted as separate governments in Census Bureau statistics.

Interdistrict councils are organized under the Joint Powers Act. These councils are established by agreement between two or more school districts to exercise powers common to the contracting parties. Most of the education agreements formed under this law provide special education services. The agreement determines whether there is a separate governing body. Interdistrict councils (under the Joint Powers Act) are not counted as separate governments in Census Bureau statistics. Similar provisions can apply to special education cooperative districts and telecommunications districts.

Intermediate school districts are established by special acts to provide technical colleges or special education. A joint board consisting of appointed representatives of each participating school district governs each intermediate school district. These districts may levy ad valorem taxes and issue bonds. They are not counted as separate governments in Census Bureau statistics.

Regional management information centers may be formed by two or more independent, special, or common school districts. The districts provide a computer-based, financial management accounting system to school districts, utilizing regional or other computing facilities. They are not counted as separate governments in Census Bureau statistics.

General law, under the state education code, authorizes service cooperatives, which serve all forms of local government with planning and regional services and programs. Service cooperatives formed under general law, rather than under the Joint Powers Act, are not counted as separate governments in Census Bureau statistics.

Vocational centers (also called cooperative centers for vocational education), which provide vocational education and other educational services, are established by resolutions of two or more independent school districts. They are not counted as separate governments in Census Bureau statistics.

## SPECIAL DISTRICT GOVERNMENTS

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

### Area Ambulance Districts

Created by special acts of the legislature, these districts provide ambulance service to their area. They are governed by boards appointed by member cities, towns, and counties. Districts may levy ad valorem property taxes and issue bonds.

### Area Redevelopment Agencies

These agencies may be established by joint powers agreement between two or more municipalities. A joint board consisting of one member appointed by the governor and the remainder by the municipalities served governs each agency. The agency may collect fees, rentals, and charges, issue bonds, and, with approval of the municipalities served, levy ad valorem taxes and special assessments.

These agencies are to be distinguished from the municipal redevelopment agencies listed under "Subordinate Agencies and Areas" section.

### East Lake Clinic District

A 1989 special act authorizes creation of this district by resolution of the towns of Crystal Bay, Beaver Bay, and Stony River; the cities of Beaver Bay and Silver Bay; and the county of Lake. The district board consists of one representative from each of the participating governments. The district may levy ad valorem taxes and fix charges for its services.

### Hospital Districts

Municipal hospital districts, authorized by 1959 legislation, may be established by resolution of the governing bodies of any two or more contiguous cities (except first class) or townships. A referendum is required if requested by the voters. Each district hospital board consists of one member elected from each constituent government, plus one member elected at large. The boards may collect charges for services, levy taxes, and, with voter approval, issue revenue and general obligation bonds.

County hospital districts have also been established by special acts with generally similar provisions.

### Housing and Redevelopment Authorities

General law provides for the establishment of a housing and redevelopment authority in each municipality and county, other than counties that have an authority established by special act. Establishment requires a resolution of the respective governing body and a public

hearing. Multicounty authorities may also be established by two or more cities or counties. Each authority is administered by a board of commissioners appointed by the mayor with the consent of the municipal governing body or by the county governing body, as appropriate. Authorities may issue revenue bonds, and fix and collect rentals. A special benefit property tax may be levied with the approval of the establishing government.

Special acts authorize city governing bodies to serve as housing authority commissioners ex officio in a few localities. A housing authority governed by the city governing body is not counted as a separate government in Census Bureau statistics. See “Subordinate Agencies and Areas” section.

### **Joint Cable Communications Commissions**

Two or more counties, cities, or towns may form a joint cable communications commission by ordinance or resolution. Each commission consists of two representatives from each member government; one of the two representatives must be a member of the local governing body. The commissions grant franchises and set rates.

### **Joint Powers Airport Boards**

These boards may be created by agreement by two or more municipalities; the state and one or more municipalities; one or more municipalities and any other state; or, with the approval of the federal government, the state of Minnesota, and Canada. The boards are appointed by the participating governments. The participating governments levy taxes and issue bonds to provide funding per the agreement.

### **Joint Powers Boards (not included elsewhere)**

Two or more local governments or other political subdivisions of the state may jointly exercise any power common to them. Federal and state governments also may participate in such agreements. The agreement may create a board; the composition of such a board is specified in the creating agreement. The functions performed by and the powers granted to these joint powers boards are detailed in the creating agreement. Joint powers boards may receive contributions from participating governments and, if the agreement so provides, fix charges and issue revenue bonds. Joint powers boards are known by a wide variety of names.

Community correction boards are created pursuant to the Joint Exercise of Powers Act; however, legislation limits the creation of these entities to one or more contiguous counties having an aggregate population of 30,000 or more. These boards have an advisory board in addition to the governing board.

Regional radio boards also are created pursuant to the Joint Exercise of Powers Act; however, legislation requires that these agreements may be created only by two or more counties or a city and one or more counties and that the counties must be within the statewide radio board's project plan. Legislation also provides specific requirements for the board's composition.

### **Mental Health Collaboratives**

State laws authorize two types of mental health collaboratives: family services collaboratives and children's mental health collaboratives. In most cases, the two types of collaboratives are integrated. These entities are formed by combinations of public entities or private entities that form an agreement. The collaboratives are governed by representatives of the member agencies. The agreement specifies member contributions.

### **Metropolitan Airports Commission**

This commission was created by special legislation to provide, operate, and maintain airports in the Minneapolis-St. Paul area. The commission consists of the mayors of Minneapolis and St. Paul, plus 13 additional members (including the chair) appointed by the governor. The commission may set rates, collect fees and rents, levy ad valorem taxes, and issue revenue bonds.

### **Metropolitan Mosquito Control District**

The special act establishing this district designates the participating counties. The district is governed by a commission composed of members of the Boards of County Commissioners from each of the participating counties. The district may levy ad valorem taxes. In addition, participating counties may levy ad valorem taxes on behalf of the district.

### **Minneapolis-St. Paul Housing Finance Board**

This board was established by a joint exercise of powers agreement between the Minneapolis Community Development Agency and the Housing and Redevelopment Authority of St. Paul to provide mortgage credit. The composition of the board is specified in the agreement establishing it. The board may fix fees and charges for its services and may issue revenue bonds.

### **Municipal Gas Agencies**

Municipal gas agencies, which provide and distribute gas, are established when two or more cities file a written agreement with the secretary of state. A board of directors, of which at least five directors represent the participating cities, governs each agency. The agencies may charge rents, rates, and other fees, and may issue revenue bonds. No municipal gas agencies were reported in operation as of June 30, 2017.

## **Municipal Power Agencies**

Municipal power agencies are established by written agreement between two or more member cities or existing municipal power agencies, upon resolution of the respective city governing bodies, to generate and distribute electric power. A park and recreation board of a first-class city may participate in establishing a municipal power agency. A board consisting of representatives of the members governs each agency. The number of representatives and their manner of selection are specified in the agreement establishing the agency. Municipal power agencies may impose service charges and issue revenue bonds.

## **Park Districts**

Park districts are authorized under a general law applicable only to counties with 350,000 or more inhabitants; adjoining counties may also be included in the district. Establishment is by the Boards of County Commissioners following petition of voters or resolutions adopted by a majority of the governing bodies of the cities within each county in the proposed district; local referendum is required if petitioned for or if the county commissioners so desire.

Single-county park districts created under this law are coterminous with the county, but exclude first-class cities. Multicounty park districts may include all or part of two or more counties, exclusive of first-class cities. An elected board of park district commissioners governs each district. The district may fix charges, issue revenue bonds, and, with voter approval, issue general obligation bonds. The district may also determine the amount to be contributed by each participating government; these funds are raised by the local governments through property taxes. The Three Rivers Park District was established under this law to provide park facilities in Hennepin County.

## **Regional Development Commissions**

State code divides the state into development regions. These commissions, which coordinate state, federal, and local planning and development programs, are established by the governor following petition by a combination of the governing bodies of the cities and counties representing a majority of the population residing in the development region. Each commission consists of members chosen from local governing bodies, councils of governments, Native American Tribal Councils, and public interest groups. The commission bylaws specify the method of selection of board members. Regional development commissions may levy property taxes.

## **Regional Public Library Districts**

Regional public library districts may be established in the areas of the Great River Regional Library System and the

East Central Regional Library System. These districts are governed by boards consisting of elected directors and, in some cases, include ex officio members of the governing bodies of the participating counties. The districts may levy property taxes and issue debt.

## **Regional Public Library Systems**

Regional library systems are formed by agreement between two or more counties and/or cities located in two or more counties under the interlocal cooperation act after approval by existing library boards. The system is governed by representatives appointed by member governments as specified in the agreement. The system receives statutorily prescribed funding from member governments and the proceeds of an earmarked library tax.

## **Regional Railroad Authorities**

Regional railroad authorities to preserve and improve local freight or passenger rail service may be established by resolution adopted by the governing body of one or more counties after application to the secretary of state. Cities and towns may organize a regional railroad authority if the county in which they are located declines to do so. A board of five or more commissioners governs each authority. The number of commissioners appointed by each member county is specified in the certificate of incorporation. The authorities may charge fees and rentals, and issue revenue bonds, and, with voter approval, the authorities may levy ad valorem taxes.

Authorities of this type that are governed by the county board of commissioners ex officio are not counted as separate special district governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

## **Rural Development Financing Authorities**

Authorities to acquire, construct, and improve agricultural development and improvement projects are established by resolution of one or more counties. A board of directors appointed by the governing bodies of the counties served governs each authority. The authorities may fix charges for their services, levy special assessments, and issue revenue bonds.

The Morrison County Rural Development Finance Authority was created by a special act. Authorities governed by the county commissioners ex officio are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

## **Rural Water User Districts**

Rural water user districts to conserve, store, and distribute water may be established under general law upon petition of landowners to the state district court. If the district includes an area within a city, then the petition must

include a resolution of the city governing body. A board of directors elected by persons and corporations party to contracts for water with the district governs each district. The districts may impose service charges and issue revenue bonds.

### **St. Cloud Metropolitan Transit Commission**

The St. Cloud Metropolitan Transit Commission was established by a 1969 law. It consists of members appointed by the governing bodies of the participating municipalities. The commission may issue revenue bonds, impose charges, and levy ad valorem taxes.

### **Sanitary Districts**

Sanitary districts may be established by the Minnesota Pollution Control Agency upon petition of the governing bodies of one or more county, municipal, or township governments. A board of managers selected by the governing bodies of the constituent governments governs each district. The districts may fix service charges, set ad valorem taxes and special assessments, and issue bonds. Similar provisions apply to the Western Lake Superior Sanitary District and Cross Lake Area Water and Sanitary Sewer District, which were established by special acts.

Regional sanitary sewer districts are created by special acts with substantially uniform provisions that enumerate the cities and townships included therein. A board of directors with one member appointed by the governing body of each participating city or township governs each district. The districts may fix service charges, levy ad valorem taxes and special assessments, and issue bonds.

### **Soil and Water Conservation Districts**

Soil and water conservation districts are created by the state soil and water conservation board upon petition of landowners and after a public hearing and referendum. An elected board of supervisors governs each district. The board may require contributions from benefited landowners. In addition, the county may levy ad valorem taxes and issue bonds for the benefit of a district.

### **Solid Waste Management Districts**

Solid waste management districts may be established by the commissioner of the Minnesota Pollution Control Agency following petition from the governing bodies of at least half the counties that lie wholly, or in part, within the proposed district. Each participating government appoints two members to the district board of directors. The districts may charge fees and issue revenue bonds. The districts may levy property taxes and issue general obligation bonds if the participating counties agree to permanently delegate this power.

### **Watershed Districts**

These districts provide flood control, reclamation, water supply, sewerage, drainage, and soil and water conservation. General law authorizes the state board of soil and water resources to establish watershed districts upon petition of landowners or participating local governments after a public hearing. The governing body is a board of managers, appointed by the county boards of commissioners. The district boards may levy special benefit assessments and ad valorem taxes, impose storm water charges, and issue revenue bonds. The participating counties are statutorily required to pay a share of projects and may levy taxes and issue bonds for such purpose.

### **Watershed Management Organizations**

Watershed districts that are wholly within the area over which the Metropolitan Council has jurisdiction or that were created under the Joint Powers Act are watershed management organizations. The organizations are governed by a board as specified by the watershed district law or the Joint Powers Act. Watershed management organizations may levy property taxes and issue bonds. Participating local governments are required to fund apportioned costs.

### **SUBORDINATE AGENCIES AND AREAS**

Shown below are various governmental designations in Minnesota that have certain characteristics of governmental units, but that are classified in Census Bureau statistics on governments as subordinate agencies of the state or local governments and are not counted as separate governments. Legal provisions for some of the larger of these are discussed below (see "Public School Systems" section regarding educational agencies of this nature).

**Metropolitan Council (state)**—The Metropolitan Council was created by a special act primarily to coordinate planning and development, and operate transit and sewage disposal systems in the Minneapolis-St. Paul metropolitan area. It has been given broad powers to review and require consistency and compatibility of all comprehensive plans of governments in the seven-county area. The council consists of 17 members appointed by the governor. It may levy ad valorem taxes and may issue bonds.

**Minnesota Higher Education Facilities Authority (state)**—This authority was created by 1971 legislation to finance the construction of higher education facilities. A board consisting of a representative of the Minnesota Office of Higher Education and eight members appointed by the governor governs the authority. The authority may fix rates, rents, fees, and charges for its services, and may issue revenue bonds.

**Minnesota Housing Finance Agency (state)**—This agency, authorized by an act of the legislature, was created to provide mortgage credit for low- and moderate-income housing and related improvements. A board of seven members governs the agency; the board consists of six members appointed by the governor with the consent of the senate, plus the state auditor. The agency may set fees and charges, make mortgage loans, and issue revenue bonds.

**Port authorities (municipal)**—General law authorizes the establishment of these authorities in cities of the first class and elsewhere by special act. A port commission appointed by the city council governs each authority, except where special acts specify otherwise. Contiguous first-class cities may establish joint port commissions. Port authorities may levy ad valorem taxes and may fix rates, fees, and charges. The city council may levy additional taxes and issue bonds, at its discretion, for port authority needs. The port commission may issue revenue bonds, and, with city approval, may issue general obligation bonds. Industrial development districts within port authorities are classified as dependent agencies of the establishing authority and are not counted as separate governments as separate governments.

Other examples include:

#### **State<sup>1</sup>**

Enterprise Minnesota Inc.  
Lake Superior Center Authority  
Minnesota Agricultural and Economic Development Board  
Minnesota Pollution Control Agency  
Minnesota Public Facilities Authority  
Minnesota Sports Facilities Authority  
Minnesota Rural Finance Authority  
Mississippi River Parkway Commission  
Northern Technology Initiative Inc.  
St. Paul Landmark Authority  
Wildfire protection districts

#### **County<sup>2,3</sup>**

Benson/Swift County Hospital District  
Community public health boards  
Cook County/Grand Marais Joint Economic Development Authority  
County water and sewer districts  
Drainage authorities (county and judicial ditches)  
Emergency medical services special taxing districts  
Hennepin Healthcare System Inc.

Human services board  
Joint powers board of health  
Koochiching County Economic Development Commission  
Lake improvement districts  
Minnesota Ballpark Authority  
Mississippi Headwaters Board  
Park commissions  
Regional railroad authorities governed by the county board of commissioners  
Rural development financing authorities with ex officio boards  
Subordinate service districts

#### **Municipal**

Chisholm/Hibbing Airport Authority  
City development districts  
City library boards (first-class cities)  
City-school district library boards (first-class cities)  
Duluth Airport Authority  
Duluth Transit Authority  
Economic development authorities and districts  
Emergency medical services special taxing districts  
Housing and redevelopment authorities with ex officio boards  
Lake Minnetonka Conservation District (Hennepin County)  
Local public health boards  
Minneapolis Community Development Agency  
Municipal redevelopment agencies  
Neighborhood revitalization policy boards (first-class cities)  
Nonprofit Riverfront Revitalization Corporation  
Special service districts  
Spirit Mountain Recreation Area Authority  
St. Paul Public Housing Agency  
Storm sewer improvement districts  
Tax increment financing districts  
Urban and rural service (taxing) districts

#### **Township**

Emergency medical services special taxing districts  
Road districts (in areas having organized township Governments)  
Special fire protection districts  
Subordinate service districts

#### **Joint Municipal-Township**

Joint East Range Economic Development Authority  
White Bear Lake Conservation District

## **Other**

The Metropolitan Parks and Open Space Commission is classified as a dependent activity of the Metropolitan Council.

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

## **ENDNOTES**

<sup>1</sup> The legislation authorizing Minnesota Science and Technology Authority was repealed in 2013.

<sup>2</sup> The legislation authorizing Road districts in unorganized territory was repealed in 2015.

<sup>3</sup> The legislation authorizing Community public health boards was repealed in 2014.

# MISSISSIPPI

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## COUNTY GOVERNMENTS

The entire area of the state of Mississippi is encompassed by county governments. The county governing body is called the county board of supervisors. Counties in Mississippi operate under home-rule.

## SUBCOUNTY GENERAL PURPOSE GOVERNMENTS

### Municipal Governments

Municipal governments in Mississippi are the cities (municipalities of 2,000 inhabitants or more), towns (municipalities of 300 to 1,999 inhabitants), and villages (municipalities of 100 to 299 inhabitants). Villages can no longer be created, but existing villages with at least 50 inhabitants may retain their status. Municipal governments in Mississippi operate under home rule.

### Township Governments

Mississippi has no township governments.

## PUBLIC SCHOOL SYSTEMS

### School District Governments

Only the following types of school districts in Mississippi are counted as separate governments in U.S. Census Bureau statistics on governments:

- County-wide school districts.
- Consolidated school districts.
- Municipal separate school districts.
- Special municipal separate school districts.
- Junior colleges.

Countywide school districts compose all of the territory of a county, exclusive of the territory included in a municipal separate school district. The elected county board of education governs the district.

Consolidated school districts are subdivisions of those territories of a county that are not in a municipal separate school district or in a countywide school district. An elected board of trustees governs the district. Line (intercounty) districts operate under similar provisions.

Municipal separate school districts include the area of a municipality and may include added territory. A board of trustees appointed by the municipal governing body governs the district. Although authorizing legislation for municipal separate school districts was repealed in 1987,

existing districts may continue to operate until abolished by action of the county board of education or by the school district board upon petition of voters.

Special municipal separate school districts are municipal separate school districts having "added territory" that contains 25 percent or more of the total number of school-aged children of the district. An elected board of trustees governs each special municipal separate school district.

The county boards of education and the boards of trustees of the municipal separate and consolidated school districts determine the amount of local taxes to be levied for school purposes. The school board, as well as the municipal or county government, may issue bonds for the school district.

In addition, junior colleges in Mississippi are counted as governments in Census Bureau statistics. These junior colleges are administered by boards of trustees appointed by the respective county boards of supervisors. They are financed through local tax levies.

### Dependent Public School Systems

Mississippi statutes authorize the following types of county dependent public school systems:

- Agricultural high schools.
- Joint agricultural high schools
- Joint agricultural high school-junior colleges.

These schools are classified as dependent agencies of county governments in Census Bureau statistics and are not counted as separate governments. Each participating county is represented on the board of trustees by three members appointed by the county board of supervisors and two members appointed by the county board of education, plus the county superintendent of education ex officio. The county or counties may levy taxes for the support of these schools and may finance capital improvements through county bond issues.

### Other Educational Activities

Regional education service agencies may be established by the agreement of 12 or more public school districts. The superintendents of the participating school districts elect a board of directors from among themselves. These agencies are classified as joint agencies of the participating school districts and are not counted as separate governments in Census Bureau statistics.

Emergency school leasing authorities are dependent agencies of the local school board and are not counted as separate governments in Census Bureau statistics. They are used to finance and construct school facilities. An authority may collect lease purchase payments and issue bonds.

## SPECIAL DISTRICT GOVERNMENTS

Mississippi statutes authorize the creation of a variety of special districts or authorities that are counted in Census Bureau statistics as governments. These are discussed in detail below.

### Air Ambulance Service Districts

These districts may be established by resolution of the board of supervisors of two or more counties having common boundaries with a state highway safety patrol district. A referendum is required if the voters so petition. The district board of directors consists of one member appointed by the governor, plus one member from each participating county appointed by its board of supervisors. The district boards may fix and collect fees.

### Cooperative Service Districts

Districts to provide joint financing, construction, and administration of governmental facilities and services are established by action of the board of supervisors of each participating county. A board of commissioners consisting of one to five elected officials appointed by the supervisors of each participating county governs each district. The districts may charge fees, tolls, and special assessments to participating counties and any municipal government that has contracted for services. Revenue bonds may be issued with approval of the participating counties. The board of supervisors of any participating county may levy a tax in support of the district.

### Drainage Districts

Drainage districts with local commissioners are created on petition to the chancery court and after a public hearing. Consolidated drainage districts (combinations of three or more drainage districts) also are created by the chancery court on petition of the drainage districts involved and after a public hearing. Governing bodies of both of these types of districts are appointed by the chancery court. The districts may borrow money, issue bonds and levy special assessments.

Similar provisions are made for drainage districts with county commissioners, except that their governing bodies are appointed by the county board of supervisors.

Drainage districts exercising certain powers for the purpose of conservation are known as water management districts.

Legislation for swampland districts has been repealed with the provision that any in existence may continue to operate.

Subdistricts of drainage districts are classified as activities of the main drainage district and are not counted as separate governments in Census Bureau statistics.

### Emergency Medical Services Districts

These districts are established by the governing bodies of any combination of one or more counties or municipalities. The districts are governed by boards appointed by the creating governments. The authorizing legislation funds these districts through the state Emergency Medical Services Operating Fund on a per capita basis.

Districts of this type that serve a single county or municipality and that are governed by local officials ex officio are not counted by the Census Bureau as separate governments. See "Subordinate Agencies and Areas" section.

### Flood Control Districts

These districts lie within the Pearl River Basin Development District and are created by resolution of the board of directors of the Pearl River Basin Development District and voter approval within the proposed district. The districts may include one or more counties or municipalities. Each district's board of directors consists of members appointed by the governing bodies of the counties and municipalities participating in the district, plus one member appointed by the Pearl River Basin Development District. The districts may issue bonds with voter approval and may levy property taxes.

Two flood control districts—the Mississippi Levee District and the Yazoo-Mississippi Delta Levee District—were given permanent existence by the state constitution. Their governing bodies are elected boards of levee commissioners. These two districts may levy ad valorem taxes and issue bonds.

### Gas Districts

Districts may be established in Mississippi by special acts to provide natural gas transmission systems. The provisions for the selection of the governing body of such districts vary. Gas districts with separate elected or appointed governing bodies are counted as governments in Census Bureau statistics. Gas districts may fix and collect fees, and issue revenue bonds.

Districts governed by municipal officials in an ex officio capacity are not counted by the Census Bureau as separate governments. See "Subordinate Agencies and Areas" section.

## **Housing Authorities**

There are three types of housing authorities in Mississippi—county, city, or town; consolidated; and regional. An individual county or municipality may establish a housing authority through resolution of its governing body; two or more municipalities may jointly establish a consolidated housing authority; and two or more contiguous counties may jointly establish a regional housing authority. The governing bodies appoint the housing authority commissioners. The authorities may issue bonds and establish and collect charges for use of authority facilities.

## **Joint Municipal Electric Power Agencies**

These agencies may be established by joint agreement of municipalities to provide facilities for the generation or transmission of electric power. The board of commissioners is appointed by the respective utility commissions of the participating municipalities. These agencies may fix and collect fees and rents, and issue bonds. The Municipal Energy Agency of Mississippi was organized under this law.

## **Joint Water Management Districts**

Districts to provide for water supply and conservation, and for wastewater management are created by joint resolutions of two or more counties, cities, or combination thereof after a public hearing. A referendum is required if voters so petition. A board of commissioners selected in the manner specified in the joint resolution creating the district governs each district. The districts may fix and collect fees, receive the proceeds of special assessments by participating governments, and issue revenue bonds.

## **Lighting Districts**

Lighting districts are created by special acts to enable property owners in unincorporated Jackson county areas to obtain adequate street lighting in designated areas. They are governed by boards appointed by the county board of supervisors. The districts may levy a special millage tax.

## **Master Water Management Districts**

These districts to provide drainage, flood control, and water conservation are established by the chancery court on petition of landowners and after a public hearing. The governing body of each district consists of at least five commissioners appointed by the chancery court. The districts may issue bonds with the approval of the chancery court and levy benefit assessments.

The Tombigbee River Valley Water Management District was established by a special act. In addition to water conservation and flood control services, it also may provide navigation and recreational facilities. Its board of

directors consists of those members of the Tombigbee Valley Authority whose counties become members of the district, each state-at-large member of the Tombigbee Valley Authority, one director appointed by the board of supervisors of each county in the district, and one director appointed by the governor from each county in the district that is not an original member of the Tombigbee Valley Authority, plus four representatives of specified state agencies. The district may fix and collect fees, and receive the proceeds of a special ad valorem tax levied and collected by the participating counties after voter approval. The district also may issue revenue bonds.

## **Mississippi Coast Transportation Authority**

This authority was established to provide transit service by agreement between participating local governments. The authority operates the Coast Transit Authority. A board consisting of representatives of member governments governs the authority. The authority may fix fares and other charges, and issue bonds.

## **Municipal Gas Authority of Mississippi**

This authority to provide for the distribution of gas was created by resolution of the state utility commission on approval and resolution of member municipalities. A board of commissioners appointed by the utility commission of member municipalities governs the authority. The authority may fix and collect fees and rents, and after approval of the participating municipalities, may issue revenue bonds.

## **Northeast Mississippi Regional Water Supply District**

This district was created by intergovernmental agreement to manage the water supply in the vicinity of Tupelo. A board consisting of representatives of the participating governments governs the district. The district may fix and collect fees. Under terms of the agreement creating the district, the City of Tupelo issues bonds for facilities operated by the district.

## **Port Commissions**

A Mississippi statute authorizes the creation of a port commission to provide and operate port facilities in any city having a seaport or harbor designated as a port of entry by the federal government. A five-member board of commissioners governs each port commission and consists of one member appointed by the governor, one by the county board of supervisors, and three by the municipal governing body. The commissioners may fix and collect fees, and may levy privilege taxes or receive the proceeds of a special property tax levy.

The D'Iberville Port Commission was created by special act. The commission consists of members appointed

by the City of D'Iberville and Harrison County. The commission may issue bonds, and fix and collect fees.

For port commissions and authorities that are not counted as separate governments, see "Subordinate Agencies and Areas" section.

### **Public Improvement Districts**

Public improvement districts are created by the ordinance of one or more counties, or a municipality. These districts may provide water systems, sewer systems, solid waste collection, bridges, roads, parks, fire protection, or security. The districts are governed by boards of directors elected by the qualified voters of the district. The districts may fix and collect fees, issue bonds, and levy special assessments.

### **Public Water Authorities**

State legislation permits nonprofit companies or associations engaged in the sale, transmission, and distribution of water to convert to public water authorities. These authorities are governed by boards (with no fewer than five directors) elected by the water users. The authorities may issue bonds.

### **Railroad Authorities**

Railroad authorities to preserve, develop, and maintain rail freight service may be formed by the county board of supervisors after a public hearing or by any county and a municipality within the county. Two or more counties may form a regional railroad authority. The authority commissioners are appointed by the county governing body. In the case of a regional railroad authority, the governor appoints a member if there is an even number of counties participating. The authorities may establish fees, rentals, and charges and may issue bonds. The authorities also may certify an ad valorem tax levy upon voter approval.

### **Regional and Joint Airport Authorities**

These authorities may be established by the resolutions of two or more counties or municipalities, or by the resolutions of two or more counties or municipalities and any state-supported institution of higher learning or any public community or junior college.

For the regional airport authorities, each participating entity appoints one commissioner to the authority's board and, if there is an even number, the governor appoints an additional member. The regional airport authorities may issue revenue bonds, and fix and collect fees. The boards and powers of the joint airport authorities are determined by the authorizing agreement.

### **Regional and Joint City-County Library Systems**

Joint city-county library systems are created by contract of the boards of trustees of a municipal public library or libraries and a county public library or libraries with the consent of the board of supervisors of the county or counties. The membership of the board of trustees is determined by the creating contract. The library systems are funded by taxes set and levied by, and appropriations from, the participating governments.

Regional libraries are created by contract of the board of supervisors of two or more counties. If fewer than five counties are members of the system, the membership of the board of trustees is determined by the creating contract. If five or more counties are members, one member is appointed by the governing authority of each county. The library systems are funded by taxes set and levied by, and appropriations from, the participating governments.

### **Regional Solid Waste Management Authorities**

Authorities to manage disposal of solid waste are created by ordinance or resolution of two or more local governments. Each authority's governing body includes at least one appointed representative of each participating government as specified in the articles of incorporation creating the authority. The authorities may fix and collect fees, and issue bonds.

### **Ridgeland Tourism Commission**

This commission was created by special act. The commission consists of six members appointed by the mayor and board of aldermen of the City of Ridgeland. The authorizing legislation levies a one percent tourism and convention tax, which, once levied by the city governing body, must continue for a minimum of 3 years and be used exclusively by the commission.

Similar entities lacking fiscal or administrative autonomy are classified as dependent agencies of the governments they serve and are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### **Shoreline and Beach Preservation Districts**

These districts located along the Mississippi Gulf Coast within counties of the state (excluding Hancock and Harrison Counties that are not within the boundaries of a municipality) are authorized in Jackson County. The districts are created by resolution of the county board of supervisors upon petition and after a public hearing, and if petitioned, a referendum. A board of five commissioners appointed by the county governs each district. The

districts may fix and collect charges, and issue bonds. The districts may levy special assessments if provided in the authorizing petition and resolution. The bonds also may be paid with ad valorem taxes levied by the county.

## **Soil and Water Conservation Districts**

The State Soil and Water Conservation Commission may create these districts on petition and after a local referendum. A board of commissioners governs each district, with two members appointed by the state commission and three elected. The commissioners may require contributions from landowners for benefits.

## **Urban Flood and Drainage Control Districts**

These districts are established to provide flood control facilities in or adjacent to municipalities with a population of 10,000 or more. They are created upon resolution of the city governing body and petition to the chancery court. A board of directors appointed by the city and county governing bodies governs the district. The district may issue bonds upon voter approval and may levy ad valorem taxes.

## **Utility Authorities and Districts**

Special acts authorized utility districts in several counties. These districts are created by resolution of the county board of supervisors after petition by landowners, public hearing, and, upon voter demand, a referendum. The boards are generally appointed by the county board of supervisors, but provisions may vary. The districts may issue bonds, fix and collect fees, and, in some cases, levy assessments.

## **Water, Sewer, Garbage Disposal, and Fire Protection Districts**

These districts are located in contiguous areas within counties of the state that are outside of the corporate boundaries of any existing municipality. They are created by the resolution of a single county after petition by landowners, a public hearing, and, upon voter demand, a referendum—with two exceptions: consolidated fire protection districts may be created by two or more counties, or a nonshare rural waterworks corporation may petition the county board of supervisors to pass a resolution converting it to a water district.

Each district created under this law is governed by a five-member board of commissioners appointed by the board of supervisors with one exception. In the case of nonshare rural waterworks corporations converting to a water district, the board is elected. The districts may fix and collect fees, and issue revenue bonds.

A referendum for the issuance of revenue bonds must be held upon voter demand. The districts may issue special improvement bonds if the creating resolution authorizes

the board of commissioners to set taxes, which the board of supervisors is required to levy to pay for the bonds. If authorized in the creating resolution, the board may levy property taxes for the benefit of the districts. These districts are also known as utility districts.

## **SUBORDINATE AGENCIES AND AREAS**

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

**Mississippi Coast Coliseum Commission (state)**—This commission was established by special act to provide and operate a multipurpose coliseum in Harrison County. Three members are appointed by the governor, two members by the Harrison County Board of Supervisors, one member by the Harrison County Municipal Association, and the executive director of the Harrison County Tourism Commission as an ex-officio nonvoting member. The commission receives revenue from rentals and other service charges; from taxes on the gross receipts of restaurants, hotels, and motels in Harrison County; and from taxes on the sale of beer and alcoholic beverages in Harrison County. Capital expenditures are financed through the issue of state general obligation bonds.

**Mississippi Home Corporation (state)**—This corporation, formerly named the Mississippi Housing Finance Corporation, was formed to provide mortgage credit for low- and moderate-income housing. A 13-member board appointed by the governor governs the corporation. The corporation may fix and collect fees in connection with its loans, and issue revenue bonds.

## **Port commissions and authorities (county or municipal)**

The following port commissions and authorities, which provide and operate port facilities, are not counted as separate governments in Census Bureau statistics:

- City port commissions in Biloxi, Greenville, Natchez, and Vicksburg—In the cities of Biloxi, Greenville, Natchez, and Vicksburg the city governing body serves ex officio as the city port commission.
- County port authorities—County port authorities are governed by a seven-member board; two members are appointed by the governor and five members are appointed by the county board of supervisors.
- Hancock County Port and Harbor Commission—This commission operates Port Bienville. The seven-member board consists of two members appointed by the City of Bienville and five members appointed by the county board of supervisors.

- The Itawamba Port Authority—The Itawamba Port Authority is governed by a five-member board appointed by the board of supervisors of Itawamba County.
- Pascagoula Port Commission and Jackson County Port Authority—The Pascagoula Port Commission operates jointly with the Jackson County Port Authority and is classified in Census Bureau statistics as part of that authority; the Jackson County Port Authority is similarly classified by the Census Bureau as an agency of Jackson County and not as a separate government. The Pascagoula Port Commission has one member appointed by the county, three appointed by the city, and one appointed by the governor. The Jackson County Port Authority has five members appointed by the county board and four appointed by the governor.
- Port commissions in counties adjoining the Mississippi River—Port commissions in counties adjoining the Mississippi River consist of seven members appointed by the county board of supervisors. The county board of supervisors, at its discretion, may levy an ad valorem tax for the support of county port authorities and of port commissions in counties adjoining the Mississippi River.

Other examples include:

## **State<sup>1</sup>**

Educational Building Corporations  
 Magnolia Capital Corporation  
 Mississippi Authority for Educational Television  
 Mississippi Business Finance Corporation  
 Mississippi Commission on Environmental Quality  
 Mississippi Commission on Marine Resources  
 Mississippi Department of Information Technology Services (formerly the Central Data Processing Authority)  
 Mississippi Development Authority (formerly the Department of Economic and Community Development)  
 Mississippi Development Bank  
 Mississippi Educational Facilities Authority for Private Nonprofit Institutions of Higher Learning  
 Mississippi Hospital Equipment and Facilities Authority  
 Mississippi Major Economic Impact Authority  
 Mississippi Rural Electrification Authority  
 Pat Harrison Waterway District  
 Pearl River Basin Development District  
 Pearl River Valley Water Supply District  
 State port authorities (Port of Gulfport and Yellow Creek Inland Port)  
 Tombigbee Valley Authority

## **County**

Adams County water and sewer districts  
 Airport authorities (county)  
 Community hospitals (county)  
 Convention and visitors bureaus (county)  
 Convention bureaus in certain counties (county)  
 Development commissions (county)  
 Economic development districts  
 Emergency communications districts (county)  
 Emergency medical services districts (single county with ex officio boards)  
 Entertainment districts  
 Fire protection grading districts  
 Gas districts governed by the county governing body  
 Harrison County Correctional Facilities Finance Authority  
 Highway and street revenue bond authorities (county)  
 Historic preservation districts  
 Hospital districts (county) Industrial development authorities  
 Jackson County Fair Board  
 Mississippi Gulf Coast Fairgrounds Commission  
 Mosquito control commissions  
 Neshoba County Industrial Development Authority  
 Public health districts  
 Rankin County Industrial Services District  
 Recreational districts (certain counties)  
 Regional economic development alliances  
 Regional mental health districts  
 Rice field mosquito control commissions  
 Separate road districts  
 Southeast Mississippi Industrial Council  
 Special drainage district in Tallahatchie County  
 Special improvement districts in Tunica County  
 Special service districts (roads)  
 Storm water management districts  
 Subdistricts of drainage districts (county)  
 Supervisor districts (roads)  
 Tallahatchie County Correctional Authority  
 Tourism commissions (lacking autonomy)  
 Zoological park and garden districts

## **Municipal**

Airport authorities (municipal)  
 Business improvement districts  
 Capital City Convention Center Commission  
 Consolidated fire districts  
 Convention bureaus in certain counties (municipal)  
 Convention and visitors bureaus (municipal)  
 Development commissions (municipal)  
 Emergency medical services districts (single municipality with ex officio boards)  
 Entertainment districts  
 Fire districts

Gas districts governed by the city governing body  
Historic preservation districts  
Hospital districts (municipal)  
Landscape improvement districts in the City of Jackson  
Recreational districts (certain municipalities)  
Redevelopment authorities  
Storm water management districts  
Subdistricts of drainage districts (municipal)  
Tourism commissions (lacking autonomy)

### **Joint City-County**

Corinth/Alcorn County Parks and Recreation Commission  
Economic Development Authority for the First Judicial  
District of Tallahatchie County  
Economic Development Authority of Jones County  
Forrest County Industrial Park Commission  
Franklin County Economic Development Authority

Harrison County Wastewater and Solid Waste  
Management District  
Highway and street revenue bond authorities (city-county)  
Natchez-Adams County Development Authority  
Philadelphia-Neshoba County Museum Council  
Rails-To-Trails Recreational Districts  
Vicksburg Bridge Commission

### **Other**

Agricultural districts in Mississippi are areas for the provisions of county services. The Metro Recreational Highway Authority is a planning organization.

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

### **ENDNOTE**

<sup>1</sup> Mississippi Wayport Authority was repealed in 2017.

# MISSOURI

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## COUNTY GOVERNMENTS

The entire area of the state of Missouri is encompassed by county governments with the exception of the city of St. Louis, which is an independent city outside the area of any county, and is counted in U.S. Census Bureau statistics as a municipal, rather than a county, government. St. Louis County is a county government but excludes the area of the city of St. Louis.

A county commission governs each noncharter county. The county governing body is called the county commission with several exceptions: in St. Louis County, the 1968 charter provides for an elected county supervisor and county council; in Jackson County, the 1973 charter provides for an elected county executive and county legislature; and two additional charters—in Jefferson County the 2008 charter and in St. Charles county the 1992 charter—provide for an elected county executive and county council.

Counties are generally divided into four classes on the basis of their total assessed valuation, as follows:

- Classification 1—\$900,000,000 or more.
- Classification 2—at least \$600,000 but less than \$900,000,000.
- Classification 3—less than \$600,000,000, except for five classification 4 counties.
- Classification 4—counties that had attained classification 2 prior to August 13, 1988, and would otherwise revert to classification 3 because of changes in assessed valuation.

Any classification 2 county with an assessed value of more than \$600,000,000 for more than 1 year may become a classification 1 county upon adoption of a resolution by the county governing body.

Any county having maintained classification 1 status for at least 2 years and with a population of at least 85,000 may adopt its own charter.

## SUBCOUNTY GENERAL PURPOSE GOVERNMENTS

The subcounty general purpose governments consist of the municipal (city, town, and village) governments and the township governments.

### Municipal Governments

Municipal governments in Missouri are cities, towns, and villages. All municipalities in Missouri exist within

township areas except for the city of St. Louis (see below). In Barton County, the city of Lamar is coterminous with the township City Township; however, the city and the township are each counted as separate governments in Census Bureau statistics since each has distinct functions. The cities and towns in Missouri are divided into the following classes, based on their populations at the time of incorporation:

- Constitutional charter—cities having 5,000 or more inhabitants and cities with charters granted prior to 1875 may adopt charters.
- Third class—3,000 or more inhabitants.
- Fourth class—500 to 2,999 inhabitants.

In addition, some cities operate under special charters enacted prior to the adoption of the Constitution of 1875.

Changes in classification are not automatic; the municipal government must elect to be reclassified. Towns created by special law and having fewer than 500 inhabitants and villages having more than 200 inhabitants may become cities of the fourth class. There is no minimum population requirement for incorporation as a village.

### Township Governments

Counties of the third and fourth classes may have township governments upon petition of voters and after a referendum. For these counties, the entire area of the county is encompassed by township governments. Townships in the other Missouri counties are geographical areas only and are not counted as separate governments in Census Bureau statistics.

## PUBLIC SCHOOL SYSTEMS

### School District Governments

The following types of school districts are counted as separate governments in Census Bureau statistics:

Districts operating elementary and secondary schools:

- Seven-director school districts.
- Urban school districts.
- Metropolitan school districts.
- Community college districts established under the 1963 Act.
- Special school districts for handicapped children.
- Vocational school districts.

An elected board of directors governs each seven-director, urban, or metropolitan school district. These districts may levy ad valorem taxes and, upon voter approval, issue bonds.

Community college districts, as authorized by 1961 legislation, are also counted as separate governments in Census Bureau statistics. Such a district is established upon petition of voters of one or more public school districts to the state board of education and after a referendum. An elected board of trustees governs each community college district. Community college districts may levy ad valorem taxes, charge fees, and issue bonds. In addition, a vocational school district may be established in certain counties under this law.

Legislation also provides that special school districts for the handicapped be created upon petition of voters to the state board of education after a referendum. These school districts may issue bonds and levy ad valorem taxes. Such a district, administered by an elected board, is counted as a school district government in Census Bureau statistics.

### **Dependent Public School Systems**

Missouri has no dependent public school systems.

### **Other Educational Activities**

School districts that operate an accredited high school may also, with approval of the coordinating board of higher education, provide 2-year college courses.

### **SPECIAL DISTRICT GOVERNMENTS**

Missouri statutes authorize the creation of a variety of special districts or authorities that are counted as governments in Census Bureau statistics. These are discussed in detail below.

#### **Ambulance Districts**

Districts to provide ambulance service in rural areas, excluding counties that have a population of 400,000 or more and had not formed an ambulance districts prior to August 1, 1998, may be established by the county commission on petition of voters and after a public hearing and local referendum. Additionally, fire protection districts in St. Louis County may establish ambulance districts after a public hearing and referendum. An elected board of directors governs each district. The district may impose charges, levy ad valorem or sales taxes, and, after voter approval, issue bonds.

#### **Bi-State Development Agency of the Missouri-Illinois Metropolitan District**

This district was authorized by a compact between Illinois and Missouri and created by an act of the U.S. Congress to plan, construct, and operate passenger transportation facilities, bridges, tunnels, industrial parks, airports, and

terminal facilities; and to plan and establish policies for sewage and drainage facilities and coordination of streets and highways, recreation facilities, parking facilities, etc. in the area it serves. The board of commissioners is comprised of five members from Missouri and five from Illinois. Missouri Board members are appointed by the governor of Missouri. In Illinois, the chairman of the board for both St. Clair and Madison Counties appoints their representatives. The district may issue bonds, fix and collect fees for use of facilities, and receive contributions from any political subdivision or the federal government.

### **County Airport Authorities**

Authorities to provide airports are established by resolution of the county governing body. An elected board of directors governs each authority. The authority may fix fees and rents for its services, issue revenue bonds, and, upon voter approval, levy ad valorem taxes.

### **County Joint Recreational Lake Authority**

This authority to construct, operate, and maintain recreational lakes and related facilities in Cape Girardeau and Bollinger Counties was established by a 1990 special act. An elected board governs the authority. The authority may charge fees and rents, receive state and local appropriations, use tax increment financing, issue revenue bonds, sell water, and, after voter approval, levy a sales tax.

### **County Land Trusts (first-class charter counties)**

A 1943 act allows a first-class charter county to establish a land trust to administer and sell tax delinquent lands. A land trust is governed by three trustees, one appointed by the county commission or executive, one appointed by the city council, and one appointed by the board of directors of the school district with the largest population. The trust may receive revenue from land rentals, leases, and sales.

Municipalities in Jackson County may by a resolution establish a land bank agency for management and sale of tax delinquent properties located within an establishing municipality. These land banks are considered to be dependent agencies of establishing municipalities and are not counted as separate governments in Census Bureau statistics.

### **County Transit Authorities (first-class counties)**

County transit authorities may be established by ordinance of the governing body of a county of the first-class to construct and operate airports, rail systems, bridges, tunnels, warehouses, and passenger transportation facilities among other things. Each authority is governed by five members appointed by the county's governing body. An authority may charge and collect fees, levy taxes, and, after voter approval, collect proceeds of a sales tax, receive contributions from the

federal government or state political subdivisions, and issue bonds.

## Drainage Districts

Missouri statutes authorize the following types of drainage districts:

**Drainage districts**—Drainage districts are created for a number of years by the county circuit court upon petition of landowners in any contiguous body of swamp, wet or overflowed lands, or lands subject to overflow, or in one or more counties for sanitary, agricultural, or mining purposes. An elected board of supervisors governs each district. The district may charge fees, levy taxes based on benefits, and issue bonds. Drainage districts organized under county commission, however, are not counted as separate governments in Census Bureau statistics. See “Subordinate Agencies and Areas” section.

Subdistricts may also be formed and administered in the same manner as main districts. Subdistricts are also counted as special district governments.

**Mine drainage districts**—The circuit court, upon petition of landowners in lands in one or more counties, may create districts to drain lands for mining. An elected board of supervisors governs each district. The district may impose special taxes based on minerals produced or processed, and may issue bonds.

**Sanitary drainage districts**—The provisions of this law apply to cities having 300,000 inhabitants or more and to counties adjoining such cities. The districts are established by the circuit court on petition of the mayor and the legislative body of the city and/or the county commission, after a referendum. A board of trustees governs each district; the county commission, the circuit court, and the mayor each appoint one trustee. The district board fixes the amount of special drainage taxes to be collected and may issue bonds upon approval of the county commission. The district board can borrow from a city or the county by issuing vouchers to cover certain expenses.

## Drinking Water Supply Lake Authority (Sullivan and Christian Counties)

This authority was established by a special act of legislature to construct, operate, and maintain a drinking water supply lake. The water commission owning the reservoir appoints members to govern the authority. The authority may fix rates, fees, and charges; adopt tax increment financing; may sell water supply; and may issue revenue bonds.

## Exhibition Center and Recreational Facility Districts

Districts to fund, maintain, and operate exhibition centers and recreational facilities may be created by the governing bodies of one or more counties meeting certain population criteria, on petition of landowners and after a hearing. A board of trustees appointed by the governing bodies of member counties governs each district. Districts may issue bonds, collect fees, and, upon voter approval, may impose a sales tax.

## Fire Protection Districts

These districts are established in contiguous lands in all or parts of one or more counties by the county circuit court on petition of voters and after a public hearing and local referendum. Districts may also provide ambulance service with voter approval of an additional ad valorem tax to cover the costs of the service. An elected board of directors governs each district. The district may levy property taxes and issue bonds with voter approval. In some cases, with voter approval, districts may levy a sales tax. Districts may contract with contiguous municipalities to provide services for a fee; voter approval may be required.

## Hospital Districts

These districts are established in counties of fewer than 400,000 inhabitants by the county commission upon petition of voters and after a public hearing and local referendum. An elected board of directors governs each district. The district may fix, charge, and collect fees; levy ad valorem taxes; and issue bonds with the approval of the voters.

## Housing Authorities

Housing authorities may be created on resolution of municipal or county governing bodies upon petition of taxpayers. A board of commissioners appointed by the mayor or the county commission governs each authority. Housing authorities may issue bonds, collect rents and charges for the use of their facilities, and accept federal grants.

## Jackson County Sports Complex Authority

This authority was authorized under a 1965 law. A board of five commissioners appointed by the governor, with the consent of the Senate from a panel of names submitted by the county commission, governs the authority. The authority may collect fees and rents, receive contributions and appropriations, and issue bonds.

## **Joint Municipal Utility Commissions**

These commissions are created by joint contract between two or more municipal governments, public water supply districts, and sewer districts to develop and operate public utilities. The governing body is a board of directors whose composition and method of selection is determined by the contract. The district may fix charges and issue revenue bonds after approval by a referendum or by a vote of the governing body of each participating municipality.

## **Kansas City Area Transportation Authority**

This authority was authorized by interstate compact between Kansas and Missouri and was approved by both states and the U.S. Congress in 1965 to provide transit service in the Kansas City area. A board of commissioners, five from each state, administers the authority. The authority may collect fares and other charges, accept appropriations and grants, and issue revenue bonds.

## **Levee Districts**

Missouri statutes provide two alternative methods of establishing levee districts: by petition of landowners to the circuit court; or by resolution of the county commission. A board of five elected supervisors governs each district established by the circuit court. A board of directors appointed by the county commission governs each district established by the county commission. Both types of levee districts may issue bonds and may, after a hearing, levy benefit assessments. For Census Bureau statistics, districts established by the county commission are counted as county dependent agencies and not counted as separate governments.

Subdistricts may also be formed and administered in the same manner as main districts. Subdistricts are also counted as special district governments in Census Bureau statistics.

## **Library Districts**

Missouri statutes provide for the following types of library districts:

- County library districts.
- Municipal library districts.
- City-county libraries.
- Consolidated public library districts.
- Urban public library districts.

County library districts are created by the county commission on petition of voters after a local referendum. Alternatively, county library districts may be established upon resolution of the county governing body.

City-county libraries are established by petition of an existing city library board to the county governing body in

a county with a population under 250,000 inhabitants and already having a county library district.

Municipal library districts are established by petition of voters to the city governing body after voter approval.

Urban public library districts are established by resolution of a nine-member school district board after voter approval.

Two or more county library districts may form a consolidated public library district upon petition of voters and after a referendum and approval by the participating counties' governing bodies. A board appointed by the governing bodies of the cities or counties served governs each of these types of library districts. These districts may levy ad valorem taxes with voter approval, and issue bonds.

## **Metropolitan Park and Recreation District**

This district was formed in St. Louis County, St. Louis City, and St. Charles County after a referendum. The governing body consists of members appointed by the executive of the participating city and counties. The district may establish and collect charges and fees, and may issue bonds. The governing body of any county located within such a district may impose a sales tax with voter approval.

## **Missouri and Kansas Metropolitan Culture and Recreation District**

This district to provide cultural and recreational facilities is established by ratification of a compact by Missouri and Kansas and after petition by voters or resolution of the governing body of the county or counties to be served. An appointed board of commissioners, composed of members of the participating governments plus two members appointed by the governors of each state, respectively, governs the district. The district may impose fees and rents, and, after voter approval, may issue revenue bonds and levy sales taxes.

## **Nursing Home Districts**

These districts, created to establish and maintain a nursing home in counties of 400,000 or fewer inhabitants, are established by the county commission upon petition of voters, followed by a public hearing and local referendum. Nursing home districts in any county of the third or fourth classification may also establish and maintain apartments for seniors to provide housing and food services. An elected board of directors governs each district. The district may fix charges for services, levy ad valorem taxes, and, with the approval of the voters, issue bonds.

## **Parks, Trails, and Greenways Districts (Jackson County)**

Parks, trails, and greenways districts may be established in Jackson County following a referendum. An appointed

board of directors governs the district where one member is appointed by the county executive of Jackson County, two by the mayor of Kansas City, and four by the mayors of the next five most populous cities on a rotating basis. Districts may charge for use of facilities and levy a sales tax authorized by the creating referendum and collected by the state director of the department of revenue. A district may issue revenue and refunding bonds. No districts of this type were reported in existence as of June 30, 2017.

### **Regional Convention and Visitors Commission**

This commission to promote conventions and tourism in St. Louis city and St. Louis County was established by a 1984 special act. The commission is appointed by the governing bodies of St. Louis city and St. Louis County, plus an additional member appointed by the governor. The commission may collect fees and charges for its services and, after voter approval, may levy a hotel-motel sales tax.

### **Regional Cultural and Performing Arts Development District**

This district was established by a 1984 special act to encourage cultural institutions in St. Louis city and St. Louis County. A board of commissioners appointed by the governing bodies of St. Louis city and St. Louis County governs the district. The district may accept funds and grants and, after voter approval, levy a hotel-motel sales tax.

### **Regional Economic Development Districts**

A regional economic development district may be established by the governing bodies of two or more cities or counties by enactment of identical ordinances or by mutual agreements. A district is governed by a board consisting of members appointed by the chief executive officer or mayor of each participating county or city. A district may issue revenue and refunding bonds and, upon voter approval, may levy a sales tax to be collected by the state director of revenue on the district's behalf.

### **Regional Port Authorities**

Regional port authorities serving two or more counties or cities are formed by application of participating counties or cities to the state highways and transportation commission. A board of commissioners governs each port authority; the number of commissioners and the method of selecting them is specified in the agreement among participating counties or cities. An authority may issue bonds and may levy either a sales tax or ad valorem tax, or both.

Port improvement districts may be created and directly administered by regional port authorities and are not

counted as separate governments for Census Bureau statistics.

Authorities serving a single county or city are not counted as separate governments for Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### **Regional Recreation Districts**

Regional recreation districts may be created by the county governing body on petition of residents, after a public hearing and referendum. Districts of this nature may include land in one or more counties but may not be formed in St. Louis, Greene, St. Charles, or Cole Counties, or in St. Louis city. A board of directors appointed by the county executive, except if such a district is organized in Clay County where the board is elected, governs each district. A district may issue general revenue bonds and, upon voter approval, levy and collect sales or ad valorem taxes.

### **Road Districts**

Missouri statutes authorize the following types of road districts:

#### **Road districts organized under Benefit Assessment Laws**

**Laws**—These districts may be created by the county commission on petition of landowners and, in some cases, after a referendum. The district must be included within the county organizing it and must contain at least 640 acres of contiguous territory. An elected board of commissioners governs each district. The district may levy special benefit assessments and issue bonds with the approval of the voters. Road Benefit Districts located in Clay and Platte Counties receive a portion of the county road and bridge tax revenue.

#### **Special road districts organized under City or Town Road District laws**

**Road District laws**—These districts may be created by the county commission upon petition of voters and after a referendum in some class 1 counties and all class 2, 3, and 4 counties that are not under township organization. The territory of the district in class 1 through 3 counties may not exceed 8 square miles and must contain a city, town, or a village of fewer than 100,000 inhabitants. A board of three commissioners appointed by the mayor, the city council, and the county commission governs each district. The county and the municipalities within the districts are required to give the districts a portion of fees collected for certain business licenses, as well as a portion of the county road and bridge tax. The district may issue bonds with voter approval.

#### **Special road subdistricts**—Subdistricts of this type

are established by county ordinance after petition of landowners and a public hearing. A board of commissioners initially appointed by the county

commission, but thereafter elected, governs each subdistrict. The subdistricts may, upon voter approval, levy ad valorem taxes and issue bonds.

### **St. Charles County Convention and Sports Facility Authority**

This authority to provide convention, visitor, and sports facilities in St. Charles County was established pursuant to special act by order of the county governing body. A board of commissioners appointed by the governor, with the advice and consent of the Senate, governs the authority. The authority may impose fees and rents; receive federal, state, and local contributions; and issue revenue bonds. The governing body of the county that created the authority may, upon voter approval, impose a hotel tax on behalf of the authority.

### **St. Louis Regional Convention and Sports Complex Authority**

This authority was established by a 1988 act of the legislature to provide convention centers, stadiums, field houses, and related facilities for both St. Louis County and St. Louis city. A board of commissioners consisting of up to three members appointed by the mayor of the city of St. Louis, up to three appointed by the chief executive of St. Louis County, and up to five appointed by the governor, governs the authority. The authority may impose fees and rents, receive state and local appropriations (including the proceeds of county and city hotel-motel taxes, after voter approval), and issue bonds.

### **Sewer Districts**

A 1961 law provides that sewer districts may be established in classification 2 counties by the circuit court upon petition of voters and after a public hearing. An elected board of supervisors governs each district. Sewer districts may petition the county circuit court to provide common public water supply. The district may levy ad valorem taxes, fix rates and charges, levy special assessments, and issue bonds with the approval of the voters. In addition, sewer districts may be established, in counties having 700,000 to 1,000,000 inhabitants (St. Louis County), by the circuit court upon petition of voters and after a hearing. An elected board of three trustees governs each district. The district may fix the amount of ad valorem taxes and issue bonds with voter approval.

The St. Louis Metropolitan Sewer District was authorized by the state constitution and approved by voters in 1954. A board of trustees consisting of three members appointed by the mayor of St. Louis city and three by the county executive governs the district. The district may levy property taxes and special benefit assessments, and fix rates and charges for services. Bond issues must be approved by the voters.

### **Soil and Water Conservation Districts**

These districts are established by the state soil and water districts commission upon petition of landowners and after a public hearing and local referendum. A board of four elected supervisors, plus the county agricultural extension agent serving ex officio, administers each district. The district may receive appropriations and gifts, grants, and contributions.

Watershed subdistricts to provide watershed protection and flood control may be established upon petition of landowners to the supervisors of a soil and water conservation district after a hearing and referendum. An elected board of trustees governs each district. The districts may levy ad valorem taxes, collect special assessments, and issue bonds.

### **Street Light Maintenance Districts**

These districts may be created in classification 1 counties by the county commission upon petition of voters and after a public hearing and local referendum. An elected board of directors governs each district. The district may levy ad valorem taxes.

### **Theater, Cultural Arts, and Entertainment Districts**

Theater, cultural arts, and entertainment districts may be established in certain cities, towns, or villages within some first-class counties. Districts may be formed through resolution of the governing body of a county, city, town, or village, or by the circuit court, on petition of voters, after a hearing and referendum. A board of directors appointed by the mayor or chairman with consent of the governing body governs each district. A district may issue bonds and, upon voter approval, impose a sales tax. Subdistricts may be formed but are not counted as separate governments in Census Bureau statistics.

### **Tourism Community Enhancement Districts**

Tourism community enhancement districts are created on ordinance by the governing body of the county, city, town, or village in the Branson area, upon petition of the voters and after a hearing. The district is governed by a board of seven directors, selected by both the governing bodies of the city, town, or village and the county that collected the largest and second largest amount in retail sales taxes. The district may accept gifts, grants, loans, or contributions, and upon voter approval, may impose a sales tax. The Branson/Lakes Area Tourism Community Enhancement District was created under this act.

### **Transportation Development Districts**

Districts to develop highway, water, air, railroad, and transit facilities are established by the county circuit court, upon petition of voters or resolution of the governing body of a local transportation-related agency, after a

referendum, and in some cases, a hearing. An elected board of directors governs each district. The district may levy special assessments, ad valorem taxes, retail sales taxes, tolls and fees, and, after voter approval, may issue bonds.

### Water Conservancy Districts

These districts may be created by the county circuit court in any city with fewer than 450,000 inhabitants and any county not containing such a city, upon petition of residents or public corporations, after a hearing and referendum. A board of trustees with six members elected and two appointed by the governor, with consent of the Senate, governs each district. The district may levy ad valorem taxes, charge fees, and upon, voter approval, issue general obligation bonds.

### Water Supply Districts

Metropolitan water supply districts or public water supply districts are created by the circuit court on petition of voters after a hearing and local referendum. Metropolitan water supply districts provide water on a larger scale. Additionally, both types of districts may petition the county circuit court to provide sewerage treatment facilities. An elected board of directors governs each district. The district may fix rates and charges for services, determine the amount of ad valorem taxes to be levied, and, upon voter approval, issue bonds.

### Zoological Districts

Two zoological districts have been created by a special act:

**Kansas City Zoological District**—This district was established to maintain the facilities of the Kansas City zoo. The district was established upon resolution and petition of the voters to the governing bodies of counties in the Kansas City area and after a referendum. The district is governed by a commission consisting of members from participating counties' governing bodies, plus one member from the Kansas City, Missouri, board of parks and recreation, the executive director of the Kansas City zoo, plus one member appointed by the governing body of each participating county. The district may impose a sales tax, authorized during the creating referendum, and, after 5 years in existence and upon voter approval, may issue bonds.

**Metropolitan Zoological Park and Museum District**—

This district, authorized by general law applicable to St. Louis city and St. Louis County, is established by elected officials of the two governments upon petition of voters and following referendum. A board of eight commissioners, four of whom are appointed by the mayor of St. Louis city and four are appointed by the chief executive officer of St. Louis County, governs

the district. The district may levy ad valorem taxes and issue bonds upon voter approval. The district is divided into subdistricts that are classified as adjuncts of the parent district for Census Bureau reporting and are not counted as separate governments.

### SUBORDINATE AGENCIES AND AREAS

Shown below are various governmental designations that have certain characteristics of governmental units but that are classified in Census Bureau statistics as subordinate agencies of the state or local governments and are not counted as separate governments. Legal provisions for some of the larger of these are discussed below.

**Health and Education Facilities Authority (state)**—This authority was established by act of the general assembly to finance the construction of buildings for health and higher education institutions. A board of seven members appointed by the governor with the consent of the Senate governs the authority. The authority may lease facilities to participating institutions, fix rates, rents, fees, and charges; make mortgage loans; and issue revenue bonds.

**Higher Education Loan Authority (state)**—This authority was established by act of the general assembly to finance student loans and to promote innovative technology in higher education. A board of seven members, five of whom are appointed by the governor with the consent of the Senate, plus a member of the coordinating board for higher education, and the state commissioner of higher education serving ex officio, governs the authority. The authority may fix fees and charges in connection with its loans and may issue revenue bonds.

**Missouri Housing Development Commission (state)**—

This commission was established by act of the general assembly to provide mortgage credit for low- and moderate-income housing. The commission consists of nine members, six of whom are appointed by the governor with the consent of the Senate, plus the governor, the lieutenant governor, the state treasurer, and the state attorney general, all of whom serve in an ex officio capacity. The commission may fix fees and charges, receive appropriations and grants, make mortgage loans, and issue revenue bonds.

Other examples include:

#### State

Forest cropland districts  
Missouri Agricultural Small Business Development Authority  
Missouri Board of Public Buildings  
Missouri Coordinating Board for Higher Education  
Missouri Development Finance Board  
Missouri Employers Mutual Insurance Corporation  
Missouri Family Trust  
Missouri Investment Trust

Missouri Mesothelioma Risk Management Fund  
Missouri Public Entity Risk Management Fund  
Second State Capitol Commission  
State Environmental Improvement and Energy Resources Authority  
Tobacco Settlement Financing Authority  
Transportation corporations

### **County**

Area revitalization authorities  
Common road districts (county)  
Common sewer districts  
County health centers  
Drainage districts under county commission  
Economic development districts  
Economic stimulus authorities (St. Louis County)  
Emergency telephone boards  
Homeless assistance programs (Jackson, St. Charles, and St. Louis Counties)  
Industrial development corporations and authorities (county)  
Neighborhood improvement districts (county)  
Port authorities (single county)  
Regional jail districts  
Regional taxicab districts (St. Louis County)  
Senior citizens' services boards

Sheltered workshop boards  
Solid waste management districts  
University of Missouri extension districts and consolidated districts

### **Municipal**

Community improvement districts  
Economic stimulus authorities (municipal)  
Industrial development corporations and authorities (municipal)  
Land Bank Agencies  
Land reutilization authorities (St. Louis city)  
Municipal Redevelopment Authority  
Neighborhood improvement districts (municipal)  
Planned industrial expansion authorities—cities with more than 400,000 population  
Port authorities (single city)  
Sheltered workshop boards (St. Louis city)  
Special business districts  
Tax increment financing commissions

### **Township**

Common road districts (township)

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

# MONTANA

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## COUNTY GOVERNMENTS

The entire area of the state of Montana is encompassed by county governments, except for the consolidated governments of Anaconda-Deer Lodge County and Butte-Silver Bow County, which are counted as municipal governments in U.S. Census Bureau statistics. In Montana counties with county government, the governing body is called the county board of commissioners. Counties may operate under self-government powers as charter governments.

## SUBCOUNTY GENERAL PURPOSE GOVERNMENTS

### Municipal Governments

Municipal governments in Montana are the cities and towns. These are divided into the following classes according to population size:

- First class—10,000 inhabitants or more.
- Second class—5,000 to 9,999 inhabitants.
- Third class—1,000 to 4,999 inhabitants.
- Towns—300 to 999 inhabitants.

Cities with between 9,000 and 10,000 in population may choose, by resolution of the city council, to be either first class or second class; cities with between 5,000 and 7,500 in population may choose, by resolution of the city council, to be either second class or third class; and cities and towns with between 1,000 and 2,500 in population may choose, by resolution of the governing body, to be either third-class cities, or towns. Municipalities may operate under self-government powers as charter governments.

### Township Governments

Montana has no township governments, although the term "township" is applied to certain geographic subdivisions for the election of some county government officers.

## PUBLIC SCHOOL SYSTEMS

### School District Governments

The following types of school districts in Montana are counted as separate governments in Census Bureau statistics:

- Elementary districts.
- County high school districts.

- Community college districts.
- K-12 school districts.

An elected board of trustees governs each school district of the above types. Montana school districts may levy taxes and issue bonds.

Some elementary districts also provide for secondary education through "high school districts." A high school district consists of territory in one or more elementary school districts. A high school district is governed by the school board of the elementary district serving ex officio and, in some instances, may have additional members elected by residents of territory not embraced by the elementary district. High school districts are not counted as separate governments in Census Bureau statistics and are classified as dependent activities of the elementary district(s) they serve.

Each elementary district with the same district boundaries as a high school district is required to attach to the high school district to form a K-12 school district. The K-12 school districts have elected boards and powers similar to those of county high school districts. Under certain circumstances, a high school district may be created for the sole purpose of converting an elementary school district into a K-12 school district.

In addition, any county high school may be unified with the elementary district where the county high school building is located to establish a unified school system with a unified board of trustees. These districts are formed after a referendum.

Community colleges in Montana are operated by community college districts. These districts are established upon voter petition to the state board of regents and after a referendum. An elected board of trustees governs each district. Community college districts may levy taxes and issue bonds.

### Dependent Public School Systems

Montana has no dependent public school systems.

### Other Educational Activities

The full-service education cooperatives in Montana (formerly called special education cooperatives) are created by contract between participating school districts to provide special education services. A joint board consisting of appointed representatives of each

participating school district governs each cooperative. These cooperatives receive contributions from the state and the participating school districts. Full-service education cooperatives are classified as joint educational service agencies of the participating school districts and are not counted as separate governments in Census Bureau statistics.

The governing body of an elementary school district, high school district, county, or municipality not within a community college district may designate itself a community college service region for the purpose of levying a property tax to finance services from a community college district. These regions are not counted as separate governments in Census Bureau statistics.

## SPECIAL DISTRICT GOVERNMENTS

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

### Conservation Districts

These districts are established by the state department of natural resources and conservation, upon petition of residents, after a public hearing and local referendum. An elected board of supervisors governs each district. The districts may levy special assessments, issue bonds with voter approval, and require contributions from landowners benefitted by district activities.

### Conservancy Districts

Conservancy districts to provide water conservation and flood control facilities are established by the district court upon petition of landowners, after a public hearing and local referendum. A board of directors appointed by the district court governs each district. The districts may levy ad valorem taxes, collect service charges, and, upon voter approval, issue bonds. These districts may also be called "flood control districts" or "dike districts."

### County Park Districts

These districts are created by resolution of the county governing body upon voter petition and after a public hearing. The districts may serve an entire county, part of a county, or territory in more than one county. The districts are governed by at least three commissioners who are popularly elected. The districts may set property taxes and fees and may issue bonds.

### County Water and Sewer Districts

County water and/or sewer districts may serve one or more counties, a portion of a city or county, a portion of both a city and county, or any combination of these. Districts may be created by the board of county commissioners upon petition of the voters or

property owners, after a hearing and referendum. The district governing body is a board of directors of three or five members that is popularly elected; in addition, corporations owning real property in the district are entitled to one vote. In addition, the Mayor of each municipality in the district appoints one additional member, and the board of county commissioners appoints one member from any unincorporated territory within the district. The districts fix rates and charges for services and levy assessments on lands benefitted by the district. With voter approval, the districts may issue revenue and general obligation bonds. The county commissioners are required by law to levy property taxes to pay for any bond deficits.

### Drainage Districts

Drainage districts are created by the district court upon petition of landowners and after a hearing. An elected board of commissioners governs each district. The districts may issue bonds and levy assessments.

### Fire Districts

These districts are created by the board of county commissioners, after voter petition and a hearing. An elected board of trustees governs each district. The county commissioners set the property tax rate needed to raise the revenues required by the district. A district may issue bonds.

Fire districts governed by the county governing body serving ex officio are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### Fire Service Areas

Areas to provide fire protection are created by resolution of the county commissioners, upon petition of property owners and after a public hearing. A board of trustees, either elected by the property owners or appointed by the county commissioners, governs each fire service area. The service area boards may issue special obligation bonds. The county commissioners set the rates and assessments needed to raise the revenues required by the district.

Fire service areas that are governed by the county board of commissioners are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### Housing Authorities

County governing bodies may establish housing authorities by resolution upon petition of county residents and after a public hearing. A municipality may be included in the county housing authority if the voters approve. A board of commissioners appointed by the county commissioners

governs each authority. Housing authorities may issue bonds and may fix rents and charges.

Municipal governing bodies may establish housing authorities upon petition of municipal residents and after a public hearing and referendum. Other municipalities may participate after passage of a resolution by the governing body. The authorities are each governed by a board of seven commissioners appointed by the Mayor. Housing authorities may issue bonds and may fix rents and charges.

### Irrigation Districts

Irrigation districts are established by the district court upon petition of landowners and after a hearing. An elected board of trustees governs each district. The districts may levy ad valorem taxes and issue bonds. Two or more irrigation districts may operate under a joint board of control. Districts organized under earlier laws operate under the provisions of this law.

### Joint Solid Waste Management Districts

Joint solid waste management districts may be created by resolution of two or more boards of county commissioners. A board of directors appointed by the boards of county commissioners governs each district. Each county commission appoints one county commissioner, one representative for each incorporated city or town, one representative of each county or city board of health, and any other representatives agreed to by the participating counties. In addition, municipalities that contract for services and are not located in a participating county may be represented on the board. The districts may issue bonds and may set service charges. The counties are required to levy property taxes to service the bonds. These districts may also be known as "joint refuse disposal districts."

Solid waste management districts created by a single county, which may include municipalities in the district, are not counted as separate governments. See "Subordinate Agencies and Areas" section.

### Local and Regional Port Authorities

These authorities to provide transportation terminals are established by resolution of the governing body of a county or municipal government. A board of commissioners, either appointed by the governing body of the establishing government or elected by the voters, governs each authority. The authorities may fix fees and rentals, request ad valorem tax levies, and issue bonds. The creating government is required by law to levy ad valorem taxes to pay for any bond deficits. Similar provisions apply to regional port authorities, which serve two or more local governments.

### Montana Municipal Interlocal Authority

This authority to provide an insurance pool for participating municipalities was established under a general law authorizing agreements between local governments. A board consisting of representatives appointed by participating cities governs the authority. The authority may assess premiums on participating cities and may issue revenue bonds.

### Public Cemetery Districts

Public cemetery districts are created by county resolution upon landowner petition and after a public hearing and referendum. A board of trustees appointed by the board of county commissioners governs each district. The districts may determine the amount of revenue to be raised from ad valorem taxes.

### Public Hospital Districts

These districts are established by the board of county commissioners upon petition of property owners, after a public hearing and referendum. An elected board of trustees governs each district. The districts may collect rates for services, issue bonds, and determine the amount of revenue to be raised from ad valorem taxes.

### Public Library Districts

Public library districts are created upon voter petition or resolution of the county governing body and after a public hearing and referendum. A popularly elected board of trustees governs each district. The districts may levy property taxes.

### Railway Authorities

County rail authorities may be created for the preservation and improvement of abandoned rail lines for future use. The authorities are created by resolution of the county board of commissioners after a public hearing. Each authority is governed by a board of directors appointed by the board of county commissioners. The authorities may levy an ad valorem property tax with voter approval and may fix and collect fees and charges for services. The authorities may issue bonds.

Regional rail authorities may be created by two or more counties. The directors are appointed jointly by the participating counties. The regional rail authorities operate under the same revenue provisions as the county rail authorities.

### Regional Airport Authorities and Joint Airport Boards

These authorities may be created by joint resolution of two or more municipal or county governing bodies after a public hearing. A board of commissioners appointed by the governing bodies of the member municipalities

governs each authority. An authority may issue revenue bonds and impose service charges. In addition, participating municipalities shall and participating counties may levy ad valorem taxes to meet fiscal needs as certified by an authority. Joint airport boards are similarly established.

### **Regional Water and Wastewater Authorities**

Authorities to provide for water supply or wastewater treatment may be formed by two or more political subdivisions through an intergovernmental agreement and the passage of ordinances, resolutions, or other appropriate action. The authorities are governed by a board with a minimum of three members that includes at least one representative for each member government. Authorities may fix rates and charges as specified in the agreement, and may issue revenue bonds.

### **Resort Area Districts**

These districts serve portions of one or more counties. The creation of these districts is initiated by voter petition followed by a public hearing, referendum, and county resolution. Each district is governed by a board of popularly elected directors. The districts receive a voter-authorized resort tax and may issue bonds.

### **Television Districts**

Television districts construct, operate, and maintain television translator stations. These districts may include a part or all of any county or may include areas in more than one county and may include any municipality located within such county or counties. The districts are created by the board of county commissioners upon petition of voters, and after public hearings and referendum. A board of trustees appointed by the board of county commissioners governs each district. The districts may levy ad valorem taxes and issue bonds.

### **Urban Transportation Districts**

Urban transportation districts are established upon voter petition to the county clerk and after a hearing and referendum. The district is governed by a transportation board; the county commissioners and the governing bodies of each city or town included or partially included in the district determine if the board is elected or appointed. The districts may levy ad valorem taxes and issue revenue and general obligation bonds.

### **SUBORDINATE AGENCIES AND AREAS**

Shown below are various governmental designations in Montana that have certain characteristics of governmental units but that are treated in Census Bureau statistics as subordinate agencies of the state or local governments and are not counted as separate governments. Legal provisions for some of the larger of these are discussed

below (see "Public School Systems" section regarding educational agencies of this nature).

**Montana Board of Housing (state)**—This board was established to provide mortgage credit for low-income housing. The board consists of seven members appointed by the governor with the consent of the Senate. The board may collect interest, fees, and charges; make mortgage loans; and issue revenue bonds.

Other examples include:

#### **State**

Forest fire protection districts  
Montana Agricultural Loan Authority  
Montana Board of Investments  
Montana Facility Finance Authority  
Montana Higher Education Student Assistance Corporation

#### **County**

Business improvement districts (county)  
County airport authorities  
County building commissions  
County boards of health  
County museum districts  
County board of park commissioners  
District boards of health  
Fair districts  
Fire districts governed by county commissioners  
Fire service areas governed by county commissioners  
Herd districts  
Horse herd districts  
Joint fair and civic center commissions  
Livestock protective districts  
Local improvement districts  
Local water quality districts (county)  
Metropolitan sanitary and storm sewer districts  
Mosquito control districts  
Multijurisdictional service districts (county)  
Public library boards of trustees (county)  
Regional resource authorities  
Road districts  
Road improvement districts--1989 law  
Rodent control districts  
Rural improvement districts  
Solid waste management districts (created by county)  
Weed control and weed extermination districts

#### **Municipal<sup>1, 2, 3, 4</sup>**

Business improvement districts (municipal)  
City parking commissions  
Fire hydrant maintenance districts  
Industrial districts  
Local water quality districts (consolidated city-counties)  
Multijurisdictional service districts (municipal)

Municipal airport authorities  
Municipal park commissions (cities of the first and second class)  
Public library boards of trustees (municipal)  
Special improvement districts  
Urban renewal agencies

### **Joint City-County**

City-county boards of health  
Public library boards of trustees (joint)  
Multijurisdictional service districts (joint)  
Transportation improvement authorities

### **Private associations**

The agricultural cooperative districts and Montana state grazing districts are classified for census purposes as private associations and are not counted as separate governments in Census Bureau statistics.

Montana laws also provide for various types of local areas for election purposes and administration of justice, which are not counted as separate governments in Census Bureau statistics.

### **ENDNOTES**

<sup>1</sup> The city of Walkerville, located within the area of the former county of Silver Bow, continues to exist as a separate government.

<sup>2</sup> Legislation authorizing aerospace transportation and technology districts was repealed in 2013.

<sup>3</sup> Legislation authorizing park maintenance districts was repealed in 2009.

<sup>4</sup> Legislation authorizing technology districts was repealed in 2013.

# NEBRASKA

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## COUNTY GOVERNMENTS

The entire area of the state of Nebraska is encompassed by county governments. The county governing body is called the board of commissioners, except in counties where voters have elected to have their county under township organization, in which case the governing body is called a board of supervisors.

## SUBCOUNTY GENERAL PURPOSE GOVERNMENTS

### Municipal Governments

Municipal governments in Nebraska include cities, villages, and municipal counties. Township governments exist in some counties. In such counties, all villages and some, but not all, cities exist within the township areas. The state constitution grants cities with a population of more than 5,000 inhabitants the authority to write their own charter.

City municipal governments are divided into the following four classes according to population size:

- Metropolitan—300,000 inhabitants or more.
- Primary—100,001 to 299,999 inhabitants.
- First class—5,001 to 100,000 inhabitants.
- Second class —801 to 5,000 inhabitants.

Villages are municipal governments with 100 to 800 inhabitants. The minimum population required for incorporation is 100. Second-class cities may elect to return to the village class.

Most cities have an elected mayor-council form of government; however, cities may adopt a commissioner or city manager plan. Villages are governed by an elected board of trustees.

In 2001, Nebraska law enabled one or more counties and at least one municipality in each participating county to merge and form a municipal county to combine services. Municipal counties may be created on joint resolution by participating governing bodies or on petition of voters after a hearing and referendum. Municipal counties are governed by an elected council. The creating resolution may state if any elected offices are to be retained following the merger; otherwise, all municipal and county offices are abolished after approval and completion of the office current terms. As of June 30, 2017, there were no municipal county governments in Nebraska.

### Township Governments

Township governments exist in 25 of the 93 counties. Within these 25 counties, township governments do not cover the entire area of the counties: some cities, but not all, exist outside the area of any township. Three elected officials—the assessor, the chairperson of the board, and the treasurer—compose the township board.

## PUBLIC SCHOOL SYSTEMS

### School District Governments

The following types of school districts are counted as separate governments for U.S. Census Bureau purposes:

- Class III—population of 1 to 149,999.
- Class IV—population of 100,000 or more in primary cities.
- Class V—population of 200,000 or more in metropolitan cities.
- Community college areas.
- Educational service units.
- Unified school systems.

An elected board governs each school district. Nebraska school districts may levy local ad valorem school taxes and borrow money. Learning community coordinating councils determine and distribute property tax receipts to member school districts.

A system of six community college areas exists to provide higher education to regions of the state. An elected board of governors administers each college. The board may levy ad valorem taxes, impose charges and fees, and issue bonds.

Nebraska statutes provide for educational service units that provide core services, such as staff development, technology, and other services necessary to meet the needs of one or more participating school districts. An elected board governs each of these service units. An educational service unit consisting of a single school district, either a Class IV or Class V, is governed by the school board of that district. The board may levy ad valorem taxes and receive grants. Beginning with the fiscal year 2013 to 2014, only an educational service unit that has four or more member school districts or an educational service unit composed of a single Class IV or

Class V school district may levy a tax on the taxable value of the taxable property within the geographic boundaries of the educational service unit.

Two or more Class III school districts participating in an interlocal agreement, and with approval from the State Committee for the Reorganization of School Districts, may temporarily, for a minimum of 3 years, or permanently merge into a unified school system. Unified school systems are governed by a board consisting of members from participating school boards. All participating school districts maintain a separate legal existence but share resources.

## **Dependent Public School Systems**

Nebraska has no dependent public school systems.

## **Other Educational Activities**

Learning communities are created to increase student achievement through facilitating and promoting open enrollment, advocating for needs of children and families in poverty, and providing educational opportunities to students in member districts. A 2006 act of the legislature established the Learning Community of Douglas and Sarpy Counties to include all school districts in the counties. A learning community may also be established on request of at least three school boards, which meet certain criteria, to the Commissioner of Education. Member school districts are allowed to operate under one administrative umbrella but still operate independently with their own budget, school board, and curriculum; however, the districts in the community have common ad valorem tax levies. Learning communities also receive funding from the State Department of Education. A learning community coordinating council of appointed and elected members governs a learning community.

Learning communities may establish and administer elementary learning centers to help students facing challenges such as limited English skills and poverty. Each elementary learning center is run by an achievement subcouncil consisting of members from the learning community coordinating council. The center may provide literary centers, mentors, tutors, nutritional services, and clothing distribution, among other services. Communities receive funds from local and state taxes.

The Educational Service Unit Coordinating Council was established by a special act to coordinate the activities of the state's 17 educational service units. It is governed by a board consisting of one representative appointed from each of the educational service units. The council receives both state and local appropriations and may collect fees for services.

## **SPECIAL DISTRICT GOVERNMENTS**

Nebraska statutes authorize the creation of a variety of special districts or authorities that are counted as separate governments in Census Bureau statistics. These are discussed in detail below.

### **Airport Authorities**

General law provides for three types of airport authorities: city, county, and joint. An airport authority becomes operative upon appointment of a board by officials of the sponsoring government. Succeeding members of the board are elected, except for the board of an authority located in a city of the metropolitan class (Omaha). An airport authority may issue bonds; fix fees, rentals, and charges, and determine the amount of an annual ad valorem tax to be levied by the sponsoring government for airport purposes.

### **Cemetery Districts**

Cemetery districts may be established by the county governing body on petition of taxpayers after a hearing. An elected board of trustees governs each district. The districts may levy ad valorem taxes.

### **Community Building Districts**

Community building districts provide buildings for various community enterprises and activities. They are established by the county board on petition of residents of the area to be served after a public hearing and referendum. A board of five or more trustees appointed by the county governing body governs each district. The districts may levy ad valorem taxes and borrow money.

### **County Fair Boards**

In counties with fewer than 125,000 in population, county fair boards may be created. These boards are created by county resolution, after a referendum if voters so petition. The boards are governed by a nine-member elected county fair board. The boards may issue bonds and levy and collect a special tax.

County fair boards created under other laws or county fair boards that are appointed by county boards are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### **Drainage Districts**

Nebraska statutes authorize that drainage districts may be created by two alternate methods—by the district court on the filing of articles of association by landowners in one or more counties and after a hearing, or by the county

clerk on petition of landowners and after a referendum. An elected board of supervisors governs each district formed by a district court. Districts formed by the county clerk are governed by an elected board of directors. The districts may issue bonds, levy special benefit assessments, and levy taxes. Since 1972, new districts may not be established under the above laws, but districts then in existence may continue to operate.

Sanitary drainage districts for drainage of lands in municipalities are created by the county board on petition of resident landowners after a hearing and referendum. An elected board of trustees governs each district. The district may levy an annual ad valorem tax, make special benefit assessments, and, after voter approval, may issue bonds.

### **Hospital Districts and Authorities**

Hospital districts authorized under a 1959 law are established by the county board on petition of landowners and after a hearing and referendum. Districts must include a minimum value of \$8,600,000 in taxable property. An elected board of directors governs each district. The districts may fix and collect rates, levy a tax, and set an additional annual ad valorem tax that the county collects after voter approval. Districts may, upon voter approval, issue bonds.

All hospital districts must be established in counties with populations of not less than 20,000 inhabitants, unless the district encompasses the entire county and has less than 20,000 population. Hospital authorities authorized under a 1971 law are established by the board of county commissioners after petition of voters and a public hearing. A board of trustees, initially appointed by the county governing body but with succeeding trustees elected, governs each district. The district may fix rates and charge for services and may issue revenue bonds.

### **Housing Agencies**

Local housing agencies may be established by the governing body of any city or county upon resolution. Regional housing agencies may be established by two or more cities, two or more counties, or any combination of cities and counties by a joint resolution. Each housing agency is governed by a board of commissioners appointed by the creating governments. The agencies may issue bonds, establish rents, and charge fees. The Nebraska Housing Agency Act, enacted in 1999, converted all housing authorities to housing agencies.

### **Interstate County Bridge Commissions**

These commissions are created upon resolution by a county, city, or village government to build and operate bridges that cross state lines. A quorum of three, four,

or five commissioners is appointed by the creating government and will have the ability to charge tolls and issue revenue bonds.

### **Irrigation Districts**

A county board, on petition of landowners, may create irrigation districts after a hearing and referendum. Districts are divided into three or, contingent on size, more divisions. An elected board of directors, one from each division, governs a district. The districts may levy property taxes, issue bonds, fix rates and charges for water, and, after a hearing, levy special assessments.

### **Joint Electric Power, Sewerage and Solid Waste Disposal, and Water Distribution Agencies—1981 Law**

Agencies may be created to undertake power, sewerage and solid waste disposal, waterworks projects, or some combination of these functions, as specified in the creating ordinance. The agencies may be established by ordinance of two or more municipal governments. Agencies providing power must receive approval from the Nebraska Power Review Board. Agencies providing all services other than power must receive approval from the secretary of state. A board of directors appointed by the participating governments governs the agency; the number of directors representing each member municipality is determined by agreement. The agencies may fix rates, rents, fees, and charges, and issue revenue bonds.

### **Joint Public Power Authorities—1982 Law**

Authorities to enable public power districts to issue bonds at lower cost are established by resolution of two or more public power districts, after approval by the governing bodies of member public power districts and the Nebraska Power Review Board. A board of directors governs each authority; it consists of one director appointed by each participating public power district. The authorities may fix and collect rents, charges, rates, and fees for its services and may issue revenue bonds with the approval of the participating public power districts.

### **Metropolitan Transit Authority**

A 1957 general law permits the creation of an authority to provide transit facilities in cities of the metropolitan class (currently the only such city is Omaha) by ordinance of such a city's governing body. A board of directors, appointed by the mayor with the approval of the city council and county board of the county in which the city is located, governs the authority. The board may issue revenue bonds; fix rates, fares, and charges; and determine the amount of taxes to be levied for its purposes. The Omaha Metropolitan Transit Authority was established under this law.

## **Metropolitan Utilities Districts**

Nebraska law provides that a metropolitan utilities district exists when a city of the metropolitan class and one or more adjacent municipalities, sanitary and improvement districts, or unincorporated areas are served in whole or in part by a common utilities system controlled by a single corporate public entity. An elected board of directors governs the district. The district may levy ad valorem taxes, fix rates, and issue bonds. The Omaha Metropolitan Utilities District was formed under this act.

Public utility districts established by a metropolitan utilities district are classified as dependent activities of the district and are not counted as separate governments in Census Bureau statistics.

## **Natural Resources Districts**

The state is divided into natural resources districts. The number and boundaries of such districts is determined by the Nebraska Natural Resources Commission. An elected board of directors governs each natural resources district. The districts may levy ad valorem taxes, fix charges, and issue revenue bonds. Certain districts may undertake qualified water management projects and impose an occupation tax. Natural resource districts may merge with rural water districts, drainage districts, reclamation districts, or irrigation districts.

## **Public Power Districts**

Nebraska statutes authorize public power and irrigation districts to provide public power, irrigation, or both. Districts are established by the Nebraska Power Review Board on petition of voters. An elected board of directors governs each district. The districts may sell water and/or electric power and issue bonds.

Rural power districts may be created by petition of any electric cooperative corporation to the Nebraska Power Review Board and after a public hearing. When established, they operate under the same provisions as public power and irrigation districts above.

## **Reclamation Districts**

Reclamation districts may be created by the state department of water resources on petition of landowners after a hearing. A district can only be established in an area that contains land with a taxable value of \$5,720,000 or more. An elected board of directors governs each district. The districts may levy benefit assessments and rates for water services and, upon voter approval, may levy ad valorem taxes and issue bonds.

## **Risk Management Pools**

These pools are established by agreement between two or more counties, municipalities, and/or special districts with approval of the State Department of Insurance. Each pool is governed by a board of directors consisting of elected or appointed officials of the member agencies as specified in the agreement. The pools may issue bonds and levy assessments.

## **Road and Street Improvement Districts—1957 and 1961 Laws**

These districts are established under a 1957 law by the county governing body on petition of voters and after a public hearing and referendum. An elected board of trustees governs each district. The districts may levy ad valorem taxes and special and benefited assessments, and issue bonds. Some special assessments may require a hearing. These districts may provide road lighting, as well as road improvement services.

Under the 1961 law, a county's governing body may create by resolution a street improvement district outside the limits of any city or village, and following no objections by voters. Once these districts are established, they operate under the same provisions of the 1957 law.

These districts are to be distinguished from street improvement districts formed under the 1879 and 1901 laws. Districts formed under these two laws are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

## **Rural and Suburban Fire Protection Districts**

These districts are established by the county board on petition of voters after majority approval at a public hearing. An elected board of directors governs each district. The districts may levy ad valorem taxes and issue bonds. A 1998 law declared that no new rural or suburban fire protection districts may be formed, with the exception that existing districts may merge to form a new district.

## **Rural Water Districts**

Rural water districts are created by the county board following petition of landowners after a public hearing and, if applicable, approval from the governing body of the city or town. A board of directors elected by the landowners governs the district. The districts may fix charges on benefits received, issue revenue bonds, and adjust water rates. Since 1972, new districts may not be established under this law, but districts then in existence may continue to operate.

## **Sanitary and Improvement Districts**

Sanitary and improvement districts provide sewerage or water systems, street and highway facilities, street lighting, park and recreation facilities, and certain other services. These districts are created in one or more counties by the clerk of the district court on petition and articles of association of landowners. An elected board of trustees governs each district. The districts may issue bonds, levy ad valorem taxes and special assessments, and fix rates for services.

## **SUBORDINATE AGENCIES AND AREAS**

Shown below are various governmental designations that have certain characteristics of governmental units but that are classified in Census Bureau statistics as subordinate agencies of the state or local governments and are not counted as separate governments. Legal provisions for some of the larger of these are discussed below (see "Public School Systems" section regarding educational agencies of this nature).

**Nebraska Investment Finance Authority (state)**—This authority was established by act of the legislature to provide credit for agricultural or economic development, energy conservation, public safety, solid waste disposal facilities, and housing purposes. The authority is governed by a board of nine members, six of whom are appointed by the governor, plus the Director of Economic Development, the chair of the Nebraska Investment Council, and the Director of Agriculture, who serve in an ex officio capacity. The authority may fix fees and charges, make mortgage loans, and issue bonds.

Other examples include:

### **State<sup>1</sup>**

Area agencies on aging  
Mental health boards  
Nebraska Aquaculture Board  
Nebraska Conservation Corporation  
Nebraska Educational, Health, and Social Services Finance Authority  
Nebraska Educational Telecommunications Commission (formerly Education Television Commission)  
Nebraska Elementary and Secondary School Finance Authority  
Nebraska Ethanol Board  
Nebraska Tourism Commission  
Regional Behavioral Health Authorities  
Wyuka Cemetery Corporation

### **County**

Agricultural societies  
Boards of public docks (county)  
County fair boards (elected boards in counties with 125,000 or more in population and appointed boards)  
County hospital boards  
County land reutilization authorities  
County libraries  
Fort preservation, restoration, and development boards  
Industrial development corporations (county)  
Interstate conservation or recreational improvement districts  
Local public health departments (county)  
Noxious weed control authorities  
Public library federations  
Railroad transportation safety districts  
Road districts  
Rural road improvement districts

### **Municipal**

Boards of medical and housing facilities (second-class cities and villages)  
Boards of public docks (municipal)  
Boards of public trust (second-class cities and villages)  
Business improvement districts  
Community development agencies  
Industrial development corporations (metropolitan-class cities)  
Interstate conservation or recreational improvement districts  
Joint airport boards  
Landmark heritage preservation districts (metropolitan-class cities)  
Land Reutilization Authority (metropolitan-class cities)  
Municipal Land Banks (can also be joint)  
Off-street parking districts (primary-, first-, and second-class cities)  
Ornamental lighting districts (primary-class cities)  
Park, recreational area, and playground improvement districts (metropolitan-class cities)  
Public improvement districts (primary-class cities)  
Public library federations  
Public utility districts  
Sanitary sewer and water main connection districts (first-class cities)  
Sewerage and drainage districts (primary- and second-class cities)  
Sewer and water extension districts (first- and second-class cities and villages)  
Special improvement districts  
Storm sewer districts (first-class cities)

Street improvement districts—1901 and 1879 laws  
Street sprinkling or armor coating districts (metropolitan-class cities)  
Urban growth districts  
Water and sewer districts (first-class cities)  
Water districts (primary-class cities)  
Water service districts (second-class cities and villages)

### **Joint County-Municipal**

Joint city-county building commissions (county and first-class city)  
Local public health departments (joint county-city)  
Public building commissions  
Public library federations

### **Joint Municipal-School District**

Joint city-school district building commissions

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

### **ENDNOTE**

<sup>1</sup> The law authorizing Nebraska State Airline Authority was repealed in 2013.

# NEVADA

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## COUNTY GOVERNMENTS

The entire area of the state of Nevada, except Carson City, is encompassed by county governments. Carson City is counted as a municipal government, rather than a county government, in U.S. Census Bureau statistics on governments. In Nevada, the county governing body is called the board of county commissioners.

## SUBCOUNTY GENERAL PURPOSE GOVERNMENTS

### Municipal Governments

Municipal governments in Nevada are the incorporated cities and towns, which may be incorporated under special charters or general law. Incorporated cities are governed by an elected mayor and city council. The minimum population for incorporation for a town is 1,001 inhabitants. Cities formed under general law are divided into three population categories:

- First class: 50,000 inhabitants or more.
- Second class: 5,000 or more, but fewer than 50,000 inhabitants.
- Third class: fewer than 5,000 inhabitants.

The “unincorporated towns” in Nevada are adjuncts of the county governments and are not counted as separate governments in Census Bureau statistics on governments. See “Subordinate Agencies and Areas” section.

### Township Governments

There are no township governments in Nevada. Most of the counties, however, are divided into “township” areas for local court and police power purposes.

## PUBLIC SCHOOL SYSTEMS

### School District Governments

Each of the 16 counties in Nevada and Carson City constitutes a school district government. An elected board of trustees administers each school district. State law requires the board of county commissioners to levy certain school taxes. Additional taxes may be levied with voter approval. The district trustees may issue general obligation bonds upon voter approval.

### Dependent Public School Systems

Nevada has no dependent public school systems.

## Other Educational Activities

Educational supervision “districts” in Nevada are election areas for members of the state board of education and are not counted as separate governments in Census Bureau statistics on governments.

## SPECIAL DISTRICT GOVERNMENTS

Nevada statutes authorize the creation of a variety of special districts or authorities that are counted as separate governments in Census Bureau statistics. These are discussed in detail below.

### California-Nevada Super Speed Ground Transportation Commission

This commission was established by state law to create a super speed train linking southern California to Las Vegas, Nevada. California passed similar authorizing legislation. The commission consists of an appointed board equally representing the two states and includes both public and private representatives. Commission members of Nevada are appointed by and serve at the pleasure of the governor. The commission may issue bonds.

### Conservation Districts

These districts are established by the state conservation commission upon landowner petition and after a hearing and referendum. A board of five elected supervisors and one or more appointed supervisors governs the district. The districts may require contributions from benefited landowners for services.

### County Fire Protection Districts—1937 Law

A 1937 law provides for the creation of county fire protection districts by the board of county commissioners upon petition of landowners and after a hearing and special election. An elected board of directors governs each district. The district may levy ad valorem taxes and issue general obligation bonds.

These districts are distinct from the county fire protection districts authorized in 1949 and 1963. Districts under the 1949 and 1963 laws have ex officio boards and are not counted as separate governments in Census Bureau statistics. See “Subordinate Agencies and Areas” section. Districts authorized under the 1949 law may, however, reorganize under the 1963 law or the 1937 law.

## **County Library Districts**

These districts are created by the county commissioners upon petition of the taxpayers after a public notice and, in some cases, an election. A board of five trustees appointed by the county commissioners governs each district. The district board determines its annual needs, which are met from ad valorem tax levies.

Similar provisions apply to consolidated library districts (consolidations of a city and county library in counties with more than 400,000 inhabitants), regional libraries, and regional networks of libraries. There are some exceptions: consolidated library districts may issue bonds with voter approval; financial requirements of regional libraries are met by contributions from participating local governments in accordance with the agreement creating the regional library and from grants. The boards of regional network of libraries consist of representatives from each participating entity.

The Henderson District Public Libraries and the Boulder City Library District were converted by special acts to county library districts in 1956. The Smoky Valley Library District, Tonopah Library District, and Amargosa Valley Library District were converted by subsequent special acts.

The Pahrump Library District was created by special act in 1983 with the same provisions as a county library district. It serves the unincorporated Town of Pahrump.

County libraries are distinct from county library districts. City and town libraries were created under similar provisions prior to July 1, 1967. Any existing on that date may be maintained. These county, city, and town libraries are dependent agencies of the creating entity, are not counted as separate governments in Census Bureau statistics, and are listed under "Subordinate Agencies and Areas" section.

## **Elko Convention and Visitors Authority**

This authority was created by special act to provide convention facilities in Elko. A board of governors consisting of five members, of whom three are elected, one is appointed by Elko County, and one is appointed by the City of Elko, governs the authority. The authority may fix and collect fees and rents, levy ad valorem taxes, and issue general obligation bonds. This authority is the successor to the former Elko City-County Civic Auditorium Authority.

Convention and visitor authorities (also known as county fair and recreation boards) created by county boards of supervisors are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

## **General Improvement Districts**

These districts are established by ordinance of the board of county commissioners on its own motion or upon petition of landowners and after a public hearing. These districts provide one or more of the following services: electric light and power, cemetery, swimming pool, television, space heating, street, street lighting, sidewalks, storm drainage, flood control, sanitary sewer, garbage and refuse disposal, recreation, fencing, emergency medical services, fire protection, water supply facilities, FM radio facilities, preservation of endangered species, and mosquito and other pest abatement and extermination.

Most general improvement districts may levy ad valorem taxes or special assessments; fix charges; or issue revenue, special assessment, or general obligation bonds in accordance with their legislated financing powers. General obligation bonds require voter approval. Districts providing pest abatement, swimming pools, or cemeteries, however, may not levy special assessments or issue bonds. Television districts and FM radio facilities districts may not issue bonds. Districts providing sewerage services must hold a public hearing prior to establishing rates and charges.

General improvement districts, with exceptions for those providing sewerage or water facilities or emergency medical services, are governed by an elected board of trustees.

For general improvement districts providing only sewerage facilities, the board of county commissioners is the ex officio board of trustees (both for counties with a population of 400,000 or more and, when appropriate, for counties with fewer than 400,000 inhabitants). For districts providing only water facilities or only water and sewerage facilities and not created by special act, the board of county commissioners also may be the ex officio board of trustees. Similarly, for districts providing either emergency medical services or basic power for streets and alleys, the board of county commissioners also may be the ex officio board of trustees for counties with a population of fewer than 100,000. Districts governed by the board of county commissioners, ex officio, are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

Flood control, sanitary sewer, and fire protection districts governed by the county board of supervisors are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

## **Housing Authorities**

Housing authorities are established by resolution of the governing bodies of cities, towns, or counties. A board of

commissioners appointed by the chief executive of the municipality or by the county commissioners governs each authority. In counties with a population of 400,000 inhabitants or more (Clark County), two or more housing authorities may form a regional housing authority. The board of such an authority is appointed by the governing bodies of the county, the three largest cities in the county, and the tenants' association. Housing authorities may issue revenue bonds and fix rentals.

### Inland Port Authorities

An inland port authority may be created by ordinance of one or more boards of county commissioners or the governing body of an incorporated city after approval from the State Office of Economic Development and after two public hearings. The authority is governed by a board of directors appointed by participating governments and entities. An authority may establish rates, fees, and charges.

### Irrigation Districts

The county commissioners, upon petition of landowners and after a hearing and referendum, may establish irrigation districts. These districts also may provide drainage facilities and generate and sell electricity. These districts may be designated water conservation, water conservancy, or water improvement districts. An elected board of directors governs each district. The district may issue revenue and general obligation bonds with voter approval; levy ad valorem taxes and special assessments; and fix tolls and charges.

Improvement districts established within irrigation districts have provisions similar to those for irrigation districts. These improvement districts are classified as dependent activities of the irrigation districts creating them and are not counted as separate governments in Census Bureau statistics.

### Moapa Valley Water District

This district was created by special act to serve Moapa Valley. The board is elected by the residents of the benefited areas. The district may levy ad valorem taxes, fix and establish rates, and issue bonds. General obligation bonds require voter approval; revenue bonds do not.

### Nevada Commission for the Reconstruction of the V&T Railway

This commission was created by a special act to rebuild part of the historic route of the Virginia and Truckee Railroads. The commission consists of members appointed by the participating local governments, one member appointed by a local historical society and one member appointed by each of the state speaker of the assembly, state Senate majority leader, and the governor. The commission may fix and collect fees. The participating

governments may issue bonds, levy lodging taxes, and, with voter approval, levy sales and ad valorem taxes for the benefit of the commission.

### Reno-Tahoe Airport Authority

This authority was created by a special act. It is governed by a board of trustees appointed by Washoe County and the cities of Sparks and Reno. The trustees may fix and collect fees; the county levies a property tax for the authority. General obligation bonds require voter approval, but revenue bonds may be issued without voter approval.

There are other airport authorities not counted as separate governments in Census Bureau statistics. Refer to "Subordinate Agencies and Areas" section regarding these authorities.

### Southern Nevada Water Authority

The Southern Nevada Water Authority was created through an interlocal agreement to own and manage the Southern Nevada Water System. Each of the following entities has a representative on the board: the cities of Boulder City, Henderson, Las Vegas, and North Las Vegas; the Big Bend Water District; the Las Vegas Valley Water District; and the Clark County Water Reclamation District. The authority may set and collect user fees and issue general obligation and revenue bonds. The state and the Las Vegas Valley Water District may issue bonds on behalf of the district.

### Truckee Meadows Water Authority

This authority was formed under the joint powers legislation of Nevada. The governing board is appointed by the city councils of Reno and Sparks and the county commission of Washoe County. The authority may issue bonds and set fees for services.

### Virgin Valley Water District

This district was created by a special act to serve portions of Virgin Valley in Clark County. The board consists of three elected members, one member appointed by the mayor of the City of Mesquite, and one member appointed by the governing body of the Town of Bunkerville. The district may levy ad valorem taxes and issue revenue and general obligation bonds. General obligation bonds require voter approval.

### Water Conservancy Districts and Subdistricts

Water conservancy districts are established by the district court upon petition filed by the board of county commissioners after a public hearing. The districts may be divided into divisions in the initiating petition: a division is an irrigation or other special district, an incorporated city or town, or other political subdivision or combination thereof. The district board of directors is appointed by

the governor on recommendations made by the district, participating areas, or subcontracting agencies. District boards may fix rates for water and electric power, levy ad valorem taxes and special benefit assessments, and incur indebtedness upon voter approval. Water conservancy subdistricts are counted in Census Bureau statistics as separate governments. They have the same general powers as water conservancy districts. The Carson Water Subconservancy District was created by a special act.

## SUBORDINATE AGENCIES AND AREAS

Shown below are various governmental designations in Nevada that have certain characteristics of governmental units but that are classified in Census Bureau statistics as subordinate agencies of the state or local governments and are not counted as separate governments. Legal provision for some of the larger of these is discussed below (see "Public School Systems" section regarding educational agencies of this nature).

**Nevada Housing Division (state)**—This agency was created as a division of the Nevada Department of Business and Industry by 1975 legislation. An administrator appointed by the state director of business and industry administers the division. The division may fix and collect fees and may issue revenue bonds.

Other examples include:

### State

Agricultural districts  
Comstock Historic District Commission  
Nevada Clean Energy Fund 2017  
Nevada Gaming Commission  
Nevada Gaming Control Board  
Nevada High Speed Rail Authority  
Nevada Rural Housing Authority  
Nevada State Infrastructure Bank 2017  
Nevada Transportation Authority  
Nonprofit corporations for the acquisition of real property for future development and expansion of the University of Nevada (Reno or Las Vegas) State Public Charter School Authority  
Water districts

### County

Agricultural associations  
Cemetery authorities  
Cemetery districts  
County fair and recreation boards (also known as convention and visitor authorities)  
County fire department districts  
County hospital districts with elected boards (single counties with populations of fewer than 400,000)  
County hospital districts with ex officio boards (single counties)

Districts for the support of public parks (counties of 400,000 or more in population)  
Fire protection districts—1945 law  
Fire protection districts—1963 law  
Flood control districts  
General improvement districts with ex officio boards  
Health districts  
Historic districts (county)  
Improvement districts (county)  
Joint airport boards  
Las Vegas Stadium Authority  
Las Vegas Valley Water District  
Libraries (county)  
Lincoln County Water District  
Parks, trails, and open space districts  
Redevelopment agencies (county)  
Regional development corporations in the area of the Nevada Test Site (county)  
Regional development districts  
Regional planning districts  
Regional rapid transit authorities  
Road districts  
Road maintenance districts  
Rodent control districts  
Sanitary sewer districts (counties of 400,000 or more in population)  
Tahoe-Douglas Visitor's Authority  
Taxicab authorities (counties of 400,000 or more in population)

Taxing districts to provide emergency (911) telephone service (counties of 400,000 or more in population)

Transportation districts (county)  
Truckee River Flood Management District  
Tourism improvement districts (county)  
Unincorporated towns  
Weed control districts  
Western Regional Water Commission

### Municipal

Airport Authority of Battle Mountain  
Airport Authority of Carson City  
Carson City Fair and Recreation Board  
Historic districts (municipal)  
Improvement districts (municipal)  
Joint airport boards  
Libraries (city) (1967 law)  
Libraries (town) (1967 law)  
North Las Vegas Library District  
Parks, trails, and open space districts  
Redevelopment agencies (municipal)  
Regional development corporations in the area of the Nevada Test Site (municipal)  
Taxing districts for maintenance of improvements (an incorporated city in a county of more than 100,000 but less than 400,000 in population)

Taxing districts for police protection (an incorporated city in a county of more than 100,000 but less than 400,000 in population)  
Taxing districts to provide emergency (911) telephone service (an incorporated city in a county of 400,000 or more in population)  
Transportation districts (city)  
Tourism improvement districts (municipality)  
UNLV Campus Improvement Authority

### **Joint County-Municipal**

Regional development corporations in the area of the Nevada Test Site (joint)

Nevada laws also provide for various types of local areas for election purposes, administration of justice, and improvement of transportation or central business areas.

# NEW HAMPSHIRE

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## COUNTY GOVERNMENTS

The entire state of New Hampshire is encompassed by county governments. New Hampshire county governments have relatively few responsibilities. Towns and cities perform most of the functions of local governments. The county governing body is known as the board of county commissioners.

## SUBCOUNTY GENERAL PURPOSE GOVERNMENTS

The subcounty general purpose governments in New Hampshire consist of municipal (city) governments and town governments. These two types of governments are distinguished primarily by the historical circumstances surrounding their incorporation. The primary difference is that cities are former towns who dropped the town meeting form of government in favor of a city form through special act of the New Hampshire General Court. Since 1979, existing cities and towns may change their form of government through the creation of a charter. In either case, the voters of the city or town must approve a change in the form of government.

### Municipal Governments

Towns, which are treated as municipalities in New Hampshire statutes, are instead counted in U.S. Census Bureau statistics as towns, rather than municipal governments (see below). In addition to usual city functions, cities have responsibility for services performed in other parts of the state by town governments. Cities exist outside the area of any town.

### Town or Township Governments

Although not differing in legally authorized powers from cities, government units in New Hampshire locally designated as "towns" are counted in Census Bureau statistics as a separate type of local government. Town governments exist in each county in New Hampshire, but they do not cover the entire area of each county. Cities (also counted in Census Bureau statistics as town governments), gores, grants, purchases, unorganized locations, and unorganized townships exist outside the area of any town in the counties.

## PUBLIC SCHOOL SYSTEMS

### School District Governments

The following types of school districts in New Hampshire are counted as separate governments in Census Bureau statistics:

- Cooperative school districts.
- Interstate school districts.
- Regular school districts.

The composition and the method of selection of the boards of cooperative school districts are determined by the agreement establishing the district. Regular school districts are governed by elected boards. All three school district types may issue bonds and determine their own fiscal requirements.

### Dependent Public School Systems

New Hampshire statutes provide for the following types of dependent public school systems:

Systems dependent on county governments:

- Coos County School District.

Systems dependent on municipal governments:

- City school systems.

The Coos County School District serves the unincorporated areas of Coos County. It is governed by the board of county commissioners, serving in an ex officio capacity. This school district is classified in Census Bureau statistics as a dependent agency of Coos County.

The public school systems serving the cities of Berlin, Dover, Franklin, Laconia, Manchester, Nashua, Portsmouth, Rochester, and Somersworth are governed by separate school district boards that are either appointed by the city council or elected by the voters. The public school systems serving these cities are subject to municipal fiscal control. They are classified for Census Bureau statistics as dependent agencies of the cities they serve and are not counted as separate governments.

### Other Educational Activities

School administrative units, formerly referred to as supervisory unions, are entities that supervise the school affairs of two or more school districts. Expenses are met by the participating districts. School administrative units are classified as joint educational service agencies of participating school districts and are not counted as separate governments in Census Bureau statistics.

Authorized regional enrollment area schools are maintained and operated by the school districts in which the facilities are located. These schools are classified as joint activities of the participating school districts and are not counted as separate governments in Census Bureau statistics.

Vocational education centers are designated by the commissioner of the department of education. The selected high schools receive additional state funding for construction or renovation and additional assistance in the form of a regional advisory committee. Vocational education centers are classified as dependent activities of their affiliated school districts.

Joint maintenance agreements may be entered into by two or more adjoining school districts to establish and maintain schools. The school districts entering into the agreement may incur indebtedness in the name of the joint agreement. School districts created under joint maintenance agreements are classified as dependent activities of the participating school districts they serve and are not counted as separate governments in Census Bureau statistics.

## SPECIAL DISTRICT GOVERNMENTS

New Hampshire statutes authorize the creation of special districts or authorities that are counted as governments. These are discussed in detail below.

### Conservation Districts

Under New Hampshire law, each county constitutes a conservation district. A board of five supervisors appointed by the state conservation committee governs each district. Revenue for these districts is derived from gifts, grants, rentals, leases, and special assessments. The district boards may require contributions from landowners for benefits extended.

### Cooperative Alliance for Seacoast Transportation

This alliance was created by act of the general court to acquire, own, and operate a regional transit system. The alliance serves the seacoast region of New Hampshire (Rockingham and Stafford Counties) and Berwick (Maine). Its board of directors includes representatives of various state, local, and private agencies. The alliance may fix rates, fares, tolls, rents, and other charges and receive federal, state, and local contributions.

### Housing Authorities

Housing authorities may be established in any city or town after local referendum. Housing authority commissioners are appointed by the mayor or the town selectmen. No commissioner or employee shall acquire any interest direct or indirect in any housing project or property in any project, nor shall have any interest in any contract or proposed contract for materials or services to be furnished or used in connection with any housing project. Authorities may issue bonds and collect rentals for facilities.

### Maine-New Hampshire Interstate Bridge Authority

This authority was created by a special act to operate the Portsmouth-Kittery Bridge. The governing body consists

of three members from each state. In New Hampshire, the members are appointed by the governor and include the commissioner of transportation. The authority may issue bonds and fix rates and tolls.

### Regional Transit Districts

Cities and towns may jointly vote to establish a regional transit district. Board members for the district are appointed by the governing bodies of the participating local governments. The number of representatives contributed by the local governments is based on population. Each participating city or town funds district expenses based on a fair-share formula.

Transit districts and authorities established by only one local government (such as the Manchester Transit Authority) are dependent activities of the creating government and counted in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### Solid Waste Management Districts (1994 law)

These districts may be created by the governing bodies of two or more municipalities. Each district is governed by a district committee selected in the manner determined by the authorizing agreement. The districts may issue bonds with the approval of the participating governments. Fiscal needs are determined by the district committee and apportioned according to the provisions for cost sharing in the agreement. Similar districts, including regional refuse disposal districts, formed under prior law continue to operate under the prior law and existing agreements.

### Village Districts or Precincts

At least ten inhabitants of any village situated in one or more towns, may petition a town or towns to call a referendum to create a village district or precinct. The functions conducted include: fire protection; lighting or sprinkling of streets; planting and care for shade and ornamental trees; water supply for domestic and fire purposes; construction and maintenance of sidewalks and drainage or common sewers; construction and maintenance of sewerage and waste treatment plants; maintenance of parks and recreation facilities; pollen control and pest abatement; employment of watchmen and police officers; roads; and ambulance services. These districts are governed by an elected body. After a vote is held at a district meeting, the district or precinct may issue bonds and levy taxes. The districts may also charge rates for services.

Village districts may create boards of commissioners for municipal electric, gas, or water systems, which are dependent agencies of the creating government. Village districts also may participate in the creation of regional water districts, which are joint dependent agencies of the creating governments and not counted separately in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

## SUBORDINATE AGENCIES AND AREAS

Shown below are various governmental designations that have certain characteristics of governmental units but are classified in Census Bureau statistics as subordinate agencies of the state or local governments and are not counted as governments. Legal provisions for some of the larger of these are discussed below (see "Public School Systems" section regarding educational agencies of this nature).

### New Hampshire Business Finance Authority (state)—

This authority was created by special act to develop, operate, finance, and maintain commercial, industrial, transportation, and recreation facilities. A board of 14 directors, nine of whom are appointed by the governor with the consent of the council plus additional state representatives, governs the authority. The authority may charge fees and rents and issue revenue bonds.

### New Hampshire Health and Education Facilities

**Authority (state)**—This authority was established by act of the state legislature to construct educational and health facilities. The authority is governed by a board of seven directors appointed by the governor and council. The authority may fix and collect rates, rents, fees, and charges for the use of facilities and services. It may issue revenue bonds with the approval of the governor and with the advice and consent of the council.

**New Hampshire Housing Finance Authority (state)**—This authority was established to provide mortgage credit for housing; to provide housing subsidies to low-income persons; and to construct housing. The authority is governed by a nine-member board appointed by the governor with the consent of the council. The authority may make mortgage loans and issue revenue bonds.

Other examples include:

### State

Community Development Finance Authority  
Forest fire districts  
New Hampshire Land and Community Heritage Investment Authority  
New Hampshire Municipal Bond Bank  
New Hampshire School Building Authority  
Pease Development Authority  
Southeast Watershed Alliance

### Municipal

Airport authorities and districts  
Boards of commissioners for a municipal electric, gas, or water system  
Boards of public works commissioners (joint)  
Central business service districts  
Conservation commissions  
Economic development and revitalization districts  
Health districts  
Historic districts  
Local industrial development authorities  
Recreation commissions  
Sewer utility districts  
Transit authorities  
Water utility districts

### Town

Airport authorities and districts  
Boards of commissioners for a municipal electric, gas, or water system  
Boards of public works commissioners (joint)  
Boards of sewer commissioners  
Central business service districts  
Conservation commissions  
Economic development and revitalization districts  
Health districts  
Historic districts  
Local industrial development authorities  
Recreation commissions  
Sewer utility districts  
Transit authorities  
Water utility districts

### Other

The regional water districts are joint dependent agencies of the creating counties, cities, towns, school districts, village districts, and/or special districts.

Gores, grants, locations, purchases, and unorganized townships are geographical areas outside the area of any city or town and are not counted as governments.

New Hampshire laws also provide for various types of local areas for election purposes and administration of justice.

# NEW JERSEY

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## COUNTY GOVERNMENTS

The entire area of the state of New Jersey is encompassed by county governments. The counties are divided into the following six classes:

Counties not bordering on the Atlantic Ocean:

- First class—more than 550,000 inhabitants and a population density of more than 3,000 persons per square mile.
- Second class—all other counties with more than 200,000 inhabitants.
- Third class—50,000 to 199,999 inhabitants.
- Fourth class—fewer than 50,000 inhabitants.

Counties bordering the Atlantic Ocean:

- Fifth class—more than 125,000 inhabitants.
- Sixth class—not more than 125,000 inhabitants.

The county governing body is called the board of chosen freeholders.

## SUBCOUNTY GENERAL PURPOSE GOVERNMENTS

The subcounty general purpose governments in New Jersey consist of municipal (borough, city, town, and village) governments and township governments. These two types of governments are distinguished primarily by the historical circumstances surrounding their incorporation. Borough, city, town, village, and township governments have similar powers and perform similar functions.

### Municipal Governments

The term municipality as defined for U.S. Census Bureau statistics on governments applies only to the boroughs, cities, towns, and villages in New Jersey. Townships, which are treated as municipalities in New Jersey statutes, are counted in Census Bureau statistics as township governments, rather than municipal governments (see below). All cities, towns, boroughs, and villages exist outside the area of any governmentally active township. Cities are divided according to population size and location as follows:

- First class—more than 150,000 inhabitants.
- Second class—12,000 to 149,999 inhabitants.
- Third class—fewer than 12,000 inhabitants, excluding seaside resorts bordering on the Atlantic Ocean.

- Fourth class—resort cities bordering on the Atlantic Ocean.

### Township Governments

Townships are classified in Census Bureau statistics as a separate type of government from municipal governments; however, these do not differ in legally authorized powers from the types of municipal governments described above. All areas of the state are encompassed by township governments, except areas within the boundaries of a borough, city, town, or village.

## PUBLIC SCHOOL SYSTEMS

### School District Governments

New Jersey has Type 1 and Type 2 school districts. Each district may determine the amount of local school tax levies and issue bonds with voter approval. Type 1 school systems are described under Dependent Public School Systems below. Type 2 school districts may be basic, consolidated, or regional. Regional school districts may be "all purpose" or "limited purpose."

School districts may convert from a Type 1 to a Type 2 school district with voter approval. Type 2 school districts are governed by elected boards of education.

### Dependent Public School Systems

New Jersey statutes provide for the following types of dependent public school systems:

Systems dependent on county governments:

- County vocational school systems.
- County special services school districts.
- County colleges.
- Community college agencies.

Systems dependent on municipal governments:

- Type 1 school districts in boroughs, cities, towns, or villages.

Systems dependent on township governments:

- Type 1 school districts in townships.

Systems dependent on the state government:

- State-operated school districts.

Each Type 1 school district is governed by a board of education appointed by the mayor or other chief executive officer of the borough, city, town, township, or village it serves. The creating government may issue bonds on behalf of the school district.

County vocational school systems are governed by a vocational school board appointed by the chief elected executive officer of the county or by the director of the board of chosen freeholders. The county superintendent of schools also serves as an ex officio member. The fiscal needs of county vocational school systems are determined by and provided for by the county governments.

County special services school districts provide education and treatment of disabled children. The districts are established by resolution of the county board of chosen freeholders. Each district is governed by a board of education consisting of the county superintendent of schools, plus six members appointed by the director of the board of chosen freeholders with the consent of the board. Fiscal requirements are determined by a board of school estimate and are provided by the county and state governments.

County colleges are established by the board of chosen freeholders with the consent of the state commission on higher education and voter approval. Each county college is governed by a board of trustees consisting of eight members representing the county and two members appointed by the governor, plus the county superintendent of schools and the college president. In addition, the student body elects one representative. For junior colleges serving more than one county, the board is enlarged and apportioned among the counties based on the latest decennial population census. The county governments may appropriate funds and issue bonds for the benefit of county colleges.

Community college agencies may be established in any county that has not established a county college, with the consent of the state commission on higher education. These agencies are similar in formation, board, and powers to county colleges.

County colleges may also be formed by any private institution of higher education and any postsecondary institute of a county board of vocational education. The Union County College was established under this law.

State-operated school districts are established by administrative order of the state board of education upon a finding by the commissioner of education of a need of reorganization. The state board of education appoints the school district's board of education. The school districts are funded by local property taxes. Upon completion of the reorganization, the district is restored to local control. Voters decide whether the reorganized district is to be a Type 1 school district or a Type 2 school district.

## Other Educational Activities

Educational services commissions are created by the state board of education upon petition of five or more boards of education in one or more counties. These commissions conduct programs of education research and provide educational and administrative services. The establishing districts contribute to the support of educational services commissions. For Census Bureau statistics, these commissions are classified as joint educational service agencies of the participating school districts and are not counted as separate governments.

The Educational Information and Resource Center was established by special act to provide services to school districts in Gloucester County. The center is classified as a joint educational service agency of the participating school districts and is not counted as a separate government.

County parental schools for juvenile delinquents (known as county youth houses) are also authorized in counties of the first class.

## SPECIAL DISTRICT GOVERNMENTS

New Jersey statutes authorize the creation of a variety of special districts or authorities that are counted as governments. These are discussed in detail below.

### County Bridge Commissions

County bridge commissions build, improve, and maintain highway bridges. Two or more counties may establish an independent commission by resolution. The commission members are appointed by the counties' boards of chosen freeholders. Commissions may fix tolls and issue revenue bonds.

County bridge commissions that serve only one government are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### Delaware River Port Authority

This authority was established by special acts of the New Jersey and Pennsylvania legislatures to operate and maintain bridges, tunnels, ferries, railroads, and rapid transit systems, and to improve and develop ports in and near Philadelphia and Camden. A board of commissioners consisting of 16 members governs the authority; 8 members are appointed by the governor of New Jersey with the consent of the Senate and 6 members are appointed by the governor of Pennsylvania, plus the Auditor General and the State Treasurer of Pennsylvania serve in an ex officio capacity. The authority may issue revenue bonds, and may fix and collect tolls and other charges for use of its facilities.

The Port Authority Transit Corporation, established to operate the interstate rail transit facilities, is classified for Census Bureau statistics as a dependent activity of the Delaware River Port Authority and is not counted as a separate government.

### **Fire Districts—1971 Law**

A 1971 general law authorizes the creation of fire districts by ordinance of the governing body of any borough, city, town, township, or village that does not have a paid fire department, upon petition and after voter approval. A popularly elected board of commissioners governs each district. The district may, after voter approval, set ad valorem taxes and issue bonds.

### **Incinerator Authorities**

These authorities acquire, operate, and maintain garbage and refuse disposal facilities. The authorities may be established by ordinance or resolution of two or more borough, city, town, township, or village governments. Each authority has a board appointed by the governing body of the establishing government. The authority may fix service charges and issue revenue bonds. These authorities may be known as environmental authorities. There were no joint incinerator authorities reported in operation as of June 30, 2017.

Incinerator authorities that serve only one government are not counted as separate governments in Census Bureau statistics. See “Subordinate Agencies and Areas” section.

### **Joint Water Commissions**

These commissions may be created by two or more cities, boroughs, towns, townships, or villages for which the water supply is provided by privately owned waterworks. The establishing governments may apply to the state superior court to appoint a commission to acquire such waterworks by condemnation or purchase. Election or appointment of succeeding commission members is specified by agreement between the participating governments, except that the composition of certain boards is specified by law. The commissions may fix rates and charges for water, and issue bonds. In addition, the participating municipalities may issue bonds on behalf of the water commissions.

### **Municipal and County Utilities Authorities**

These authorities may provide water or sewerage facilities, or solid waste disposal. They may be established by resolution or ordinance of two or more city, borough, town, township, or village governments. The participating governments appoint the members of the authority board. Each authority may issue revenue bonds and set rates and charges for services. These authorities may be known as water reclamation authorities.

Neither municipal utilities authorities nor county utility authorities serving only one government are counted as separate governments in Census Bureau statistics; they are subordinate governments. See “Subordinate Agencies and Areas” section.

### **Municipal Shared Services Energy Authorities**

Three or more municipalities may create a retail electric distribution system through intermunicipal agreements after approval by the Local Finance Board. The composition and manner of selection of the governing body of the authority is set out in the intermunicipal agreement. An authority may charge rates and fees and issue revenue bonds.

### **Passaic Valley Sewerage District**

This district was created by a special act to provide sewerage facilities in the lower drainage basin of the Passaic River. A board of commissioners appointed by the governor with the consent of the Senate governs the district. The district may issue bonds and apportion costs to the participating government.

### **Sewerage Authorities—1946 Law**

These authorities may be created to build, operate, and maintain sewerage facilities may be established by ordinance of two or more county, city, borough, town, village, or township governments. Authority board members are appointed by the governing body of the establishing government. Sewerage authorities may issue revenue bonds and fix service charges.

Sewerage authorities that serve only one government are not counted as separate governments in Census Bureau statistics. See “Subordinate Agencies and Areas” section.

### **Soil Conservation Districts**

State law divides the state into soil conservation districts. Each district covers one or more counties. Each district is governed by a board of supervisors appointed by the state soil conservation committee. The district boards may require contributions from benefited landowners and may charge fees for development permits.

### **Solid Waste Management Authorities**

These authorities, created for the collection and disposal of solid waste, may be established by ordinance of two or more city, borough, town, village, or township governments. Authority members are appointed by the governing bodies of the establishing governments. Each authority may issue revenue bonds and fix rates and charges. There were no joint solid waste management authorities reported in operation as of June 30, 2017.

Solid waste management authorities that serve only one government are not counted as separate governments in Census Bureau statistics. See “Subordinate Agencies and Areas” section.

### Waterfront Commission of New York Harbor

This commission is counted under “New York—Special District Governments.”

### SUBORDINATE AGENCIES AND AREAS

Shown below are various governmental designations that have certain characteristics of governmental units, but that are classified in Census Bureau statistics as subordinate agencies of the state or local governments and are not counted as governments. Legal provisions for some of the larger of these are discussed below (see “Public School Systems” section regarding educational agencies of this nature).

**Housing authorities (county, borough, city, town, village, or township)**—These authorities each serve one local government and may be created by local ordinance or resolution. Each authority’s governing board consists of commissioners appointed by the creating government, plus one member appointed by the commission of community affairs. In certain counties, however, special acts designate the board composition. The authorities may issue revenue bonds and fix and collect charges for the use of authority facilities.

**New Jersey Building Authority (state)**—This authority was created by special act to construct office buildings for use by state agencies. A board of 12 directors governs the authority, including nine members appointed by the governor with the advice and consent of the Senate, plus the State Treasurer, the Comptroller of the Treasury, and the Chairman of the Commission on Capital Budgeting and Planning. The authority may receive revenue from rentals and may issue revenue bonds.

**New Jersey Educational Facilities Authority (state)**—This authority was established by act of the legislature to finance the construction of facilities for institutions of higher education. A board of seven members, five of whom are appointed by the governor with the consent of the Senate, plus the chair of the Commission on Higher Education and the State Treasurer governs the authority. The authority may fix rates, rents, fees, and charges, and issue revenue bonds.

**New Jersey Environmental Infrastructure Trust (state)**—This trust (formerly the New Jersey Wastewater Treatment Trust) was established by 1985 legislation to finance wastewater treatment and storm water management facilities. A board of seven members governs the trust, including four members appointed by the governor, plus

the commissioner of community affairs, the commissioner of environmental protection, and the state treasurer. The trust may fix fees and charges, and issue revenue bonds.

### New Jersey Sports and Exposition Authority (state)—

This authority was established by act of the legislature to build, operate, and maintain stadiums, racetracks, and related facilities. A governing board includes 11 members appointed by the governor with the consent of the Senate, one member appointed by the Senate’s president, and one member appointed by the general assembly’s speaker. The state treasurer, the president of the authority, and a member of the New Jersey Meadowlands Development Commission also serve on the board. The authority may fix rents, tolls, fees, and charges, and may issue revenue bonds.

**New Jersey Transit Corporation (state)**—This corporation was established by 1979 legislation. The corporation provides ferry, bus, and rail transportation systems. A board of seven members, of whom four are appointed by the governor with the consent of the Senate, plus the Commissioner of Transportation, the State Treasurer, and one other member of the Executive Branch chosen by the governor, governs the corporation. The governor also appoints one nonvoting member upon recommendation of the labor organization representing the plurality of the employees of the corporation. The corporation receives revenue from fares, rentals, and other charges.

### New Jersey Transportation Trust Fund Authority (state)—

This authority was formed by a 1984 act of the legislature to finance state highway and transit facilities. A board consisting of the commissioner of transportation, the state treasurer, and five other members appointed by the governor, governs the authority. The authority may receive proceeds from state motor vehicle registration fees, motor fuel taxes, and tolls, and may issue revenue bonds.

Other examples include:

### State<sup>1, 2</sup>

Capital City Redevelopment Corporation  
Casino Control Commission  
Casino Reinvestment Development Authority  
Catastrophic Illness in Children Relief Fund Commission  
Historic New Bridge Landing Park Commission  
Lake Hopatcong Commission  
New Jersey Development Authority for Small Business,  
    Minorities, and Women’s Enterprises  
New Jersey Economic Development Authority  
New Jersey Health Care Facilities Financing Authority  
New Jersey Higher Education Student Assistance  
    Authority  
New Jersey Historic Trust  
New Jersey Housing and Mortgage Finance Agency  
New Jersey Natural Lands Trust

New Jersey Public Broadcast Authority  
New Jersey Redevelopment Authority  
New Jersey Schools Development Authority  
New Jersey Turnpike Authority  
New Jersey Water Supply Authority  
North and South Jersey water supply districts  
Palisades Interstate Park Commission  
Pinelands Commission  
Pinelands Development Credit Bank  
Public Housing and Development Authority  
South Jersey Port Corporation  
South Jersey Transportation Authority  
State Lottery Commission  
Tax Lien Financing Corporation  
Transportation development districts

### **County<sup>3</sup>**

Boards of health  
Boards of recreation commissioners (county)  
Burlington County Pinelands Development Credit Exchange  
County bridge commissions (single county)  
County food distribution authorities  
County homelessness trust funds  
County improvement authorities (single county)  
County park commissions  
County pollution control financing authorities  
County utilities authorities (single county)  
Joint agreements for planning and land use control  
Joint flood control commissions  
Joint meetings (nonutility services)  
Parking authorities  
Sewerage authorities (single county)  
Shade tree commissions  
Solid waste management districts

### **Municipal**

Boards of health  
Boards of recreation commissioners (municipal)  
Environmental commissions  
Incinerator authorities (single municipality)  
Intermunicipal park commissions  
Joint agreements for planning and land use control  
Joint flood control commissions  
Joint meetings (nonutility services)  
Joint meetings for construction of sewers and drains  
Joint public libraries  
Landfill reclamation improvement districts (municipal)  
Municipal hospital authorities  
Municipal port authorities—1960 law  
Municipal utilities authorities (single municipality)

Parking authorities  
Port authorities—1948 law (single municipality)  
Redevelopment agencies (municipal)  
Regional health commissions  
Seaquarium authorities  
Sewerage authorities (single municipality)  
Solid waste collection districts—1990 law  
Solid waste management authorities (single municipality)  
Special improvement districts  
Tourism improvement and development authorities (sixth-class counties)

### **Township**

Boards of health  
Boards of recreation commissioners (township)  
Environmental commissions  
Incinerator authorities (single township)  
Intermunicipal park commissions  
Joint agreements for planning and land use control  
Joint flood control commissions  
Joint meetings (nonutility services)  
Joint meetings for construction of sewers and drains  
Joint public libraries  
Landfill reclamation improvement districts (township)  
Municipal port authorities—1960 law  
Municipal utilities authorities (single township)  
Parking authorities  
Port authorities—1948 law (single township)  
Redevelopment agencies (township)  
Regional health commissions  
Seaquarium authorities  
Sewerage authorities (single township)  
Solid waste management authorities (single township)  
Solid waste collection districts—1990 law  
Special improvement districts  
Tourism improvement and development authorities (sixth-class counties)

Water districts (single township)  
Water districts with ex officio boards

New Jersey laws also provide for various types of local areas for election purposes and administration of justice.

### **ENDNOTES**

<sup>1</sup> The New Jersey Meadowlands Commission was dissolved in 2015 and all assets transferred to New Jersey Sports & Exposition Authority.

<sup>2</sup> The Fort Monmouth Economic Revitalization Planning Authority was dissolved in 2010.

<sup>3</sup> The law authorizing County Mosquito Commissions was repealed.

# NEW MEXICO

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## COUNTY GOVERNMENTS

The entire area of the state of New Mexico is encompassed by county governments. The county governing body is called the board of county commissioners. There are nine classes of counties, eight of which are classified on the basis of assessed valuation and population. The other, H class, counties are defined as any county which covers an area of not more than 200 square miles (Los Alamos). Although Los Alamos County is incorporated and performs municipal, as well as county-type services, it is designated a county and is accordingly counted in U.S. Census Bureau statistics as a county government.

## SUBCOUNTY GENERAL PURPOSE GOVERNMENTS

### Municipal Governments

Municipal governments in New Mexico are the cities, towns, and villages. There are no significant differences among the various classes of municipalities that would affect their classification for Census Bureau statistics. The minimum population requirement for incorporation is 150 residents; the area must contain at least one person per acre.

### Township Governments

New Mexico has no township governments.

## PUBLIC SCHOOL SYSTEMS

### School District Governments

The following types of school districts in New Mexico are counted as separate governments in Census Bureau statistics:

- School districts.
- Community college districts—1963 law.
- Technical and vocational institute districts.

An elected board governs each school district. School districts may levy ad valorem taxes and, upon voter approval, issue general obligation bonds. They may also issue revenue bonds upon approval by the state board of education.

Community college districts, under a 1963 law, were established upon petition of voters to the state board of educational finance after voter approval. Each district is governed by an elected board. The districts may levy ad valorem taxes and issue bonds. Since 1998, no new

community colleges may be created under this law; however, they may be created by state special acts.

Technical and vocational institute districts were established upon petition of school districts and approval by the state board of education. Each district is governed by a popularly elected board. Technical and vocational institute districts may fix tuition and fees, levy ad valorem taxes, and issue bonds. No new technical and vocational institute districts may be created under general law since 1998; however, districts may be created by state special acts.

### Dependent Public School Systems

New Mexico has no dependent public school systems.

### Other Educational Activities

The regional education cooperatives, which provide services to member school districts, are classified in Census Bureau statistics as dependent activities of the state government and are not counted as separate governments.

Learning center districts may be created to provide postsecondary education and workforce development. Learning center districts may be created in a school district or community college district upon adoption of a resolution by the local school board or community college board, subject to approval by the higher education department. The board members that create the learning center district also serve on the board of the district. The board may set tuition and fees and, with voter approval, may levy a property tax. Learning center districts are classified as extensions of educational institutions and are not counted as separate governments in Census Bureau statistics.

## SPECIAL DISTRICT GOVERNMENTS

New Mexico statutes authorize the creation of a variety of special districts or authorities that are counted as governments in Census Bureau statistics. These are discussed in detail below.

### Community Ditches and Acequias

These entities are established by three or more property owners for purposes of irrigation and drainage, ditches, and acequias. They are governed by three elected commissioners and one superintendent, or mayordomo. A ditch or acequia may levy assessments, collect fines, and issue special obligation bonds.

This law does not apply to ditches and acequias consisting of only one or two property owners. These are not counted as separate governments in Census Bureau statistics.

## Community Land Grants

These consist of grants of land to towns, colonies, pueblos, or communities originally made before 1848 by the Spanish or Mexican governments for common use. An elected board of trustees manages each grant. The trustees may fix and collect charges for the use of the land. Similar provisions apply to community land grants established under special acts and to corporations for the management of community land grants.

Corporations for management of land grants that have reorganized as domestic corporation under the general corporation law of the state are classified as private entities; they are not counted as governments in Census Bureau statistics.

## Conservancy Districts

New Mexico statutes authorize two types of conservancy districts:

**Artesian conservancy districts**—These districts are created by the district court on petition of landowners to conserve waters in an artesian basin after a public hearing. An elected board of directors governs each district. The district may levy ad valorem taxes and borrow money.

**Conservancy districts**—Conservancy districts are established for flood control, drainage, irrigation, and water storage purposes upon a landowner petition to the district court and referendum of landowners. The districts are governed by elected boards of directors. The districts may impose special benefit assessments and charges for water sales and may issue bonds.

## Cotton Boll Weevil Control Districts

These districts are established to control infestations and threats to cotton producers by the boll weevil after a petition to the director of the New Mexico Department of Agriculture, a public hearing, and approval by two-thirds of the cotton producers within the proposed district. A board of no less than three and no more than seven members governs each district. The districts may levy special assessments.

## Economic Advancement Districts

Economic Advancement Districts have no active units in the 2017 Census of Governments.

## Eastern New Mexico Water Utility Authority

This authority was created to develop and construct a water delivery system and deliver water to the local

governments within the defined boundaries of the authority. It is governed by a seven-member board of directors. Three members are appointed by the Clovis city commission, two are appointed by the Portales city council, one member is appointed by the Curry county commission, and the final member is appointed by the remaining municipalities on a rotating basis. The authority may establish and collect fees, tolls, rates, or charges, and issue revenue bonds.

## Flood Control Authorities

Some authorities of this type have been created by special acts. Similar provisions apply to each of these authorities. A popularly elected board of directors governs these districts; each district may provide sewer facilities as well as flood control activities. These districts may levy ad valorem taxes and issue revenue or general obligation bonds after voter approval.

## Flood Control Districts (1981 Law)

These districts to provide flood control projects are created by the district court on petition of the voters, followed by a public hearing and by voter approval. A popularly elected board of directors governs each district. The districts may receive revenue from contracts, levy ad valorem taxes, and, with voter approval, issue bonds.

## Irrigation Districts

The following types of irrigation districts may be established by the board of county commissioners on petition and after a referendum:

- Electrical irrigation districts.
- Irrigation districts (also known as water or conservancy districts).
- Irrigation districts cooperating with the United States under reclamation laws.

An elected board of directors governs each district of these types. These districts may levy property taxes and special assessments, fix charges, and issue bonds upon voter approval. Electrical irrigation districts and irrigation districts cooperating with the United States under reclamation laws may generate and sell electric power.

Improvement districts created within irrigation districts are classified as dependent activities of the irrigation districts creating them and are not counted as separate governments in Census Bureau statistics.

## Lower Rio Grande Public Water Works Authority

Organized in 2009, the authority is a merger of several domestic water consumer associations whose goal is to supply water service to communities in Dona Ana County. It is governed by an elected board of directors with seven members. The board may establish rates and fees for

water-related services. Sales revenues collected from water supply sales to domestic and commercial users may be used to fund projects in the area.

### **Mutual Domestic Water Consumers Association**

These districts are established to provide rural communities with water treatment, wastewater management, storm drainage, and other water-related services. The board of directors must contain an odd number of at least three members who must be elected annually. The committee may set membership fees, water and sewer rates, tolls, and other charges to establish and maintain water facilities and infrastructure.

### **Pink Bollworm Control Districts**

Pink bollworm control districts administer programs to suppress or eradicate the pink bollworm. They are established by petition of cotton producers to the director of the department of agriculture, subject to approval and a referendum of cotton producers. A control committee consisting of between three and seven members governs the district. Members are selected by all eligible cotton producers in the district. The committee may levy a property assessment and fix fees for eradication of pink bollworms.

### **Regional Housing Authorities**

Regional Housing Authorities, previously classified as a special district government, have been reclassified as state dependent.

### **Regional Transit Districts**

These districts are established to finance, construct, operate, and maintain regional transit systems. The districts may fix fees, tolls, rates, or charges, as well as issue revenue bonds and accept gifts. A board of directors, composed of elected officials appointed by the governing bodies of members, governs each district.

### **Soil and Water Conservation Districts**

Soil and water conservation districts are created by the state soil and water conservation commission upon landowner petition and after a referendum. A popularly elected board of supervisors governs each district. In addition, the state commission may appoint two additional supervisors. The districts may require contributions, lease property, and, with voter approval, levy ad valorem taxes.

Watershed districts may be formed as subdistricts of a soil and water conservation district upon landowner petition and after a hearing and referendum. A board of directors elected by landowners governs each watershed district. Subject to budget approval by the parent district, watershed districts may levy ad valorem taxes. With

voter approval, the districts may issue bonds. Watershed districts are classified as dependent activities of their parent soil and water conservation districts and are not counted as separate governments in Census Bureau statistics.

### **Solid Waste Authorities**

The power to create these authorities was established under 1993 legislation providing for the acquisition, maintenance, and operation of solid waste management projects. Authorities are created by the county special district commission following a petition by the interim solid waste board and a public hearing. An elected board of directors governs each authority. The authority may issue general obligation bonds and upon voter approval, collect ad valorem taxes.

### **Special Hospital Districts**

These districts are created by the board of county commissioners to provide, operate, and maintain hospital facilities. These districts are created on petition and after a local referendum. An elected board of trustees governs each district. The districts may fix charges and, after voter approval, may levy ad valorem taxes and issue general obligation bonds. Some of these districts were created by special acts with similar provisions.

### **Water and Sanitation Districts**

A general law provides for the creation of these districts by the district court on petition of voters and after a hearing and referendum. In addition to providing water and sewer service, these districts may construct streets and street improvements, and park and recreational facilities. A popularly elected board of directors governs each district. The districts may levy ad valorem taxes, fix tolls and charges, issue revenue bonds, and, with voter approval, issue general obligation bonds. Some districts were created under special acts with similar provisions.

### **SUBORDINATE AGENCIES AND AREAS**

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

**Housing authorities (county, municipal, or joint county-municipal)**—Housing authorities serving a county or municipality are created by resolution of the participating county or municipal governing bodies. A board of five commissioners, appointed by the governing bodies of

the participating counties or municipalities, governs each authority. Housing authorities may fix rents, however, bonds, and notes issued for the benefit of such authorities are issued by the parent county or municipal government.

**American Indian Pueblos (tribal)**—Pueblos in New Mexico have many of the powers of local governments but are not counted as separate governments in Census Bureau statistics.

**New Mexico Mortgage Finance Authority (state)**—This authority was created by act of the legislature to provide affordable residential housing to individuals of low or moderate income. A seven-member board governs the authority; four members are appointed by the governor with the consent of the Senate, plus the lieutenant governor, state treasurer, and attorney general serve in an ex officio capacity. The authority may fix fees and charges in connection with its loans and may issue revenue bonds.

Other examples include:

## State

Agricultural commodity commissions  
Border Authority  
Fruit marketing districts  
Grasshopper control districts  
Health districts  
Herd law districts  
Industrial and Agricultural Finance Authority  
Local armory boards  
New Mexico Educational Assistance Foundation  
New Mexico Exposition Center Authority  
New Mexico Finance Authority  
New Mexico Hospital Equipment Loan Council  
New Mexico Renewable Energy Transmission Authority  
New Mexico State Fair Commission  
New Mexico Student Loans (formerly known as New Mexico Student Loan Guarantee Corporation)  
One-varietry cotton districts  
Public School Insurance Authority  
Regional Housing Authorities  
Regional Spaceport District  
Research park corporations  
Solid waste districts (1990 law)  
Spaceport Authority  
State Armory Board  
Water districts  
Water Trust Board

## County

Bi-State Fair Association (Curry County)  
County fire districts  
County improvement districts  
Emergency flood districts  
Historic districts  
Housing authorities  
Improvement districts for streets, sidewalks, sewer, water, parking, parks, or utilities (H-class counties only)  
Local arts and cultural districts (H-class counties only)  
Metropolitan redevelopment boards or commissions (H-class counties only)  
Noxious weed control districts  
Parking authorities (H-class counties only)  
Refuse disposal districts  
Renewable energy financing districts (county)  
Road districts  
Special zoning districts  
Tax increment development districts  
Wind erosion districts

## Municipal

Albuquerque Bernalillo County Water Utility Authority  
Business improvement districts  
Cemetery boards  
Historic districts  
Housing authorities  
Improvement districts for streets, sidewalks, sewer, water, parking, parks, or utilities  
Local arts and cultural districts  
Metropolitan redevelopment boards or commissions  
Park commissions  
Parking authorities  
Renewable energy financing districts  
Tax increment development districts

## Joint County-Municipal

County-municipal hospital board of trustees  
County-municipal public improvement districts  
Water or natural gas associations

## Private associations

Community ditches or acequias established by one or two property owners and water users' associations are classified for Census Bureau statistics as private cooperatives. They are not counted as separate governments.

New Mexico laws also provide for various types of local areas for election purposes and administration of justice.

# NEW YORK

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## COUNTY GOVERNMENTS

The entire area of the state of New York is encompassed by county governments with the exception of the city of New York. The five county areas comprising the city of New York (Bronx, Kings, New York, Queens, and Richmond) are substantially consolidated with the city for governmental purposes and are not counted as separate operating governments. The city of New York is counted as a municipal government, rather than as a county government, in U.S. Census Bureau statistics on governments. The county governing body is called the board of supervisors, the county legislature, the board of representatives, the legislative board, or the board of legislators. County governments in New York have broad home-rule powers.

## SUBCOUNTY GENERAL PURPOSE GOVERNMENTS

The subcounty general purpose governments in New York consist of municipal (city and village) governments and town governments. These two types of governments are distinguished primarily by the historical circumstances surrounding their incorporation. City, town, and village governments have similar powers and perform similar functions.

### Municipal Governments

In New York, the municipal governments, as defined for Census Bureau statistics, are the cities and villages. Towns, which are treated as municipalities in New York statutes, are counted for Census Bureau statistics as towns, rather than municipal governments (see below). Unlike cities, which exist outside the area of any town, villages are included within town areas and are subject to town taxes for general government functions. City and village governments have broad home-rule powers. There is no longer any effective size classification of cities or villages.

### Town or Township Governments

Although not differing in legally authorized powers from cities and villages, units designated as "towns" are counted in Census Bureau statistics as a separate type of government. The entire area of the state is encompassed by town governments, except for areas within the boundaries of cities and American Indian reservations.

Towns are divided under general law into two classes according to population, but there are numerous exceptions:

- First-class towns have a population of 10,000 or more.
- Second-class towns have fewer than 10,000 inhabitants.
- However, a town with a population between 5,000 and 9,999 and meeting assessed valuation of real property requirements may choose to become a town of the first class.
- Under general law, all towns in Westchester County are specified as towns of the first class.
- Also under general law, all towns in the counties of Suffolk and Broome, the town of Potsdam in St. Lawrence County, and the town of Ulster in Ulster County are specified as towns of the second class, although these towns all have the option of changing their classification to towns of the first class.
- New York laws also provides for "suburban towns," which must have a population of at least 25,000, or a minimum population of 7,500 and are located not more than 15 miles from a city with a minimum population of 100,000.

New York town governments have broad home-rule powers. Under general law, an elected town supervisor is the administrative officer of the town, except in towns with an appointed town manager.

## PUBLIC SCHOOL SYSTEMS

### School District Governments

The following types of independent school districts in New York are counted as governments:

- Central school districts.
- Central high school districts.
- City school districts (except in cities with a population of 125,000 or more).
- Common school districts.
- Enlarged city school districts.
- Union-free school districts.

All types of school district governments listed above are governed by an elected sole trustee, a board of trustees, or a board of education, except as follows: central high school district board members are chosen by and from the boards of component school districts; and the boards of some city school districts are appointed by the mayor or council. All six types of school district governments may levy taxes and issue bonds, except that the

component districts of central high school districts levy and collect taxes to meet the amounts requested by the central high school districts.

### **Dependent Public School Systems**

New York statutes provide for the following types of dependent public school systems:

Systems dependent on county governments:

- Community colleges.

Systems dependent on municipal governments:

- Community colleges.
- City school districts in cities with a population of 125,000 or more (Buffalo, New York, Rochester, Syracuse, and Yonkers).
- Community school districts (New York City).
- City University of New York (community colleges).
- Fashion Institute of Technology.

Community colleges may be established and operated, individually or jointly, by county, city, or school district governments. Community colleges are dependent agencies of the sponsoring county, municipal, or school district governments. Community colleges are governed by boards of trustees including four members appointed by the governor, one elected by the students of the college, and five appointed by the sponsoring local governments. Financial support of community colleges is provided by appropriations from the state and sponsoring governments.

The public school systems serving the cities of Buffalo, New York, Rochester, Syracuse, and Yonkers are not counted as separate governments in Census Bureau statistics, but are classified as dependent agencies of the respective city governments. The boards of these five public school systems are elected in Buffalo, Rochester, and Syracuse; appointed by the mayor in Yonkers and appointed by the mayor and the borough presidents in the city of New York. The New York City board also includes the school chancellor as chair. Fiscal requirements of these five public school systems are determined by the city government.

Community school districts in the city of New York each have an appointed community district education council and a community superintendent. These councils manage the local schools but are subordinate fiscally and otherwise to the school chancellor. They are not counted as separate governments in Census Bureau statistics.

The community colleges of the City University of New York are dependent agencies of the city of New York and not counted as separate governments in Census Bureau statistics. Senior colleges operated by the City University of New York are classified as state institutions for Census

Bureau purposes and also not counted as separate governments in Census Bureau statistics.

The Fashion Institute of Technology is operated by the public school system of the city of New York. It is not counted as a separate government in Census Bureau statistics, but is classified as a dependent agency of the city of New York.

### **Other Educational Activities**

Boards of Cooperative Educational Services (BOCES) provide specialized educational services. They are selected by board members of the participating school districts. Fiscal needs of boards of cooperative educational services are provided by each participating district based on a formula that takes each districts' financial resources into account. These boards are classified as joint educational service agencies of the participating school districts and are not counted as separate governments.

Vocational education and extension boards provide instruction in agriculture, home economics, and other special subjects. The boards are appointed by the county governing body. Their fiscal requirements are met by county appropriations. These boards are not counted as governments in Census Bureau statistics, but are classified by the Census Bureau as activities of county governments.

School supervisory districts are areas outside of cities and certain villages for supervision of local educational activities. These districts rely for support on the state and on county and town governments in the component school districts. They are not counted as separate governments in Census Bureau statistics. Each supervisory district is coextensive with a board of cooperative educational service.

School hygiene districts promote the physical welfare of pupils and health education. These districts are financed by the county governing bodies. They are not counted as separate governments but are classified by the Census Bureau as adjuncts of the county government.

### **SPECIAL DISTRICT GOVERNMENTS**

New York statutes authorize the creation of a variety of special districts or authorities that are counted as governments. These are discussed in detail below.

#### **Albany Convention Center Authority**

Authorized by special act in 2004, the authority is responsible for the design, development, planning, financing, construction, and operation of a convention facility in the city of Albany. The nine-member board is appointed as follows: three by the governor, one by the president of the Senate, one by the speaker of the assembly, two by the mayor of the city of Albany with the

consent of the common council, and two by the county executive of Albany County with the advice and consent of the county legislature; all serve at the pleasure of the appointing authority. The authority may fix and collect assessments, costs, rentals, fees, and other charges and may issue general or special obligation hotel revenue bonds.

### **Albany Port District**

The Albany Port District was created by special act to develop port facilities in the Albany area. The commission consists of five members: four residents of the city of Albany appointed by the governor upon nomination of the mayor of Albany, and one resident of Rensselaer appointed by the governor upon nomination of the mayor of Rensselaer. The port commissioners are authorized to fix fees, rates, rentals, and other charges for its facilities. The port commissioners are authorized also to issue both general obligation and revenue bonds.

### **Chautauqua Utility District**

This district was created by a special act to provide water, heat, light, power, telephone, fire protection, garbage disposal, and sewage utilities to parts of the town of Chautauqua. It is governed by an elected board of commissioners. The district may levy ad valorem taxes and may charge fees for its services. The district may issue general obligation and revenue bonds.

### **Consolidated Health Districts**

These districts are established by the state commissioner of health on request of the governing bodies of two or more cities, towns, or villages. A board of health, consisting of the supervisor of each town, the president of the board of trustees of each village, and the mayor and the supervisors of each city included in the district, governs each district. If the membership of the board exceeds seven, these officials select a three-member board. The districts determine the amount of taxes to be levied for their use.

These districts are to be distinguished from county and local health districts that are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### **Cooperative Library Systems**

These systems may be chartered by the board of regents of the University of the State of New York by request of the board of trustees of two or more libraries chartered by the regents to provide improved and expanded library service to the area. Cooperative library systems are governed by a board of trustees elected by member library boards. The term of office for trustees must be 3 or 5 years and they may not hold office consecutively for more than 2-, 3- or 5-year terms. All areas of the state

are included in both of two cooperative systems, one for general library services and one for reference and research library resources. Each library system is counted as a special district government.

### **Development Authority of the North Country**

This authority was established by 1985 legislation as a regional development authority to institute a comprehensive, coordinated program of economic development in the three county area of Jefferson, Lewis, and St. Lawrence. Infrastructure and development projects include the development, financing, acquisition, construction, and operation of water, sewer, and solid waste disposal facilities, and the financing of business development programs and housing construction initiatives. A board of 13 members, 2 appointed by the governing bodies of each member county, 2 by the city of Watertown, and 5 nonvoting members by the governor, governs the authority. The authority may fix rates, rents, fees, and charges, and may issue revenue bonds.

### **Fire Districts**

Two types of fire districts that provide fire protection in the areas they serve are counted as independent governments:

**Joint Fire Districts**—These districts may be created by concurrent resolution of the town board of one or more towns and the trustees of one or more incorporated villages, following public hearing and permissive referendum. The governing board of fire commissioners is appointed jointly by the town and village boards or is elected. Such districts may determine the amount of taxes to be levied for their needs and may issue general obligation bonds.

**Town Fire Districts (outside the area of incorporated villages)**—These districts may be created by the town board or by two or more town boards acting concurrently on petition of taxpayers paying real property taxes or on its own motion, and with permission of the state comptroller. They are governed by elected fire commissioners. The district commissioners determine the district fiscal requirements and may issue general obligation bonds.

These two types of fire districts are distinguished from town fire alarm and fire protection districts, which are not counted as governments. See "Subordinate Agencies and Areas" section.

### **Greenwood Lake Commission**

This commission was created to restore and preserve Greenwood Lake, which is located in Passaic County in New Jersey and Orange County in New York. The commission consists of 11 members, including members appointed by the state and local officials in both

states, plus state officials serving ex officio and one representative of the Greenwood Lake Watershed Management District. The commission is authorized by the state of New York to set boat, dock, and mooring fees and to receive appropriations and grants from other governments.

### Hudson-Mohawk Urban Cultural Park Commission

This commission was created under an interlocal agreement and validated by a special act. It is governed by a board of commissioners consisting of ten voting officials representing seven cities, towns, and villages and the counties of Albany, Rensselaer, and Saratoga, plus the nonvoting commissioner of the state office of parks, recreation, and historic preservation. Projects of the commission are within a state designated heritage area. Revenues are derived from the lease, rental, and sale of projects. The commission may issue revenue bonds.

### Hyde Park Fire and Water District

This district was created by special act to provide fire protection and water supply to parts of the town of Hyde Park. It is governed by an elected board of trustees. The district may levy ad valorem property taxes and may charge fees for its services. The district may issue general obligation bonds with voter approval.

### Lake Districts

The following districts have been created by special act to manage resources in areas bordering a lake:

- Cuba Lake District.
- Rushford Lake Recreation District.
- Saratoga Lake Protection and Improvement District.

The boards of these districts may be elected, appointed, or a combination of both. These districts may levy ad valorem taxes.

### Library Districts and Library Funding Districts—Special Acts

Several library districts and library funding districts with substantially uniform provisions were created by special acts. Library funding districts differ from library districts in that they provide library services by contracting for services with neighboring public or association libraries. Library districts and the Carle Place Library Funding District in Nassau County are governed by elected boards of trustees. These districts are entitled to the proceeds of ad valorem tax levies as approved by the voters.

Library districts governed by appointed boards or whose budgets are subject to approval by another government are not counted as separate governments in Census Bureau statistics. Similarly, library-funding districts without boards of trustees are not counted as

separate governments in Census Bureau statistics. See “Subordinate Agencies and Areas” section.

School district libraries that are classified as special districts are discussed below.

### Multijurisdictional Solid Waste Management Authorities

Some authorities of this type have been created by special acts. Similar provisions apply to each of these authorities, which are not counted as separate governments in Census Bureau statistics. Their board members consist of representatives of the counties or municipalities served. These authorities may collect fees and charges, and may issue revenue bonds.

### Niagara Falls Bridge Commission

This commission was created by an act of Congress as an instrumentality of international commerce to build, operate, and maintain toll bridges across the Niagara River. The commission consists of four members appointed by the governor of New York and four appointed by Canadian authorities. The commission may fix rates and tolls, and may issue revenue bonds.

### Port Authority of New York and New Jersey

This authority was created by an interstate compact between New York and New Jersey. The authority may construct, own, and operate terminal and transportation facilities in the New York City area, including airports, bus and truck terminals, economic development projects, marine terminals, interstate rail transit, and interstate bridges and tunnels. The authority also leases equipment to bus and rail transit and commuter rail systems in the area it serves, and finances improvements to rail freight facilities. A board of 12 commissioners appointed by the governors of the two states governs the authority. The authority may issue revenue bonds, and fix tolls and charges.

### Regional Market Authorities

Regional market authorities, authorized by special acts and having substantially uniform provisions, provide facilities for marketing agricultural produce. Each authority board consists of the state commissioner of agriculture and markets or a representative, plus appointees of the county boards of supervisors. These authorities may issue revenue bonds and may fix and collect rents, fees, and other charges.

### School District Libraries

These libraries are created by a majority vote of the electors in a school district (other than a city school district). The charter is granted by the board of regents of the University of the State of New York. The libraries

are governed by an elected board of trustees. The library may receive the proceeds of a voter approved ad valorem tax levy; library budgets are subject to voter approval. A school district library may request a referendum for the funding of capital projects through the issuance of debt. If approved by the voters, the school district must issue debt on behalf of the library.

### **Sherrill Kenwood Water District**

This district was created by special act to provide water to the city of Sherrill and parts of the city of Oneida. It is governed by an elected board of trustees. The district may levy ad valorem taxes and issue general obligation bonds.

### **Southern Tier Extension Railroad Authority**

This authority was created by special act in 2000. It operates in Allegany, Chautauqua, Cattaraugus, and Steuben counties in New York, and Warren and Erie counties in Pennsylvania. The 14-member governing body is appointed as follows: the legislative bodies of Allegany, Cattaraugus, Chautauqua, and Steuben Counties each appoint three voting members; the Southern Tier West Regional Planning and Development Board appoints one voting member; and the Seneca Nation of American Indians may appoint one nonvoting member. The authority may establish, levy, and collect fares, tolls, rentals, rates, charges, and other fees for the use and operation of any railroad facility or related services, and may issue bonds.

### **Upper Mohawk Valley Regional Water Finance Authority**

This authority was created to finance water supply projects in the city of Utica and in the surrounding towns and villages. It is governed by a board consisting of representatives of the city, the county of Oneida, and surrounding towns and villages in the service area. The authority may collect fees and charges, and may issue revenue bonds.

### **Upper Mohawk Valley Regional Water Board**

This board was created to operate the water supply system in the city of Utica and surrounding communities. It is governed by a board consisting of city, county, village, and town appointees. The board may collect fees and charges for its services. The board may contract for indebtedness with the Upper Mohawk Valley Regional Water Finance Authority.

### **Water Authorities in Nassau County—Special Acts**

Two water authorities in Nassau County, both created by special acts, are counted as governments for Census Bureau purposes—the Water Authority of Great Neck North and the Water Authority of Western Nassau County. Similar provisions apply to both authorities. Each is governed by a board of directors representing the

municipalities and towns served. The authorities may fix rates and charges, and may issue revenue bonds.

### **Waterfront Commission of New York Harbor**

This interstate commission was established by New York and New Jersey for the purpose of reducing criminal and corrupt practices in the handling of waterborne freight within the Port of New York. The commission consists of two members, one chosen by the governor of each state with the consent of the Senate. The commission may impose a tax not to exceed 2 percent on the gross payroll payments made by employers of people registered under this compact.

### **SUBORDINATE AGENCIES AND AREAS**

Shown below are various governmental designations in New York that have certain characteristics of governmental units. These entities are classified as subordinate agencies of the state or local governments and are not counted as separate governments in Census Bureau statistics. Legal provisions for some of the larger of these are discussed below (see “Public School Systems” section regarding educational agencies of this nature).

**Battery Park City Authority (state)**—This authority was created by special act to promote the development of an area on the lower west side of Manhattan. A seven-member board appointed by the governor governs the authority. The authority may collect rents, fees, and charges; accept grants and contributions; and issue revenue bonds. The authority may create wholly owned subsidiary corporations.

**Buffalo and Fort Erie Public Bridge Authority (state)**—This authority was created by special act to operate the Peace Bridge and is sometimes referred to as the Peace Bridge Authority. The authority has a ten-member board, five from New York and five from Canada. New York members are the attorney general, the commissioner of transportation, and the chairperson of the Niagara Frontier Transportation Authority, in an ex officio capacity, plus two members appointed by the governor with the consent of the Senate. The authority may collect bridge tolls and rentals, and may issue revenue bonds.

**Dormitory Authority of the State of New York (state)**—This authority was established to finance and construct buildings for schools, childcare facilities, judicial and court facilities, hospitals, cultural centers, and other institutions. The authority board consists of the commissioner of education, the commissioner of health, the state comptroller or a representative, the director of the budget, five members appointed by the governor, and two members appointed by state legislative leaders. The authority may fix and collect rents, and charges, and may issue revenue bonds.

**Health Research, Inc. (state)**—Organized in 1953 under the not-for-profit corporation law, this entity solicits and administers financial support for department of health projects and then disseminates resulting benefits and expertise through programs such as technology transfer programs. Initially the corporation primarily served the research programs of Roswell Park Cancer Institute; however, the corporation now also serves major department of health programs located in other department of health organizations and institutions. Revenues include grants and other monies from the federal government, state government, industry, individuals, and other foundations.

**Housing authorities (municipal and town)**—These authorities are established individually by special acts, but general law regulates their operation and financing. A board, appointed by the mayor (in the case of a city or village housing authority) or the town governing body (in the case of a town housing authority), governs each authority. An authority may issue bonds and may collect rentals, but administrative costs are met by city, town, or village appropriations.

**Industrial development agencies and authorities (county, municipal, or town)**—These authorities are established by special acts, but with substantially uniform provisions for each. Industrial development agencies or authorities are created to finance industrial, pollution control, or winter recreation facilities. Members of the agency board are appointed by the county, city, town, or village governing body. Industrial development agencies or authorities may fix rentals, fees, and charges, and may issue revenue bonds.

**Long Island Power Authority (state)**—This authority was created by a 1986 act of the legislature to acquire, maintain, and operate gas and electric utilities in Nassau and Suffolk Counties. The authority is governed by a board of 15 trustees with nine appointed by the governor, three appointed by the president of the Senate, and three appointed by the speaker of the assembly. The authority may fix rates and charges, and may issue revenue bonds.

**Metropolitan Transportation Authority (state)**—This authority was established by special act to coordinate bus and rail transit, and commuter rail service in the vicinity of New York City. The chairperson and 16 members of the authority board are appointed by the governor with the consent of the Senate, with four of the appointees on recommendation of the mayor of New York City and seven others selected from lists submitted by chief executives of the counties. The authority may fix fares, tolls, rentals, charges, and other fees. The authority may issue revenue bonds, receive the proceeds of state general obligation bonds for mass transportation purposes, and receive surplus funds from the Triborough Bridge and Tunnel

Authority. In addition, the authority may finance facilities to be leased to New York City Transit Authority.

In addition, the Metropolitan Transportation Authority board administers the New York City Transit Authority and the Triborough Bridge and Tunnel Authority, both of which are classified as dependent agencies of the city of New York and are not counted as separate governments in Census Bureau statistics.

**Nassau County Bridge Authority (county)**—This authority was created by special act to build, operate, and maintain the Atlantic Beach Bridge. A five-member board appointed by the county executive, with the approval of the county board of supervisors, governs the authority. The authority may collect tolls, charges, and fees, and may issue revenue bonds.

#### **New York City Educational Construction Fund**

**(municipal)**—This fund was created by an act of the legislature to finance the construction of school buildings within the city of New York. The three-member board of trustees includes the chancellor of the city school district serving as chair plus two trustees appointed by the mayor. The fund may fix rentals, fees, and charges, and may issue revenue bonds.

#### **New York City Housing Development Corporation**

**(municipal)**—This agency was formed to stimulate development and restoration of housing in the city of New York by providing low-interest loans. Its governing board consists of the commissioner of housing preservation and development, the commissioner of finance, the director of management and budget, two members appointed by the governor, and two appointed by the mayor. The corporation issues revenue bonds to finance its mortgage loans.

#### **New York City Municipal Water Finance Authority**

**(municipal)**—This authority, created by special act, is responsible for financing water supply and sewage disposal facilities in the city of New York. The authority board of directors consists of seven members, two of whom are appointed by the mayor and one by the governor, plus the following officials ex officio: city commissioner of environmental protection, city director of management and budget, city commissioner of finance, and state commissioner of environmental conservation. The authority may issue revenue bonds upon approval of the city comptroller or other city officials as circumstances require. The authority receives the proceeds of charges imposed by the New York City Water Board.

#### **New York City Transit Authority (municipal)**—This

authority, created by special act, operates local bus and rail transit within the city of New York. It is administered by the board of the Metropolitan Transportation Authority (see above). The authority may fix and collect fares, issue

revenue bonds and equipment trust certificates, make agreements with the New York City Transit Construction Fund, and receive surplus funds from the Triborough Bridge and Tunnel Authority. Capital costs are financed through city and state bonds.

**New York City Water Board (municipal)**—This board that operates water and sewer facilities in the city of New York was created by act of the legislature. The board consists of seven directors appointed by the mayor. The board imposes rates, fees, rents, and charges sufficient to pay debt service on bonds issued by the New York City Municipal Water Finance Authority and by New York City, and also sufficient to pay New York City's costs related to the water and sewer systems.

**New York Job Development Authority (state)**—This authority was established by special act to create and improve job opportunities. The authority board consists of the commissioner of economic development, the commissioner of labor, the commissioner of agriculture and markets, and the superintendent of banks serving ex officio, plus seven members appointed by the governor with the advice and consent of the Senate. The authority may receive state appropriations and proceeds from its loans and investments, and may issue revenue bonds.

**New York State Bridge Authority (state)**—This authority was established by special act to build, operate, and maintain toll bridges across the Hudson River. The five-member authority board is appointed by the governor with the consent of the Senate. The authority may collect tolls and issue revenue bonds.

**New York State Energy Research and Development Authority (state)**—This authority was created to develop and implement new energy technologies. The authority also is responsible for nuclear waste disposal facility siting and low-level radioactive waste management. The authority board consists of the commissioner of the department of transportation, the commissioner of environmental conservation, the chairperson of the public service commission, the chairperson of the Power Authority of the State of New York, and nine members appointed by the governor with the consent of the Senate. The authority may fix and collect fees, rentals, and charges for the use of property or facilities or for the sale of products or services; accept gifts, grants, and loans; and issue revenue bonds.

**New York State Environmental Facilities Corporation (state)**—This corporation was created by act of the legislature to finance sewerage systems, solid waste disposal facilities, air pollution control facilities, water management facilities, and storm sewers. A board of seven directors governs the corporation, including four appointed by the governor, the commissioner of

environmental conservation, the commissioner of health, and the secretary of state. The corporation may make loans, fix and collect fees, rentals, and charges, and issue revenue bonds.

**New York State Housing Finance Agency (state)**—This agency makes mortgage loans for housing and medical facilities. The agency board consists of the commissioner of housing and community renewal, the director of the budget, the commissioner of taxation and finance, and four members appointed by the governor with the consent of the Senate. The agency may collect fees and charges, and may issue revenue bonds.

**New York State Project Finance Agency (state)**—This agency was created by special act to assist the New York State Urban Development Corporation in the financing of its operations. The agency board consists of the commissioner of taxation and finance, the commissioner of housing and community renewal, the director of the budget, the chairperson of the New York State Housing Finance Agency, and three members appointed by the governor with the consent of the Senate. The agency may receive proceeds from state appropriations and from fees charged in connection with its mortgage loans. The agency may issue revenue bonds.

**New York State Thruway Authority (state)**—This authority was established by special act to build, operate, and maintain the Thomas E. Dewey Thruway. A three-member board appointed by the governor with the consent of the Senate governs the authority. The authority may collect tolls, fees, rentals, and charges.

**New York State Urban Development Corporation (state)**—This public corporation, now doing business as the Empire State Development Corporation, was formed to finance industrial, commercial, and residential projects in blighted or slum areas. The corporation also finances the construction and modernization of state-owned facilities. Its governing body consists of the superintendent of banks, the chairperson of the New York State Science and Technology Foundation, and seven directors appointed by the governor with the consent of the Senate. The corporation may collect rents and charges, and may issue revenue bonds.

**Power Authority of the State of New York (state)**—This authority was created by special act to build, operate, and maintain hydroelectric projects. Subsequent legislation authorized the development and operation of nuclear, pumped storage hydroelectric, and fossil fuel generation facilities. The authority board consists of five members appointed by the governor with the consent of the Senate. The authority may issue revenue bonds and may collect rates, fees, and charges for services.

**Research Foundation for Mental Hygiene, Inc. (state)—**

Organized as a not-for-profit membership corporation in 1952, this foundation assists and enhances the research and training objectives of the New York State Department of Mental Hygiene and its component agencies. It is governed by a board of directors consisting of 26 prominent scientists, administrators, and government officials. Revenues include grants and other monies from the federal government, state government, industry, individuals, and other foundations.

**Soil and water conservation districts (county, municipal)**

These districts are created by resolution of the county governing body to provide soil and water conservation services. A board of directors governs each district; it consists of five or seven directors appointed by the county governing body, including two directors who are members of the county governing body. By statute, Nassau County has a seven-member board of directors appointed by the county executive with the consent of the county governing body and Westchester and Rockland counties have five-member boards of directors appointed by the county executives. The district serving New York City is governed by a nine-member board consisting of seven members appointed by the mayor and two appointed by the city council. The districts may require contributions from benefitted landowners and receive reimbursement for some expenditures from the state government.

**State of New York Mortgage Agency (state)**—This agency purchases mortgage loans from banks making loans to students. Its governing body consists of the superintendent of banks, the state comptroller or designee, the director of the budget, the commissioner of housing and community renewal, one member appointed by the president pro tempore of the Senate, one member appointed by the speaker of the assembly, and three members appointed by the governor with the consent of the Senate. The agency may fix premiums or fees in connection with its loans or purchases, and may issue revenue bonds.

**Thousand Islands Bridge Authority (county)**—This authority was established by special act to build, operate, and maintain the American crossing of the Thousand Islands Bridge complex over the American channel of the St. Lawrence River, plus convention, cultural, and sports facilities in Jefferson County. A board appointed by the chair of the county board of supervisors of Jefferson County, with the consent of that board, governs the authority. The authority may issue revenue bonds and collect rates, user fees, rents, and tolls.

**Triborough Bridge and Tunnel Authority (municipal)**

This authority was created by special act to build, operate, and maintain toll bridges, tunnels, and parking facilities within the city of New York and the New York Coliseum.

It is administered by the board of the Metropolitan Transportation Authority (see above). The authority may issue revenue bonds and collect rates, tolls, and rentals.

**Trust for Cultural Resources of the City of New York**

**(municipal)**—This trust was created by a 1976 legislation to finance facilities for cultural institutions in the city of New York. A board of seven trustees governs the trust, with five appointed by the mayor, plus the deputy mayor for finance and economic development and the chairperson of the New York City Industrial Development Agency, who serve in an ex officio capacity. The trust may receive tax equivalency payments from combined-use facilities and may issue revenue bonds.

**United Nations Development District and Corporation**

**(municipal)**—This corporation was created by act of the legislature to finance facilities for the United Nations headquarters. A board of directors, consisting of the chairperson of the New York City Planning Commission, the New York City housing and development administrator, plus eight members appointed by the governor and five members appointed by the mayor of the city of New York, governs the corporation. The corporation may receive revenue from the lease or sale of properties and may issue revenue bonds.

**Urban renewal or community development authorities**

**(municipal and town)**—These agencies are established individually by special acts, but a general law regulates their government and financing. The governing body may be provided for by the special acts or by general law and may comprise appointed or ex officio officials, or combinations of both. The authority may receive rentals and other income from projects, and may issue revenue bonds.

Other examples include:

**State**

Adirondack Park Agency  
Affordable Housing Corporation  
Agriculture and New York State Horse Breeding

Development Fund  
Canal Recreationway Commission  
Capital District Transportation Authority (owns Albany area transit system)

Central New York Regional Transportation Authority (owns Syracuse area transit system)

City University of New York Research Foundation

Drainage improvement districts

Empire State Plaza Art Commission

Forest fire districts

Fruiting currant districts

Homeless Housing and Assistance Corporation

Housing Trust Fund Corporation

Joint river regulating, river improvement, and drainage improvement districts

Lake George Park Commission  
Natural Heritage Trust  
Nelson A. Rockefeller Empire State Plaza Performing Arts Center Corporation  
New York City University Construction Fund  
New York Convention Center Operating Corporation  
New York Local Government Assistance Corporation  
New York State Archives Partnership Trust  
New York State Higher Education Services Corporation  
New York State Institute on Superconductivity  
New York State Municipal Bond Bank Agency  
New York State Olympic Regional Development Authority  
New York State Racing and Wagering Board  
New York State Sports Authority  
New York State Thoroughbred Breeding and Development Fund Corporation  
Niagara Frontier Transportation Authority (including Niagara Frontier Port Authority)  
Ogdensburg Bridge and Port Authority  
Palisades Interstate Park Commission  
River improvement districts  
River regulating districts  
Rochester-Genesee Regional Transportation Authority  
Roosevelt Island Operating Corporation  
Roswell Park Cancer Institute Corporation  
State park commissions  
State University Construction Fund

## **County<sup>1</sup>**

Agriculture districts  
Albany County Airport Authority  
County drug control authorities  
County health care corporations  
    Nassau Health Care Corporation  
    Westchester County Health Care Corporation  
County health districts (countywide and part-county)  
County hurricane protection, flood and shoreline erosion control districts (Suffolk County)  
County land bank corporations  
County mosquito control commissions  
County park commissions  
County police districts  
    Nassau County Police District (excludes any villages and cities that have police departments)  
    Suffolk County Police District (includes towns of Babylon, Brookhaven, Huntington, Islip, and Smithtown)  
County small watershed protection districts  
County solid waste or resource recovery authorities (special acts)  
County tuberculosis hospitals  
County water or water and sewer authorities (special acts)  
County water, sewer, wastewater disposal, drainage, and refuse districts  
Economic development zone capital corporations  
Economic development zones (a.k.a. empire zones)

Erie County Medical Center Corporation  
Greater Rochester Sports Authority  
Local water and sewer authorities (county)  
Long Island Job Development Authority  
Monroe County Airport Authority  
Oneida County Sports Facility Authority  
Regional off-track betting corporations  
Schenectady Metroplex Development Authority  
Suffolk County Judicial Facilities Agency  
Tompkins Consolidated Area Transit  
Upper Mohawk Valley Memorial Auditorium Authority (Oneida)

## **Municipal<sup>2, 3, 4</sup>**

Albany Municipal Water Finance Authority  
Albany Water Board  
Brooklyn Navy Yard Development Corporation (New York City)  
Buffalo Municipal Water Finance Authority  
Buffalo Sewer Authority  
Buffalo Water Board  
Business improvement districts  
Business Relocation Assistance Corporation (New York City)  
Center Authority of Glens Falls  
City drug control authorities  
Economic development zone capital corporations  
Economic development zones (a.k.a. empire zones)  
Elmira Water Board  
Green Island Power Authority (Village of Green Island, Albany County)  
Hudson River Park Trust (New York City)  
Joint garbage and refuse districts  
Joint water districts (joint village and town)  
Joint water works systems  
Library districts (governed by appointed boards)  
Local water and sewer authorities in cities, towns, or villages  
Municipal Assistance Corporation for the City of Troy  
Municipal theme districts  
New York City Economic Development Corporation  
New York City Fiscal Year 2005 Securitization Corporation  
New York City Health and Hospitals Corporation  
New York City Hudson Yards Development Corporation  
New York City Hudson Yards Infrastructure Corporation  
New York City Off-Track Betting Corporation  
New York City Sales Tax Asset Receivable Corporation  
New York City School Construction Authority  
New York City Transit Construction Fund  
New York City Transitional Finance Authority  
Parking authorities  
Port of Oswego Authority  
Saratoga Springs Center Authority  
Schenectady special assessment districts  
Suffolk County Judicial Facilities Agency  
Syracuse Special Assessment District

Syracuse Regional Airport Authority  
Tobacco Settlement Asset Securitization Corporation  
(TSASC, Inc.)  
Utica Transit Authority

## Town

Clifton-Fine Health Care Corporation  
Clifton Park Town Water Authority  
Economic development zone capital corporations  
Economic development zones (a.k.a. empire zones)  
Fire alarm districts  
Fire protection districts  
Fishers Island Ferry District  
Joint garbage and refuse districts  
Joint water districts (joint village and town)  
Lake park districts  
Loon Lake Park District  
Schroon Lake Park District  
Local water and sewer authorities (town)  
North Hempstead Town Solid Waste Management  
Authority  
Parking authorities  
Public improvement districts and special improvement  
districts (for beach erosion, drainage, lighting, parks,  
parking, police, docks, garbage removal, sewers,  
sidewalks, snow removal, street improvement, and  
water supply)  
Resource Recovery  
Brookhaven Town Resource Recovery Agency  
Islip Town Resource Recovery Authority  
Town fire alarm and town fire protection districts  
Town library districts (governed by appointed boards)  
Town park districts

## Private Associations

The American Museum of Natural History Planetarium  
Authority is governed by the trustees of the American  
Museum of Natural History, a private organization. This  
authority is therefore treated as a subsidiary of a private  
organization and is not counted as a separate government  
in Census Bureau statistics.

Drainage section associations are also not counted  
as governments in Census Bureau statistics. They are  
operated as private associations.

Association libraries and museums are classified as private  
entities, except in cases where their boards consist of  
a majority of public officials or members appointed by  
public officials. In these cases, the library or museum  
is classified as a dependent activity of the sponsoring  
government and not counted as a separate government.

New York laws also provide for various types of local areas  
for election purposes and administration of justice.

## ENDNOTES

<sup>1</sup> Chautauqua County Sports, Recreation and Cultural Authority  
was dissolved in 2012.

<sup>2</sup> Peekskill Civic Center Authority was dissolved in 2012.

<sup>3</sup> Rome City Historic Development Authority was dissolved in  
2012.

<sup>4</sup> Salamanca Indian Lease Authority was dissolved in 2012.

# NORTH CAROLINA

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## COUNTY GOVERNMENTS

The entire area of the state of North Carolina is encompassed by county governments. The county governing body is called the board of county commissioners. Legislation enacted in 2005 allows counties with no incorporated municipalities to exercise most municipal functions, contingent on referendum results.

## SUBCOUNTY GENERAL PURPOSE GOVERNMENTS

### Municipal Governments

Municipal governments in North Carolina are the cities, towns, and incorporated villages, among which there are no significant differences in legal powers or status.

### Township Governments

North Carolina has no township governments. Each county is divided into geographic areas called townships for election purposes.

## PUBLIC SCHOOL SYSTEMS

### School District Governments

North Carolina has no independent school district governments.

### Dependent Public School Systems

North Carolina statutes authorize the following types of dependent public school systems:

Systems dependent on county governments:

- County and city school administrative units.
- Community colleges and technical colleges.
- Regional schools.

School administrative units in North Carolina are not counted in U.S. Census Bureau statistics as independent local governments, but are classified as dependent agencies of the county governments. This classification applies to the "city" administrative units that administer schools in and near various municipalities, as well as to the county administrative units that are directly concerned with other schools. County administrative units have elected boards of education. Most city administrative units also have elected boards of education. In a few city units, however, the board is appointed by the city council.

The units administer their own budgets within the county appropriations. Voters may approve an additional tax levy.

Regional schools may be formed by two or more school administrative units to provide for joint secondary schools. Regional schools are governed by a board consisting of one member appointed by each participating administrative unit, two superintendents from the participating administrative units, three members appointed by the Economic Development Regional Partnership for the region, one by the parent advisory council, and one by each higher education partner. Fiscal needs of the schools are met by a combination of state and proportionate local funding.

North Carolina statutes also provide for the establishment of community colleges and technical colleges, which may serve one or more counties. These institutions are financed primarily through state appropriations; taxes may be levied by each county after approval via referendum, to serve as a secondary source of revenue. The State board of community colleges fixes and regulates all tuitions and fees. Each institution is classified as a dependent agency of the county government it serves; therefore, none are counted as separate governments in Census Bureau statistics.

### Other Educational Activities

Education "districts" are eight state areas designated for administration of education activities and are not counted as separate governments in Census Bureau statistics.

## SPECIAL DISTRICT GOVERNMENTS

North Carolina statutes authorize the creation of a variety of special districts or authorities that are counted as governments in Census Bureau statistics. These are discussed in detail below.

### Airport Authorities and Commissions (special acts)

Airport authorities and commissions may be established jointly by two or more local governments. The governing boards are appointed by participating governments. Airport authorities and commissions may fix rates and charges in most cases. Subject to voter approval, the authorities may levy ad valorem taxes. In addition, most may issue revenue bonds. Additional financing provisions are available to airport authorities through the creation of special airport districts described below.

Similar agencies serving a single county or city are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### **Area Mental Health, Developmental Disabilities, and Substance Abuse Area Authorities (Multicounty)**

These type of area authorities may be established by two or more boards of county commissioners by an interlocal agreement, with the approval of the Secretary of Health and Human Services, and after a public hearing. Area authorities may contract with qualified public or private providers, agencies, institutions, or resources to provide services, or, subject to approval by the Secretary of Health and Human Services, provide services directly. The area authority board's composition is detailed in the creating interlocal agreement. Area authorities receive Medicaid, state, and local funds, may implement a copayment schedule, and, with the approval of the local government commission, may borrow money. Beginning July 1, 2013, the catchment area of an area authority must contain a minimum population of 500,000. Since, 2016, these authorities have been classified as subordinate agencies of a county.

Authorities serving a single county or city are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### **Butner Public Safety Authority**

The Butner Public Safety Authority was dissolved in 2013.

### **Centennial Authority**

This authority, created by a special act in accordance with statutes governing facility authorities, is responsible for the development and operation of an all-purpose facility for sports, health, recreation, entertainment, and cultural activities. The authority is governed by a 21-member board consisting of 10 members appointed by the North Carolina General Assembly, four by the Wake County board of commissioners, four by the Raleigh City Council, two by the mayors of all cities in the county, plus the Chancellor of North Carolina State University in Raleigh. Revenues include the proceeds of a room occupancy tax and, after an interlocal agreement between the City of Raleigh and Wake County, a prepared food and beverage tax levied by the county. The authority may issue bonds, and collect fees and charges.

### **Drainage or Levee Districts**

A general law provides for the creation of drainage districts in part of one or more counties by the clerk of the superior court on petition of landowners and after a hearing. These districts provide for drainage and reclamation of wet, swamp, overflowed, or agricultural lands. A board of commissioners appointed by the

clerk (or clerks in districts encompassing more than one county) of the superior court, after election by landowners, governs the district. The district may levy benefit assessments and issue bonds.

### **North Carolina's Eastern Region Development Commission**

The law authorizing North Carolina's Eastern Region Development Commission was repealed on June 30, 2014.

### **Hospital Authorities**

Hospital authorities may be created to provide and operate hospitals in any municipality, township or county by resolution of the municipal council or the county board of commissioners. A board of commissioners appointed by the mayor or the chairperson of the county board, as appropriate, governs each authority. In counties with a population of less than 75,000, the commissioners are appointed by the county board of commissioners. The authorities may issue revenue bonds, and fix and collect rates and fees.

### **Housing Authorities**

North Carolina statutes authorize four types of housing authorities—city, county, regional, and consolidated housing authorities. An individual county or a municipality of 500 inhabitants or more may establish a housing authority through resolution of its governing body on petition of residents; two or more contiguous counties having an aggregate population of more than 60,000 may establish a regional housing authority; and two or more municipalities having an aggregate population of more than 500 may establish a consolidated housing authority. Housing authority commissioners are appointed by the mayors or the county governing bodies, as appropriate. They may issue bonds and may establish and collect charges for use of facilities. Municipal housing authorities may undertake redevelopment activities. Some housing authorities are called "public housing agencies."

Housing authorities governed by the county commissioners, ex officio, or the city council, ex officio, are dependent activities of the county or city and are not counted as separate governments in Census Bureau statistics. Redevelopment commissions and regional councils of governments may also exercise the powers, duties, and responsibilities of a housing authority.

### **Joint Municipal Assistance Agencies**

These agencies are created by resolution of two or more municipalities or joint agencies to provide assistance to municipalities in construction, expansion, and operation of their electric systems. A board of commissioners consisting of one member appointed by each participating government governs each agency created by two or more municipalities. If the creating agencies are joint agencies,

the governing body is an executive committee. These agencies may establish dues and assessments.

### **Joint Municipal Electric Power Agencies**

Joint municipal electric power agencies may be created by resolution or ordinance of two or more municipalities or joint agencies. Joint ownership of projects with other public or private entities is authorized. The governing board of commissioners consists of one commissioner appointed by each participating municipality. Agencies may fix and collect rents, rates, fees, and charges. Agencies are authorized, with approval from the local government commissioners, to issue revenue bonds. Alternatively, revenue bonds for the benefit of the agency may be issued by any member municipality.

### **Metropolitan Sewerage Districts**

Districts to provide and operate sewer systems may be created to serve any two or more political subdivisions and unincorporated areas or a political subdivision and unincorporated area in one or more counties. Districts are created by resolution of the State Environmental Management Commission following petition and hearings conducted jointly by the county commissioners and the commission. A district board appointed by the governing bodies of participating counties and/or political subdivisions and, in some cases, additional members as authorized by statute, governs each district. Districts may issue general obligation and revenue bonds, fix and collect fees and other service charges, and levy ad valorem taxes.

### **Metropolitan Water Districts**

Districts to provide water or water and sewerage systems may be created to serve two or more political subdivisions in a county, or any political subdivision or subdivisions, including any existing water or sewer district and any unincorporated area or areas located within the same county. Districts are created by resolution of the Secretary of the State Department of Natural Resources following petition and hearings conducted jointly by the county commissioners and the State Department of Environment and Natural Resources. A district board appointed by the county commission and/or the governing body of each political subdivision, with additional members as authorized by statute, governs each metropolitan water district. Districts may levy ad valorem taxes, fix and collect fees and charges, and issue both revenue and, upon voter approval, general obligation bonds.

### **Metropolitan Water and Sewerage Districts**

Districts to provide water and sewerage systems may be created by the governing bodies of two or more political subdivisions after adopting identical resolutions and after at least two public hearings. A district board appointed by the county commission and/or the governing body

of each political subdivision with additional members as authorized by statute governs each district. A district may fix and collect rents, fees, and charges, issue general obligation and revenue bonds, and levy ad valorem taxes.

### **Mosquito Control Districts**

Mosquito control districts may be created on petition of landowners and after a hearing and referendum. If a proposed district is located in a single county, the petition is addressed to the board of commissioners of the county; if located in two or more counties, the petition is addressed to the State Department of Environment and Natural Resources. The district board of commissioners consists of one member appointed by the Secretary of Environment and Natural Resources and one member by the Director of the State Wildlife Resources Commission, plus members appointed by each county board of commissioners of the participating counties. The district may levy ad valorem taxes and issue bonds upon voter approval.

### **Recreation and Security Service Districts in Cherokee County**

The board of county commissioners in Cherokee County is authorized to create by resolution one or more districts following a public hearing and voter approval. Districts may provide for recreation, open space and common area acquisition and preservation, land-use planning and regulation, general administration, security, street improvements and maintenance, facilities and functions. A board of directors appointed by the board of county commissioners and consisting of permanent residents or property owners governs the district. The district is authorized to levy ad valorem taxes. Bear Paw Service District was established under this law.

### **Regional Transportation Authorities**

Under general enabling legislation, two or more counties, cities or towns, or other authorized political subdivisions may cooperate under joint exercise of powers agreements and upon resolution of all participating governing bodies to create a public transportation authority to provide regional transportation systems. The governing body appointed by the governing bodies of member governments may consist of up to 11 members. Authorities may fix and charge fees for services. They may request authorization to levy special taxes and/or bonds through a special election. Authorities may collect proceeds from a vehicle registration tax, after a public hearing.

In addition, two regional transportation authorities have been created by special act.

#### **Research Triangle Regional Public Transit Authority—**

This authority serves Durham, Orange, and Wake counties, by resolution resulting after a public hearing. The board of trustees is appointed by the

governing bodies of the participating counties and cities, and, serving ex officio, three members of the Board of Transportation. The authority may set rates, fees, and charges, and, if authorized by the creating governments and after a public hearing, may levy a vehicle rental tax. Additionally the authority may collect the proceeds of an annual motor vehicle registration tax, after a public hearing. The authority may issue revenue bonds subject to the approval by a special tax board and, in some cases, the boards of county commissioners.

#### **Piedmont Authority for Regional Transportation**

**(PART)**—This authority serves multiple counties. Its board of trustees includes local and state representatives. The authority may issue revenue bonds subject to approval by a special tax board; may fix and collect fares, fees, and rentals; may, after approval from creating governments and after a public hearing, levy a vehicle rental tax; and may collect proceeds of a vehicle registration tax, after a public hearing.

Transportation authorities serving only one county or city are not counted as separate governments in Census Bureau statistics. See “Subordinate Agencies and Areas” section.

#### **Regional Solid Waste Management Authorities**

Authorities to provide for solid waste management and resource recovery are created by resolution of two or more local governments. A board of delegates consisting of one member appointed by each participating government governs each authority. The authorities may fix fees and charges, and issue revenue bonds.

#### **Regional Sports Authorities**

Authorities to provide sports and recreational facilities are established by concurrent resolution of two or more local governments. The composition of the authority governing body is specified in the charter creating each authority. The authorities may fix fees and charges, and issue revenue bonds.

Regional sports authorities that are governed by a county or city governing body ex officio are not counted as separate governments in Census Bureau statistics. See “Subordinate Agencies and Areas” section.

#### **Sanitary Districts**

Sanitary districts provide water and sewerage systems, fire and ambulance services, solid waste collection, mosquito eradication, and maintain non-state streets. The districts are created by the State Commission for Public Health upon petition of resident landowners to the county commissioners and after a hearing. An elected district board governs each district. The district may issue bonds

upon voter approval, levy ad valorem taxes, and fix and collect service charges.

Sanitary districts governed by the city governing body ex officio are not counted as separate governments in Census Bureau statistics. See “Subordinate Agencies and Areas” section.

#### **Soil and Water Conservation Districts**

These districts are created by the State Soil and Water Conservation Commission upon local petition, after a hearing and referendum, and after the approval of the Department of Agriculture and Consumer Services. Each district board of supervisors consists of three elected members from each county and one or two members appointed by the Commission. The districts may require contributions from landowners benefited by district activities.

In Gaston County, the board of county commissioners serves as the governing body of the soil and water conservation district. This district is not counted as a separate government in Census Bureau statistics. See “Subordinate Agencies and Areas” section.

#### **Special Airport Districts**

Special airport districts aid in the construction and the financing of aeronautical facilities. The districts may be created by concurrent resolution of two or more local governmental units (counties, cities, towns, and villages) after a public hearing and referendum. The governing board consists of two representatives appointed by each participating government, from among the membership of the participating governments’ governing bodies. The districts may levy ad valorem taxes and, subject to referendum, issue bonds.

The Special Airport District for Burke and Caldwell Counties, created by special act with all powers and authority granted by general law, is classified as a dependent activity of the Foothills Regional Airport Authority and is not counted as a separate government. The airport authority board serves as the governing board of the special airport district.

#### **Watershed Improvement Districts**

Watershed improvement districts were established by the board of supervisors of a soil and water conservation district after landowner petition, a hearing, and referendum. An elected board of trustees governs each district. The districts may levy benefit assessments or ad valorem taxes and issue bonds upon voter approval. These districts may no longer be established after March 1, 1963, but those existing prior to changes in the law may continue to operate.

## **Water and Sewer Authorities**

The governing bodies of any two or more political subdivisions may, by resolution, establish an authority to provide water supply and sewerage after a public hearing. If organized by three or more political subdivisions, nonprofit water corporations and the state government may participate. The authority governing body consists of members appointed by the participating governments. The authorities may charge rates and fees for their facilities and services, levy benefit assessments, and issue revenue bonds.

Water and sewer authorities serving a single county are not counted as separate governments in Census Bureau statistics. See “Subordinate Agencies and Areas” section.

## **SUBORDINATE AGENCIES AND AREAS**

Shown below are various governmental designations in North Carolina that have certain characteristics of governmental units, but that are classified in Census Bureau statistics as subordinate agencies of the state or local governments and are not counted as separate governments. Legal provisions for some of the larger of these are discussed below (see “Public School Systems” section regarding educational agencies of this nature).

**North Carolina Housing Finance Agency (state)**—This agency was created by an act of the General Assembly to increase the supply of housing for persons and families of lower income. The governing board of the agency consists of 13 members, including 8 appointed members of the General Assembly, 4 members appointed by the governor, and 1 additional member appointed by the initial 12 members. The agency may make or purchase mortgage loans and issue revenue bonds.

**North Carolina Medical Care Commission (state)**—This commission was created by an act of the General Assembly to finance the construction of health and hospital facilities. The commission consists of 17 members nominated in part by various medical associations and appointed by the governor. The commission may issue tax-exempt bonds, purchase or lease property, and fix and collect fees and charges.

**North Carolina Partnership for Children, Inc. (state)**—This entity was established by a 1993 act of the General Assembly to develop a strategic plan for early childhood development and education and services for children and families. The organization is governed by a 26-member board of directors of which 12 members are appointed by the governor, 10 members are appointed by the General Assembly, plus the Secretary of Health and Human Services, Superintendent of Public Instruction, the President of the community colleges system, and the Director of More at Four pre-kindergarten program, serving ex officio.

## **North Carolina Railroad Company (state)**—In 1998,

the state of North Carolina became the sole owner, as authorized by the General Assembly, of all voting stock in this private corporation organized as a real estate investment trust (REIT). The governor appoints, on behalf of the State, all officers or agents who are allowed to represent the stock or other interests, which the state may have in the company. The entity is governed by a board of directors appointed by the governor and the General Assembly, upon recommendation of the Speaker of the House and the President Pro Tempore of the Senate.

## **North Carolina State Ports Authority (state)**—This

authority was established by act of the General Assembly for the purposes of maintaining, developing, and operating harbors and seaports. Its 11-member board consists of 6 members appointed by the governor, 4 members appointed by the General Assembly, and the Secretary of Transportation, serving ex officio. The authority may fix and collect fees and issue revenue bonds.

**North Carolina Turnpike Authority (state)**—This authority was created in 2002 for the purpose of constructing, operating, and maintaining toll roads and bridges. The authority is governed by a nine-member board appointed by the governor and the General Assembly, and the Secretary of Transportation, serving ex officio. The authority may fix and collect tolls, and may issue revenue bonds.

## **Urban redevelopment commissions (county and municipal)**—Each of these commissions, created by

municipal ordinance or county resolution, is governed by a board of five to nine members appointed by the mayor and municipal governing body or the board of county commissioners. The commission may collect income from projects, issue bonds, and receive municipal and county appropriations. Municipalities and counties may levy taxes and sell bonds to obtain funds for redevelopment purposes. In addition, joint city-county redevelopment commissions and regional (multicounty) commissions are authorized. Such commissions are joint activities of participating governments.

Other examples include:

## **State**

Golden LEAF Foundation

North Carolina Agricultural Finance Authority

North Carolina Capital Facilities Finance Agency

North Carolina Global TransPark Authority

North Carolina Indian Housing Authority

North Carolina Marine Industrial Park Authority

North Carolina Parks and Recreation Authority

North Carolina Rural Electrification Authority

North Carolina State Marketing Authority

Regional economic development commissions  
State Education Assistance Authority  
Tobacco Trust Fund Commission  
Uwharrie Regional Resources Commission

## County

Albemarle District Jail Commission  
Area mental health, developmental disabilities, and substance abuse authorities (single county)  
Beautification Districts  
Buncombe County Culture and Recreation Authority  
Carteret County Harbor Authority  
Charlotte-Mecklenburg Public Broadcasting Authority  
Community center districts (Dare County)  
County airport commissions and authorities (single-county)  
County historic districts and historic preservation commissions  
County research and production service districts  
County service districts (Beach erosion control, flood and hurricane protection works, fire protection, recreation, sewage collection and disposal of all types, solid waste collection and disposal, water supply and distribution systems, ambulance and rescue, watershed improvement, cemeteries, law enforcement under circumstances specified by statute, removal of junk automobiles and street maintenance in coastal-area counties, road maintenance in counties with a protected mountain ridge, and noxious aquatic weed control)  
County water and sewer districts  
Cumberland County Civic Center Commission  
District jail commissions  
Economic development and training districts  
Economic development commissions (single county or joint)  
Gaston County Soil and Water Conservation District  
Hospital authorities (county)—1983 law  
Hospital districts—1983 law  
Industrial facilities and pollution control financing authorities  
J. Arthur Dosher Memorial Hospital (township)  
Kelly Dike District (Bladen County)  
Lake Norman Marine Commission  
Lake Wylie Marine Commission

Marine commissions (joint county)  
Mountain Island Lake Marine Commission  
Parks and recreation commissions (county)  
Person-Caswell Lake Authority  
Pilot Mountain Civic and Recreation Center Authority  
Public partnerships for children  
Public transportation authorities (single-county)  
Regional (joint) libraries  
Regional planning and economic development commissions  
Regional sports authorities with ex officio boards (county)  
Rural development authorities  
Rural fire protection districts  
Tourism development authorities (county)  
Underground utility districts (Dare County)  
Water and sewer authorities (single county)

## Municipal

Charlotte Regional Visitors Authority (formerly the Auditorium-Coliseum Convention Center Authority)  
Economic development commissions (single-city or joint)  
Ferry Transportation Authority  
Hospital authorities (municipal)—1983 law  
Lake Lure Marine Commission  
Municipal airport commissions and authorities (single-city)  
Municipal historic districts and historic preservation commissions  
Municipal service districts  
Parking authorities  
Parks and recreation commissions (municipal)  
Harmon Field Recreation Center (Tryon)  
T.H. Brody Park Authority (Lenoir)  
Public transportation authorities (single-city)  
Regional planning and economic development commissions  
Regional sports authorities with ex officio boards (municipal)  
Sanitary districts governed by a city governing body  
Tourism development authorities (municipal)  
Urban service districts (consolidated city-county governments)

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

# NORTH DAKOTA

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## COUNTY GOVERNMENTS

The entire area of the state of North Dakota is encompassed by county governments. The county governing body is called the Board of County Commissioners. Counties may adopt home-rule charters.

## SUBCOUNTY GENERAL PURPOSE GOVERNMENTS

### Municipal Governments

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. Cities with a population of more than 100 residents may adopt home-rule charters.

### Township Governments

Township governments exist in 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

### School District Governments

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

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 U.S. Census Bureau statistics 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 in Census Bureau statistics.

Regional educational associations are established through joint powers agreements and are governed by boards consisting of representatives of member school districts. The association may receive contributions from local, state, and federal sources. These associations are classified in Census Bureau statistics as joint educational service agencies of the sponsoring school districts and are not counted as separate governments.

## SPECIAL DISTRICT GOVERNMENTS

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 a 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

The law authorizing County Nursing Home Authorities was repealed in 2015.

## 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 Board of County 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 a referendum. An elected board of directors governs each district. The district may issue bonds, levy assessments, and collect water rentals. These districts are different from flood irrigation boards.

## Lake Agassiz Water Authority

This authority was created by act of state legislature to assist in providing 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 park district. The district may issue bonds, which may require voter approval, and may levy ad valorem taxes and special benefit assessments.

## Port Authorities

The law authorizing Port Authorities was repealed in 2015.

## 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 across multiple libraries. They are established by a 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 regional library 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 a 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 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 14 elected directors (one from each county served, one from the city of Mandan, 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.

## 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, which are county dependent, that have a developed water supply system may convert that system to a water district.

## Western Area Water Supply Authority

This authority was created to plan, construct, and operate the western area water supply project to supply water to areas in northwestern North Dakota. The board of directors is composed of representatives of participating counties, cities, water districts, and water systems. The authority may fix rates for the sale of water.

## SUBORDINATE AGENCIES AND AREAS

Shown below are various governmental designations in North Dakota that have certain characteristics of governmental units, but are classified in Census Bureau 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" section 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, the North Dakota Pipeline Authority, the Bank of North Dakota, and the North Dakota Building Authority.

Other examples include:

### State<sup>1</sup>

Comprehensive Health Association  
North Dakota Development Fund Corporation  
North Dakota Public Financing Authority  
State Water Commission

### County<sup>2</sup>

County job development authorities  
County special service districts (for police protection or garbage disposal)  
County weed boards  
Drainage districts (projects)  
Health districts  
Multicounty social service districts  
Public library boards  
Water resource districts  
Weather modification authorities

### Municipal<sup>2, 3</sup>

City job development authorities  
City weed boards  
Improvement districts  
Municipal arts councils  
Municipal parking authorities  
Municipal steam heating authorities  
Public library boards  
Urban renewal agencies

## **Joint County—Municipal**

City-county 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.

## **ENDNOTES**

<sup>1</sup> Agricultural districts and communities were repealed in 2017. Prior to that date, it was considered a state dependent agency.

<sup>2</sup> The law authorizing Commerce Authorities was repealed in 2015. Prior to that date, it was considered both county and municipal dependent agencies.

<sup>3</sup> The law authorizing Port Authorities was repealed in 2015. Prior to that date, it was considered a municipal dependent agency.

# OHIO

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## COUNTY GOVERNMENTS

The entire area of the state of Ohio is encompassed by county governments. The county governing body is called the board of county commissioners. For counties operating under home-rule charters, the governing body is called the county council.

## SUBCOUNTY GENERAL PURPOSE GOVERNMENTS

The subcounty general purpose governments in Ohio comprise the municipal (city and village) governments, and the township governments.

### Municipal Governments

Municipal governments in Ohio are the cities (incorporated places having 5,000 inhabitants or more) and villages (incorporated places with fewer than 5,000 inhabitants). Cities and villages may exist within township areas. The minimum population requirement for incorporation is 1,600 for a village and 25,000 for a city. Municipalities may adopt home-rule charters.

### Township Governments

The entire area of the state is also encompassed by township governments, except for townships that are coterminous with a city or village. Townships that are coterminous with a city or village are not counted as separate governments in U.S. Census Bureau statistics. Township governments are governed by boards of township trustees.

Townships with 2,500 to 5,000 residents in an unincorporated territory may adopt a limited home-rule government upon petition of voters and after a referendum. Townships with more than 5,000 residents in their unincorporated area may adopt limited home-rule government powers. Such townships with 15,000 or more population are called “urban townships.”

## PUBLIC SCHOOL SYSTEMS

### School District Governments

The following types of school districts in Ohio are counted as separate governments in Census Bureau statistics:

- City school districts.
- Local school districts.
- Exempted village school districts.

- Community college districts.
- Joint vocational school districts.

An elected board of education governs each city school district, local school district, or exempted village school district. Authorization for formation of new exempted village school districts, however, has been repealed. These districts may levy local school taxes and issue bonds with voter approval.

A school district previously under state supervision (“municipal school district”) may be governed by a board whose members are either elected or appointed by the mayor of the municipality containing the greatest portion of the district’s area.

Community college districts may be established by resolution of one or more counties having a total population of 75,000 or more or by petition to the county board of elections. Approvals by the voters and by the state board of regents are required. Each district is governed by a board of trustees that consists of three members appointed by the governor with the consent of the Senate and six members appointed by the board of county commissioners. Community college districts may establish fees and tuition, levy school taxes, and issue revenue and general obligation bonds. Tax levies and general obligation bonds require voter approval.

Joint vocational school districts are established for the support of vocational schools by two or more regular school districts. The joint vocational school district board consists of representatives from the boards of the participating school districts. A joint vocational school district located within a single county, however, may be governed by the educational service center board. With voter approval, joint vocational school districts may issue bonds and levy ad valorem taxes. They are counted as school district governments in Census Bureau statistics.

### Dependent Public School Systems

Ohio has no dependent public school systems.

### Other Educational Activities

Ohio law permits school districts to enter into agreements for joint or cooperative provision of facilities, programs, projects, activities, or services, subject to the approval of the state superintendent of public instruction. Pursuant to this law, Ohio Education Computer Network facilities and special education regional resource centers have been established.

Technical college districts may be created upon approval of the state board of regents, after local school boards or qualified voters submit a resolution or petition, respectively, and after a referendum. These districts are governed by a board of trustees appointed by the governor with the consent of the Senate and by the heads of the local school boards. These districts are not counted as separate governments in Census Bureau statistics but are classified as state institutions.

State community college districts may be created to take the place of a technical college with the approval of the state board of regents upon the proposal of the board of trustees of a technical college district or of a state university. The districts are governed by trustees appointed by the governor with consent of the Senate. State community college districts are also classified as state institutions and are not counted as separate governments in Census Bureau statistics.

An educational service center provides each county with supervision of local schools. Joint educational service centers may be formed by the boards of education of up to five adjoining educational service centers. Each center is governed by an elected board. These centers are not counted as separate governments in Census Bureau statistics but are classified as a dependent activity of the county government(s) they serve.

County school financing districts may be formed by an educational service center to finance special education, school improvements, and specified educational programs. Each district is governed by an educational service center board within its service area. These districts are not counted as separate governments in Census Bureau statistics.

Cooperative education school districts may be formed by any two or more contiguous school districts for the purpose of operating a joint high school. The district may be governed by the educational service center board serving ex-officio or by a board composed of at least one member appointed by each participating school district plus one or more members appointed by the educational service center. These districts are classified as activities of the school districts they serve and are not counted as separate governments in Census Bureau statistics.

Prior to September 4, 1947, school districts were permitted to establish by resolution free public libraries. The law provides for the continuance of those in existence at that time. Such a library is classified in Census Bureau statistics as a dependent agency of the establishing school district and is not counted as a separate government. A board of trustees appointed by the school district board governs each such library. The sponsoring school district may levy an ad valorem tax for library purposes.

## SPECIAL DISTRICT GOVERNMENTS

Ohio statutes authorize the creation of a variety of special districts or authorities that are counted as governments in Census bureau statistics. These are discussed in detail below.

### Conservancy Districts

These districts provide for flood control, reclamation, irrigation, water conservation, water supply, and sewage disposal. They may be established by order of the court of common pleas of a single county, or by joint action of the courts of two or more counties, upon petition of landowners or watershed districts, and after a hearing. The district board of directors is appointed by the court of common pleas. Conservancy districts may issue revenue bonds, levy special benefit assessments, and fix rates for the sale of water. Irrigation districts may also be formed under this chapter.

### Joint Ambulance Districts

Joint ambulance districts may be established by resolution of the governing bodies of one or more townships and one or more municipalities or by joint resolution of two or more townships or of two or more municipalities. A board of trustees appointed by the governing bodies of the participating governments governs each district. Joint ambulance districts may fix charges and rates and, after a referendum, may levy ad valorem taxes and issue general obligation bonds. Some districts of this type are called emergency medical services districts. These districts are separate from joint emergency medical services districts established by county boards of commissioners, which are classified as county dependent agencies.

### Joint Fire Districts

Joint fire districts may be established by resolution of the governing bodies of one or more townships and one or more municipalities, or by joint resolution of two or more townships or of two or more municipalities. A board of trustees, selected from the governing boards of the participating governments, governs each district. The district may impose charges and, upon voter approval, may levy ad valorem taxes and issue bonds.

### Joint Fire and Ambulance Districts

These districts are established by joint resolution of the governing bodies of a joint fire district and a joint ambulance district whose geographic service areas are identical. Districts may also be established by resolution of the governing bodies of one or more townships and one or more municipalities or by joint resolution of two or more townships or two or more municipalities. A board of trustees, which is appointed as provided by the authorizing agreement, governs each district. The district may fix charges and, after a referendum, may levy

ad valorem taxes and issue general obligation bonds. Upon creation of the joint fire and ambulance district, the participating districts cease to exist as separate governments.

### **Joint Solid Waste Management Districts—1953 Law**

Districts to provide solid waste collection and disposal are created by resolution of two or more counties. Each district is governed by a board of directors that consists of the county commissioners of each participating county or of members appointed by the county governing body in counties not having a board of county commissioners. The districts may charge fees and issue revenue bonds. In addition, participating counties may levy ad valorem taxes and issue bonds on behalf of the districts.

Districts under this law that serve only one county are not counted as separate governments for Census Bureau statistics on governments. See “Subordinate Agencies and Areas,” section.

### **Joint Township Hospital Districts**

These districts may be established by vote of the governing bodies of any two or more contiguous municipalities or townships. A board consisting of all members of the boards of trustees of the participating townships, plus representatives from each participating municipality, governs each district. The districts may impose charges and, with voter approval, levy taxes. Bond issues must be approved by the voters.

### **Library Districts**

Five types of library districts in Ohio are counted as special district governments. These districts are distinguished from public libraries administered by county, municipal, township, or school district governments.

**County library districts.** These districts may be created by a referendum upon the resolution of the board of county commissioners or upon voter petition. Alternately, the board of county commissioners may create a district upon request of the boards of trustees of libraries serving school districts lacking a main library. Each district is governed by a board of trustees that consists of three members appointed by the judges of common pleas and four appointed by the county commissioners. These districts may set ad valorem taxes and issue bonds.

**Municipal free public libraries.** These districts have been created by special acts. Each district is governed by a seven-member board of trustees appointed by the mayor. These districts may assess service fees and, with voter approval, set ad valorem taxes and issue bonds.

**Regional library districts.** These districts are created by joint resolution of the commissioners of two or

more contiguous counties. The library trustees are appointed by the boards of county commissioners. These districts may set ad valorem taxes.

**Regional library systems.** These organizations provide and coordinate regional library services. These districts are created by agreement among the boards of trustees of public libraries in two or more counties or among four or more libraries within a metropolitan area, as defined by the state library board, and upon approval by the state library board. The library system trustees are selected from the members of the governing bodies of the participating libraries. These libraries receive state, local, and federal funding and may also receive funding in connection with contracts.

**Township libraries.** Prior to September 4, 1947, townships were permitted to establish free public libraries through voter approval. The law provides for the continuance of those in existence at that time. Township libraries are governed by a three-member board of trustees appointed by the board of township trustees. These districts may levy a property tax.

### **Metropolitan Housing Authorities**

These authorities are established by the state director of development. The governing body of an authority consists of members appointed by the leadership of the governing bodies and courts of participating counties and highly populated municipalities. The number of appointees is dependent on the size and composition of the county. The authorities may issue bonds and fix rates and rents.

### **New Community Authorities**

These authorities develop land for industrial, commercial, residential, cultural, educational, or recreational, or governmental purposes, or for distribution and research activities. The authorities are created by resolution of the board of county commissioners of each of the counties in the district or, under certain circumstances, by the governing body of a municipality within the district, after a hearing on a petition filed by a community developer and after concurrence of proximate cities. The governing board of trustees is initially appointed but thereafter elected. New community districts may levy “community development charges” and may issue revenue bonds. These “community development charges” can be on the basis of property value, profits or gross receipts of businesses, income of the residents or a flat fee.

### **Park Districts**

Ohio statutes authorize these types of park districts:

**Park districts.** These districts are created by the county probate judge upon petition of the voters or of any county, municipal, or township governing body, and after a public hearing. A board of park commissioners appointed by the probate judge

governs each district. The districts may levy benefit assessments and issue bonds. With voter approval, the districts may levy ad valorem taxes.

**Township park districts.** These districts may be created by the court of common pleas upon petition of the voters to the township trustees. They are governed by boards of park commissioners appointed by the court of common pleas or, if the entire park district is contained within the unincorporated area of the township, by the board of township trustees. The districts may impose charges and issue bonds. With voter approval, the districts may levy ad valorem taxes. Township park districts may convert to park districts.

**Joint recreation districts.** These districts are created by townships, municipalities, counties, boards of township park commissioners, boards of education, and other political subdivisions. The districts are governed by a board of trustees appointed by the member governments. The districts may issue bonds that are paid for by sales and use tax levies.

The Franklin Park Conservatory Joint Recreation District was created by a special act. The board of trustees of this district are appointed by the governor, speaker of the House of Representatives, and the president of the Senate.

## Port Authorities

Port authorities may provide port or airport facilities or promote economic development, housing, and other activities. They may be established by two or more municipal, county, or township governments, or by a combination thereof. The number of authority board directors appointed to represent each participating government is determined by agreement among the participating governments. Port authorities may collect rates and charges and issue revenue bonds. Upon voter approval, they may also levy ad valorem taxes and issue general obligation bonds.

Port authorities serving a single county, municipal, or township government are not counted as separate governments in Census Bureau statistics on governments. See "Subordinate Agencies and Areas," below.

## Regional Airport Authorities

Regional airport authorities are established by resolution of the board of county commissioners of a single county or of two or more contiguous counties. Each authority is governed by a board of trustees that is selected in the manner specified by the resolution creating the authority. The boards may issue revenue bonds and collect rates, rentals, and charges for use of facilities.

## Regional Arts and Cultural Districts

These districts operate cultural facilities and support existing arts and cultural organizations. They are formed by resolution of a county or a combination of counties, municipalities, or townships. A district's board of trustees is appointed by the governing bodies of the governments that created it. The districts may collect rents and charges, and with voter approval, levy property taxes and issue bonds.

## Regional Solid Waste Management Authorities—1988 Law

These authorities are created by resolution of one or more counties or by the board of directors of a joint solid waste management district, after approval by a majority of the municipal and township governments in the area served. A board of trustees governs each authority; it includes representatives appointed by each participating county, as provided in the agreement creating the authority, plus members appointed jointly by the municipal and township governments served. The authorities may fix fees and charges and may issue revenue bonds.

## Regional Transit Authorities

Regional transit authorities may be established by resolution or ordinance of counties, municipalities, townships, or by any combination of these providing that the area served is in contiguous counties. If created by one county, the board is appointed by the county commissioners. If created by two or more governments, the board is appointed by public officers specified in the initiating resolution. If created by one county and two municipalities, where the county has at least 500,000 residents, the board is appointed by the county commissioners and the governing bodies of the two most populous municipalities. The authorities may impose rates and charges for services and may issue revenue bonds. Upon voter approval, the authorities may also issue general obligation bonds, levy sales and use taxes, and levy ad valorem taxes.

## Regional Water and Sewer Districts and Authorities

These districts may be created by order of the court of common pleas upon petition of one or more municipal, township, or county governments, or any combination thereof, and after a hearing. A board of trustees selected in a manner determined by each district governs each district. The districts may levy special assessments and fix and collect rates and charges. With voter approval, the districts may issue revenue bonds and levy ad valorem taxes.

## **Sanitary Districts**

Sanitary districts provide sewerage, garbage disposal, and water supply facilities, to take pest abatement measures, or to prevent stream pollution. These districts may be established by order of the court of common pleas upon petition of landowners or of any governmental corporation, after a public hearing. Each district is governed by a board of directors; the manner of appointment depends on the function of the district. The district board may issue revenue bonds, levy ad valorem taxes and benefit assessments, and impose charges for services.

## **Soil and Water Conservation Districts**

Ohio law provides that each county constitutes a soil and water conservation district. An elected board of supervisors governs each district. The districts may levy special assessments and charge and collect rents and charges. These districts also may receive the proceeds from a county ad valorem tax.

## **Transportation Improvement Districts**

Districts to construct or improve roads, buildings, or other infrastructure are established by resolution of the board of county commissioners. A board of trustees governs the district; its members either are appointed by the county and most populous municipal and township governments or by the county and state legislature. The districts may issue revenue bonds and levy benefit assessments, and collect tolls. Districts may also levy a motor vehicle license tax upon voter approval.

The boards of county commissioners of two or more counties may undertake a regional transportation improvement project for the purpose of completing transportation improvements within the territory of the counties. The project shall be administered by a governing board in accordance with a cooperative agreement.

The governing board of a regional transportation improvement district is authorized to create a transportation financing district; the board ensures that improvements to parcels within the district have a public purpose and, therefore, are exempt from taxation. A transportation financing district may include territory in more than one county, as long as each such county is a participant in the regional transportation improvement project funded by the district.

## **Watershed Districts**

These districts are established after a map and description of the proposed district are prepared by the state environmental protection agency and filed with the secretary of state and each participating county. The participating counties, at an organizational meeting of

the president of each board of county commissioners, appoint a board of directors to administer the district. Fiscal requirements of each district are prorated among the constituent counties on the basis of the taxable value of real and personal property in the district.

## **SUBORDINATE AGENCIES AND AREAS**

Shown below are various governmental designations in Ohio that have certain characteristics of governmental units but that are classified in Census Bureau statistics as subordinate agencies of the state or local governments and are not counted as separate governments. Legal provisions for some of the larger of these are discussed below (see "Public School systems" above regarding educational agencies of this nature).

**Ohio Air Quality Development Authority (state)**—This authority was created by act of the legislature to finance air pollution control facilities. The authority is governed by a board of seven members of whom five are appointed by the governor with the consent of the Senate plus the director of environmental protection and the director of health ex officio. The authority may make loans and grants, fix rents and other charges, and issue revenue bonds.

**Ohio Higher Educational Facility Commission (state)**—This commission was created by act of the legislature to finance facilities for institutions of higher education. The commission consists of nine members, including eight members appointed by the governor with the consent of the Senate, plus the chancellor of the state board of regents ex officio. The commission may fix rentals and other charges and may issue revenue bonds.

**Ohio Housing Finance Agency (state)**—This agency was created by act of the legislature to provide mortgage credit for low- and moderate-income housing. The agency is governed by a board of eleven members that includes nine appointed by the governor with the consent of the Senate, plus the director of commerce and the director of development, ex officio. The agency may fix interest rates, fees, and charges and may issue revenue bonds.

**Ohio Public Facilities Commission (state)**—This commission was created by act of the legislature. It consists of the following state officials: the governor, the state auditor, the state treasurer, the secretary of state, the attorney general, and the director of budget and management. The commission may set rentals and charges for facilities and may issue general obligation and revenue bonds.

**Ohio Turnpike and Infrastructure Commission (state)**—This commission was established by act of the legislature to build, operate, and maintain the Ohio Turnpike. It consists of four members appointed by the governor with

the consent of the Senate, plus the following officials ex officio: the director of transportation (or director's designee), the director of budget and management (or director's designee), the director of development, one member of the Senate appointed by the president of the Senate, and one member of the House of Representatives appointed by the speaker of the House. The commission may issue revenue bonds and collect tolls and fees.

**Ohio Water Development Authority (state)**—This authority was created by act of the legislature to build and finance water development, solid waste treatment, and wastewater treatment, and energy resource development facilities. The authority board consists of eight members, of whom five members are appointed by the governor with the consent of the Senate, plus the directors of natural resources, environmental protection, and development, who serve in an ex officio capacity. The authority may make loans; receive rents, rates, and other charges; and issue revenue bonds.

Other examples include:

#### **State<sup>1, 2, 3</sup>**

Buckeye Tobacco Settlement Financing Authority  
Broadcast Educational Media Commission (eTech Ohio Commission)  
Mining districts  
Ohio Expositions Commission  
Ohio Facilities Construction Commission  
Ohio Fair Plan Underwriting Association  
Ohio Public Library Information Network  
Ohio Rail Development Commission  
Ohio State Lottery Commission  
Student Tuition Recovery Authority  
Third Frontier Commission  
Trapping and fishing districts  
University housing commissions

#### **County**

Board of county hospital trustees  
Convention facilities authorities  
County bridge commissions  
County emergency planning districts  
County hospital commissions  
County law library resources boards  
County road districts  
County transit systems  
County tuberculosis control units  
Countywide emergency management agencies  
General health districts  
Joint county and county alcohol, drug addiction, and mental health service districts

Joint county emergency medical services districts  
Joint county public defender commission  
Joint county tuberculosis clinics  
Joint detention and juvenile facilities districts  
Joint sewer districts  
Multi-county law library resources commissions  
Port authorities serving a single county  
Regional authorities for emergency management (serving two or more counties)  
Sewer districts  
Solid waste management districts (formerly garbage and refuse disposal districts)—1953 law  
Veterans service commissions

#### **Municipal**

City bridge commissions  
City health districts  
City sewer districts (sanitary and storm)  
City water supply districts  
Joint economic development districts  
Joint municipal improvement districts  
Joint sewer districts  
Port authorities serving a single municipality  
Rapid transit commissions  
Resort area taxing districts (municipal)  
Special improvement districts  
Tourism development districts  
Union cemetery boards

#### **Township**

Fire districts  
Joint economic development districts  
Joint township cemeteries  
Joint township police districts  
Lighting unincorporated districts  
Port authorities serving a single township  
Resort area taxing districts (township)  
Road districts  
Township police districts  
Union cemetery boards  
Waste disposal districts

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

#### **ENDNOTES**

<sup>1</sup> The law authorizing the Ohio Building Authority was repealed in 2017.

<sup>2</sup> The law authorizing the Cultural Facilities Commission was repealed in 2013.

<sup>3</sup> The law authorizing the Ohio Agricultural Financing Commission was repealed in 2015.

# OKLAHOMA

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## COUNTY GOVERNMENTS

The entire area of the state of Oklahoma is encompassed by county governments. The county governing body is called the board of county commissioners.

## SUBCOUNTY GENERAL PURPOSE GOVERNMENTS

### Municipal Governments

Municipal governments in Oklahoma are cities (incorporated places with more than 1,000 inhabitants) and towns (incorporated places with fewer than 1,000 inhabitants). This classification is not automatic, a referendum is required for a municipality to change class. Unincorporated communities are called villages and are not counted as separate governments in U.S. Census Bureau statistics. Any city with 2,000 or more residents may adopt a home rule charter.

### Township Governments

Oklahoma has no township governments.

## PUBLIC SCHOOL SYSTEMS

### SCHOOL DISTRICT GOVERNMENTS

The following types of school districts in Oklahoma are counted as separate governments in Census Bureau statistics:

- Independent school districts.
- Elementary school districts.
- Technology center school districts.

All school districts are administered by popularly elected boards of education. Community junior college districts are governed by popularly elected boards of trustees. All may levy local school taxes and issue bonds.

### Dependent Public School Systems

Oklahoma has no dependent public school systems as defined by Census Bureau statistics.

### Other Educational Activities

Regional education service centers are administered by the state department of education. These centers provide screening and evaluation services for students that may be in need of special educational services.

Interlocal cooperatives are established by agreement between two or more school districts to facilitate shared services including special education. A separate board is created to administer the agreement.

Two-year colleges may be designated as technology center school districts by the state regents for higher education. This enables the colleges to receive federal funding for the provision of postsecondary vocational-technical education programs.

College technology center school districts may be established by resolution of the board of regents of an institution in the state system of higher education. The board of regents serves as the board of education. These districts are not counted as separate governments in Census Bureau statistics.

## SPECIAL DISTRICT GOVERNMENTS

Oklahoma statutes authorize the creation of a variety of special districts or authorities that are counted as separate governments. These are discussed in detail below.

### Conservancy Districts

Conservancy districts and master conservancy districts provide flood control, irrigation, and water supply. Both types may be established by the district court on petition of landowners and after a public hearing. Each district is governed by a board of directors that is either appointed by the judge of the district court or elected by landowners. The board may levy benefit assessments, collect rates and charges, and issue bonds with voter approval.

Conservancy districts that are created and administered by the state are not counted as separate governments in Census Bureau statistics. Subdistricts of a conservancy district are classified as dependent agencies of the conservancy district and are not counted as separate governments in Census Bureau statistics.

### Conservation Districts

These districts, for soil and water conservation, are formed by the state conservation commission. Each district is governed by a board of directors consisting of three popularly elected directors and two directors appointed by the state commission. The districts may require contributions from benefitted landowners.

## **Emergency Medical Service Districts**

These districts may be created upon voter petition to one or more counties and after a referendum. A board of trustees, appointed by the participating governments, governs each district. The districts may fix fees and, after voter approval, may levy ad valorem taxes and issue bonds.

## **Enterprise District Management Authorities**

No districts of this type were reported in operation since 2012.

## **Fire Protection Districts**

These districts may be established by order of the board of county commissioners upon petition of landowners and after a hearing and a popular referendum. A popularly elected board of directors governs each fire protection district. The district may issue bonds upon voter approval and may levy annual assessments.

## **Housing Authorities**

A housing authority may be established by resolution of the governing body of a city, town, or county on its own motion or upon petition of voters to the governing body. A referendum is required. A board of commissioners appointed by the mayor with the consent of the city or town governing body (in the case of a city or town housing authority) or by the board of county commissioners (in the case of a county housing authority) governs each authority. One board member selected must be a tenant from a housing project. An authority may charge rentals and issue revenue bonds.

Rural electric cooperative housing authorities are governed under provisions similar to those above. Commissioners of such authorities are appointed by the chief executive officer of the rural electric cooperative served.

American Indian housing authorities also are governed under provisions similar to those above. These authorities may be created by resolution of an American Indian tribe. The chief or other tribal governing head appoints the board of commissioners.

## **Irrigation Districts**

These districts may be established by the state water resources board upon petition of the landowners and after a landowner referendum. A board of directors elected by landowners governs each district. The districts may levy both annual ad valorem taxes and special assessments, fix tolls and charges, and issue bonds.

## **Port Authorities**

These authorities may be established by one or more county or municipal governments or any combination thereof by ordinance or resolution. Each port is governed by a board of directors that is appointed by the mayor with the consent of the council or by the county commissioners as appropriate. The authority may fix rentals and charges for the use of facilities and issue revenue bonds.

## **Public Library Systems**

Oklahoma statutes authorize multicounty library systems and rural single county library systems. A library system may be created by resolution or ordinance of the board or boards of county commissioners by the governing bodies of all cities or towns with a population of 2,000 or more, or by the county seat if no city or town in the county has a population of at least 2,000. All systems must be approved by the state department of libraries board. Establishment may be initiated by the local governments or by voter petition. If initiated by voter petition, a referendum is held to determine funding. Each system is governed by a board of trustees appointed by the participating governments. The systems may receive the proceeds of special tax levies upon voter approval. The systems may fix and collect fees.

## **Regional Jail Districts**

These districts provide planning, financing, construction, maintenance, and operation of a jail.

The districts may be created by two or more counties pursuant to a general law augmenting the state's Interlocal Cooperation Act. A commission governs each district; each commission composition shall be the sheriff and the presiding county commissioner from each county within the district. The boards may fix fees and charges and issue revenue bonds.

## **Regional Water Distribution Districts**

No districts of this type were reported in operation since 2002.

## **Rural Road Improvement Districts**

These districts are established by order of the board of county commissioners upon petition of landowners followed by a public hearing and either resident or landowner referendum. A board of nine directors elected by the property owners governs each district. The districts may levy ad valorem property taxes and, with voter approval, issue general obligation bonds.

## Rural Water, Sewer, Gas, and Solid Waste Management Districts

These districts are created by the county commissioners upon petition of landowners and after public hearing. A board of directors elected by landowners governs each district. The district may collect rates and fees, levy charges based on benefits received, and may issue revenue bonds.

Districts of this type are located entirely within a city with 10,000 or fewer inhabitants and are administered by the city governing body ex officio. These districts are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

## SUBORDINATE AGENCIES AND AREAS

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

**Grand River Dam Authority (state)**—This authority was established by special act. Its board of directors includes the general manager of the Oklahoma Association of Electric Cooperatives, the executive director of the Municipal Electric Systems of Oklahoma, three members appointed by the governor, one by the president of the Senate and one by the speaker of the house. The authority may collect charges for the sale of water and electricity and may issue revenue bonds.

**Oklahoma Capitol Improvement Authority (state)**—This authority was established by special act in 1959. The authority board consists of the governor, Lieutenant governor, state treasurer, director of human services, director of central services, secretary of the state tax commission, director of the state department of tourism and recreation, and director of the state department of transportation. The authority may issue bonds and collect rentals.

**Oklahoma Industrial Finance Authority (state)**—This Authority was created by a special act and constitutional amendment. The authority's board of directors consists of the director of the state department of commerce plus six members appointed by the governor with the consent of the Senate. The state treasurer serves as a nonvoting member of the board. The authority receives rentals for projects and may issue revenue bonds.

**Oklahoma Science and Technology Research and Development Board (state)**—This authority was created by special act. The authority's board of directors includes

12 members appointed by the governor; the director of the state department of commerce; the chancellor of the state regents for higher education; the presidents of the University of Oklahoma and the Oklahoma State University; the president of one regional university, the president of a private university; the state secretary of agriculture; a member of the house of representatives appointed by the house speaker; and a member of the Senate appointed by the Senate president. The board governs the Oklahoma Center for the Advancement of Science and Technology and the Oklahoma Institute of Technology.

**Oklahoma Turnpike Authority (state)**—This authority was established by act of the legislature. The authority's board consists of six members appointed by the governor with the consent of the Senate plus the governor as an ex officio member. The authority may issue revenue bonds and collect tolls.

**Public trusts (state, county, or municipal)**—Public trusts created by a government are inherently governmental and are dependent activities of the creating government and are not counted as separate governments in Census Bureau statistics. Public trusts are governed by boards of trustees. They may issue revenue bonds. Revenue bonds for local industrial development require voter approval. The Oklahoma Student Loan Authority, for example, was created as a public trust.

**Urban renewal authorities (municipal)**—These authorities may be established by resolution of a municipality. Each authority is governed by a board of commissioners consisting of five members appointed by the chief officer subject to the approval of the municipal governing body. The authorities may issue revenue bonds.

Other examples include:

### State

Capitol-Medical Center Improvement and Zoning District  
Community Hospitals Authority  
Conservancy districts administered by the state  
Mining districts  
Native American Cultural and Educational Authority  
Oklahoma Centennial Botanical Garden Authority  
Oklahoma Educational Television Authority  
Oklahoma Health Care Authority  
Oklahoma Rural Medical Education Loan and Scholarship Fund  
Oklahoma Space Industry Development Authority  
Oklahoma State University Medical Authority  
Quartz Mountain Arts and Conference Center  
University Hospitals Authority  
Water Conservation Storage Commission  
Water districts (state)

## **County<sup>1</sup>**

Ambulance service districts  
County free fair associations (established under 1915, 1937, and 1947 laws)  
County hospital boards of control  
County jail trust authorities  
Health districts (two or more counties)  
Joint airport boards  
Regional economic development authorities (county)  
Transportation authorities (county)

## **Joint County-Municipal**

City-county library commissions  
City-county park and recreation commissions  
Joint airport boards  
Metropolitan library commissions

Oklahoma laws also provide for various types of local areas for election purposes and administration of justice. Regional economic development districts are administrative areas for bond-issuing purposes.

## **ENDNOTE**

<sup>1</sup> Legislation authorizing county cemetery associations was repealed in 2015.

## **Municipal**

Improvement districts  
Joint airport boards (municipal)  
Municipal parking station improvement districts  
Regional economic development authorities (municipal)  
Rural water, sewer, gas, and solid waste management districts governed by the city governing body  
Sewer districts  
Transportation authorities (municipal)  
Water districts (municipal)

# OREGON

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## COUNTY GOVERNMENTS

The entire area of the state of Oregon is encompassed by county governments. The county governing body is called the board of county commissioners or the county court. Counties may adopt home-rule charters.

## SUBCOUNTY GENERAL PURPOSE GOVERNMENTS

### Municipal Governments

Municipal governments in Oregon are the cities and incorporated towns and villages. There are no differences in their legal powers or status. The minimum population requirement for incorporation is 150. Municipalities may enact and amend their charters to allow for home-rule status.

### Township Governments

Oregon has no township governments.

## PUBLIC SCHOOL SYSTEMS

### School District Governments

The following types of school districts in Oregon are counted as separate governments in U.S. Census Bureau statistics:

- Common school districts.
- Joint school districts.
- Union high school districts.
- Community college districts.
- Community college service districts.

Each school district of these types has a popularly elected board. All of the school districts may levy local ad valorem taxes. All, except community college service districts created after July 1, 1997, may issue bonds with voter approval.

Education service districts are established by general law to serve specified regions. A popularly elected board governs each district. The districts may levy ad valorem taxes and, with voter approval, issue bonds.

### Dependent Public School Systems

Oregon has no dependent public school systems.

## Other Educational Activities

County education bond districts are created by education service districts. The board of the education service district serves as the board of the county education bond district. These districts are not counted as separate governments in Census Bureau statistics.

Any school district or community college district may establish and maintain a public library. A library board appointed by the governing body of the sponsoring government administers the library. The sponsoring government may levy ad valorem taxes and issue general obligation bonds. These libraries are not counted as separate governments in Census Bureau statistics.

Other Oregon agencies concerned with local school administration are not counted as separate governments in Census Bureau statistics.

## SPECIAL DISTRICT GOVERNMENTS

Oregon statutes authorize the creation of a variety of special districts or authorities that are counted as separate governments in Census Bureau statistics. These are discussed in detail below.

### Airport Districts

Airport districts are created by resolution of the governing body of the most populous county in the proposed district or by resolution of the governing body of any city owning an airport in the proposed district. A referendum is required. A popularly elected board governs each district. Districts may levy ad valorem taxes, issue revenue bonds, and, upon voter approval, may issue general obligation bonds.

Municipalities may create airport advisory commissions. These commissions are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### Cemetery Maintenance Districts

These districts may be established in any area of at least 4,000 acres or having an assessed valuation of at least \$200,000. The districts are created by a county governing body upon petition of voters or landowners and after a public hearing. If a district is located in a single county, the county board may initiate the formation. A referendum is required only if petitioned. A popularly elected board of directors governs each district. The district may levy ad valorem taxes.

## **Domestic Water Supply Districts**

Districts to provide water supply, street lighting, and fire protection may be established by the county governing body upon petition of voters or landowners after a public hearing. If a district is located in a single county, the county board may initiate the formation. A referendum is required only if petitioned. A popularly elected board of commissioners governs each district. Districts may fix rates, levy ad valorem taxes and special benefit assessments, and, upon voter approval, issue general obligation and revenue bonds. Districts organized under this law are often called "water districts."

## **Drainage Districts**

These districts are created by the county governing body upon petition of landowners and after a public hearing. A board of supervisors elected by landowners governs each district. The districts may levy an acreage tax and special benefit assessments, and, with voter approval, issue revenue bonds. Districts of fewer than 1,000 acres may supply water for domestic purposes and may fix and collect rates and charges. Drainage districts organized prior to the February 14, 1921, passage of this law are subject to the same powers and provisions.

## **Emergency Communications Districts**

These districts, created to provide "911" emergency telephone service, are established by the county governing body upon petition of voters or landowners and after a public hearing. A district may include more than one county and city. Establishment requires the approval of two-thirds of the public or private safety agencies representing two-thirds of the population in the area to be served. If a district is located in a single county, the county board may initiate the formation. A referendum is required only if petitioned. A popularly elected board governs each district. The districts receive 911 telephone excise tax revenues. The districts may levy ad valorem taxes and, with voter approval, issue general obligation bonds.

## **Health Districts**

Health districts are established by the county governing body upon petition of the voters or landowners and after a public hearing. If located in a single county, the county board may initiate the formation. A referendum is required only if requested by petition. Health districts may provide hospitals, nursing homes, and ambulance services. A popularly elected board of directors governs each district. The districts may fix rates and charges, levy ad valorem taxes, and, upon voter approval, issue general obligation bonds. Some districts organized under this law are named "hospital districts" or "ambulance districts."

Health districts may create hospital facility authorities. Such an authority is not counted as a separate

government in Census Bureau statistics, but is counted as a dependent agency of the creating health district.

## **Heritage Districts**

These districts acquire, restore, and maintain historic property. These are established by the county governing body upon petition of voters or landowners and after a public hearing. A referendum is required only upon the voters' petition. Alternately, one or more county governing bodies may initiate the formation of a district. A popularly elected board governs the district. The districts may levy ad valorem taxes and, upon voter approval, issue general obligation bonds.

## **Highway Lighting Districts**

These districts may be established by the county governing body upon petition of voters or landowners and after a public hearing. If located in a single county, the county board may initiate the formation. A referendum is required only if petitioned. A board of commissioners appointed by the county governing body governs each district. The districts may levy ad valorem taxes and special assessments. At the time of formation, voters may approve the issuance of bonds for capital construction to be paid with ad valorem taxes.

Petitioners may request that the county governing body administer a district. In such a case, the district would not be counted as a separate government in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

## **Housing Authorities**

Housing authorities may be created either upon petition of the voters or upon the initiative of the city or county. The governing body of a city or county passes a resolution or ordinance. A referendum is required. A board appointed by the governing body of the establishing city or county governs each authority. The board may appoint additional members. Housing authorities may establish rents and charges and issue revenue bonds.

Two or more housing authorities may establish a regional housing authority with the same legal powers as above. The governing body of a regional housing authority consists of members appointed by the participating cities and counties, plus members appointed by the board of the housing authority itself.

The governing body of a city or county establishing a housing authority may constitute the authority board. In such a case, the housing authority would not be counted as a separate government in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

## **Irrigation Districts**

These districts are established upon petition of landowners to the county governing body, after a hearing

and referendum. A board of directors elected by the landowners governs each district. The districts may levy ad valorem taxes and benefit assessments, and fix tolls, rates, and charges. Levies of benefit assessments may require voter approval. With voter approval, districts may issue revenue bonds.

Subdistricts created by irrigation districts are governed by the irrigation district and are not counted as separate governments in Census Bureau statistics.

### **Joint Agencies Created Under Intergovernmental Cooperation Law**

General law authorizes the creation of joint agencies by intergovernmental agreement among local governments including counties, cities, and special districts. The agreement must be ratified by ordinance. The agreement specifies the nature and composition of the board and the fiscal arrangements. The agreement may permit the agency to issue revenue bonds. A variety of entities have been created under this law.

### **Joint Water and Sanitary Authorities**

These authorities may be created by the county governing body upon petition of voters or landowners and after a public hearing. If an authority is located in a single county, the county board may initiate the formation. A referendum is required only if petitioned. Alternately, two or more cities, two or more water districts, or a combination may initiate the formation; in this case, a referendum is required. A popularly elected board of directors governs each authority. The authorities may fix charges and rentals, levy ad valorem taxes and special assessments, and, upon voter approval, issue revenue and general obligation bonds.

### **Library Districts**

The districts are established by the county governing body upon petition of voters or landowners after a public hearing. If a district is located in a single county, the county board may initiate the formation. A referendum is required only if petitioned. Two or more counties may initiate the formation of a multi-county library district; a hearing and referendum are required. A popularly elected board governs each district. Library districts may levy ad valorem taxes and, upon voter approval, issue general obligation bonds.

### **Mass Transit Districts**

These districts may be established within metropolitan statistical areas. They are established by the county governing board upon petition of voters or landowners and after a public hearing. A referendum is required. A board of directors appointed by the governor governs each district. The districts may impose ad valorem taxes, income taxes, payroll taxes, motor vehicle registration

fees, business license fees, fares, and service charges. With voter approval, a district may issue revenue bonds and general obligation bonds.

Alternatively, the governing body of the most populous city in the area may initiate formation by filing a resolution with the governing body of the principal county in the area. A public hearing and referendum are required. Districts created under these provisions have popularly elected boards.

### **Metropolitan Service District**

This district, known as Metro, is authorized to provide sewerage or solid waste disposal services; public transportation and transit facilities; cultural, convention, and sports facilities; parks and recreation facilities; metropolitan zoo facilities; regional planning; and other public services. It was formed under a general law with special application to the Portland metropolitan area (Clackamas, Multnomah, and Washington Counties) upon petition or resolution of the largest city in the district to the county governing body of the largest county in the district after a local referendum. An elected council governs the district. The district may set vehicle registration fees; levy excise taxes; fix and collect service or user charges; levy special assessments; and issue revenue bonds. With voter approval, the district may levy ad valorem taxes and income taxes and issue general obligation bonds.

### **Park and Recreation Districts**

These districts are established by the county governing body upon petition of voters or landowners after a public hearing. If a district is located in a single county, the county board may initiate the formation. A referendum is required only if petitioned. A popularly elected board governs each district. The districts may set charges, levy ad valorem taxes, and, upon voter approval, issue revenue and general obligation bonds.

### **Park Commissions in Cities of 3,000 or More**

Park commissions may be created in cities with a population of 3,000 or more. The city governing body submits the question of formation for a referendum. The board of park commissioners consists of the mayor, the city engineer or city auditor, and five citizens appointed by the circuit court. The commissions may set ad valorem taxes. They also may set special taxes with voter approval.

### **Peoples' Utility Districts**

Districts to provide water, waterpower, and electric energy are established after petition by the voters to the county governing body after a public hearing and referendum. As an alternative, the governing body of a county or city may initiate formation by a resolution. An elected board of directors governs each district. The districts may

levy ad valorem bonds; fix rates, fees, and charges; and, upon voter approval, issue revenue bonds and general obligation bonds.

Joint operating agencies for electric power created by three or more cities or peoples' utility districts under general law are classified by the Census Bureau as dependent activities of the participating peoples' utility districts and cities and are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### Pesticide Control Districts

Agricultural chemical protection areas for the application of herbicides are established by the state department of agriculture upon petition of landowners after a hearing. A committee of five members governs each district; three members are elected and two appointed by the state department of agriculture with the approval of the elected members. The districts may levy ad valorem taxes.

### Ports

Ports may be incorporated in certain counties. These corporations are created upon petition of the voters or landowners to the county governing board and after a public hearing. If a district is located in a single county, the county board may initiate the formation. A referendum is required only if petitioned. These corporations may provide hospitals, industrial parks, and airport facilities, as well as seaports. A port may also acquire, construct, maintain, or operate sports, convention, and trade show facilities. Each port is governed by a popularly elected board of port commissioners. Ports may levy ad valorem taxes and special assessments and may fix rates for facilities and services. The port commissioners may issue general obligation bonds; however, bonds over specified amounts require voter approval.

The Port of Portland and the Oregon International Port of Coos Bay were established by special acts. Each is governed by a board of commissioners appointed by the governor and confirmed by the Senate. The financial powers of these ports are similar to those provided for ports under general law described above.

Export trading corporations formed by ports are governed by members selected by the port commissioners. They are classified for Census Bureau statistics as dependent activities of the port and are not counted as separate governments.

### Radio and Data Districts

These districts construct and operate radio and data communication facilities. The districts may be created upon voter petition or upon the initiative and resolution of one or more county governing bodies. A public hearing is required. A referendum is required only if requested by

petition. Each district is governed by a popularly elected board. The districts may set a local option tax and set fees and charges. With voter approval, the districts may set ad valorem taxes and may issue general obligation and revenue bonds.

### Road Assessment Districts

These districts, which must have an area of more than 20,000 acres or an assessed valuation of \$1,000,000 or more, may be established in counties of at least 19,000 and not more than 25,000 in population. These districts are established by the county governing body upon petition of voters or landowners and after a public hearing. If a district is located in a single county, the county board may initiate the formation. A referendum is required only if petitioned. A popularly elected board of directors administers each district. The districts may levy ad valorem taxes.

### Rural Fire Protection Districts

These districts exist outside cities. They are established by the county governing body upon petition of voters or landowners and after a public hearing. If a district is located in a single county, the county board may initiate the formation. A referendum is required only if petitioned. A popularly elected board of directors governs each district. The districts may levy ad valorem taxes, issue revenue bonds for fire safety systems, and, with voter approval, issue general obligation bonds. Districts within a 10-mile radius of a city of more than 100,000 in population may also provide street lighting. Special taxes, in addition to baseline taxes, for street lighting require voter approval.

### Sand Control Districts

Contiguous territory that is not within the corporate boundaries of a city may be formed into a sand control district following approval of the county board of commission. A district is governed by a board of directors that includes members of the governing body of the local government of the largest municipal corporation within the geographic jurisdiction of the local government, and the largest school district within the geographic jurisdiction of the local government. The authority may borrow money and issue notes and revenue bonds.

### Sanitary Authorities and Districts

Oregon statutes authorize the following types of sanitary authorities and districts:

**Sanitary authorities**—These authorities may be established in any portion of one or more counties. The authorities are established by the governing body of a county upon petition of voters or landowners and after a public hearing. If an authority is located in a single county, the county board may initiate formation

by its own motion, or if located in two or more counties, these county boards may initiate formation. Also, the governing bodies of two or more cities, two or more sanitary or drainage districts, or one or more cities with one or more districts may initiate the formation of a sanitary authority by resolution. A referendum is required only if petitioned. A popularly elected board governs each authority. The authorities may fix charges and rentals, levy ad valorem taxes and special assessments, and, upon voter approval, issue revenue and general obligation bonds.

**Sanitary districts**—These districts are established by the county governing body upon petition of voters or landowners and after a public hearing. If a district is located in a single county, the county board may initiate the formation. A referendum is required only if petitioned. A popularly elected board of directors governs each district. Financing powers are similar to those for sanitary authorities above.

### **Soil and Water Conservation Districts**

These districts are formed by order of the state department of agriculture upon petition of landowners and after a public hearing. A referendum of all voters and landowners is required only if petitioned for by voters or landowners. Each district is governed by a popularly elected board. The districts may levy special assessments; issue special assessment improvement bonds; and, with voter approval, levy property taxes and issue general obligation bonds.

### **Special Road Districts**

These districts exist outside of cities. They are established by the county governing body upon petition of voters or landowners after a public hearing. If a district is located in a single county, the county board may initiate the formation. A referendum is required only if petitioned. A board of three commissioners, either elected or appointed by the county governing body, governs each district. The district may levy ad valorem taxes.

### **Translator Districts**

These districts provide the facilities and broadcasting for educational television, radio, and distance learning to public schools. These districts may be created by the county governing body on petition of voters or landowners after a public hearing. If a district is located in a single county, the county board may initiate the formation. A referendum is required only if petitioned. A popularly elected board governs each district. The districts may impose service charges and issue revenue bonds.

## **Transportation Districts**

These districts may be created by the county governing body upon petition of voters or landowners and after a public hearing. If a district is located in a single county, the county board may initiate the formation. A referendum is required only if petitioned. As an alternative, a district may be formed by resolution of the most populous city in the proposed district calling for a referendum. A popularly elected board governs each district. The districts may fix and collect charges and impose operating taxes. At the time of formation, voters may approve the issuance of bonds for capital construction to be paid with ad valorem taxes.

### **Water Authorities**

Any portion of one or more counties may be formed into a water authority. These districts may be created by the county governing body upon petition of voters or landowners and after a public hearing. If a district is located in a single county, the county board may initiate the formation. Also, the governing bodies of two or more cities, two or more water districts, or one or more cities with one or more water districts may initiate the formation of a water authority by resolution. A referendum is required only if petitioned. A popularly elected board of directors governs each authority. The authorities may fix charges and rentals, levy ad valorem taxes and special assessments, and, upon voter approval, issue revenue and general obligation bonds.

### **Water Control Districts**

These districts provide for drainage, irrigation, and flood and surface water control. The districts are established by the county governing body upon petition of voters or landowners and after a public hearing. If a district is located in a single county, the county board may initiate the formation. A referendum is required only if petitioned. A popularly elected board of directors governs each district. The districts may levy either special benefit assessments or property taxes. The districts may set water charges and rates, and, upon voter approval, issue revenue and general obligation bonds.

Districts governed by the county governing body are not counted as separate governments in Census Bureau statistics. See “Subordinate Agencies and Areas” section.

Subdistricts may be created within water control districts upon petition of landowners for the purpose of providing water control improvements. The subdistricts are administered by the water control district board and are not counted as separate governments in Census Bureau statistics.

## Water Improvement Districts

These districts may be created in areas of 1,000 acres or more to provide drainage, irrigation, flood and surface water control, domestic water supply, and water-related recreation. These districts are established by the county governing body upon petition of voters or landowners and after a public hearing. If a district is located in a single county, the county board may initiate the formation. A referendum is required only if petitioned. A popularly elected board of directors governs each district. The districts may fix and collect charges, levy ad valorem taxes and special assessments, issue improvement bonds, and, upon voter approval, issue general obligation bonds.

Subdistricts for watershed improvement may be organized within water improvement districts upon petition of landowners. The subdistricts are administered by the water improvement district board and are not counted as separate governments in Census Bureau statistics.

## SUBORDINATE AGENCIES AND AREAS

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

**Joint operating agencies for electric power (municipal and special district)**—These agencies are established by order of the state department of energy upon adoption of an ordinance and filing of an application by the legislative bodies of three or more peoples' utilities districts or cities (or a combination thereof), and after a referendum. A board of directors appointed by the legislative bodies of the member cities and districts governs each joint operating agency. The agency may set and collect rates and charges and issue revenue bonds. These agencies are classified as dependent activities of the participating peoples' utility districts and cities and not counted as separate governments in Census Bureau statistics.

Other examples include:

### State

Fire patrol districts, Zone 1  
Forest protection districts  
Higher Education Coordinating Commission  
Oregon Business Development  
Oregon Facilities Authority  
Oregon Infrastructure Finance Authority

Oregon Mass Transportation Financing Authority

Oregon Student Assistance Commission

Oregon Youth Authority

State Accident Insurance Fund Corporation

Trust for Cultural Development Board (Oregon Cultural Trust)

### County<sup>1</sup>

Community forest authorities (county)

County fair boards

County livestock districts

County road districts

County service districts (law enforcement, sewerage, drainage, street lighting, parks and recreation, diking, flood control, water supply, solid waste disposal, transportation, agricultural education extension services, emergency medical services, libraries, roads, emergency communications, cemetery maintenance, and, in some counties, fire protection, hospital and ambulance services, vector control, and weather modification)

Diking districts

Dog control districts

Fire patrol districts, Zone 2

Highway lighting districts administered by county governing body

Hospital facility authorities (county)

Housing authorities administered by county governing body

Land Bank Authorities

Public library boards (county and regional)

Regional air quality control authorities (joint county)

Road improvement areas

Sports and convention facilities commissions

Vector control districts (mosquito control)

Water control districts administered by the county governing body

Weed control districts

Wind erosion districts

### Municipal

Airport commissions

Ashland Community Healthcare Services Board

Community forest authorities (municipal)

Economic improvement districts

Hospital facility authorities (municipal)

Housing authorities administered by city governing body

Medford Water Commission

Public library boards (municipal)

Regional air quality control authorities (joint municipal)

Urban renewal and redevelopment agencies (also called development commissions)

Utility boards

## **Joint County-Municipal**

Regional air quality control authorities

## **Private associations**

Corporations for irrigation, drainage, water supply, or flood control, known as district improvement corporations or improvement districts, are not counted as separate governments in Census Bureau statistics.

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

## **ENDNOTE**

<sup>1</sup> The law authorizing local commissions on children and families was repealed in 2013.

# PENNSYLVANIA

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## COUNTY GOVERNMENTS

The entire area of the state of Pennsylvania is encompassed by county governments except for Philadelphia County. Philadelphia County is substantially consolidated with the City of Philadelphia for governmental purposes and functions primarily as a city. Philadelphia is counted as a municipal government, rather than as a county government for U.S. Census Bureau statistics.

The governing body of each county government is a Board of County Commissioners. Any county may adopt a home-rule charter that provides for its government. Pennsylvania counties are divided into the following nine classes according to population size:

- First class—1,500,000 inhabitants or more (Philadelphia; see above).
- Second class—800,000 to 1,499,999 inhabitants (Allegheny).
- Second-class A—500,000 to 799,999 inhabitants (Delaware and Montgomery).
- Third class—210,000 to 499,999 inhabitants.
- Fourth class—145,000 to 209,999 inhabitants.
- Fifth class—90,000 to 144,999 inhabitants.
- Sixth class—45,000 to 89,999 inhabitants and those having 35,000 to 44,999 inhabitants that by ordinance or resolution of the Board of County Commissioners elect to become a county of the sixth class.
- Seventh class—20,000 to 44,999 inhabitants and those having 35,000 to 44,999 inhabitants that have not elected to become a county of the sixth class.
- Eighth class—fewer than 20,000 inhabitants.

## SUBCOUNTY GENERAL PURPOSE GOVERNMENTS

The subcounty general purpose governments in Pennsylvania consist of municipal (borough, city, and town) governments and township governments. These two types of governments are distinguished primarily by the historical circumstances surrounding their incorporation. In Pennsylvania, boroughs, cities, towns, and townships have similar powers and perform similar functions.

## Municipal Governments

The term “municipality,” as defined for Census Bureau statistics on governments, applies only to the boroughs, cities, and one incorporated town (Bloomsburg) in Pennsylvania. Townships, to which the terms “municipality” and “municipal corporation” are applied by Pennsylvania statutes, are counted for Census Bureau statistics as township rather than municipal governments (see below). Incorporation as a borough requires a minimum population of 500 residents. To change from a borough or township to a city requires a minimum population of 10,000 and a referendum. Any municipality may adopt, after an election, a home-rule charter that provides for its government. The following classes, based on population size, apply to cities:

- First class—1,000,000 inhabitants or more (Philadelphia).
- Second class—250,000 to 999,999 inhabitants (Pittsburgh).
- Second-class A—80,000 to 249,999 inhabitants and that by ordinance elect to become second-class A city (Scranton).
- Third class—fewer than 250,000 inhabitants, including those that have not elected to become a second-class A city.

All cities, boroughs, and incorporated towns exist outside the area of any governmentally active township.

## Township Governments

Townships, although not differing in legally authorized powers from the types of municipal governments described above, are counted in Census Bureau statistics as a separate type of local government.

The entire area of the state is encompassed by townships, except for areas within the boundaries of cities, boroughs, or incorporated towns. Pennsylvania townships are divided into two classes. Townships of the first class are those having a population density of at least 300 per square mile that have elected to choose first-class township status. All other townships are second-class townships. Change from second to first class is initiated on petition of voters and subject to a referendum.

The governing body of each township is an elected board of commissioners in first-class townships and an elected board of supervisors in second-class townships. Any township may adopt a home-rule charter that provides for its government.

## PUBLIC SCHOOL SYSTEMS

### School District Governments

The following types of school districts in Pennsylvania are counted as separate governments in Census Bureau statistics and are classified by population size:

- First class—1,000,000 inhabitants or more (Philadelphia).
- First-class A—250,000 to 999,999 inhabitants (Pittsburgh).
- Second class—30,000 to 249,999 inhabitants.
- Third class—5,000 to 29,999 inhabitants.
- Fourth class—fewer than 5,000 inhabitants.
- Community colleges.

Each of the above classes of school districts has an elected or appointed board of school directors to administer school affairs. School districts of the first class or of the first-class A are governed by a board of public education consisting of 15 appointed directors. All of the above school districts may issue bonds and levy school taxes. Voter approval may be required for bond issues.

Community colleges in Pennsylvania also are counted as governments. The community colleges may be established with the approval of the State Board of Education by a school district; a county, city, borough, town, or township; a board of school directors; or any combination thereof. Each is administered by a board of trustees. If sponsored by a first-class city, the board is appointed by the mayor from names submitted by a nominating panel. In second-class cities, the board is appointed by the mayor with the approval of the city council. Otherwise, the board is selected by a majority vote of the governing body of the local sponsor. The board of trustees may fix and charge tuition and fees. The governing body of each school district or municipality comprising a local sponsor may levy an additional tax for community college purposes.

### Dependent Public School Systems

Pennsylvania has no dependent public school systems.

### Other Educational Activities

Area vocational-technical schools and institutes are classified in Census Bureau statistics as joint educational service agencies of participating school districts and

are not counted as separate governments. They are administered by boards of directors of the participating school districts. These schools provide vocational and technical education services for all school districts that elect to participate and that pay their proportionate share of the costs.

Intermediate units, which provide special educational services, are classified in Census Bureau statistics as joint educational service agencies of the participating school districts and are not counted as separate governments. Each intermediate unit is governed by a board of directors, elected from among the members of the boards of school districts comprising the intermediate unit. The state board of education approves and funds the budgets of the intermediate units. The budget must also be approved by a majority of the school districts comprising the unit. Units may receive federal, state, school district, and other money.

“Joint schools” are joint activities of two or more school districts and are not counted as governments in Census Bureau statistics. Each is controlled by the boards of the participating districts or by a joint school committee, the members of which are chosen by and from the boards of the constituent districts. Their fiscal requirements are met by participating districts.

Consortiums of school districts may be formed under the intergovernmental cooperation act to jointly provide programs and services to member districts. Formation requires the passage of ordinances and referendums. The governing board is set by the agreement.

School districts that do not provide special education services themselves may provide such jointly with other school districts. Such programs are classified as joint educational service agencies of the participating school districts and are not counted as separate governments in Census Bureau statistics.

Recreation, fair, or park boards may be created by school districts by the school district alone, or jointly with another government. These boards are classified as dependent agencies of the creating government or governments and are not counted as separate governments in Census Bureau statistics.

Municipal authorities, often called “school building authorities,” finance construction of school buildings. They are described below under “Special District Governments.”

## SPECIAL DISTRICT GOVERNMENTS

Pennsylvania statutes authorize the creation of a variety of special districts or authorities that are counted as independent governments. These are discussed in detail below.

## **Convention Center Authorities in Third-Class Counties**

These authorities may be created by the governing body of a third-class county or a third-class county and its county seat. The board consists of seven members, with three appointed by the county, three by the county seat, and one by either the county or the county seat on an alternating basis. An alternative board consists of nine members appointed by the mayor, county executive, and governor. The authorities may issue bonds and fix and collect admissions, fees, and rents. The county may impose an excise tax on hotels for the benefit of the authority.

## **Delaware River Joint Toll Bridge Commission**

This interstate commission was created by special acts of the New Jersey and Pennsylvania legislatures to build, operate, and maintain toll bridges across the Delaware River north of Philadelphia. The commission consists of five members appointed by the governor of New Jersey and confirmed by the state Senate and five appointed by the governor of Pennsylvania who serve at the governor's pleasure. The commission may issue bonds, and fix and collect fees, rentals, and tolls.

## **Housing Authorities**

County or city housing authorities may be established by resolution of the county or city governing body or by the governor on petition of taxpayers. Housing authorities are governed by five-member boards appointed by the county commissioners or the mayor with the approval of the city council with these exceptions: in cities of the first class, the mayor appoints two members, the city controller appoints two members, and these four in turn appoint an additional member; in cities of the second class, the mayor appoints two additional members for a total of seven. The authorities may issue bonds and fix and collect rentals and charges.

## **Industrial and Commercial Development Authorities—1967 law**

Industrial and commercial development authorities organized under this law are established by ordinance of any county, city, borough, town, or township to finance and promote industrial and commercial development projects. A board appointed by the governing body of the establishing government, or as specified by the city charter, governs each authority. Authorities created under this law may fix and collect rentals and issue revenue bonds. Second-class counties are authorized to issue revenue bonds on behalf of the authorities. Industrial development authorities established under the municipal authorities law are described below under "Municipal Authorities."

## **Metropolitan Transportation Authorities**

State law authorizes these authorities in each metropolitan area. Each authority's board consists of one member (who may be a state official serving in an ex officio capacity) appointed by the governor, two members per county served appointed by the county commissioners or council (except in the case of a first-class city, by the mayor), and one member appointed by each of the majority and minority leaders in the Senate and the House of Representatives. The Senate and House appointees serve at the pleasure of the appointing legislative member. The authorities may issue revenue bonds and fix and collect fees and rents. The Southeastern Pennsylvania Transportation Authority (SEPTA) was established under this law to provide bus and rail transit and commuter rail service in the Philadelphia area. Authorities established under former legislation relating to metropolitan transportation authorities now operate under this law.

## **Municipal Authorities**

Pennsylvania law permits the governing body of a county, city, borough, town, township, or school district government, either singly or jointly, to establish a municipal authority by resolution or ordinance after a public hearing. A board appointed by the establishing government or governments governs each authority. Municipal authorities may finance, own, lease, and operate any of various types of projects, most commonly facilities for water supply and sewerage but also facilities for airports, school buildings, flood control, parks, recreation, hospital financing, parking, solid waste disposal, mass transit, marketing, electrical power facilities, and industrial development. An authority may fix and collect rentals, user fees, and other charges and may issue revenue bonds. Authorities organized under this law are known by a variety of names.

Neighborhood improvement districts that are created as municipal authorities are dependent agencies of the creating government. See "Subordinate Agencies and Areas" section.

## **Municipal Power Agencies**

Two or more boroughs with existing electric utilities may form municipal power agencies through an intergovernmental agreement, filed with the Secretary of the Commonwealth. The agencies are governed by a board composed of representatives of the member municipalities. The agencies may collect rates and charges for their facilities and issue revenue bonds. The Pennsylvania Municipal Power Agency was created under this law.

## Parking Authorities

Authorities to provide parking facilities are created by resolution or ordinance of cities (except first-class cities), boroughs, or first-class townships. Each authority is governed by a five-member board appointed by the city mayor, the president of the borough council, or the president of the board of township commissioners. The authorities may lease parking facilities, impose rates and charges, and issue revenue bonds. Parking authorities in first-class cities are governed by a six-member board appointed by the governor. In 2007, parking authorities in first-class cities were classified as subordinate agencies of the Commonwealth and are not counted as separate governments in Census Bureau statistics.

## Philadelphia Regional Port Authority

This authority, which includes the city of Philadelphia and Bucks and Delaware counties, was created by 1989 legislation to construct, maintain, and operate port facilities along the Delaware River. The authority consists of 11 members appointed by the governor and legislative members. The authority may fix and collect fees, rates, and rentals for use of its facilities and may issue revenue bonds.

## Port Authorities in Counties of the Second Class

These authorities may be formed in second-class counties to operate port facilities and transportation systems in the county by which they are organized and in adjoining counties to the extent necessary for an integrated transportation system. The governing board, which includes one member of the county council, is appointed by the county executive. The county commissioners in each adjoining county where transportation services have been extended appoint one additional representative to vote on issues of rates and services within the county. The authorities may impose tolls, fares, fees and rentals for the use of facilities, and may issue revenue bonds. Any county of the second class is authorized to issue general obligation or revenue bonds for authority purposes. The Port Authority of Allegheny County (PAT) was established under this law to provide bus and rail transit in the Pittsburgh area.

## Port Authorities in Third-Class Cities

Port authorities to operate port facilities including port-related transportation systems and transportation systems are created by resolution of the governing body of a third-class city. Each authority has a governing board consisting of the governor and the Secretary of the Department of Transportation as ex officio members, plus nine members appointed by the city mayor, one member appointed by the governor, and one member appointed by the Secretary of the Department of Transportation. The authority governing body may fix and collect fees

and rentals for its facilities and may issue bonds. The Erie Western Pennsylvania Port Authority was created under this law.

## Public Auditorium Authorities

These authorities may be formed by resolution of municipal authorities of any county or of any city singly, or jointly, excluding second-class counties and cities. The authorities may acquire, own, and operate auditoriums, stadiums, and similar facilities. Each authority is governed by a board appointed by the creating governments. These authorities may fix and collect fees and rents, and issue revenue bonds.

## Residential Finance Authorities

Authorities of this type may be established by resolution of the county commissioners of a second-class county. The authorities provide mortgage credit for the construction or the renovation of housing. A board appointed by the county commissioners governs each authority. The authority may make mortgage loans, fix charges in connection with its loans, and issue revenue bonds.

## Sport and Exhibition Authorities

Joint sport and exhibition authorities may be established by local resolution of a second-class county and second-class city within the second-class county. Each authority is governed by a seven-member board with members appointed by the county executive, the mayor, or in joint cases, by both. The authorities may issue bonds and fix and collect fees, admissions, and rents. The creating governments also may issue bonds for the authority. The Sports and Exhibition Authority of Pittsburgh and Allegheny County was created under this act.

## SUBORDINATE AGENCIES AND AREAS

Shown below are various governmental designations in Pennsylvania that have certain characteristics of governmental units but that are classified in Census Bureau statistics as subordinate agencies of the state or local governments and are not counted as separate governments. Legal provisions for some of the larger of these are discussed below (see "Public School Systems" section regarding educational agencies of this nature).

**Allegheny Regional Asset District (county)**—This district was created by special act and county ordinance in 1993. The district funds and develops the region's civic, recreational, library, sports, cultural, and other assets. The district is governed by an appointed board of eight members: four appointed by the board of county commissioners, two by the mayor of Pittsburgh, one by vote of at least five of the other six members, and one nonvoting member appointed by the governor. The district is funded by one-half of the revenues generated

by a special one percent sales tax and hotel tax levied by Allegheny County. The district is authorized to issue revenue bonds.

**Conservation districts (county)**—These districts are established by the county governing body to provide soil conservation services. The creation of these districts may be initiated by petitions, hearings, or referenda. The districts are governed by a board of directors consisting of seven members appointed by the county governing body. The districts receive their revenue from state and county appropriations and contributions for benefits provided.

**Pennsylvania Housing Finance Agency (state)**—This agency was established to provide mortgage credit for low- and moderate-income housing. The agency board consists of 14 members including six appointed by the governor with the consent of the Senate and one person appointed by each of the Majority and Minority Leaders in the Senate and the House of Representatives, plus the Secretaries of Banking, Commerce, and Community Affairs, and the State Treasurer. The agency may fix and collect fees and issue revenue bonds.

**Pennsylvania Industrial Development Authority (state)**—This authority was established to finance the construction of industrial development projects to promote economic development and employment. The authority board consists of seven members appointed by the governor with the consent of the Senate, plus the Secretaries of Agriculture, Banking, Commerce, Community Affairs, and Labor and Industry. The authority may issue revenue bonds and accept grants.

**Port of Pittsburgh Commission (state)**—Established by special act in 1992, the geographic area covered by the commission includes ten counties in western Pennsylvania. The commission develops port facilities in the area to enhance commerce and industry. In addition, the commission is to develop and promote recreational facilities in the port district. The governing body of the commission consists of 15 members appointed by the governor and leaders of the state general assembly. The commission has the power to fix and collect fees and rentals for port facilities and port-related projects. The commission may issue bonds secured by its revenues.

**Redevelopment authorities (county and municipal)**—The governing body of any city or county may establish a redevelopment authority by resolution or ordinance. A five-member board appointed by the mayor or the county governing body governs each authority. Redevelopment authorities may issue revenue bonds and accept federal

aid, including grants. Redevelopment proposals are subject to the approval of the sponsoring government.

**State authorities (state)**—A number of statewide authorities have been created by acts of the general assembly to finance the construction of public facilities for the purposes indicated by the authority names. The largest of these are as follows:

- Higher Educational Facilities Authority.
- Pennsylvania Turnpike Commission.
- State Public School Building Authority.

Each of the governing bodies of these authorities consists of members appointed by the governor, state officials serving in an ex officio capacity, or a combination of the two. These state authorities receive their revenue primarily from rentals, tolls, or charges and may issue revenue bonds.

Other examples include:

## **State**

Ben Franklin Technology Development Authority  
Commonwealth Financing Authority  
Commonwealth Mental Health Research Foundation  
Delaware River Bridge and Tunnel Commission  
Delaware River Joint Bridge Commission of Pennsylvania and New York  
Energy Development Authority  
Flood control districts  
Insurance Fraud Prevention Authority  
Intergovernmental Cooperation Authorities for Cities of the Third Class  
Intergovernmental Cooperation Authority for Cities of the Second Class  
Patient Safety Authority  
Pennsylvania Economic Development Financing Authority  
Pennsylvania eHealth Partnership Authority  
Pennsylvania Higher Education Assistance Agency  
Pennsylvania Infrastructure Investment Authority  
Pennsylvania Intergovernmental Cooperation Authority (first-class cities)  
Pennsylvania Minority Business Development Authority  
Underground Storage Tank Indemnification Board

## **County**

Business improvement districts (1996 law)  
Land Banks  
Recreation, park, and fair boards  
Tourist promotion agencies  
Transportation development districts (county)

## **Municipal**

Business improvement districts (1996 law)

Land Banks

Municipal libraries

Neighborhood improvement districts (except in first-class cities)

Pennsylvania Convention Center Authority

Recreation and park boards (boroughs, second- and third-class cities)

Sewer districts in first-class cities

Transportation development districts (municipal)

Township

Fire and water districts in first-class townships

Neighborhood improvement district management associations

Recreation and park boards

Sanitary sewer districts in second-class townships

Sewer districts in first-class townships

Transportation development districts (township)

## **Other**

Joint recreation, park, or fair boards may be created by counties, municipalities (boroughs, second- and third-class cities, and incorporated towns), townships, and school districts.

Local development districts are state planning areas, typically governed by planning and development commissions.

Pennsylvania laws also provide for various types of local areas for election areas and administration of justice.

# RHODE ISLAND

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## COUNTY GOVERNMENTS

In Rhode Island, counties are geographic subdivisions for the judicial administration of the state. Counties have no associated governmental structure and therefore the U.S. Census Bureau does not have any statistics on county governments for Rhode Island.

## SUBCOUNTY GENERAL PURPOSE GOVERNMENTS

The subcounty general purpose governments in Rhode Island consist of municipal (city) governments and town governments. These two types of governments are distinguished primarily by the historical circumstances surrounding their incorporation. In Rhode Island, cities and towns have similar powers and perform similar functions.

### Municipal Governments

The term "municipality" as defined for Census Bureau statistics on governments, applies only to the cities in Rhode Island. Towns, which are treated as municipalities in Rhode Island statutes, are counted for Census Bureau purposes as towns, rather than municipal governments, (see below). Cities in Rhode Island are established by special act and exist outside the area of any town. In addition to the usual city functions, Rhode Island cities also provide services commonly assigned in other states to county governments. Any city or town may adopt a home rule charter after petition by voters to the legislative body of the city or town and after an election.

### Town or Township Governments

Although not differing in legally authorized powers from cities, governmental units in Rhode Island designated as "towns" are counted in Census Bureau statistics as a separate type of government.

The entire area of the state is encompassed by town governments, except for areas within the boundaries of cities. Rhode Island towns perform services that in other states are commonly associated with county and city governments. Town governing bodies are known as town councils. All taxes must be approved at a town meeting, except in those towns that have abolished their financial town meeting.

## PUBLIC SCHOOL SYSTEMS

### School District Governments

Only the regional school districts in Rhode Island are counted as governments in Census Bureau statistics. The

selection of the school committee for each of these school districts is determined by a meeting of the participating cities and towns. A regional school district may issue bonds and determine its own fiscal requirements, which are met by the constituent cities and towns.

### Dependent Public School Systems

Rhode Island statutes provide for the following types of dependent public school systems:

Systems dependent on the state government:

- Central Falls School District.

Systems dependent on municipal governments:

- City school systems.

Systems dependent on town governments:

- Town school systems.

The Central Falls School District is governed by a board of trustees appointed by the state board of regents for elementary and secondary education from nominations made by the commissioner of elementary and secondary education. The board appoints a superintendent to manage and operate the school.

The city and town school systems in Rhode Island are not counted as separate governments in Census Bureau statistics, but are classified as dependent agencies of the city and town governments. While these school systems are administered by elected boards called "school committees," their fiscal requirements are determined and met by the sponsoring cities or towns.

### Other Educational Activities

Collaborative programs are created by special acts of the legislature to provide special education and other services to member school systems. They are governed by boards composed of representatives derived from the participating school systems. Activities associated with these programs are classified as dependent activities of the administering school systems and are not counted as separate governments in Census Bureau statistics.

Regional vocational schools are established by the state. These schools are governed by boards of trustees appointed by the state board of regents for elementary and secondary education. These schools are counted as state dependent agencies and are not counted as separate governments in Census Bureau statistics.

## **SPECIAL DISTRICT GOVERNMENTS**

Rhode Island statutes authorize the creation of a variety of special districts or authorities that are counted as governments. These are discussed in detail below.

### **Conservation Districts**

Soil and water conservation districts are established by the state conservation committee upon petition of landowners. A board consisting of three members appointed by the state conservation committee and two members elected by landowners governs each district. Contributions to the district may be required of the landowners within a district. Contributions from state government, federal government, and from private contributors may be accepted as well.

### **Convention and Visitors' Bureaus**

Two bureaus have been created by special act: the Newport and Bristol County Convention and Visitors' Bureau and the Greater Providence-Warwick Convention and Visitors' Bureau. The former is governed by a board consisting of appointees by local governments; the latter also includes state appointees. The bureaus are funded by a statutorily set hotel tax.

### **Dam Management Districts**

These districts are created upon passage of an ordinance by one or more cities and/or towns. The boundaries of the districts and the manner of governance are specified in the creating ordinance. The districts may set fees, rates, and charges.

Dam management districts governed by the creating government ex officio are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### **East Providence Special Development District Commissions**

This Commission was created by special act. It serves a special development district in East Providence, providing economic development for a waterfront area. The 19-member Commission consists of local and state appointees, plus city and state officials serving in an ex officio capacity. The Commission may fix fees, rates, rents, assessments, and other charges.

### **Fire, Fire and Water, and Fire and Lighting Districts (Special Acts)**

These districts, which typically furnish fire protection, water supply, or lighting, but may also furnish other services such as street or beach maintenance, electric power, or garbage removal, are established by special acts with substantially uniform provisions. A referendum may be required. The districts are governed by officers

elected at an annual meeting of the voters. The Exeter Fire District's board also includes members appointed by private entities. For all fire districts, either the board sets taxes or the electors order taxes. Some fire districts may issue bonds or fix charges for the sale of water. Voter approval may be required for the levy of taxes or for the district budget.

### **Housing Authorities**

Housing authorities are created by the city or town council upon petition of residents and after a hearing. A board of commissioners appointed by the mayor or town council governs each district. Housing authorities may issue bonds, and fix rents and charges.

### **Pascoag Utility District**

This district was created in 2001 by special act to provide electricity and water. A board of five to seven popularly elected commissioners governs the district. The district may fix rates, collect charges, and issue bonds.

### **Pawtuxet River Authority**

This authority was authorized by special act to provide sewerage and waste disposal facilities. A board of 15 members, appointed by the mayors or the presidents of the town councils of the cities and towns served, governs the authority. Funding for the authority comes from appropriations from member cities and towns. The authority may fix rates and charges for services, and may borrow money.

### **Water Authorities—County (Special Acts)**

The Bristol County Water Authority was authorized by a special act subject to a local referendum. The governing body consists of three members each from the towns of Barrington, Bristol, and Warren. Board members are appointed by the member town councils. The authority may fix and collect charges, and issue revenue bonds.

The Kent County Water Authority was created by special act. The governing body consists of one member each from the towns of East Greenwich, West Warwick, and Coventry, and the city of Warwick, appointed by the town or city council. An additional member is selected from the town or city having the greatest number of water users within the district. The authority may issue bonds and establish charges for the sale of water.

### **Water Authorities, Commissions, and Districts—Town (Special Acts)**

These districts are established by special acts to serve all or part of a town or towns. Establishment of the Chopmist Water District also required voter petition and vote of the town council. The districts are governed by boards of directors that may be elected or may be appointed by

the town administrator. The districts may fix fees, rates, rents, and other charges, and may issue bonds. For some districts, the voters may set and authorize taxes. Some districts may levy ad valorem property taxes, which may require voter approval.

## **Wesqueake Community District**

The district was established by special act and voter approval, creating the district within the Town of Narragansett. The district is governed by officers consisting of a moderator, clerk, treasurer, assessor, and a collector of taxes who are elected by qualified voters. The district may issue notes and assess and collect taxes.

## **SUBORDINATE AGENCIES AND AREAS**

Shown below are various governmental designations in Rhode Island that have certain characteristics of governmental units, but that are classified in Census Bureau statistics as subordinate agencies of the state or local governments and are not counted as separate governments. Legal provisions for some of the larger of these are discussed below (see "Public School Systems" section regarding educational agencies of this nature).

**Building authorities and corporations (state)**—The Rhode Island Health and Educational Building Corporation and the Rhode Island Industrial-Recreational Building Authority were created by special acts to provide buildings for the purposes outlined by state statutes. Similar legal provisions apply to each agency. Their governing bodies are appointed by the governor. These authorities may fix rentals and charges for facilities, and issue revenue bonds.

**Narragansett Bay Commission (state)**—This commission, also known as the Narragansett Bay Water Quality Management District Commission, was created in 1980 by a special legislative act. The commission operates water treatment plants. The commission is governed by gubernatorial appointees and appointees of the municipalities of Central Falls, Cumberland, East Providence, Johnston, Providence, North Providence, Pawtucket, and Lincoln. The commission may set rates, and, with the governor's approval, issue bonds.

**Rhode Island Airport Corporation (state)**—This entity, formed by executive order in December of 1992, is a semi-autonomous subsidiary of the Rhode Island Economic Development Corporation. It was created to operate and maintain the state airport at Warwick and any other airports constructed or operated by the state. Powers of the corporation are vested in a board of seven members appointed by the governor. The corporation may fix rates and charges. The Rhode Island Economic Development Corporation may issue bonds on behalf of this corporation.

**Rhode Island Commerce Corporation (state)**—This corporation was established by special act to finance the construction of industrial, commercial, and port facilities. A board of directors, consisting of the governor, serving ex officio, and 12 members appointed by the governor, governs the corporation. The corporation may fix rents, fees, tolls, and charges, and may issue revenue bonds. This entity was formerly known as the Rhode Island Port Authority and Economic Development Corporation.

## **Rhode Island Housing and Mortgage Finance**

**Corporation (state)**—This corporation was created by special act to provide mortgage credit for low- and moderate-income housing and for health care facilities. The corporation board consists of seven commissioners, four of whom are appointed by the governor with the consent of the Senate, plus the director of business regulations, the director of administration, and the state treasurer, who serve in an ex officio capacity. The corporation may fix rates and charges, and issue revenue bonds.

## **Rhode Island Industrial Facilities Corporation (state)**—

This corporation was established by special act to finance industrial and pollution control facilities. A board of directors appointed by the governor governs the corporation. The state director of economic development, ex officio, serves as chief executive officer of the corporation. The corporation may charge rentals in connection with its projects and may issue revenue bonds.

**Rhode Island Public Transit Authority (state)**—This authority was established by special act to operate transit systems in the state. The authority board consists of seven members appointed by the governor with the advice and consent of the Senate, plus the director of the department of transportation, serving ex officio. The authority may fix fares and charges, and issue revenue bonds.

## **Rhode Island Resource Recovery Corporation (state)**—

This corporation, formerly named Rhode Island Solid Waste Management Corporation, was created by act of the general assembly to finance solid waste disposal and resource recovery facilities. A board of eight commissioners, including seven appointed by the governor plus the director of administration, governs the corporation. The corporation may fix rates and fees, and issue revenue bonds.

## **Rhode Island Turnpike and Bridge Authority (state)**—

This corporation was created by special act. The authority is governed by a board consisting of four members appointed by the governor plus the director of transportation, serving ex officio. The authority may issue revenue bonds and fix and collect tolls.

Other examples include:

## **State<sup>1, 2, 3</sup>**

Capital Center Commission  
Quonset Development Corporation  
Regional tourism districts  
Rhode Island Commission for National and Community Service (dba Rhode Island Service Alliance)  
Rhode Island Convention Center Authority  
Rhode Island Depositors Economic Protection Corporation  
Rhode Island Infrastructure Bank  
Rhode Island Public Rail Corporation  
Rhode Island Refunding Bond Authority  
Rhode Island Student Loan Authority  
Rhode Island Water Resources Board  
Tobacco Settlement Financing Corporation  
University of Rhode Island Research Corporation

## **Municipal**

Conservation commissions (city)  
Dam management districts with ex officio boards (city)  
District management authorities  
Downcity Tax District  
Drainage districts (city) (special acts)  
Mosquito abatement districts (city)  
Municipal detention facility corporations (city)  
Municipal land trusts (special acts)  
Municipal public buildings authorities (city)  
Parking commissions  
Providence Public Building Authority  
Redevelopment agencies (city)  
Special development districts  
Stormwater management districts (city)  
Warwick Sewer Authority  
Wastewater management districts (city)  
Water supply boards (special acts)

## **Town**

Block Island Housing Board  
Burrillville Sewer Commission  
Conservation commissions (town)  
Coventry Sewer Authority  
Dam management districts with ex officio boards (town)  
Drainage districts (town) (special acts)  
Forest and park commissions  
Highway districts  
Land trusts (special acts)  
Lincoln Water Commission (1955 special act)  
Middletown Sewer Commission  
Mosquito abatement districts (town)  
Municipal detention facility corporations (town)  
Municipal public buildings authorities (town)  
Portsmouth Sewer Authority  
Redevelopment agencies (town)  
Smithfield Sewer Authority  
Stormwater management districts (town)  
Waste water management districts (town)  
Water supply boards (special acts)  
West Warwick Sewer Commission  
Westerly Downtown Center Special Services District

Rhode Island laws also provide for various types of local areas for election purposes and administration of justice.

## **ENDNOTES**

<sup>1</sup> Legislation authorizing the Rhode Island Higher Education Assistance Authority was repealed in 2015.

<sup>2</sup> The law authorizing the Rhode Island Public Telecommunications Authority was repealed in 2013.

<sup>3</sup> In December 2005, the Rhode Island Convention Center Authority purchased the building from the city of Providence. It is now known as the Dunkin Donuts Center and is now part of the Rhode Island Convention Center Authority, which is listed above as a state agency.

# SOUTH CAROLINA

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## COUNTY GOVERNMENTS

All of South Carolina is served by county governments. Counties are administered by a council, council-manager, council-supervisor, council-administrator, or board of commissioners form of government as determined by a referendum.

## SUBCOUNTY GENERAL PURPOSE GOVERNMENTS

### Municipal Governments

Municipal governments in South Carolina are the cities and towns. They are administered by a mayor-council, council, or council-manager form of government. New municipalities may be formed by referendum if the area to be incorporated has at least 300 persons per square mile and is at least five miles away from an existing municipality.

## TOWNSHIP GOVERNMENTS

South Carolina has no township governments.

## PUBLIC SCHOOL SYSTEMS

### School District Governments

The following types of school districts in South Carolina are counted as separate governments in U.S. Census Bureau statistics:

- Countywide school districts.
- Independent school districts.

Each school district, whether countywide or independent, is authorized by special legislation. The independent school districts may exist within a single county or may serve parts of multiple counties. Each school district is governed by a school board of directors, whose members are usually elected but may be appointed or a combination. School districts may levy ad valorem taxes; however, some districts must obtain approval by the county council, legislative delegation, county board of education, or voters for tax rates or budgets. School districts may issue general obligation bonds, with voter approval, to finance construction.

### Dependent Public School Systems

There are no dependent school systems in South Carolina.

## Other Educational Activities

The career and technology schools, sometimes called “career and technology centers,” are formed by agreement between participating school districts. Ex officio members of the boards of the participating school districts compose the governing board for each career and technology school although special legislation has provided for other methods of governance in some counties. Funding is provided by the participating school districts. The schools are classified as joint educational service agencies. They are not counted as separate governments in Census Bureau statistics.

## SPECIAL DISTRICT GOVERNMENTS

South Carolina statutes authorize the creation of a variety of special districts or authorities that are counted as governments. These are discussed in detail below.

### Airport Districts

Special acts have established specific airport districts to provide and operate airport facilities. Five of these airport districts are counted as special district governments:

**Charleston County Airport District**—Also known as the Charleston County Aviation Authority, this district was created by special legislation in 1970. The authority board consists of seven members appointed by the governor on local recommendation, plus the mayors of Charleston, North Charleston, and the town of Mt. Pleasant; the chair of the Charleston county council; and the chair and vice chair of the county legislative delegation. The authority board may impose rates and charges, and may levy ad valorem taxes. General obligation bonds of the authority must be authorized by the general assembly.

**Greenville Airport Commission**—This commission was created by special act in 1928. The commission consists of five members of which two are appointed by the county of Greenville, two are appointed by the city of Greenville, and one is appointed by the aforementioned four. The commission may fix and collect fees and charges, and may issue revenue bonds.

**Greenville-Spartanburg Airport District**—This district was established by special act in 1959. The governing body is a commission consisting of three members from each county appointed by the governor on local

recommendation. The commission may fix rates and charges for facilities, and may issue revenue bonds. The district is authorized to issue general obligation bonds for capital construction projects; the bonds are paid by ad valorem taxes on property in the district.

**Pee Dee Regional Airport District**—This district owns and operates Florence Regional Airport to serve the counties of Florence, Marion, and Dillon. The district is governed by a board of nine members appointed by the governor and selected from recommendations by the participating county councils and the Florence city council. Legislation authorizes county per capita appropriations. The authority may fix and collect rents, fines, fees, and charges, and may issue revenue bonds. General obligation bonds for capital construction projects may be issued subject to approval by the county boards within the district and optional referendum. When such bonds are issued, the member counties may levy an ad valorem tax within the district.

**Richland-Lexington Airport District**—Established by a special act in 1961, this district owns and operates Columbia Metropolitan Airport. The district is governed by a 12-member commission appointed by the governor on local recommendation. The commission may fix rates and fees, and may issue revenue bonds. The district is authorized to issue general obligation bonds for specified capital construction projects; the bonds are paid by ad valorem taxes on property in the district.

### Auditorium Districts (special acts)

The following districts, which may build, operate, or maintain auditorium facilities, were created by special act:

**Greenville Arena District**—This district is governed by a board of trustees appointed by the governor on recommendation of the Greenville County legislative delegation. The district may issue bonds, fix charges, and levy ad valorem taxes.

**Spartanburg Memorial Auditorium Commission District**—This district is governed by a board appointed by the Spartanburg city council, the Spartanburg County council, and a joint committee consisting of representatives of the city, county, and district governing bodies. Also, two ex officio members from the city and county councils are members. The district may fix and collect charges, and may issue bonds.

### Beaufort-Jasper Water and Sewer Authority

This authority was created by special act to serve Beaufort and Jasper Counties. The authority is governed by a board appointed by the governor from recommendations proposed by the county and designated municipalities, and delivered through the county legislative delegations.

The authority may set rates and assessments, and may issue revenue bonds.

### Electric Lighting Districts, Fire Districts, Sewer Districts, and Water Districts

These districts may be created in any portion of a county outside any incorporated city or town. Establishment of these districts requires petition of landowners and a referendum. District functions may include electric power, fire protection, sewerage, water supply, or emergency medical services. An elected board of commissioners governs each district. The districts may issue revenue bonds; the voters may request a referendum. The districts may fix and collect charges for services. Districts providing sewerage may levy special assessments and may issue general obligation bonds. If the income of a district is insufficient to meet expenses, the district may levy ad valorem taxes with the approval of the county supervisor.

Special acts, enacted prior to the enactment and implementation of home-rule legislation, authorized districts and authorities with similar provisions. Such districts typically were authorized governing bodies appointed by the governor upon recommendation of the county legislative delegation.

Because of the varying provisions in specific authorizing legislation, not all of these districts are counted as separate governments in Census Bureau statistics on governments. See “Subordinate Agencies and Areas” section.

### Gaffney Board of Public Works

This board was established by a special act to provide electric power, sewerage, and water supply to Gaffney and to the surrounding areas of Cherokee County. The board is elected, may fix charges, and may issue revenue bonds.

Other boards of public works in South Carolina are not counted as separate governments for Census Bureau statistics. See “Subordinate Agencies and Areas” section.

### Gas Authorities (special acts)

These authorities are created by special acts to provide natural gas service; however, provisions for each authority are similar. Each authority was authorized a board, appointed by the governor upon local recommendation. The authority may issue revenue bonds, and fix and collect charges for gas sold.

### Greater Greenville Sanitation District

Created by special act, this district provides sanitation facilities such as refuse, garbage, and trash collection in specified areas. A board of commissioners appointed by the governor governs the district. The district may charge

collection fees, levy taxes, and issue general obligation bonds.

### **Hartsville Community Center Building Commission**

This commission was created by a special act to provide for a community center. The commission is appointed by the governor upon recommendation of the Darlington County legislative delegation. The commission may fix and collect charges for the use of its facilities. Darlington County issues bonds for the commission upon voter approval.

### **Hospital Districts (special acts)**

These districts, providing hospital facilities, are established by special acts with substantially uniform provisions. Each district was authorized a governing board appointed by the governor upon the recommendation of the county council or legislative delegation. The districts may issue bonds upon voter approval, fix and collect rates, and set ad valorem taxes.

### **Housing Authorities**

Four types of housing authorities to provide assisted housing and development projects are authorized by general law—city, county, regional, and consolidated housing authorities. An individual municipality or town may establish a housing authority under the city housing authority law upon resolution of the city or town council or upon petition of residents. A county may establish a county housing authority upon resolution of the county legislative delegation or upon petition of residents. Similarly, the legislative delegations of two or more contiguous counties may establish a regional housing authority, and the councils of two or more municipalities may form a consolidated housing authority. The local governing council (in the case of city housing authorities) or each county's senator (in the case of consolidated, county, or regional housing authorities) appoints the housing authority commissioners. The authorities may issue bonds and establish charges for the use of facilities.

### **Joint County Fire Districts (special acts)**

Established by special acts, joint county fire districts have substantially similar operating provisions. The board may be elected or appointed. All are authorized to levy ad valorem taxes.

### **Joint Municipal Electric Power and Energy Agencies**

These agencies may be established by resolution or ordinance of the governing bodies of two or more municipalities. A board of directors, composed of one member appointed by each participating governing body,

governs each agency. The agencies may fix rates and charges, and may issue revenue bonds. The Piedmont Municipal Power Agency was created under this act.

### **Joint Municipal Water Systems**

These systems are created by resolution or ordinance of two or more counties, towns, or cities or combination thereof. These systems may acquire and operate any water, sewer treatment system, or water distribution system, and may sell water at retail and at wholesale. Systems may be organized for the sole purpose of creating a financing pool for construction. Participating governments must form an agreement specifying the number of commissioners each member may appoint. The systems may fix rates, rents, and other charges, and may issue revenue bonds.

### **Laurens County Water and Sewer Commission**

This commission was created by special act. The district serves most unincorporated areas of Laurens County and portions of southern Greenville County. The commission is appointed by the governor from nominees by the governing bodies of Lauren County, the cities of Laurens and Clinton, and Greenville County. The commission may set rates and collect fees, and may issue revenue bonds.

### **Myrtle Beach Air Base Redevelopment Authority**

This authority to redevelop the former air base was created by an executive order of the governor. It is governed by a board appointed by state, county, and municipal authorities. The authority may collect fees and charges, and issue revenue bonds.

### **Public Service Districts and Metropolitan Districts (special acts)**

These districts are created by special acts to provide authorized functions such as fire protection, street lighting, sewerage, solid waste disposal, and water supply. Each district was authorized a governing board of commissioners, usually appointed by the governor upon recommendation of the county legislative delegation, although, some boards may be elected. The districts may levy ad valorem taxes, fix charges, and, after referendum, issue bonds.

Districts of this type that are governed by the county council are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

Certain private nonprofit corporations providing water service may convert to public service districts. The corporation must petition the state secretary for a new charter as a public body.

## **Recreation Districts (special acts)**

A number of recreation districts to provide, operate, and maintain recreational facilities have been established by special acts; similar provisions apply to each. Each district was authorized a governing board either appointed by the governor upon recommendation of the county legislative delegation or appointed by the participating local governments. The district boards may impose user charges. Some districts may also levy ad valorem taxes and issue bonds.

Because of the varying provisions in the specific authorizing legislation, not all of the districts created by special act are counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

## **Regional Health Service Districts**

These districts are created to build, maintain, and equip health care facilities or nonprofit hospitals. They may be created by ordinance of the governing bodies of any county or group of contiguous counties; any municipality or group of contiguous municipalities; or any county or group of counties with any municipalities located within their boundaries. A board of directors appointed by the member governments governs each district. The board of directors may itself appoint additional members. The board also may include ex officio nonvoting members of hospitals or institutions receiving assistance from the regional health service district. The districts may impose service charges and issue revenue bonds. The participating local governments may levy special public hospital taxes on behalf of the districts.

## **Regional Transportation Authorities**

These authorities provide transit service within a state-defined regional transportation area. The authorities are established by resolution of the governing bodies of any two or more local governments. If the plan of service provides for the imposition of a property tax or motor vehicle registration fee, the question of creating the authority must be submitted to a referendum. Each authority's governing body consists of members appointed by the participating local governments; appointees may be ex officio representatives of the local government. Three members appointed by the county legislative delegation also serve on the board if provided for in the agreement. Additional contiguous municipalities and counties may join. The authorities may set rates and fares, and may issue revenue bonds.

## **Richland-Lexington Riverbanks Park District (special act)**

This district, established by special act, provides for a park and zoo in Richland and Lexington Counties. The district is governed by the Riverbanks Parks Commission,

which consists of two members appointed by the Richland County council; two by the Lexington County legislative delegation; two by the mayor and city council of Columbia; and one jointly by these authorities. The district may set and collect charges, issue bonds, and levy ad valorem taxes.

## **Rural Community Water Districts**

These districts are formed upon petition of landowners to the county governing body and voter approval. Each district was authorized a governing board appointed by the governor upon the recommendation of the county legislative delegation. A district may fix and collect user fees and charges, and issue revenue bonds. Several of these districts were created by special act under similar provisions.

The Pioneer Rural Water District of Oconee and Anderson counties, the Mitford Rural Water District of Fairfield and Chester Counties, Saluda Valley Rural Water District of Pickens and Anderson Counties, and Edgefield County Water and Sewer Authority were created under the same title with special provisions.

## **Soil and Water Conservation Districts**

These districts are created by the state department of natural resources upon petition of landowners after local referendum. A five-member board of commissioners, two appointed by the department and three elected, governs each district. The districts may require contributions from benefited landowners.

In addition, special legislation provides that soil and water conservation districts may establish watershed conservation districts upon petition and after local referendum. These districts may have elected or appointed boards. The districts may levy taxes and, with voter approval, issue bonds. Watershed conservation districts are classified as dependent agencies of the establishing soil and water conservation district and are not counted as separate governments in Census Bureau statistics.

## **SUBORDINATE AGENCIES AND AREAS**

Shown below are various governmental designations in South Carolina that have certain characteristics of governmental units, but that are classified in Census Bureau statistics as subordinate agencies of the state or local governments and are not counted as separate governments in Census Bureau statistics. Legal provisions for some of the larger of these are discussed below (see "Public School Systems" section regarding educational agencies of this nature).

**Connector 2000 Association, Inc. (state)**—This entity was created in 1996 by the state as a public benefit corporation to assist the state department of

transportation in the financing, acquisition, construction, and operation of turnpikes and other transportation projects. The board of directors is approved by the department of transportation. The association is authorized to collect tolls and to issue bonds.

**South Carolina Public Service Authority (state)**—This state utility, established in 1934 by special act, provides electric power and wholesale water to the counties of Berkeley, Georgetown, and Horry through the Santee Cooper Hydroelectric and Navigation Project and the Santee Cooper Regional Water System. The authority board consists of 11 directors appointed by the governor with the consent of the state senate; one from each congressional district; one each from the counties of Horry, Berkeley, and Georgetown; and two at large. The authority may issue revenue bonds and collect tolls and charges for use of its facilities and services.

**South Carolina State Housing Finance and Development Authority (state)**—This authority was created by an act of the state legislature to coordinate the development of low-income housing in the state and to provide mortgage credit for low- and moderate-income housing. The authority governing board has nine members, including seven members appointed by the governor, plus the governor and the commissioner of health and environmental control in an ex officio capacity. The authority may fix fees and charges, make mortgage loans, and issue revenue bonds.

**State Ports Authority (state)**—This authority was established by special act. The board consists of nine members appointed by the governor with the consent of the state senate. The state secretary of transportation and the secretary of commerce also serve on the board. The authority may collect charges and fees, and issue revenue bonds.

**South Carolina First Steps to School Readiness Board of Trustees (state)**—Created by special act in 1999, this entity works to provide early education and health services to young children. The corporation is governed by a board appointed by the governor or leaders of the general assembly. Specified state members including the state superintendent of education also serve on the board. The governor serves as chair. Local agencies providing services at the county level and known as “county first steps partnerships” are classified as county dependent agencies.

Other examples include:

## State

Charleston Naval Complex Redevelopment Authority  
County disabilities and special needs boards  
Education Assistance Authority

Educational Facilities Authority for Private Nonprofit Institutions of Higher Learning  
Educational Television Commission  
Governor's School for the Arts Foundation, Inc.  
(endowment fund)  
Health districts  
Legacy Trust Fund  
Medical University Hospital Authority  
Old Exchange Building Commission  
Patriot's Point Development Authority  
Regional tourism commissions (special acts)  
South Carolina Children's Trust Fund  
South Carolina Education Lottery  
South Carolina Infrastructure Facilities Authority  
South Carolina Jobs-Economic Development Authority  
South Carolina Public Charter School District  
South Carolina Research Authority  
South Carolina Resources Authority  
South Carolina Rural Infrastructure Authority  
South Carolina Transportation Infrastructure Bank  
South Carolina Water Quality Revolving Fund Authority  
Technical College Enterprise Campus Authorities  
Tobacco Settlement Revenue Management Authority  
Western Carolina Higher Education Commission

## County

Ambulance service districts (special acts)  
Bridge districts—1922 law  
Catawba Health District  
Community recreation special tax districts  
County airport commissions and boards  
County alcohol and drug abuse authorities  
County economic development boards  
County first steps partnerships  
County highway districts  
County hospital boards of trustees  
County public library systems  
County transportation authorities  
Erosion districts  
Fire protection service districts under general law  
Fort Lawn Fire District  
Joint agencies for solid waste disposal resource recovery facilities (county)  
Lake Wylie Marine Commission (joint county with North Carolina)  
Old Fort Fire District  
Public service districts and metropolitan districts (ex officio)  
Recreation districts and commissions lacking autonomy  
Residential improvement districts (county)  
Special police districts for unincorporated communities  
Special taxing districts

## **Municipal**

Chapin Memorial Library  
City development boards  
Clinton-Newberry Natural Gas Authority  
Joint agencies for solid waste disposal resource recovery facilities (municipal)  
Municipal airport commissions and boards  
Municipal health boards  
Municipal improvement districts  
Municipal public works commissions (except the Gaffney Board of Public Works)  
Municipal sewerage commissions  
Park and recreation boards (municipalities with 36,000 to 55,000 population)  
Park, recreation, and facility acquisition corporations (municipalities over 50,000 population)  
Residential improvement districts (municipal)

## **Joint City-County**

Lake Paul A. Wallace Authority  
Sumter Airport Commission

South Carolina laws also provide for various types of local areas for election purposes and administration of justice.

## **ENDNOTE**

<sup>1</sup> The laws authorizing Palmetto Seed Capital Corporation were repealed in 2004.

# SOUTH DAKOTA

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## COUNTY GOVERNMENTS

The entire area of the state of South Dakota is encompassed by county governments. The county governing body is known as the board of commissioners. Five counties are located entirely within American Indian reservations.

## SUBCOUNTY GENERAL PURPOSE GOVERNMENTS

The subcounty general purpose governments in South Dakota consist of municipal (city and town) governments and township governments.

### Municipal Governments

Municipal governments in South Dakota fall into three classes according to population size:

- First class—5,000 inhabitants or more.
- Second class—500 to 4,999 inhabitants.
- Third class—fewer than 500 inhabitants.

All municipalities exist outside the area of any township.

Legislation enacted in 1972 provides that municipalities may adopt home-rule charters.

### Township Governments

Township governments exist in 52 of the 66 South Dakota counties. In the 52 counties that have township governments, these governments do not cover the entire county area; municipalities and unorganized territory exist outside the area of any township. The governing body of township governments is the board of supervisors.

## PUBLIC SCHOOL SYSTEMS

### School District Governments

All school districts in South Dakota are counted as separate governments. South Dakota school districts operate at least a 13-year school program. A locally elected school board governs each district. School districts may levy excess taxes and may issue bonds. South Dakota school districts may also operate vocational schools.

### Dependent Public School Systems

South Dakota has no dependent public school systems.

## Other Educational Activities

Cooperative educational service units to encourage cooperation and sharing of resources between school districts are created by agreement between two or more school districts. Each participating school district appoints at least one member to the governing board. These units receive state and local contributions but may not levy taxes or issue bonds. They are classified as joint activities of the participating school districts and are not counted as separate governments in U.S. Census Bureau statistics.

School districts may operate postsecondary technical institutes with the approval of the state legislature. These institutes may be distinct legal entities separate from the establishing school district or districts.

Two or more school districts may establish a multidistrict career and technical academy with state approval. A referendum is required if so petitioned by the voters. These entities, also known as multidistrict centers, are governed by a center board consisting of members of the participating school boards. These boards have the same powers and duties as school boards but may not levy taxes or issue bonds. These entities are classified as joint educational service agencies of the participating school districts and are not counted as separate governments for Census Bureau statistics.

## SPECIAL DISTRICT GOVERNMENTS

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

### Ambulance Districts

These districts provide ambulance services in rural territories. Ambulance districts are created upon voter petition to the county board of commissioners or upon the initiative of the county board. District establishment requires a public hearing and voter approval. Municipalities in the area may be included in the district upon voter petition or upon the initiative of the municipal board. A popularly elected board of directors governs each district. The districts may levy ad valorem taxes, levy special assessments, and issue bonds.

## **Conservation Districts**

These districts are created by the state conservation commission on petition of the voters, after a public hearing and referendum. A popularly elected board of supervisors governs each district. The districts may require contributions from benefited landowners and may accept county contributions.

## **Consumers Power Districts**

These districts provide electric energy. The districts may be created upon petition of the voters to the secretary of state followed by a referendum. A popularly elected board of directors governs each district. The district may issue revenue bonds and fix charges for services or facilities.

## **County Road Districts**

Districts to pave and maintain roads in unincorporated areas are established upon resident landowners petition to the county commissioners and after voter referendum. Two or more road districts may also form a consolidated road district if approved by the voters of each district. An elected board of trustees governs each district. The districts may levy taxes and special assessments and may issue bonds.

## **Emergency Services Districts**

The boards of directors of a rural fire protection district and an ambulance district may consolidate the districts, provided the boundaries of both districts are the same, upon voter approval. Each consolidated district is governed by a popularly elected board of emergency services. The board may levy the taxes permitted to both a rural fire protection district and an ambulance district. The board may levy special assessments and issue bonds.

## **Housing and Redevelopment Commissions**

A general law creates a housing and redevelopment commission in each county and municipality that is activated by resolution of the municipal or county governing body after a public hearing. Members of the housing and redevelopment commission are appointed by the mayor or the chairperson of the board of county commissioners with the approval of the respective governing body. Members of the municipal or county governing body may serve on the board of the commission. The commission may issue revenue bonds and collect rents.

## **Improvement Districts**

These districts governments provide water and sewer systems, bridges and roads, parks, fire prevention, school buildings, convention facilities, waste disposal, parking facilities, or any combination of these facilities. These districts are established upon petition of landowners after

a public hearing and the issuance of an order by one or more boards of county commissioners. An elected board of supervisors governs each district. The districts may levy ad valorem taxes and special assessments, impose fees, issue revenue bonds, and, with voter approval, issue general obligation bonds.

## **Irrigation Districts**

Irrigation districts are created upon landowner petition to the board of water and natural resources, and after a hearing and referendum. A board of directors elected by resident landowners governs each district. The district may levy special benefit assessments and issue bonds in amounts determined by the electors (landowners). The districts also may levy ad valorem taxes with elector approval. Elector approval is required for certain contracts.

## **Joint Exercise of Powers Agencies**

Any two or more counties, municipalities, townships, school districts, consumers power districts, drainage districts, state agencies, or American Indian tribes, by agreement, may jointly exercise any powers delegated by the state. The agreement may create a joint board or a separate legal entity with a board composed and selected as described in the agreement. The creating agreement specifies the particular functions and the manner of financing.

## **Municipal Power Agencies**

Two or more first- or second-class cities may form an agency to generate and transmit electric power by agreement of the participating parties. A board of directors whose membership is determined by the agreement governs the agency. The agency may set rates and charges, and issue revenue bonds.

## **Predator Control Districts**

These districts are established for the purpose of protecting livestock from predators. Sheep and cattle owners in one or more counties may petition the secretary of the state department of agriculture to designate the county or counties as a predator control district. Each district is governed by a board of directors all of whom must be elected by resident livestock owners within the district. The districts may impose per-head taxes on sheep and cattle. Tax levies above statutory limits are permitted if approved by referendum.

## **Public Hospital Districts**

These districts may be established by the county commissioners upon petition of voters and after a local referendum. Facilities may include a nursing facility or a home for the aged. A popularly elected board of trustees governs each district. A referendum may be held for a

bond issue; if the bond issue is approved, the board is required to levy an ad valorem tax. In lieu of issuing bonds, the board may call a referendum for an ad valorem tax levy for the purpose of constructing facilities. In addition, the board may levy an ad valorem tax for the purposes of operation and maintenance of hospitals.

### **Regional Airport Authorities**

Regional airport authorities may be created, after a public hearing, by resolution of a municipal or a county governing body. A board of commissioners appointed by the creating governments governs each authority. The commissioners may issue revenue bonds, set taxes, and set fees and charges.

Any regional airport authority may join with a local government, state agency, federal agency, or any political subdivision or agency of an adjoining state to form a joint agreement that creates a joint board to exercise the powers of a regional airport authority.

### **Regional Railroad Authorities**

Regional railroad authorities are established by agreement between two or more county or municipal governments, after a public hearing, to provide railroad service. A board of commissioners appointed by member governments in accordance with the establishing agreement governs each authority. The authority may certify the amount of ad valorem taxes to be raised for its purposes and may issue bonds.

### **Regional Recycling and Waste Management Districts**

Regional recycling and waste management districts are established by resolution of any two or more counties, municipalities, or portions of counties, after a public hearing, to provide facilities and services for the management of solid waste. The governing body consists of elected officials from the participating governments. The district may establish rates and charges, and issue revenue bonds.

### **Rural Fire Protection Districts**

Rural fire protection districts may be established by the board of county commissioners upon petition of the voters and after a hearing and referendum. Municipalities in the area may be included in the district upon voter petition or upon the initiative of the municipal board. A popularly elected board of directors governs each district. The district may levy ad valorem taxes and may issue bonds.

### **Sanitary Districts**

Districts for sewage disposal may be created by the county commissioners, on petition of voters and after a

public hearing and referendum, in areas outside of any municipality with at least 30 residents and 10 landowners. A popularly elected board of trustees governs each district. The district may issue bonds, levy ad valorem taxes and special assessments, and fix rates and charges. Upon voter approval, sanitary districts may exercise the powers of county road districts.

With voter approval, a consolidated sanitary district may be formed by a municipality and a sanitary district, or by any two or more such public corporations.

### **Television Translator Districts**

Districts for the electronic distribution of television signals (but not cable television systems) may be created by ordinance by the county commissioners after a hearing and referendum. A board of trustees appointed by the county commissioners governs each district. The board of commissioners of each county in the district, in proportion to population, appropriates the funds required by the district budget.

### **Water Development Districts**

Water development districts promote conservation, development, and proper management of district water resources. Districts may be established by act of the state legislature. Alternately, districts may be established upon petition to the state board of water and natural resources and after a referendum. A popularly elected board of directors governs each district. The districts may levy ad valorem taxes and special assessments.

### **Water Project Districts**

Districts for the construction of water projects for the conservation, storage, distribution, and utilization of water may be created, upon voter petition, by the state board of water and natural resources after referendum. A popularly elected board of directors governs each district. With voter approval, the districts may levy ad valorem taxes and may issue general obligation and revenue bonds. In addition, with landowner approval, the districts may levy special assessments and issue special assessment bonds.

### **Water User Districts**

Water user districts provide conservation, distribution, storage, and utilization of water; and provide for the collection, treatment, and disposal of wastewater. Upon petition of landowners, these districts may be created by the state department of environment and natural resources or by the state board of water and natural resources. A board of directors governs each district; the board is elected by residents and by persons and corporations that are parties to contracts with the district for the purchase of water. The districts may issue revenue bonds and may fix rates and charges.

## **Watershed Districts**

Watershed districts may be established by the supervisors of a conservation district upon voter petition and after public hearing and local referendum. Instead of voter petition, the municipal officials may initiate creation by passage of a resolution. A referendum is not required if the initiating petition is signed by 60 percent or more of the landowners, the landowners are registered voters in the district, and they own at least 60 percent of the land. A popularly elected board of managers governs each district. After referendum, the districts may issue bonds and levy ad valorem taxes. The districts also may impose special benefit assessments upon landowner approval.

## **SUBORDINATE AGENCIES AND AREAS**

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

**South Dakota Health and Educational Facilities Authority (state)**—This authority was created to finance construction of buildings for nonprofit health care and higher education institutions. The authority governing body consists of seven members appointed by the governor. The authority may fix rentals, fees, and other charges; make loans to participating institutions; and issue revenue bonds.

**South Dakota Housing Development Authority (state)**—This authority was created to provide mortgage credit for low- and moderate-income housing. A board of seven commissioners appointed by the governor governs the authority. The authority may fix charges in connection with its loans and issue revenue bonds.

Other examples include:

### **State<sup>1, 2</sup>**

Black Hills Forest Fire Protection District  
Science and Technology Authority  
South Dakota Building Authority  
South Dakota Conservancy District

South Dakota Economic Development Finance Authority  
South Dakota Ellsworth Development Authority  
South Dakota Railroad Authority  
Value Added Finance Authority

### **County**

Area jail or juvenile detention facility compacts (two or more counties)  
Boards of public library trustees  
County drainage commissions—1985 law  
County hospitals boards of trustees  
County toll bridge commissions  
Drainage projects—1923 law  
Interstate drainage districts—1917 law

### **Municipal<sup>3, 4</sup>**

Business improvement districts  
Boards of public library trustees  
City airport boards (first- and second-class cities)  
City toll bridge commissions  
Convention hall benefit districts  
Municipal urban renewal agencies  
Sewer districts  
Urban and rural service districts

### **Joint City-County**

Boards of public library trustees

### **Private Associations**

Cooperative grazing districts and water users associations are classified for Census Bureau purposes as private cooperatives and are not counted as governments.

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

### **ENDNOTES**

<sup>1</sup> The legislation authorizing Petroleum Environmental Compliance Authority was repealed in 2013.

<sup>2</sup> The legislation authorizing South Dakota Energy Infrastructure Authority was repealed in 2015.

<sup>3</sup> The legislation authorizing South Dakota Municipal Facilities Authority was repealed in 2004.

<sup>4</sup> The legislation authorizing Parking Districts was repealed in 2012.

# TENNESSEE

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## COUNTY GOVERNMENTS

The entire area of the state of Tennessee is encompassed by county governments except for three county-city combined governments (see "Municipal Governments" section). For counties, the governing body is the county legislative body. County governments may adopt home-rule charters.

## SUBCOUNTY GENERAL PURPOSE GOVERNMENTS

### Municipal Governments

The municipal governments in Tennessee are created by the state legislature and consist of cities and towns; these governments usually operate under special charter. The minimum population requirement for incorporation is 1,500. The metropolitan government of Nashville and Davidson County, the metropolitan government of Lynchburg and Moore County, and the Hartsville-Trousdale County government are each counted as municipal governments.

### Township Governments

Tennessee has no township governments.

## PUBLIC SCHOOL SYSTEMS

### School District Governments

Only the "special" school districts in Tennessee are counted as governments. These districts were established by the general assembly prior to April 30, 1982, by separate acts, but with substantively uniform provisions for each district. The method of selection of the school board and the maximum rate of taxation for each of these districts are set by the authorizing legislation.

### Dependent Public School Systems

Tennessee statutes authorize the following types of dependent public school systems:

Systems dependent on the state government:

- Achievement School District.

Systems dependent on county governments:

- County school systems.

Systems dependent on municipal governments:

- Municipal school systems.

School systems composed of multiple counties are authorized, but none exist as of June 30, 2017.

The Achievement School District was created by the state legislature within the department of education to provide oversight for "priority" schools. The state commissioner of education oversees the district. Funding is derived from state, local, and federal sources.

Each of the county school systems is administered by an elected county board of education. The fiscal requirements of the county school systems are provided by the county legislative body.

Provisions governing the city school systems are specified in the city charters. City school systems are governed by elected boards of education. The fiscal requirements of the city school systems are provided by the city governing body.

### Other Educational Activities

City and county boards of education and special school districts may create educational cooperatives for the provision of joint services. These entities are governed as specified in the creating agreement. Funding comes from member school systems, and federal and state grants. They are classified as joint activities of the participating school districts and are not counted as separate governments in U.S. Census Bureau statistics on governments.

## SPECIAL DISTRICT GOVERNMENTS

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

### Airport Authorities—Metropolitan, Municipal, and Regional

Three types of airport authorities are authorized under state statutes. Airport authorities may issue revenue bonds and impose fees, rentals, and charges for use of facilities.

**Metropolitan airport authorities**—These authorities may be created by any city or metropolitan government having a population of 100,000 or more or by any county containing such a city, following public hearing and upon resolution of the governing body and approval by its executive. Additional municipalities may participate. Each authority is governed by a board of commissioners

that is appointed by the executive officer of the creating municipality and approved by its governing body. Some metropolitan airport authorities may be authorized by the creating municipality to exercise the powers of an industrial development corporation.

**Municipal airport authorities**—These authorities may be created by any city or town by ordinance of the governing body or by any county upon resolution of the governing body. The governing body consists of a minimum of five commissioners appointed by the governing body of the creating government. Governments eligible to form metropolitan airport authorities may not form municipal airport authorities.

**Regional airport authorities**—These authorities may be created, after a public hearing, by two or more municipalities by resolution of the governing body of each or by one or more municipalities and one or more counties by resolution of the governing body of each. Authorities formed by two or more municipalities have a governing body consisting of one commissioner appointed by each creating governing body, plus one commissioner appointed by the governor if necessary to have an odd number of commissioners. Authorities formed by a combination of municipalities and counties have a governing body consisting of two commissioners appointed by each creating government, plus one additional commissioner appointed either by the existing commissioners or by the governor.

Airports owned and operated by a single county or municipal government are classified as dependent activities of those governments and not counted as separate governments in Census Bureau statistics.

### Doe Mountain Recreation Authority

This authority was established to protect and conserve the natural resources of Doe Mountain through planning, promoting, financing, constructing, managing, and developing multiuse recreational opportunities for public participation and to facilitate economic development. The authority is governed by a board of directors consisting of fifteen members with the mayor of the county being included. This authority may charge rates and fees, as well as issue revenue bonds.

### East Tennessee Regional Agribusiness Marketing Authority

This authority was created by special act in 1998 for the purpose of establishing and operating a market to serve farmers and citizens of the region and furthering the economy and growth of agriculture in the region. The authority may also own and operate a wastewater treatment collection system within the region served by the authority. The authority's board of directors is

composed of the mayors of the participating counties, plus the state commissioner of agriculture and the dean of the University of Tennessee agricultural extension service. The authority may issue revenue bonds.

### Energy Acquisition Corporation

These corporations may acquire, manage, and finance natural gas, electrical power, and other energy forms for municipal distributors. The authorities may be created upon application of at least three voters to the governing body of a county or municipality and the passage of a resolution by the governing body. Each corporation is governed by a board of directors appointed by the creating local government. The corporations may set fees and charges and may issue revenue bonds. The creating local government may issue revenue bonds on behalf of a corporation.

### Energy Authorities (special acts)

The Jackson Energy Authority and the Bolivar Energy Authority were created by special acts. Each authority is governed by a board of five directors appointed by the mayor of its respective city. The authorities may establish and charge fees and may issue revenue bonds.

### Housing Authorities

Tennessee laws provide for four types of housing authorities—county, municipal, consolidated, or regional. An individual county or municipality may establish a housing authority upon petition of residents to the county legislative body or city council, after a public hearing. Similarly, two or more municipalities may establish a consolidated housing authority and two or more contiguous counties may establish a regional housing authority. The mayors of municipalities or the county legislative bodies appoint the housing authority commissioners. The authorities may issue bonds, and establish and collect rentals for use of authority facilities. Housing authorities in Tennessee may also carry out redevelopment projects. The Knoxville Community Development Corporation and the Metro Development and Housing Agency in Nashville operate under the same law as the housing authorities.

### Port Authorities

One or more counties, cities, or towns or any combination of these may form a port authority under general law, upon resolution and after a public hearing. A board of commissioners is appointed by the executive officer of each member government with the approval of the governing body. Port authorities may establish and charge fees, rentals, and other charges for the use of facilities or services and may issue revenue bonds.

## Railroad or Rail Service Authorities

Under general law, rail authorities may be created by resolution of a municipal or county governing body or any combination of municipalities and/or counties. A board of directors composed of representatives of participating governments governs each authority. Authorities may fix rents, rates, tolls, fees, and charges, and may issue revenue bonds.

Some authorities of this type were created by special acts with similar provisions.

## Regional Transportation Authority of Middle Tennessee

This authority was created by a 1998 special act to plan and provide mass transit services to specified counties and the municipalities within those counties at each local government's option. The authority is governed by a board composed of the chief executive of each participating county, the mayor of each participating town or city, the state commissioner of transportation, and six members appointed by the governor. The authority may set local assessments to be paid by the participating local governments.

## River Basin Development Authorities

These authorities, created by special acts, were established to develop and maintain the river basin areas serviced by each authority. Authorities may receive contributions from the participating governments and may issue revenue bonds. River basin development authorities that do not exhibit the fiscal independence necessary to be classified as a special district can be found under "Subordinate Agencies and Areas" section.

**Beech River Watershed Development Authority**—This authority is governed by an eight-member board of directors including five gubernatorial appointments, the county mayors of Decatur and Henderson Counties, and the state commissioner of environment and conservation.

**Carroll County Watershed Authority**—This authority is governed by a six-member board of directors appointed by the governor.

**Sequatchie Valley Planning and Development Agency**—This agency serves a region including Bledsoe, Marion, Rhea, Grundy, and Sequatchie Counties. The agency is governed by a board of directors composed of the county mayor (or county executive) of each member county, one gubernatorial appointment from each county, one member selected by the mayors of cities and towns within the region, and one member appointed by the governor from the governor's staff or cabinet.

**Tellico Reservoir Development Agency**—This agency is governed by a nine-member board of directors, including the three county mayors of Monroe, Loudon, and Blount Counties, and two appointees from each county appointed by the county mayor, with advice and consent of the county commission.

## Tennessee Duck River Development Agency

This agency is governed by a 12-member board of directors consisting of representatives from each of the five counties (Coffee, Bedford, Hickman, Marshall, and Maury), two county mayors, a member of the governor's staff or cabinet, two mayors, and two at large members, all designated by the governor.

## Soil Conservation Districts

Soil conservation districts are created by the state soil conservation committee upon petition of landowners and after a hearing and referendum. The governing body of each district consists of three elected supervisors and two appointed by the state committee. The districts may require contributions from benefited landowners and may accept federal and state contributions. Districts may borrow money subject to the approval of the commissioner of agriculture.

## Solid Waste Authorities

Solid waste authorities may be created by two or more counties or municipalities. The board of directors may be the same board as that of the municipal solid waste region or may be appointed by the member counties and municipalities. Authorities may fix and collect fees for services and may issue revenue bonds.

Solid waste authorities created by a single county or municipality are not counted as separate governments for Census Bureau statistics. See "Subordinate Agencies and Areas" section.

## Tennessee Central Economic Authority

This authority was created by special act to serve the counties of Macon, Smith, Sumner, Wilson, and the municipality of Hartsville-Trousdale. The authority is governed by a board of directors consisting of the county mayor of each county in the region or their designated appointee, one member appointed by the speaker of the House of Representatives, and one member appointed by the speaker of the Senate. The authority may issue revenue bonds. The authority also may issue general obligation bonds in conjunction with the state of Tennessee.

## Utility Districts

Utility districts may be created to serve the territory of one or multiple counties by requiring county legislative

approval. Existing districts may file petitions to redefine the incorporated boundaries. Utility districts may provide water service, sewer, garbage collection and disposal, street lighting, parks and recreational facilities, gas supply, fire and police protection, transit, transmission of industrial chemicals or natural gas by pipeline, and community antenna television facilities, or combinations thereof. Each district is governed by a board of commissioners that is appointed or elected as specified in statutes or in special acts. Utility districts may fix rates, fees, and charges, and may issue revenue bonds.

### **Watershed Districts**

Watershed districts are established by the state soil conservation committee upon petition of landowners and after a local referendum. An elected or appointed board of directors governs each district. Watershed districts may set special assessments and may issue revenue bonds. Ad valorem tax levies may be made only by special act of the state's general assembly.

### **Water and Wastewater Treatment Authorities**

These authorities are established by resolution of the governing body of any city, metropolitan government, or county government after a public hearing. A five-member board of commissioners is appointed by the executive of the creating government with the approval of the governing body of the creating government. The executive officer of each participating government appoints one additional member. The board may fix service charges and issue revenue bonds. Some of these authorities have been created by special act.

Water and wastewater treatment authorities serving a single government are classified as dependent agencies of the governments they serve. See "Subordinate Agencies and Areas" section.

### **SUBORDINATE AGENCIES AND AREAS**

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

#### **Human resource agencies (municipal or joint county-city)**

These agencies deliver local services to metropolitan or multicounty areas within the economic development districts. The chief elected officials of the counties and/or cities within each district may create an agency. Each agency is governed by a board composed of local officials, plus one state senator and one state

representative. The participating local governments provide funding, which is matched by the state.

**Industrial development corporations (county or municipal)**—General law authorizes the creation of public corporations to facilitate and finance industrial, commercial, recreational, and pollution control facilities. The corporations may be created upon application of three or more persons to the county or municipal governing body. A board of directors appointed by the county or municipal governing body governs each corporation. Industrial development corporations may charge rents and may issue revenue bonds. In addition, the parent county or municipal government may, upon voter approval, issue general obligation bonds on behalf of the corporation.

**Tennessee Housing Development Agency (state)**—This agency was formed to provide mortgage credit for low- and moderate-income housing. The governing body is a board of 19 members consisting of 12 members appointed by the governor and 1 member appointed by each of the speaker of the Senate and the speaker of the House of Representatives, plus the state treasurer, the comptroller of the treasury, the commissioner of finance and administration, the secretary of state, and a staff assistant to the governor. The agency may fix charges in connection with its loans and issue revenue bonds.

**Tennessee State School Bond Authority (state)**—This authority was established to finance public school construction in the state. The governing body consists of designated state officials, with the governor serving as chair. The authority may fix and collect charges and rentals, and issue revenue bonds.

#### **Tennessee Technology Development Corporation (state)**

Created under 1997 legislation, this corporation assists in developing a technology-based economy in the state. The corporation is governed by a 24-member board of directors with 21 members representing both the private and public sectors who are appointed by the governor and leaders of the general assembly, plus the commissioner of economic and community development and 2 members of the Tennessee science and technology advisory council. The corporation may receive money from any source and may borrow money.

Other examples include:

#### **State**

Chickasaw Basin Authority  
Community service agencies  
Development districts  
Local neighborhood development corporations  
Regional library boards  
Tennessee Industrial Development Authority  
Tennessee Industrial Finance Corporation

Tennessee Local Development Authority  
Tennessee Student Assistance Corporation  
West Tennessee River Basin Authority

## **County**

County airports  
County electric distribution agencies  
County industrial development corporations and boards  
County libraries  
Cumberland regional business and agribusiness marketing authority  
Drainage and levee districts  
Economic development commissions  
Emergency communications districts  
Fire departments and districts  
Health, educational, and housing facility corporations  
Land banks  
Metropolitan hospital authorities  
Metropolitan libraries  
Parking authorities  
Public building authorities  
Regional jail authorities  
Regional megasite authorities  
Solid waste authorities (single county)  
Sports authorities  
Tourism development zones  
Transit authorities  
Water and wastewater authorities (single county)

## **Municipal**

Border region retail tourism development districts  
Central business improvement districts  
Emergency communications districts  
Fire districts (metropolitan governments)

General service districts  
Health, educational, and housing facility corporations  
Inner city redevelopment districts  
Land banks  
Metropolitan celebration authorities  
Metropolitan government port authorities (Nashville-Davidson)  
Metropolitan hospital authorities  
Municipal airports  
Municipal electric distribution agencies  
Municipal energy authorities  
Municipal industrial development corporations and boards  
Municipal libraries  
Parking authorities  
Public building authorities  
Regional megasite authorities  
Solid waste authorities (single municipality)  
Special service districts (Hartsville-Trousdale)  
Sports authorities  
Tourism development zones  
Transit authorities  
Urban service districts (Davidson, Moore, and Trousdale)  
Water and wastewater authorities (single municipality)

## **Joint City-County**

City-county airports  
Memphis-Shelby County Convention Center Commission  
Memphis-Shelby County Harbor and Port Commission  
Public building authorities  
Regional megasite authorities  
Transit authorities (joint)

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

# TEXAS

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## COUNTY GOVERNMENTS

The entire area of the state of Texas is encompassed by county governments. The county governing body is called the commissioners court.

## SUBCOUNTY GENERAL PURPOSE GOVERNMENTS

### Municipal Governments

Municipal governments in Texas are the cities, towns, and villages. Three types of municipalities are authorized under general law:

- Type A cities and towns—1875 law.
- Type B towns and villages—1858 law.
- Type C cities, towns, and villages—1909 law.

Texas law sets population minimum, maximum, and territorial density requirements for incorporation for each of the three types of municipalities. The minimum population required for incorporation is 600 for Type A municipalities and 201 for Type B or C municipalities. Municipalities organized under special acts prior to 1881 may continue to operate under those acts and may, by resolution, amend their charters in any regard not in conflict with state law. Municipalities of 5,000 or more in population may adopt home-rule charters.

### Township Governments

Texas has no township governments.

## PUBLIC SCHOOL SYSTEMS

### School District Governments

The following types of school districts in Texas are counted as separate governments in Census Bureau statistics on governments:

- Independent school districts.
- Common school districts.
- Independent school district junior college districts.
- Union, county, or joint county junior college districts.

Independent school districts are governed by elected boards of trustees. The districts may levy local school taxes and issue bonds.

In 1995, authorizing legislation for common school districts, municipal school districts, rural high school districts, industrial training school districts, and rehabilitation districts for the handicapped was repealed.

No new districts may be formed, however, existing districts are allowed to continue under the former laws.

Independent school district junior college districts may be established upon voter petition to an independent school district, state approval, and ratifying referendum. The school district may create a separate board. These colleges may levy maintenance and bond taxes and issue bonds. The voters must approve the power to levy ad valorem taxes. These districts are commonly known as community college districts. A junior college district administered directly by an independent school district is not counted as a separate government in Census Bureau statistics, but is classified as an activity of the school district.

Union junior college districts may be established by two or more contiguous independent school districts or common school districts. A county junior college district may be established by any county meeting requirements for population and taxable property valuation. A joint-county junior college district may be established by two or more contiguous counties meeting the same criteria. For all districts, establishment requires voter petition, state approval, and ratifying referendum. Each district is governed by an elected board of trustees. Upon voter approval, the districts may levy ad valorem taxes and issue bonds payable from ad valorem taxes or fees. These districts are commonly known as community college districts.

### Dependent Public School Systems

Charter schools in Texas run by public entities are classified as dependent school systems. The following systems were active for the 2017 Census of Governments:

Systems dependent on municipal governments:

- Westlake Academy.

Systems dependent on the state government:

- University of Houston Charter School.

Other charter schools in Texas are classified as private entities and are out of scope for Census Bureau statistics on governments.

### Other Educational Activities

Regional education service centers, which provide various educational and support services to school districts, are created according to guidelines set by the commissioner

of education. A seven-member board appointed in a manner determined by the commissioner governs each center. These centers are not counted as separate governments in Census Bureau statistics.

Higher education facilities authorities, which finance student loans and construction of higher education facilities, are listed under "Subordinate Agencies and Areas" section.

## SPECIAL DISTRICT GOVERNMENTS

Texas statutes authorize the creation of a variety of special districts or authorities that are counted as separate governments in Census Bureau statistics. These are discussed in detail below.

### Advanced Transportation Districts

These districts fund a variety of transportation projects. A general law allows municipalities with populations of 1.3 million or more to create an advanced transportation district with voter approval. Other municipalities and the unincorporated part of the county may join. An appointed board of directors governs each district. The districts may levy a sales and use tax upon voter approval. The city of San Antonio created an advanced transportation district under this law.

### Agricultural Development Districts

No agricultural development districts were reported in operation as of June 30, 2017.

### Conservation and Reclamation Districts

Conservation and reclamation districts may be established under either general or special laws. Under general law, such districts are created by the county commissioners (or by the state natural resources conservation commission if the district serves two or more counties) upon petition of landowners after a hearing and, in some instances, a local referendum. Conservation and reclamation districts established by special acts with substantially similar provisions are known by a variety of names.

Conservation and reclamation districts perform a variety of functions, including irrigation, flood control, water storage for both domestic use and irrigation, generation of power, water supply, sewerage and waste disposal, and soil conservation, as specified in the authorizing legislation for each district. Their boards of directors are appointed by the governor, a state agency, or by local officials, or are elected by the voters as specified in the authorizing legislation for each district.

Revenue for conservation and reclamation districts is mainly from rates and fees imposed for services. Some districts of this type may also levy ad valorem taxes or special assessments. These districts may also issue bonds after voter approval.

Conservation and reclamation districts that are governed by the county commissioners court ex officio, including the Harris County Flood Control District, are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

For river authorities established under laws authorizing conservation and reclamation districts, see "River Authorities" section.

### Coordinated County Transportation Authorities

These authorities may only be established in a county that is adjacent to a county with a population of more than one million. Authorities may be created by the commissioners court of a county upon adoption of a resolution or order, or upon petition of voters after a public hearing. After the creating resolution and hearing, an interim executive committee appointed by the commissioners court and certain municipalities is created. The committee is responsible for developing a service plan and a proposed tax rate for the authority. An authority is officially established after the commissioners court of the county and the governing bodies of certain municipalities have approved the tax rate and service plan, and after a confirmation election. Each authority is governed by an appointed board of directors. An authority may impose fares, tolls, charges, and rents and may issue bonds. Bonds secured by a sales and use tax require voter approval. An authority may, upon voter approval, levy a tax.

### County Development Districts

These districts promote and develop projects to attract tourists. The districts may be created by the commissioners court of a county with a population of 400,000 or less upon petition of landowners, followed by a public hearing and confirmation election. A board of five directors appointed by the commissioners court governs the district. The district may levy a sales tax with voter approval and issue bonds.

### Drainage Districts

These districts may include all or part of any municipality. The districts are established by the county commissioners court upon petition of landowners after a hearing. An elected board of directors administers each district. With voter approval, the districts may levy taxes and issue bonds.

In addition, a number of drainage districts have been created by special acts.

Drainage districts that are governed by the county commissioners ex officio are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

## **Edwards Aquifer Authority**

This authority was created by special act under constitutional provisions applicable to conservation and reclamation districts. It is the regional agency charged with protection and management of the aquifer in an eight-county area encompassing all of Bexar, Medina, and Uvalde Counties and parts of Comal, Caldwell, Hays, Guadalupe, and Atascosa Counties. The authority has the power to regulate wells, set limits on total pumping from wells, reduce aquifer water use, and implement comprehensive regional planning for water conservation and future water supply. The board, composed of 15 elected directors and two appointed nonvoting directors, may assess user fees and, subject to approval of the attorney general and Texas Commission on Environmental Quality, may issue revenue bonds.

## **Emergency Communications Districts**

These districts provide county-wide 911 services and are established upon voter approval. Each district is governed by an appointed board of managers that represents the county commissioners court and the municipalities, volunteer fire departments, and principal service supplier in the district. The districts may impose 911 service fees and, with approval of the attorney general, issue bonds.

Regional emergency communications districts may be created in any state planning region composed of counties and municipalities that operate a 911 system solely through a regional planning commission and have a population greater than 1.5 million.

## **Emergency Services Districts**

These districts provide fire protection services and, optionally, ambulance and other emergency services. The districts are established by the county commissioners court upon petition of landowners to the county judge and after a hearing and referendum. Districts that contain territory in a municipality must receive approval from the municipality's governing body prior to a district's creation. A board of five commissioners appointed by the county commissioners court governs each single-county district. An elected board of commissioners governs certain single-county districts and also each multicounty district. The districts may levy ad valorem taxes authorized at the creating election, and sales and use taxes subject to a referendum. Upon voter approval, districts may issue bonds and impose a property tax to fund the bonds. Districts may charge fees for services.

Certain emergency service districts are located wholly in a county that borders the United Mexican States (Mexico), have a population of more than 800,000, and have a board of emergency services commissioners appointed by the commissioners court. For these districts, the law adds restrictions on the powers of the board, including

requiring final budget approval by the commissioners court, and allowing the commissioners court to establish policies and procedures that the board must observe.

## **Fire Control and Prevention and Emergency Medical Services Districts**

These districts may serve all or part of a municipality and are created by the governing body of a municipality with a population of at least 25,000 and not more than 550,000, or a municipality with a population of more than 1.9 million. Voter approval is required for the creation of a district. Each district is governed by a board of directors appointed by the governing body of the municipality or by the mayor for municipalities with a population of more than 1.9 million. Each district may levy a sales and use tax, with voter approval.

Districts governed by the municipality, ex officio, are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

## **Freight Rail Districts**

These districts provide freight rail and related facilities. The districts may be authorized by the creating governments to provide intermunicipal commuter rail. These districts may be created by a county with a population of 3.3 million or more and its most populous municipality by concurrent order or ordinance. Adjacent counties may participate in the creation of a district. Each district is governed by a board of directors for which the composition and manner of appointment is specified by the creating order or ordinance. The state transportation commission may appoint a representative. The districts may impose fees and make contracts for services.

## **Fresh Water Supply Districts**

These districts may be created upon landowner petition to the county commissioners court, after a public hearing, and referendum. The districts are governed by an elected board of supervisors. The districts may set rates and charges. With voter approval, the districts may issue revenue bonds and levy an operation and maintenance tax. The districts are required to levy property taxes to pay for bond issues.

In addition, a number of fresh water supply districts have been created by special acts.

## **Groundwater Conservation Districts**

Districts may include all or part of one or more counties or municipalities. A district may be created upon petition of landowners to the Texas Commission on Environmental Quality and after a referendum. Some districts may require a public hearing of notice to the state water development board prior to creation. Each district is governed by an elected board of directors. With voter approval, the

districts may levy maintenance taxes and issue bonds. The districts may set fees for the sale of water.

In addition, a number of groundwater conservation districts have been created by special acts. These districts may be known as subsidence districts, watershed authorities, and various other names.

### **Health Service Districts**

These districts are joint powers agreements of a county or hospital district and one or more other counties or hospital districts. The creating governments must issue concurrent orders and execute a contract. Each district is governed by a board of directors that is appointed by the county judges and participating governments based on population. The districts may issue revenue bonds and receive revenue from each county or hospital district that contracts with the district. A district may charge fees in some cases.

### **Hospital Districts and Authorities**

Texas statutes authorize the following types of districts, which are counted as separate governments in Census Bureau statistics, to operate and maintain hospitals:

- Hospital authorities—1957 law.
- Hospital authorities—1963 law.
- Hospital districts—1957 law.
- Hospital districts—1989 law.

Under a 1957 law, hospital authorities are established by ordinance of one or more cities. A board of directors appointed by the city governing body, or bodies, governs each authority. The authorities may fix charges and issue revenue bonds. Voters may petition for a referendum on bond issues.

Under a 1963 law, hospital authorities are established by resolution of the commissioners court of a county. Each authority is governed by an appointed board of directors for which the composition and manner of appointment may be specified in the authorizing resolution. If the board is not described in the resolution, the members are appointed by the commissioners court. The authority may fix rates and charges for services and facilities and, upon voter approval of the resolution, may issue revenue bonds.

Under a 1957 general law, hospital districts may be created in counties with fewer than 75,000 in population and that meet assessed valuation requirements. The county commissioners court may create a district upon landowner petition after a public hearing and upon voter approval. An elected board of trustees governs each district. The districts may set and collect charges. The districts may, upon voter approval, levy ad valorem taxes. Upon voter approval, the districts may issue bonds.

Under a 1989 general law, hospital districts may be created upon voter petition to the county judge and after a public hearing and referendum. A popularly elected board of directors governs each district. The districts may fix service charges and issue revenue bonds. With voter approval, the districts may issue general obligation bonds and levy ad valorem taxes and sales and use taxes.

In addition, numerous hospital districts have been created by special legislation after voter approval. A board of directors, trustees, or managers govern each such district and is usually elected, but is in some cases appointed. These districts may fix service charges and, with voter approval, may levy ad valorem taxes and issue bonds.

Hospital districts created under other laws are not counted as separate governments in Census Bureau statistics. Health facilities development corporations created by a hospital district are also not counted as separate governments in Census Bureau statistics. (See "Subordinate Agencies and Areas" section.)

### **Housing Authorities**

Texas laws authorize three types of housing authorities—county, municipal, and regional. On its own motion or upon voter petition, the governing body of a city may issue a resolution of need and establish a municipal housing authority. The commissioners court of a county may, upon resolution of need, establish a county housing authority on its own motion or upon petition of voters. Similarly, the commissioners courts of two or more contiguous counties may establish a regional housing authority upon resolution of need and after a public hearing. The commissioners of the county housing authorities must pass a resolution and transfer rights and obligations to the newly formed regional district. The presiding officer of the governing body of the municipality appoints the municipal housing authority commissioners and the commissioners court appoints the county or regional housing authority commissioners. Housing authorities may fix rents and charges and issue bonds.

### **Housing Finance Corporations**

These corporations are created by two or more governments to provide mortgage credit for housing. The corporations are established by resolution upon application for incorporation to the county or city governing body by three or more residents of each sponsoring local government. After the articles of incorporation are filed, the secretary of state will then deliver a certificate of incorporation, officially creating a corporation. A board of directors governs each corporation; the members are appointed by the county or city governing body. A corporation may fix charges in connection with its loans and issue revenue bonds.

Housing finance corporations that serve one city or county government are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### **Houston Ship Channel Security District**

This district was created by the commissioners court of a county that has a population of 3.3 million or more and that possesses a ship channel (Harris County). The county created the district upon petition of the owners of facilities in the proposed district and after a public hearing. The district is governed by a board of directors with members appointed by the county, one member representing the municipalities in the district, and also the executive director of the port authority in the district serving ex officio. The district may impose assessments on the facilities in the district after a hearing.

### **Intermunicipal Commuter Rail Districts**

These districts may be created by joint resolutions of two municipalities, with populations exceeding 450,000 each and within 100 miles of each other, and the governing body of the applicable counties. Each district is governed by a board of directors appointed by state, regional, and local public agencies. The districts may set fees, levy sales and use taxes, and issue revenue bonds.

### **Irrigation Districts**

Irrigation districts may include all or part of one or more counties, including any town, village, or municipal corporation, and do not have to be contiguous. These districts may be created upon landowner petition after a public hearing and a confirmation election. Creation of a district is approved by the county commissioners court if the district covers a single county or by the Texas Commission on Environmental Quality if the district covers more than one county. Each district is governed by a board of directors that may be appointed or elected. Districts may set water charges and impose assessments. Upon voter approval, they may issue bonds. Districts may levy taxes on an ad valorem or benefit basis.

In addition, a number of irrigation districts have been created by special acts.

### **Levee Improvement Districts**

These districts are established by the county commissioners court upon petition of landowners and after a hearing. A board of directors appointed by the county commissioners, or elected at the option of voters, governs each district. The districts may issue bonds after a referendum. The districts may arrange for contributions from landowners. Districts may levy taxes on an ad valorem basis and may levy taxes on a benefit basis.

In addition, a number of levee districts have been created by special acts.

### **Library Districts**

These districts are established by the county commissioners court upon voter petition, subject to a hearing and referendum. Each district is governed by an elected board of trustees. A district may fix fees and charges for services and, upon voter approval, may levy a sales and use tax.

### **Local Mental Health Authorities**

These authorities may be established pursuant to health and safety general law under the Interlocal Cooperation Act by two or more local governments. The authorities assemble networks of service providers. A board of trustees appointed by the participating governments represented governs each authority. The authorities may fix fees and charges.

### **Metropolitan Rapid Transit Authorities**

Municipalities with a population of more than 60,000 and located in a metropolitan area with a principal municipality of more than 1.9 million residents may create a metropolitan rapid transit authority. Creation of an authority is initiated by resolution of the governing body of a municipality on its own accord or upon voter petition; creation requires a public hearing and a referendum. The governing body is appointed by member governments; the size of the board varies with population. With voter approval, the districts may levy any kind of tax except an ad valorem property tax. Districts may also impose rates, fares, tolls, rents, or other charges. Districts may issue revenue bonds. The population requirements were smaller under earlier versions of this law.

### **Multijurisdictional Library Districts**

These districts are created by resolution of a lead county or municipality and resolutions of participating counties and municipalities. Each district is governed by a board of trustees. The lead government appoints four trustees and the governing body of the most populous county appoints three trustees. If the most populous county is also the lead government, then the governing body of its most populous municipality appoints three trustees. With voter approval, a district may set sales taxes and ad valorem taxes. A district also may set fees and issue bonds with the lead government's consent; a referendum is required if the bonds are to be payable from taxes.

### **Municipal Power Agencies**

These agencies are established to provide for the generation, transmission, and distribution of electric power. They are created by the enactment of concurrent ordinances by two or more public entities including cities,

towns, and conservation and reclamation districts, after a referendum. A board of directors, appointed by the governing bodies of the creating governments, governs each agency. The composition of the board is determined by the creating concurrent ordinance. The agencies may issue revenue bonds and enter into contracts for the sale or exchange of energy. Agencies may establish and maintain rates and charges.

### **Municipal Utility Districts**

These districts may include all or part of one or more counties; the geographical area need not be contiguous. These districts provide storm and floodwater control, reclamation, irrigation, drainage, conservation, inland and coastal navigation, and water supply protection. Districts may own and operate solid waste collection and disposal systems, engage in road projects, and may provide street lighting or security lighting. All districts may be created upon landowner petition to the Texas Commission on Environmental Quality, with approval of participating municipalities and county commissioners court where a proposed district is located outside the corporate limits of a municipality, and after a public hearing. The districts are governed by a board of directors. The districts may set fees and charges. With voter approval, the districts may levy an operation and maintenance tax. With voter approval, the districts may issue revenue bonds. The districts are required to levy ad valorem taxes to fund the bonds.

Any water improvement district, water control and improvement district, fresh water supply district, levee improvement district, irrigation district, or any other conservation and reclamation district created under Article XVI, Section 59 of the Texas Constitution may convert to a municipal utility district that operates under this chapter.

In addition, a number of municipal utility districts have been created by special acts.

### **Navigation Districts**

These districts may include all or parts of one or two counties. A district may be created upon landowner petition to the county commissioners court, and after a public hearing, and referendum. For districts located in two counties, the petition is presented to the commissioners court of the county, which includes the greater part of the district. Each district is governed by a navigation board appointed by the commissioners court. For districts created pursuant to Article III, Section 52 of the state constitution, the referendum must approve a bond issue to be secured by revenue or ad valorem taxes. For districts created pursuant to Article XVI, Section 59 of the state constitution, with voter approval, the districts may issue bonds and levy taxes to pay the

bonds. All districts may set fees and charges and may levy maintenance taxes.

In addition, the Aransas County Navigation District, Port Freeport, Calhoun Port Authority, Cypress Valley Navigation District, Victoria County Navigation District, Port of Houston Authority, and Matagorda County Navigation District 1 were created by special acts.

### **Noxious Weed Control Districts**

These districts may be created by the county commissioners court upon petition of landowners and after a public hearing and landowner referendum. An elected board of directors administers each district. The districts may levy an annual uniform assessment on land within the district.

### **Palacios Seawall Commission**

This commission was authorized by a 1983 special act and established by resolutions of Matagorda County and the City of Palacios city. In addition to maintaining seawalls, the commission may construct and maintain recreational facilities adjacent to the seawalls. The commission is appointed by the participating county and city. The commission may levy ad valorem taxes and issue bonds.

### **Public Health Districts**

These districts are created by cooperative agreements, pursuant to health and safety general law, between two or more local governments. The composition of the district governing body is specified in the agreement creating the district. The amount to be paid to the district from each participating government is also specified in the agreement.

### **Public Utility Agencies**

These agencies are formed to provide water and sewer services by concurrent and identical ordinances of two or more counties, municipalities, and/or special districts and may be subject to referendum upon voter petition. The agencies are governed by a board appointed by member governments, specific composition is set forth in the concurrent ordinances. They may charge fees for services, and issue revenue bonds.

### **Regional Districts**

Districts to provide regional water supply, sewer, drainage, and municipal solid waste disposal may be created in counties with a population of at least 3.3 million, or bordering a county with a population of at least 3.3 million. Districts may be created upon petition to the Texas Commission on Environmental Quality by either municipal districts, landowners, the commissioners court of one or more counties, or the governing body of a city in the proposed district, and after a confirmation election

and municipal consent in applicable cases. Each district is governed by an elected board of directors. The districts may set rates for water. With voter approval, the districts may issue bonds.

### **Regional Mobility Authorities**

These authorities may finance, maintain, and operate transportation projects including turnpikes, rail, ferries, airports, transit system, public utility facilities, and related structures. Authorities may enter into agreements with other governments to plan, construct, and operate transportation projects. The authorities may be created by the state upon the request of the commissioners courts of one or more counties. A municipality with a population of 105,000 or more and bordering the United Mexican States (Mexico) also may request the creation of an authority. A municipality with a population of 5,000 or fewer and possessing a ferry system may request the creation of an authority. Each authority is governed by a board of directors appointed by the governing bodies of the participating governments. The authorities may issue revenue bonds with the approval of the attorney general and set fares, fees, rents, and tolls.

### **Regional Tollway Authorities**

These authorities may be created by two or more contiguous counties provided that one county has a population of more than 300,000. The state transportation commission must approve the formation, unless one of the counties has a population of two million or more. Each authority is governed by a board of directors that is appointed by the commissioners courts of the participating counties. In addition, the governor appoints one director. The authorities may issue revenue bonds with the approval of the attorney general and set and collect tolls and rents.

### **Regional Transportation Authorities**

These authorities serve metropolitan areas. The creation of an authority is initiated by voter petition or by motion of a county or city governing body; a public hearing and referendum are required. Each authority is governed by an executive committee appointed by subregional boards. The subregional boards are appointed by the governing bodies of participating governments. Authorities may charge rates, fares, and fees. With voter approval, the authorities may issue revenue bonds and levy sales and use taxes.

### **River Authorities (special acts)**

River authorities are established by special acts of the legislature under the same constitutional provisions as conservation and reclamation districts. They may perform a variety of functions, including irrigation, flood control, water storage for both domestic use and irrigation,

generation of electric power, sewerage and water disposal, and soil conservation as specified in the authorizing legislation for each authority. River authorities may encompass one or more counties. The board of directors may be appointed or designated in whole or in part by the governor; appointed by the Texas Commission on Environmental Quality; elected by the voters; or appointed by member governments. All river authorities may impose rates and charges; some may issue bonds.

### **Riverbend Water Resources District**

This district was created by special act. It serves the cities of Annona, Avery, DeKalb, Hooks, Maud, New Boston, Texarkana, and Wake Village. It also serves the TexAmericas Center. Other counties, municipalities, and political subdivisions may join this district. The district is governed by a board of directors. Two members are appointed by the governing body of the city of Texarkana and one member is appointed by the TexAmericas Center. The remaining participating governments appoint one representative each. The district may issue revenue bonds and set rates, charges, fees, and rentals.

### **Rural Rail Transportation Districts**

These districts finance and operate rural rail facilities. The districts may be created in any county where a failed rail line is located or a rail line that carries 3 million gross tons per mile per year or less. These districts are established by concurrent order of the commissioners courts of a single county or of two or more contiguous counties. A board of directors appointed by the commissioners courts of the counties served governs each district. The districts may fix fares and rents and issue revenue bonds.

### **Rural and Urban Transportation Districts**

These districts provide passenger transportation in rural areas or in urban areas with a population of more than 50,000, but fewer than 200,000. The districts may be created upon a finding of need by member counties and municipalities during a public transportation conference and followed by a public hearing. They are governed by a board appointed by the county and municipal governing bodies from their membership. The districts contract with the state for funding.

### **Soil and Water Conservation Districts**

These districts are created by the state soil and water conservation board upon petition of eligible voters (persons who are landowners and residents and also family farm corporations) and after a hearing and referendum. An elected board of directors governs each district. The districts may issue debt and require contributions.

## **Special Utility Districts—1983 Law**

These districts provide water and sewer systems, irrigation, fire protection, and solid waste collection. Districts may include any part or all of one or more counties including all or part of any cities and other public agencies. The districts are created upon petition of a water supply corporation to the Texas Commission on Environmental Quality for conversion to a public district after a public hearing. An elected board of directors governs each district. The districts may fix fees and charges and issue bonds.

In addition, a number of special utility districts have been created by special acts.

## **Sports and Community Venue Districts**

These districts may be created by order of any county, municipality, or combination of these with voter approval. Each district is governed by a board of directors appointed by the member governments. The districts may issue bonds and, with voter approval, may levy taxes. A resolution authorizing a project, including financing methods, must be approved at an election.

## **Sports Facility Districts**

These districts may be created by order of the county commissioners court. An appointed board of five commissioners governs each district: two are appointed by the county commissioners court, two by the governing body of the most populous city in the county, and one by the school board of the largest school district in the county. The districts may fix fees, charges, and rentals, and, with the approval of the attorney general, may issue revenue bonds.

## **Underground Water Conservation Districts**

The general law authorizing these districts has been repealed; however, those in existence at the time may continue. In addition, a number of underground water conservation districts have been created by special acts.

## **Upper Sabine Valley Solid Waste Management District**

This district was created by special act. The district serves the counties of Rains, Upshur, and Wood and the portion of Smith County that is north of Interstate Highway 20. The district is governed by a board of directors appointed by the commissioners courts of the member counties. The district may impose ad valorem taxes. With voter approval, the district may issue bonds. The district may charge fees for services.

## **Water Control and Improvement Districts**

These districts may include all or part of one or more counties and may include any political subdivision of the

state; the geographical area need not be contiguous. The districts may provide water supply, sewerage systems, irrigation, flood control, drainage, electric light and power, and navigation. Additionally, districts may finance, maintain, and develop recreational facilities. The districts may be created upon landowner petition to the county commissioners court for a single-county district or to the Texas Commission on Environmental Quality for multicounty districts, followed by a hearing and referendum. A district is governed by an elected or appointed board of directors. The districts may set fees, charges, rentals, deposits, and assessments. With voter approval, the districts may levy an operation and maintenance tax. With voter approval, the districts may issue revenue bonds and levy benefit basis taxes to pay the bonds. A district may make payments under a contract from taxes other than operation and maintenance taxes after the provisions of the contract have been approved by voters.

A water improvement district, levee improvement district, irrigation district, or conservation and reclamation district may be converted to a water control and improvement district.

In addition, a number of water control and improvement districts have been created by special acts.

## **Water Improvement Districts**

These districts may be created by order of the commissioner court of a county upon landowner petition and after a public hearing and referendum. Multicounty districts composed of land in two or more counties may also be created by this process. Each district is governed by an elected or, in some cases, appointed board of directors. The districts may set fees, rentals, and charges, and may levy an operation and maintenance assessment. Districts may levy benefited ad valorem taxes with voter approval. With voter and attorney general approval, the districts may issue bonds. A district may supply water to areas outside the district for an annual rate.

In addition, a number of water improvement districts have been created by special acts.

## **SUBORDINATE AGENCIES AND AREAS**

Shown below are various governmental designations in Texas that have certain characteristics of governmental units but that are classified for Census Bureau statistics as subordinate agencies of the state or local governments and are not counted as separate governments. Legal provisions for some of the larger of these are discussed below (see “Public School Systems” section regarding educational agencies of this nature).

**Health facilities development corporations (county, municipal, or hospital district)**—These corporations finance health care facilities. They are established by

resolution of the governing body of a county, municipality, or hospital district. A board of directors appointed by the creating government governs the corporation. The corporation receives revenue from the rental or sale of health facilities and may issue revenue bonds on behalf of the sponsoring government.

**Higher Education Facility Authority for Private Schools (municipal or town)**—These authorities finance higher education for private schools. The authorities are created upon ordinance by the governing bodies of one or more municipalities or towns. A board of directors appointed by the governing bodies of the participating municipalities governs each authority. Authorities may issue revenue bonds, however, voters may petition for a referendum.

**Higher education facility authorities for public schools (city or town)**—These authorities finance higher education facilities for public schools. They are established by ordinance of the governing bodies of one or more cities or towns. Authorities are governed by a board of directors that is appointed by the governing bodies of member municipalities. Authorities may issue revenue bonds, however, voters may petition for a referendum. Authorities may charge rates or set leases for the use of facilities.

**Higher education loan authorities (city or town)**—These authorities are established by ordinance of one or more cities or towns. A board of directors appointed by the governing bodies of the participating municipalities governs each authority. Authorities may issue revenue bonds with the approval of the attorney general.

**Hospital districts in counties of at least 190,000 in population (county)**—These districts provide medical aid and hospital care to indigent persons. Districts may be established by the executive commissioners court, separately or jointly with a municipality, on its own motion or upon the petition of property owners and after an election. A board of hospital managers appointed by the executive commissioners court governs each district. For some districts, the governing body of the largest municipality may also appoint board members. With voter approval, the executive commissioners court may issue bonds on behalf of the district. The county may levy taxes to fund bond issues and certificates of obligation. The district may levy an ad valorem tax authorized during the creating election.

**Industrial development corporations (state, county, municipal, or special district)**—These corporations are authorized to provide facilities for industries. They are established upon application of three or more persons to the governing body of a county, city, or conservation and reclamation district, after resolution of the establishing government. A board of directors appointed by the establishing government governs each corporation. A corporation may fix rentals, receive the proceeds of sales

taxes (in certain cities), and may issue revenue bonds, subject to the approval of the establishing government.

**Texas Guaranteed Student Loan Corporation (state)**—This corporation was created by act of the legislature to finance loans to students. The corporation board consists of ten directors appointed by the governor with consent of the state Senate plus the State Senate Comptroller of Public Accounts ex officio. The corporation may fix charges in connection with its loans.

**Texas Public Finance Authority (state)**—This authority was created by act of the legislature to finance state buildings. A board of directors appointed by the governor with the consent of the Senate governs the authority. The authority may fix rentals and may issue revenue bonds.

**Texas Water Resources Finance Authority (state)**—This authority was established by act of the legislature to finance water resources conservation and development by purchasing water-related bonds issued by Texas political subdivisions. Six members of the state water development board govern the authority in an ex officio capacity. The authority may receive interest from bonds acquired and may, with the approval of state officials making up the bond review board, issue revenue bonds.

**Urban renewal agencies (municipal)**—These agencies may be established by the governing body of a municipality on its own motion or upon petition of voters after a local referendum. A board of commissioners appointed by the mayor with the approval of the city council governs each agency. An urban renewal agency may issue revenue bonds. The sponsoring city may issue general obligation bonds and may levy taxes for urban renewal with the approval of the voters.

## **State<sup>1</sup>**

Agricultural Finance Authority  
Texas Economic Development Corporation  
Texas State Railroad Authority  
Veterans' Land Board

## **County**

Boards of park commissioners  
Conservation and reclamation districts governed by county commissioners (special acts)  
County assistance districts  
County building authorities  
County hospital board of managers  
County mass transit authorities  
County public improvement districts (special acts)  
Crime control and prevention districts (county)  
Drainage districts governed by county commissioners  
Galveston County Road District 1  
Harris County Flood Control District  
Harris County Toll Road Authority  
Health care funding districts

Hood County Hospital District  
Hospital districts governed by county commissioners  
(1957 optional law)  
Housing finance corporations (single county)  
Joint boards of park commissioners  
Joint city-county hospital boards controlled by county  
Lubbock County Hospital District  
Mosquito control districts  
Mexico bordered county emergency services districts  
Nonprofit airport facility financing corporations (county)  
Park and recreation districts (counties with river frontage  
on both the Comal and Guadalupe Rivers)  
Road districts  
Road utility districts (county)  
Tyler County Hospital District  
Zoological operation and maintenance boards

## Municipal

Arts and entertainment districts  
Crime control and prevention districts (municipal)  
Dallas-Fort Worth Regional Airport Board  
Defense base development authorities  
Fire control and prevention and emergency medical  
services districts (ex officio)  
Homestead preservation districts and reinvestment zones  
Housing finance corporations (single municipality)  
Joint city-county hospital boards controlled by  
municipality  
La Porte Area Water Authority  
Laredo (City) Port of Entry Authority  
Municipal civic center authorities  
Municipal development districts

Municipal management districts (special acts)  
Municipal parking authorities  
Municipal public improvement districts (special acts)  
Nonprofit airport facility financing corporations  
(municipal)  
Park board of trustees  
Port improvements and facilities board of trustees  
Road utility districts (municipal)

## Joint City-County

City-county health units  
Joint airport boards  
Joint municipal-county hospital board of managers  
Joint municipal-county museum board of managers  
Recreational and cultural facilities boards  
Redevelopment authorities

## Other

Pollution control districts created within the Gulf Coast  
Waste Disposal Authority are administered by the  
authority and are classified as dependent activities  
thereof. The Gulf Coast Waste Disposal Authority, in turn,  
is organized as a conservation and reclamation district  
under Texas law and is counted as a special district  
government for Census Bureau purposes.

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

## ENDNOTE

<sup>1</sup> Texas Military Facility Commission abolished in 2007.

# UTAH

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## COUNTY GOVERNMENTS

The entire area of the state of Utah is divided into county governments. The governing board is either the board of county commissioners or the county council. Counties operating under general law are divided into the following classes based on their population:

- First class—700,000 or more inhabitants.
- Second class—125,000 to 699,999 inhabitants.
- Third class—31,000 to 124,999 inhabitants.
- Fourth class—11,000 to 30,999 inhabitants.
- Fifth class—4,000 to 10,999 inhabitants.
- Sixth class—fewer than 4,000 inhabitants.

## SUBCOUNTY GENERAL PURPOSE GOVERNMENTS

### Municipal Governments

Municipal governments in Utah are the cities and towns. The following classes, based on population size, apply to municipalities:

- First class—100,000 inhabitants or more.
- Second class—65,000 to 99,999 inhabitants.
- Third class—30,000 to 64,999 inhabitants.
- Fourth class—10,000 to 29,999 inhabitants.
- Fifth class—1,000 to 9,999 inhabitants.
- Town—fewer than 1,000 inhabitants.

The minimum population requirement for incorporation is 100. The state constitution permits municipalities to adopt home-rule charters.

Several metro townships were established in Salt Lake County after a referendum in 2015, which are regarded by the U.S. Census Bureau as municipal type governments. They are governed by a five-member council. Metro townships governments, which are included in municipal service districts have limited duties and taxing powers.

The following classes, based on population size, apply to metro township municipal governments:

- First class—1,000 inhabitants or more.
- Second class—fewer than 1,000 inhabitants.

### Township Governments

Utah has no township governments. The metro townships in Utah are classified as municipal governments.

## PUBLIC SCHOOL SYSTEMS

### School District Governments

All school districts in Utah are independent districts and all offer both elementary and high school education. In general, school districts using the former designation of "city school districts" serve the corporate area of municipalities and districts using the former designation of "county school districts" serve a county area. Some county areas have more than one school district. The Park City School District is an exception and serves an area larger than the incorporated area of Park City.

An elected board of education governs each school district. School districts may levy ad valorem taxes and, subject to a referendum, issue bonds.

### Dependent Public School Systems

Utah has no dependent public school systems.

### Other Educational Activities

Four regional service centers are authorized by administrative rules to service small and rural districts, and serve school districts in cooperative projects such as purchasing, media services, in-service, and special education. They are classified as dependent activities of member school districts and are not counted as separate governments in Census Bureau statistics.

## SPECIAL DISTRICT GOVERNMENTS

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

### Basic Local Districts

Basic local districts may provide for operation of airports, health care, libraries, parks, street lighting, roads, law enforcement, utilities, and other functions. The districts may include municipalities and unincorporated areas of counties. The districts are created upon landowner or voter petition or upon the initiation of a county or an existing basic local district or special district. A public hearing is required to address the creation. Each county and municipality included in the district must pass a resolution. A referendum may be required. Each district is governed by a board of trustees that is appointed or elected as specified in the petition or resolution. If elected, the election may be limited to property owners if certain requirements are met. The districts may impose

fees; levy ad valorem taxes and special assessments; and issue revenue bonds, and, with voter approval, general obligation bonds.

Basic local districts also may deliver the same services as some of the following specialized local districts: cemetery, drainage, fire, improvement, irrigation, metro water, mosquito, transit, service area, and water conservancy. Subject to somewhat different provisions, specialized local districts offering these functions may be created under other general laws (see districts mentioned below).

### Cemetery Maintenance Districts

Cemetery maintenance districts are established in the same manner as a basic local district; however, these districts may not be created in a city of the first or second class. The districts are governed by a board of trustees. If the district is wholly within the boundaries of a municipality, then the governing body of the municipality appoints the trustees. Otherwise, the governing body of the county appoints the trustees. The districts may impose fees; levy ad valorem taxes and special assessments; and issue revenue bonds, and, with voter approval, general obligation bonds.

### Conservation Districts

Conservation districts are created by the state conservation commission, upon petition of landowners and after a public hearing. Each district is governed by a board of supervisors elected by voters and owners of private agricultural land in the district. The districts may borrow money and may accept funds from federal, state, local government, and private sources.

### Drainage Districts

Drainage districts were created upon landowner petition by the county commissioners or by the governing body of a municipality if the proposed district was within the municipality. Originally, the governing board of trustees was appointed by the establishing government. Present law requires that each district is governed by a board of trustees appointed by the governing body(ies) of the county(ies) in which the district is located. The districts may impose fees, levy benefit taxes, and issue bonds upon voter approval. No new drainage districts may be formed after 2007.

### Fire Protection Districts

Fire protection districts were established by the county board of commissioners upon petition of landowners and after a hearing. A referendum on the establishment of these districts was optional. The board of trustees may be elected or appointed. The districts may impose fees, levy ad valorem taxes, and, subject to voter approval, may issue bonds. No new fire protection districts may be formed after 2007.

Fire protection districts that consist of the entire area of the county excluding any first- and second-class cities are administered by the county legislative body. These districts are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### Greater Salt Lake Municipal Services District

The Greater Salt Lake Municipal Services District was created in Salt Lake County to provide various services to participating metro townships and unincorporated area of the county, including planning, street maintenance, and justice courts. The district is governed by a board of trustees composed of representatives from the participating metro townships and Salt Lake County council. The district is funded by use and sales taxes from the participating metro townships. The district may issue revenue bonds and, with voter approval, general obligation bonds.

### Housing Authorities

A municipal or county governing body may establish a housing authority by resolution, upon its own motion or on petition of voters. A board of commissioners appointed by the mayor, with the consent of the municipal governing body (in the case of municipal housing authorities) or by the county governing body (in the case of county housing authorities) governs each authority. The authority may fix rents and charges, receive federal grants, and issue revenue bonds.

Similar provisions apply to American Indian housing authorities formed under state statutes.

### Improvement Districts

Improvement districts may provide utilities including sewage treatment, storm and floodwater control, water supply, electric power, or natural or manufactured gas supply. These districts are established in the same manner as a basic local district. Each district is governed by a board of trustees that may be elected, appointed, or a combination depending on the area served and the services provided. The districts may impose fees; levy ad valorem taxes and special assessments; and issue revenue bonds and, with voter approval, general obligation bonds.

Improvement districts administered by the county legislative body or municipal legislative body ex officio are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### Irrigation Districts

Irrigation districts may own and operate water facilities related to irrigation purposes and electric facilities for the generation of hydroelectric power. These districts are established in the same manner as a basic local district.

Each district is governed by a board of trustees that is elected by property owners. The districts may impose fees; levy special assessments; and issue revenue bonds and, with voter approval, general obligation bonds.

### **Joint Exercise of Powers Agencies**

Under the Interlocal Cooperation Act, powers may be exercised jointly by cities, towns, counties, school districts, local districts, special service districts, other political subdivisions of the state, and the state. Such an agreement may include other states, the federal government, or the American Indian tribes. The agreement may create a separate agency, which may be counted as separate governments in Census Bureau statistics. The authorizing agreement designates the organization and composition of the agency's governing board. Interlocal agencies may issue bonds.

### **Metropolitan Water Districts**

Metropolitan water districts provide for the distribution of water for municipal, domestic, mining, irrigation, and other beneficial purposes. These districts are established in the same manner as a basic local district. Each district is governed by a board of trustees that may be elected or may be appointed by the participating municipalities. The districts may impose fees; levy ad valorem taxes and special assessments; issue revenue bonds; and, with voter approval, issue general obligation bonds.

### **Mosquito Abatement Districts**

Mosquito abatement districts provide for the extermination of mosquitos, flies, crickets, grasshoppers, and other insects. These districts are established in the same manner as a basic local district. Each district is governed by a board of trustees appointed by the legislative bodies of each participating county and municipality. The districts may impose fees; levy ad valorem taxes and special assessments; issue revenue bonds; and, with voter approval, issue general obligation bonds. The districts may hold a referendum to request permission to impose additional taxes.

### **Public Transit Districts**

Public transit districts are established in the same manner as a basic local district. Districts are governed by a board of trustees appointed by member counties and municipalities. For districts with a population of more than 200,000, trustees may be appointed by the house speaker, the Senate president, and the governor. The state transportation commission must appoint one of its commissioners to serve for districts representing a population of more than 200,000; for smaller districts, the commission is permitted to appoint a representative. The districts may impose fees, levy special assessments, and issue revenue bonds. With voter approval, the districts

may levy ad valorem taxes and issue general obligation bonds.

### **Service Areas**

Districts may provide any of the following services that are not provided by the county or municipal government: police or fire protection; paramedic and emergency services; irrigation or domestic water supply; water conservation; park, recreation, or parkway facilities; cemeteries; libraries; sewers, sewage, and storm water treatment and disposal; flood control; garbage and refuse collection; street lighting; airports; street, road, sidewalk, and curb construction and maintenance; mosquito abatement; health or hospital services; and underground installation of electric utility lines. These districts are established in the same manner as a basic local district. The board of trustees may be appointed or elected as stated in the petition or resolution that initiated the process of creating the service area. The districts may impose fees; levy special assessments; issue revenue bonds; and, with voter approval, issue general obligation bonds. The levy of ad valorem taxes requires the approval of the participating county and municipal governments.

The county legislative body may serve ex officio as the board of trustees of a service area. Areas administered by the county legislative body are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### **Water Conservancy Districts and Subdistricts**

Water conservancy districts are established in the same manner as a basic local district. The governing board of trustees may be elected or appointed. The districts may impose fees; levy ad valorem taxes and special assessments; issue revenue bonds; and, with voter approval, issue general obligation bonds.

### **SUBORDINATE AGENCIES AND AREAS**

Shown below are various governmental designations in Utah that have certain characteristics of governmental units, but that are treated in Census Bureau statistics as subordinate agencies of the state or local governments or as private, rather than governmental activities, and are not counted as separate governments.

**Local building authorities (county, municipal, school district, or special district)**—These authorities may be created by ordinance or resolution of a county, municipality, school district, basic local district, cemetery maintenance district, drainage district, fire protection district, improvement district, irrigation district, metropolitan water district, mosquito district, public transit district, service area, water conservancy district, or special service district. The districts are governed by the board of the creating government ex officio. The

districts may issue bonds payable from lease agreements made with the creating government. Municipal building authorities created under a repealed earlier law are now governed by this law.

**Special Service Districts (county and municipal)**—These districts may provide one or more of the following services: water supply, sewerage, drainage, flood control, garbage collection and disposal, health care, transportation, recreation, fire protection and emergency medical services, wildfire protection, jail facilities, street lighting, consolidated emergency dispatch, animal shelter and control, and also public facilities and services related to mitigating impacts from the mineral industries. Extended police protection may be provided in counties of the first class.

The districts may be created by resolution or ordinance of county or municipal governing bodies, upon their own initiative or upon petition of landowners or voters, and after a public hearing. Districts may serve areas outside of the creating county or municipality. The governing body of the creating county or municipality governs the district but may create an administrative control board. The creating government, acting as the district board, may fix service charges, levy property taxes and assessments, and issue bonds.

**Utah Housing Corporation (state)**—This agency was formed to provide mortgage credit for low- and moderate-income housing. The agency governing body is a nine-member board of trustees, including six members appointed by the governor with the consent of the Senate, plus the executive director of the department of community and culture, the commissioner of the department of financial institutions, and the state treasurer. The agency may fix charges in connection with its loan and issue revenue bonds. Other examples include:

## State<sup>1, 2</sup>

Bounty districts Heber Valley Historic Railroad Authority  
Utah Charter School Finance Authority

Utah Communications Agency Network  
Utah Energy Infrastructure Authority  
Utah Higher Education Assistance Authority  
Utah Military Installation Development Authority  
Utah State Armory Board  
Utah State Bonding Commission  
Utah State Building Ownership Authority  
Utah State Fair Corporation  
Utah State Railroad Museum Authority

## County<sup>3</sup>

Community reinvestment agencies (county)  
Fire protection districts administered by the county legislative body  
Improvement districts administered by the county legislative body  
Interlocal financing authorities (also known as finance cooperatives)  
Library board of directors (county)  
Local boards of health  
Local mental health authorities  
Local substance abuse authorities  
Municipal-type services districts  
Recreation board (county)  
Service areas administered by the county legislative body

## Municipal

Community reinvestment agencies (municipal)  
Library board of directors (municipal)  
Recreation board (municipal)

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

## ENDNOTES

<sup>1</sup> Legislation authorizing the Hazardous Waste Facilities Authority was repealed in 2012.

<sup>2</sup> Legislation authorizing Utah Science Center Authority was repealed in 2015.

<sup>3</sup> Legislation authorizing community development and renewal agencies was repealed.

# VERMONT

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## COUNTY GOVERNMENTS

The entire area of the state of Vermont is encompassed by county governments. The county governments perform very limited functions, which consist chiefly of maintaining the courthouse and county jail. The principal administrative officers of the county are two assistant judges.

## SUBCOUNTY GENERAL PURPOSE GOVERNMENTS

Subcounty general purpose governments in Vermont include municipal (city and village) governments and town governments. These two types of governments are distinguished primarily by the historical circumstances surrounding their incorporation. In Vermont, city, village, and town governments have similar powers and perform similar functions.

Gores and grants are unincorporated, often uninhabited, portions of a county that are not part of any town. Unorganized towns, grants, and gores in each county have one supervisor appointed by the governor and are not counted as separate governments in U.S. Census Bureau statistics.

### Municipal Governments

The term "municipality" as defined for Census Bureau statistics on governments applies to the cities and incorporated villages in Vermont. Incorporated villages are governed by a board of trustees and cities are governed by a mayor and board of aldermen. Cities exist outside the area of any town. Villages are included in town areas.

Towns, called "municipalities" by Vermont statutes, are counted in Census Bureau statistics as township rather than municipal governments (see below).

### Town or Township Governments

Although not differing in legally authorized powers from cities and villages, governmental units in Vermont designated as towns are counted in Census Bureau statistics as a separate type of government. Towns perform many of the same duties commonly associated with county and municipal governments. The town governing body is called the select board. Although town governments exist in each county in Vermont, they do not cover the entire area of each county.

## PUBLIC SCHOOL SYSTEMS

### School District Governments

The following types of school districts in Vermont are counted as separate governments in Census Bureau statistics:

- Town school districts.
- Incorporated school districts.
- Interstate school districts.
- Union school districts.
- Unified union school districts.
- Joint contract or consolidated districts.
- Regional technical center school districts.

Town school districts are governed by boards of directors elected at the school district meeting where school fiscal needs are determined. Similar provisions also apply to interstate school districts.

Incorporated school districts are created by special acts of the legislature, but with substantially uniform provisions. Officers of each district are elected as a prudential committee at the annual district meeting at which school tax levies are voted.

School districts may create interstate school districts with districts in New Hampshire or New York. These districts may be established by an article of agreement compact and after the approval of the participating states' boards of education, member school districts, and the U.S. Congress. These districts operate under similar provisions as town school districts.

Union school districts are established by vote of the two or more school districts participating in the union and with approval of the state board of education. Their boards are chosen by and from the participating districts. Fiscal requirements for a union school district are apportioned among the participating school districts, budgets must be put before voters. A union school district is called a unified union school district if it provides for the education of resident prekindergarten through grade 12 students, whether by operating a school or paying tuition for all grades.

Joint contract or consolidated districts may be formed by two or more towns or incorporated school districts. Each district is governed by members selected from and by the participating school districts. The districts have the same fiscal powers as the participating school districts.

Regional technical center school districts provide secondary technical education. The districts are created with state approval and voter referendum within the participating city, town, incorporated, or unified union school districts. Each district is governed by a board consisting of elected and appointed officials. The districts may establish tuition and, with voter approval, issue bonds.

School districts may directly operate regional technical centers. These centers are not counted as separate governments in Census Bureau statistics.

Comprehensive high schools are public schools, other than technical centers, that provide secondary technical education. These are counted as part of the operating school district and are not counted as a separate government in Census Bureau statistics.

### **Dependent Public School Systems**

Vermont has no dependent public school systems.

### **Other Educational Activities**

Supervisory units, also called “supervisory unions,” are entities for the supervision of school affairs in two or more school districts. They are classified as joint educational service agencies of these districts and are not counted as separate governments in Census Bureau statistics.

Schools in unorganized towns and gores are operated by officers representing the state government and are not counted as separate governments in Census Bureau statistics.

### **SPECIAL DISTRICT GOVERNMENTS**

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

#### **Central Vermont Public Safety Authority**

The authority was established by a special act of legislation to provide fire, police, ambulance and dispatch services to the cities of Barre and Montpelier. The authority is governed by a Board of Directors representing each participating city, with two directors being appointed by each city government and three other directors elected at-large by each city voters. The authority has all the powers of a union municipal district, and additionally, has a power of eminent domain and can charge members for the cost of providing public safety services.

### **Consolidated Water Districts**

These districts are established when voters approve the merger of the water facilities located in two or more contiguous cities or towns. An elected board of water commissioners governs each district. The district may fix water rates and levy ad valorem taxes. The district may issue revenue bonds and, with voter approval, may issue general obligation bonds. Wholesale consolidated water districts operate under the same provisions but sell water to cities and towns on a wholesale basis, rather than directly to customers.

An international water district with Canada was created by special act. It operates under similar provisions. All bond issues require voter approval.

### **Fire Districts**

Fire districts provide fire protection, public parks, water works, sewers, sidewalks, and street lighting, sprinkling, or oiling. These districts are established by the town selectmen upon petition of landowners or voters and after a hearing. An elected prudential committee governs each district. The districts may, upon voter approval, levy ad valorem taxes. A number of fire districts with similar provisions were established by special acts.

Fire districts are to be distinguished from town fire districts governed by the town selectmen. Such districts are not counted as separate governments in Census Bureau statistics. See “Subordinate Agencies and Areas” below.

### **Housing Authorities**

Housing authorities may be established by resolution of the city, village, or town governing body on its own initiative. A board of commissioners appointed by the mayor in the case of a city or village, or town governing body in the case of a town, governs each authority. Housing authorities may issue bonds and fix rates and rentals. Joint housing authorities may be formed by resolution of two or more cities, villages, or towns.

### **Natural Resources Conservation Districts**

These districts, formerly known as soil and water conservation districts, are created by the state natural resources conservation council upon petition of landowners and after a hearing and referendum. Each district is governed by three elected supervisors and two supervisors appointed by the state natural resources conservation council. The districts may require contributions from benefited landowners.

### **Regional Transit Districts and Mass Transportation Authorities**

Two types of regional transit agencies are authorized by Vermont statute:

- Regional transit districts.
- Mass transportation authorities.

Regional transit districts may be formed by an agreement between two or more cities, towns, or villages after approval of the state transportation board and the voters. A board consisting of one or more representatives of each participating city, town, or village governs each district. The districts may fix fares, rates, and charges, and request contributions from participating governments.

Two or more cities, towns, or villages may form a mass transportation authority after voter approval to provide transit service directly or by contract. A board of commissioners consisting of two appointees from each member government governs each authority. The authorities may fix fares and assess participating governments on the basis of weekly miles of service. The authorities may issue bonds with voter approval. The Chittenden County Transportation Authority was established by a special act with similar provisions.

## Solid Waste Management Districts

Several solid waste management districts have been established under special acts as municipal utility districts. The number of district board members representing each participating municipality is specified in the special act or intergovernmental agreement. These districts may apportion the share of the district budget to be met by appropriations from each participating municipality, except for the Rutland County Solid Waste District, which may levy ad valorem taxes and receive revenues from the sale of steam. These districts may issue bonds (after voter approval in the case of the Rutland County Solid Waste District).

## Unified Towns and Gores of Essex County

The unified towns and gores of Essex County was authorized by an act of the legislature and established in 2000 to administer the Town of Averill, Avery's Gore, the Town of Ferdinand, the Town of Lewis, Warner's Grant, and Warren Gore in Essex County. The unified towns and gores of Essex County is governed by an elected board of governors. The board of governors performs the functions and duties, including power to impose fees, for the area that a select board, school board, and board of civil authority perform for a municipality in the State. The board of governors may issue bonds and borrow money.

## Union Municipal Districts

Union municipal districts are created to promote more efficient and economical operation of any local government service, such as solid waste management or parks and recreation. Districts may be established in two or more cities, towns, or villages after a joint municipal survey committee submits an agreement to the state

attorney general specifying the nature of the district, and after a referendum of voters in participating areas. The creating agreement states the purpose of the district, the manner and the selection of its officers, and financing options. Participating governments typically finance contracted services of the districts through appropriations from a tax levy and, in some cases, after voter approval, issue bonds.

Some union municipal districts may be classified as subordinate agencies based on the provisions of the interlocal agreement. See "Subordinate Agencies and Areas" below.

## Vermont Public Power Supply Authority

This authority was created by special act from the Vermont Public Power Supply System, Inc. The authority is governed by a board of directors appointed by the governing bodies of participating cities, towns, villages, and electric cooperatives. The authority may collect rates and fees and may issue revenue bonds.

## SUBORDINATE AGENCIES AND AREAS

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

### Vermont Educational and Health Buildings Financing Agency (state)

**Agency (state)**—This authority was established by a special act. The agency board consists of seven members appointed by the governor with the advice and consent of the Senate, two additional members appointed by those seven, plus the commissioner of education, the secretary of human services, the state treasurer, and the secretary of administration, serving ex officio. The authority may fix rentals and charges collected for use of authority facilities and may issue revenue bonds.

**Vermont Housing Finance Agency (state)**—This agency was formed to provide mortgage credit for low- and moderate-income housing. The governing body is a board of nine commissioners, including five commissioners appointed by the governor with the advice and consent of the Senate, plus the commissioner of financial regulation, the executive director of the Vermont housing and conservation board, the state treasurer, and the secretary of commerce and community development, serving ex officio. The agency may fix charges in connection with its loans and issue revenue bonds.

**Vermont Municipal Bond Bank (state)**—This agency was established in 1970 by special act to make funds available at reduced rates to governmental units in the state for

financing public improvements. The bank governing board consists of the state treasurer, serving ex officio, and four directors appointed by the governor with the advice and consent of the Senate. The bank may fix fees and charges for its services and, with approval of the governor and state treasurer, issue revenue bonds.

**Vermont State Housing Authority (state)**—This authority was established in 1968 by special act to provide assisted housing. A seven-member commission appointed by the governor with the advice and consent of the Senate governs the authority. The authority may issue revenue bonds and fix and collect charges for its services.

Other examples include:

#### **STATE<sup>1</sup>**

District environmental commissions  
Emergency medical services districts  
Highway districts  
Vermont Economic Development Authority  
Vermont State Colleges, Inc.  
Vermont Student Assistance Corporation  
Vermont Transportation Authority

#### **MUNICIPAL**

Conservation commissions  
Local health districts  
Regional planning commissions  
Rural Economic Development Infrastructure Districts  
Rutland Redevelopment Authority  
Union municipal districts  
Urban renewal agencies

#### **TOWN**

Conservation commissions  
Fire districts governed by town selectmen  
Local health districts  
Union municipal districts  
Urban renewal agencies

Vermont laws also provide for various types of local areas for election purposes, administration of justice, and zoning.

#### **ENDNOTE**

<sup>1</sup> Vermont Telecommunications Authority was replaced by the Division for Connectivity effective July 1, 2015.

# VIRGINIA

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## COUNTY GOVERNMENTS

The entire area of the state of Virginia is encompassed by county governments except for areas located within the boundaries of the cities. Cities in Virginia exist outside the area of any county and are counted as municipal rather than county governments. The county governing body may be called the county board of supervisors, county board, or urban county board of supervisors.

## SUBCOUNTY GENERAL PURPOSE GOVERNMENTS

### Municipal Governments

Municipal governments in Virginia are the city governments and town governments, which are classified generally by population size as follows:

- Cities: 5,000 inhabitants or more.
- Towns: 1,000 inhabitants or more.

The cities, referred to in the Virginia constitution as "independent incorporated communities," differ from towns because they lie outside the boundaries of any county. These cities perform traditional county functions, as well as traditional municipal functions.

Townships may be created under a specific circumstance. When a county consolidates with a city or another county or combination thereof into a consolidated city, towns in the county that do not sign the consolidation agreement may continue in existence as separate townships within the consolidated city. These governments would continue to have the same officers as towns and would be counted as a municipal government, rather than as a township government in U.S. Census Bureau statistics. As of June 30, 2017, there were no township governments in Virginia.

Under Virginia law, any city located entirely within the boundary of any county may consolidate with that county to become a tier-city with approval of the General Assembly. As of June 30, 2017, there were no tier-city governments in Virginia.

### Township Governments

Virginia has no township governments as defined in Census Bureau statistics on governments. The "townships" in Virginia are described above under "Municipal Governments."

## PUBLIC SCHOOL SYSTEMS

### School District Governments

The Eastern Virginia Medical College is the only school district government in Virginia. This college was established by special act. A board of 17 visitors governs the college, including 6 members appointed by the Eastern Virginia Medical College Foundation; 2 appointed by the Senate Committee on Rules; 3 appointed by the Speaker of the House of Delegates; 2 appointed by the governor; 1 appointed on a rotating basis by the cities of Chesapeake, Hampton, Newport News, Portsmouth, and Suffolk; 1 appointed by the City of Virginia Beach; and 2 appointed by the City of Norfolk. The authority may fix and collect tuition, fees and rents; receive grants and state appropriations; and issue revenue bonds.

### Dependent Public School Systems

Virginia statutes provide for the following types of dependent public school systems:

Systems dependent on county governments:

- County school systems.

Systems dependent on municipal governments:

- City school systems.
- Town school systems.

County, city, and town public school systems in Virginia are classified as dependent agencies of county or municipal governments and are not counted as separate school district governments in Census Bureau statistics. County or municipal public school systems receive county or municipal appropriations and state and federal funds. The county and municipal governing bodies set the budgets for their public school systems.

Generally, each county and city in Virginia constitutes a "school division" for the operation of public schools. Each school division is counted as a separate dependent public school system in Census Bureau statistics. The state board of education may divide or consolidate school divisions upon consent of the school boards and the governing bodies of the counties and the municipalities affected and with the consent of the general assembly, after a public hearing. In addition, two or more school boards may establish joint or regional schools with the consent of the state board of education.

The public schools in James City County and the City of Williamsburg are jointly operated, as are the public schools in Greensville County and the City of Emporia, and in Alleghany County and the Town of Clifton Forge. Rockbridge County and the City of Lexington jointly operate one high school; the rest of the schools in those two divisions are operated by their respective school boards.

Generally, city school boards are appointed by the city council. County school boards are usually appointed by the school board selection commission, which, in turn, is appointed by the circuit court. Upon voter approval, however, a county school board may be appointed by the county governing body. Voters may petition the county circuit court for a referendum to change the manner of selecting the school board, including to elect members to the school board.

In public school systems serving less than one county or city or part or all of more than one county or city, the school board members are appointed by the governing body of the counties or cities they represent. The number of school board members is determined by the governing body of the county or city if the school division consists of less than one county or city, or by agreement of the governing bodies of the counties and cities in a school division consisting of part or all of more than one county or city.

Virginia law also recognizes separate town school districts that existed on July 1, 1978, except if the town converts to an independent city, the town will also become a school division. Town school districts are classified in Census Bureau statistics on governments as dependent agencies of the town governments (because the town council appoints members of the school board and provides for the system fiscal requirements) and are not counted as separate governments.

Each county and some city school divisions are divided into "districts" from which members of the respective school boards are appointed. These districts exist only for representational purposes.

## Other Educational Activities

School boards may enter into agreements with other school boards to provide special and vocational education services or programs under contract or to operate joint programs or schools. These programs are not counted as separate governments in Census Bureau statistics. In cases where two or more school boards provide these programs jointly, these programs or schools are classified as joint educational service agencies of the participating county, city, or town school systems.

Academic year governor's Schools are created by an agreement between two or more local school systems

to provide gifted and talented programs. The schools are typically managed by a regional governing board of representatives from the participating school boards. These schools are classified as joint educational service agencies of the participating county, city, or town school systems in Census Bureau statistics.

Regional alternative education programs may be created by agreement of two or more school divisions with approval of the General Assembly. These programs provide education options for students who have a pending violation of school board policy, have been expelled or suspended for a long-term basis, or are returning from a juvenile correctional center. These programs are not counted as separate school district governments in Census Bureau statistics on governments.

## SPECIAL DISTRICT GOVERNMENTS

Virginia statutes authorize the creation of a variety of special districts or authorities that are counted as separate governments in Census Bureau statistics. These are discussed in detail below.

### Airport Authorities and Commissions (special acts and interlocal agreements)

Airport authorities and commissions may be established by special act. Those established jointly by two or more local governments are counted as governments in Census Bureau statistics. A board appointed by the participating local governments governs each of the airport authorities, except for the Blue Ridge Airport Authority's board, which is appointed by the circuit judge. These authorities may fix and collect fees and, except for the Cumberland's Airport Commission and the Mecklenburg-Brunswick Airport Commission, may issue revenue bonds.

In addition, two or more counties, cities, or towns may form a joint airport authority, board, or commission by interlocal agreement under general law. The composition of the governing body of such an entity is specified in the agreement. Powers of airport authorities, boards, and commissions created under general law are similar to those of airport authorities created under special acts.

Airport authorities created jointly by several local governments prior to July 1, 1994, may continue as joint authorities even in the event that all but one of the local governments withdraws.

The Tri-City Airport Commission, serving the Bristol area, is counted under the "Tennessee—Special District Governments."

Airport authorities serving a single county or city and lacking fiscal or administrative autonomy are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

## **Area Agencies on Aging Created as Joint Exercise of Powers**

These agencies provide services to the aging. They are created by local governments through joint exercise of powers agreements. The agencies may receive funds from the federal, state, and local governments and may accept private contributions.

## **Breaks Interstate Park Commission**

This commission was created by an interstate compact between Virginia and Kentucky to develop and operate Breaks Interstate Park. The commission consists of the director of the Virginia department of conservation and recreation, the commissioner of the Kentucky department of parks, both ex officio, and three commissioners from each state, appointed by the respective governors. The commission may charge fees and entrance charges, and may issue revenue bonds.

## **Buchanan County Tourist Train Development Authority**

This authority was created to develop a tourist train and theme park in cooperation with any interested private or governmental entities in the state or the states of West Virginia, Kentucky, Tennessee, or North Carolina. The board is appointed by the governing body of Buchanan County and includes 2 members of the county governing body, 19 citizen members, and 1 member of the General Assembly representing Buchanan County, serving ex officio. The authority may issue bonds and accept grants and contributions.

## **BVU (Bristol Virginia Utilities) Authority**

This authority was created in 2010 through an entity conversion authorized by an act of the legislature to provide electric, water, sewer, and telecommunication and related services previously provided by the Bristol Virginia Utilities. The authority is governed by a nine-member board of directors consisting of four citizen appointees of Bristol; two members appointed from the Bristol City Council; one appointed by the Bristol City Council; one appointed by the Bristol Virginia Utilities Board; and one member of the Board of Supervisors of Washington County. The authority may charge fees for products and services and may issue bonds.

## **Chesapeake Bay Bridge and Tunnel District**

This district was established by special act to build, operate, and maintain the Chesapeake Bay Bridge and Tunnel. An 11-member commission governs the district, with 1 member from each city and county in the area appointed by the governor and subject to approval by the General Assembly, plus 1 member of the Commonwealth transportation board. The district may fix tolls and fees and may issue bonds.

## **Chesapeake Bay Public Access Authorities**

Two authorities have been created by special act to improve public-access sites to the Chesapeake Bay. The Middle Peninsula Chesapeake Bay Public Access Authority was established in 2003 after ratification by the Counties of Essex, Gloucester, King and Queen, King William, Matthews, and Middlesex, and the Towns of Tappahannock, Urbanna, and West Point. The Northern Neck Chesapeake Bay Public Access Authority was created in 2008 after being ratified by the Counties of Lancaster, Northumberland, and Westmoreland. Both authorities are governed by a board of directors appointed by participating governments. The authorities may fix and collect fees, rates, and charges, and issue bonds.

## **Community Development Authorities**

These authorities are created upon petition of landowners and ordinance or resolution by two or more local governments after a public hearing. The number and selection of board members is specified in the articles of incorporation. The authorities provide a variety of facilities and services. The authorities may fix and collect fees and issue bonds. The authorities may request that the local government levy a special property tax.

Community development authorities created by a single local government are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

## **Eastern Shore Water Access Authority**

The Authority was created in 2014. This authority recognizes that shorelines are high priority natural areas and that it is critical to set aside access sites for all types of recreational activities important to the economy and to the citizens of the Commonwealth of Virginia. It is located in the counties of Accomack and Northampton. This authority may fix and collect fees, rates, charges, and issue bonds.

## **Health Center or Hospital Commissions**

These commissions are created by resolution of two or more counties or municipal governing bodies to provide and operate health centers (nursing homes, adult care residences, independent living facilities, and assisted living facilities) or hospitals. Commission members are appointed by the participating governments. The commission may issue bonds and fix and collect fees.

Commissions created by a single county or municipality are classified as dependent activities of the government they serve and are not included in Census Bureau statistics on governments. See "Subordinate Agencies and Areas" section.

## **Hospital Authorities**

A hospital authority may be established to provide and operate hospitals by a city council or county governing body on its own initiative or by a petition of voters. A board of commissioners appointed by the mayor or county governing body governs each authority. The authority may issue bonds and fix and collect fees.

The Chesapeake Hospital Authority was established by a special act. The governing board is appointed by the city. Its financial powers are the same as those provided for under general legislation.

## **Hotel Roanoke Conference Center Commission**

This commission was created by a special act of the state legislature to construct and operate a hotel and conference center. The commission consists of six members, with three appointed by the City of Roanoke and three appointed by the Virginia Polytechnic Institute and State University. The commission may charge fees and rents for the use of its facilities, receive member appropriations, and issue bonds.

## **Jail Authorities—1990 Law**

These authorities provide regional jail facilities. They may be created by concurrent resolutions of the governing bodies of two or more counties, cities, or combinations thereof. A board consisting of appointed representatives and the sheriff of the member governments governs each authority. The authorities may fix and collect rents, rates, and charges and issue revenue bonds. Similar provisions apply to the Riverside Regional Jail Authority, which was established by a special act.

Regional jail boards created under an earlier law authorizing joint exercise of powers agreements are not counted as separate governments in Census Bureau statistics. See “Subordinate Agencies and Areas” section.

## **Land Bank Authority**

A land bank is a public authority created to efficiently hold, manage, and develop tax-foreclosed property. Land banks act as a legal and financial mechanism to transform vacant, abandoned, and tax-foreclosed property back to productive use. Each land bank entity is governed by a board of not less than five members appointed by the governing body of the participating locality. These authorities may fix and collect rents, rates, and charges, and issue revenue bonds.

## **Metropolitan Washington Airports Authority**

This authority was established in 1987 by interstate compact between Virginia and the District of Columbia and upon approval by the United States Congress. It assumed operation of Washington Dulles International Airport and the Ronald Reagan Washington National

Airport under lease from the Federal Aviation Administration. A board of directors consisting of seven members appointed by the governor of Virginia, four appointed by the mayor of the District of Columbia, three appointed by the governor of Maryland, and three by the President of the United States governs the authority. The authority may impose fees and other charges and may issue revenue bonds.

## **New River Valley Emergency Communications Regional Authority**

This authority was commissioned by special act of the legislature and created on resolution of the governing bodies of the Towns of Blacksburg and Christiansburg, Montgomery County, and the Board of Visitors of Virginia Polytechnic Institute and State University to provide 911 dispatch and emergency communications. The authority is governed by a board appointed by participating localities and interests. The authority may accept grants, appropriations from members, and issue bonds.

## **Park Authorities**

These authorities may be created by resolution of a combination of counties, cities, or towns to provide park facilities after a public hearing and, in some cases, a referendum. The authority board is appointed by the member governments. Members of the governing bodies may be appointed to the board, but may not compose a majority. The authorities may fix fees for use of the park facilities and issue revenue bonds.

Authorities that encompass only a single county or municipality are not counted as separate governments in Census Bureau statistics. See “Subordinate Agencies and Areas” section.

## **Regional Industrial Facilities Authorities**

These authorities are created by ordinance of three or more participating local governments within the region or two or more localities in certain planning districts. A board of directors consisting of appointed members from each participating local government governs the authorities. In some planning districts, only members of the participating governing bodies may be appointed to the board. The authorities may fix and collect fees and may issue bonds.

## **Regional Public Library Boards**

Boards to operate regional public libraries in two or more counties or cities may be established by agreement between the participating counties and cities. In the case of established county or city free library systems, however, the library boards must agree to such action. Each board consists of one or more members appointed by the governing body of each participating government according to the provisions of the agreement establishing the board. Regional public library boards

receive contributions from participating governments in accordance with the provisions of the agreement creating the board.

Regional public libraries that are administered by a single county or city government under contract are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### **Richmond Eye and Ear Hospital Authority**

This authority was created by a special act to issue bonds to finance facilities for the Richmond Eye and Ear Hospital. A board of directors appointed by the governor governs the authority. The authority may fix fees and rentals and issue revenue bonds.

### **Richmond Metropolitan Transportation Authority**

This authority provides express highways, bridges, tunnels, parking garages, and stadiums. It was established by a 1966 special act. A board of directors governs the authority; it consists of five members from each of the counties of Chesterfield and Henrico appointed by their boards of county supervisors, five members appointed by the mayor of the City of Richmond, and a member of the state highway commission. The authority may fix tolls and other fees for the use of its facilities and issue revenue bonds. The authority may also receive funds from participating governments.

### **Service Districts—Joint Service Districts and Service Districts Created by Court Order with Land Owner Boards**

Joint service districts are created by two or more counties or cities by ordinance after a public hearing. Service districts created by court order upon a petition by voters after a hearing with boards composed of land owners also are considered to be separate governments. These entities may perform a wide variety of functions as specified in the creating ordinance of petition. The creating governments may compose the board ex officio or may appoint a separate board. The districts may levy taxes on benefitted properties and accept funds from any source. In Virginia Beach, the city council may levy a transient room rental tax for the benefit of the service district.

Urban counties, defined as any county with a population that exceeds 90,000 that did not maintain its roads as of January 1, 2007, may establish an urban transportation service district after the local governing body of the urban county and the Commonwealth transportation board agree on the boundaries of the district. An urban county, meeting requirements, may receive funds from the Commonwealth transportation commissioner to maintain roads within the district.

Service districts created by one local government are not counted as separate governments in Census Bureau

statistics. Similarly, service districts created by court order with a local government in charge of the board also are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### **Soil and Water Conservation Districts**

Soil and water conservation districts are created by the Virginia soil and water conservation board on petition of either local governing bodies or voters after a public hearing. A district is governed by a board of directors, consisting of two directors appointed by the state soil and water conservation board and two to three directors, depending on the number of participating cities or counties, elected by voters. The districts may require contributions from benefited landowners.

Watershed improvement districts are classified as subdistricts of the soil and water conservation districts and are not counted as separate governments in Census Bureau statistics. They are created by the board of a soil and water conservation district on petition of landowners after a hearing and referendum. The directors of the parent soil and water conservation district govern each watershed improvement district. The directors may, upon voter approval, levy taxes and service charges and issue bonds.

### **Southside Virginia Tourism Development Authority**

This authority was created by a 2002 special act. It serves the West Piedmont Planning District and the Southside Planning District. Each participating county and city appoints one board member. The authority may borrow money; accept federal, state, and local funds; and accept gifts, grants, and donations from any source.

### **Southwest Regional Recreation Authority**

This authority was created by a 2008 act of the legislature to develop and manage the Spearhead Trails System with the Counties of Buchanan, Dickenson, Lee, Russell, Scott, Tazewell, and Wise, and the City of Norton. The authority is governed by a board of directors appointed by the governing bodies of participating localities. The authority may accept grants, assess and collect fees, and issue bonds.

### **Transportation Districts—1964 Law**

These districts may be created by a resolution of a combination of counties or cities to provide transit facilities, public highways, and other modes of transportation. A board of commissioners appointed by the governing bodies of the participating counties and cities, from among its members, according to the provisions of the creating agreement, governs each district. In addition, the Potomac and Rappahannock Transportation Commission has a board of commissioners that also includes two members of the House of Delegates

and one member of the Senate. For the Transportation District Commission of Hampton Roads, the commission also includes one citizen member appointed by the governor from each participating county and city. The Chairman of the Commonwealth Transportation Board also serves ex officio on each commission. The districts may set fares and issue revenue bonds. The Northern Virginia Transportation District has its own tax revenue.

The law also authorizes state transportation districts of which there are nine. These are planning areas. The local officials in these areas are entitled to representation on the Commonwealth transportation board. These areas are not counted as separate governments in Census Bureau statistics.

A single county or city may create a transportation district or transit district if no contiguous county or city wishes to combine for such purpose. Districts created under this act by a single government are not counted as separate governments in Census Bureau statistics. Districts created under the local transportation district act or as public transportation systems also are not counted as separate governments for Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### **Virginia Coal Train Heritage Authority**

This authority was created by an act of the state legislature to promote economic development and tourism. The board consists of three members appointed by each of the counties of Dickenson, Russell, and Wise, as well as one citizen member appointed by the governing body of each of the towns of Clinchco, Haysi, and St. Paul. This authority may fix and collect fees for the use of its facilities.

### **Virginia Wireless Service Authorities**

Authorities of this nature provide communication services. Authorities may be created on resolution of the governing body or two or more counties, cities, or towns, after a hearing and, if ordered by the circuit court, a referendum. A board, in which members are selected in a manner according to the creating resolutions, governs each authority. Authorities may issue bonds and, after a hearing, fix, charge, and collect rates, fees, and rents.

Authorities governed by the creating government serving ex officio are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### **Water and Waste Authorities**

Authorities of this type that encompass two or more counties, cities, or towns may provide water supply, sewerage, storm water collection, garbage collection and disposal services, and electric power. They are established by ordinance or resolution of any one or more

counties or municipalities after a public hearing. Voter approval for the establishment of the authority is required if petitioned. Each authority is governed by a board consisting of one or more members representing each locality as determined by the articles of incorporation. Water and waste authorities may fix and collect fees and may issue revenue bonds. These authorities may be known by a variety of names including "service authorities" or "sanitation authorities."

Water and waste authorities representing a single county or municipality are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### **Williamsburg Area Transit Authority**

This authority was created by a 2006 act of the Legislature and upon the adoption of concurrent ordinances by the respective governing bodies within the Williamsburg area. A board consisting of members from each participating locality governs the authority. The authority may enter into contracts and agreements with public or private entities to finance the construction and operation of its facilities, receive grants and federal and state funds, and charge fares.

### **SUBORDINATE AGENCIES AND AREAS**

Shown below are various governmental designations in Virginia that have certain characteristics of governmental units but that are treated in Census Bureau statistics as subordinate agencies of the state or local governments and are not counted as separate governments. Legal provisions for some of the larger of these are discussed below (see "Public School Systems" section regarding educational agencies of this nature).

**Industrial or economic development authorities (county or municipal)**—These authorities are established by county or municipal ordinance to finance and lease industrial, pollution control, museum, medical, and higher education facilities, and facilities for certain nonprofit organizations. An authority also may be established jointly by two or more county or municipal governments. An authority is governed by a board of directors, appointed by the governing body of the locality. An authority may fix and collect fees and rents and issue revenue bonds. Some authorities of this type are named or have been renamed "economic development authorities." Some industrial development authorities have been established by special acts.

**Redevelopment and housing authorities (county or municipal)**—These authorities may be established after a local referendum either called by a resolution of the county, city, or town governing body or petitioned for by voters. A board of commissioners appointed by the county or municipal governing body governs each

authority. The authority board may collect rentals and issue bonds. The governing body of the sponsoring government must approve all contracts and projects.

Two or more contiguous counties may establish regional housing authorities. Two or more municipalities, whether or not contiguous, may establish consolidated housing authorities. In addition, 1960 legislation authorizes the establishment of county urban renewal authorities after a referendum in Arlington County.

**Sanitary districts (county or municipal)**—Sanitary districts are created by order of the circuit court upon petition of qualified voters who reside in the area desiring establishment of a district after a hearing. Sanitary districts provide water supply, sewerage, garbage collection and disposal, heat, light, power, gas, and firefighting services. The county board of supervisors or the city or town council constitutes the governing body of the sanitary district. The district may fix charges for the services it provides and may issue bonds. Certain districts containing two cities of the first class and that meet a population requirement may levy an ad valorem tax. Sanitary districts also may provide sidewalks, curbs, gutters, parking lots, community buildings, and recreational buildings for their residents.

**Sanitation Districts (state)**—Sanitation districts in areas containing tidal waters prevent the pollution of tidal waters by treatment plants. These districts may be created by the circuit court of a county or town or by the corporation court of a city upon petition of voters and after a hearing and referendum with the approval of the state health commissioner. A board of commissioners, appointed by and serving at the pleasure of the governor, administers each district. The district may issue bonds after a referendum, and fix and collect rents, fees, and charges. Similar provisions apply to the Hampton Roads Sanitation District, which was created by special act.

Sanitation districts in areas with nontidal waters prevent the pollution of nontidal waters by sewerage treatment plants. These districts may be established by the circuit court of a county or town or by the corporation court of a city upon petition of voters and after a hearing and referendum and with approval of the state health commissioner. A board of commissioners appointed by and serving at the pleasure of the state health commissioner governs each district. The district may issue bonds after a referendum and fix rates, rents, fees, and charges.

**Virginia Aviation Board (state)**—This board was created by special act to acquire, build, operate, maintain, and regulate airports. Members of the board are appointed by the governor (an additional member is appointed by the President of the United States if the board takes over a United States airport facility). An additional member also may be appointed by any county or city where the board

acquires or constructs an airport. The board may fix and collect fees and may issue revenue bonds. Its primary function is to license airports and promote aviation.

**Virginia College Building Authority (state)**—This authority was established by a special act. The authority board of commissioners consists of seven members appointed by the governor, plus the state treasurer, the director of planning and budget, the director of the state council of higher education, and the state comptroller. The authority may issue revenue bonds or other obligations of specified educational institutions in Virginia. This authority also administers the Education Facilities Authority Act, through which it assists institutions of higher learning in the acquisition, construction, financing, and refinancing of needed facilities. To fulfill the objective of this Act, the authority may fix and charge rates, rentals, and fees.

**Virginia Housing Development Authority (state)**—This authority, commissioned by act of the General Assembly, was formed to provide mortgage credit for low- and moderate-income housing. The governing body is a board of ten commissioners, seven of whom are appointed by the governor, plus a representative from the board of housing and community development, the director of the department of housing and community development, and the state treasurer. The authority may fix and collect fees in connection with loans and issue revenue bonds.

**Virginia Port Authority (state)**—This authority was created by special act to acquire, build, operate, and maintain port facilities. A board of commissioners, appointed by the governor, plus the state treasurer governs the authority. The authority may issue revenue bonds and set tolls, rents, and charges for its facilities.

**Virginia Public School Authority (state)**—This authority was established by a special act. The authority's board of commissioners consists of eight members: five appointed by the governor plus the state treasurer, the state comptroller, and the superintendent of public instruction. The authority may issue revenue bonds to be used for the purchase of local school system bonds. The authority may make loan payments to local school boards for capital projects, with approval of the local governing bodies and repaid by appropriations levied by the local governing bodies. Specified state funds are set aside for authority use.

**Virginia Resources Authority (state)**—This authority was created in 1984 by act of the general assembly to finance airport facilities, water supply, wastewater treatment, drainage, solid waste, public safety, resource recovery facilities, professional sports facilities, and public transportation facilities among other facilities. A board of directors consisting of the state treasurer, the state health commissioner, the director of the department of environmental quality, the director of the department of aviation, and seven members appointed by the governor

governs the authority. The authority may fix and collect fees and issue revenue bonds.

Other examples include:

## **State**

Assistive Technology Loan Fund Authority  
Center for Rural Virginia  
Chippokes Plantation Farm Foundation  
Development authorities for former federal areas  
Fort Monroe Authority  
Hampton Roads Sports Facility Authority  
Innovation and Entrepreneurship Investment Authority  
Jamestown-Yorktown Foundation  
Road authorities (state)  
Roanoke Higher Education Authority  
Southwest Virginia Higher Education Center  
Southwest Virginia Public Education Consortium  
Veterans Services Foundation  
Virginia Advances Shipbuilding and Carrier Integration Center Board  
Virginia Arts Foundation  
Virginia Baseball Stadium Authority  
Virginia Biotechnology Research Park Authority  
Virginia Coalfield Coalition Authority  
Virginia Coalfield Economic Development Authority  
Virginia Coalfields Expressway Authority  
Virginia Commercial Space Flight Authority  
Virginia Commonwealth University Health System Authority  
Virginia Economic Development Partnership Authority  
Virginia Foundation for Healthy Youth  
Virginia Information Technologies Agency/Information Technology Investment Board  
Virginia Land Conservation Foundation  
Virginia Outdoors Foundation  
Virginia Public Building Authority  
Virginia Recreational Facilities Authority  
Virginia Small Business Financing Authority  
Virginia Solar Development and Energy Storage Authority  
Virginia Tourism Authority  
Virginia War Memorial Foundation

## **County**

Agricultural and forestal districts  
Bath County Airport District  
Behavioral health authorities  
Community development authorities (single county)  
Community service boards (mental health)  
Dinwiddie Airport and Industrial Authority  
Drainage districts (county)  
Fairfax County Economic Development Authority  
Fire or rescue districts (county)  
Health center or hospital commissions (single county)  
Health partnership authorities (including joint)

Joint or regional citizen detention commissions (county)  
Mosquito control districts (county)  
Park authorities (single county)  
Parking authorities (special acts)  
Primary highway transportation improvement districts (Fairfax, Loudoun, and Prince William Counties)  
Public facilities districts (in certain counties)  
Public recreational facilities authorities (single county)  
Regional jail boards created under joint exercise of powers agreements  
Regional public libraries operated by one county under contract  
Road authorities (county)  
Rural Coastal Virginia Community Enhancement Authority  
Service districts (created by one local government or created by court order with a local government in charge of the board)  
Special service districts (county)  
Transportation districts created under the following acts:  
Local transportation districts (single county or two or more contiguous localities)  
Public transportation systems  
Transportation districts—1964 law (single county)  
Transportation service districts  
Virginia wireless service authorities (governed by county governing body)  
Water and waste or sanitary authorities (single county)

## **Municipal**

Arts and cultural districts  
Behavioral health authorities  
Chesapeake Airport Authority  
Chesapeake Port Authority  
City of Virginia Beach Industrial Authority (formerly Virginia Beach Industrial Development Authority)  
Community development authorities (single municipality)  
Danville Industrial Development Authority  
Drainage districts (municipal)  
Economic Development Authority of the City of Newport News, Virginia (formerly Oyster Point Development Corporation)  
Fire or rescue districts  
Greater Richmond Convention Center Authority (created under the public recreational facilities authority act)  
Health center or hospital commissions (serving a single city or town)  
Housing rehabilitation areas  
Housing rehabilitation zones  
Health partnership authorities (including joint)  
Joint and regional citizen detention commissions (city)  
Medical Center Authority  
Mosquito control districts (municipal)  
Norfolk Airport Authority (formerly Norfolk Port and City Charter Industrial Authority)  
Norton Industrial Development Authority

- Park authorities (serving a single city or town)  
Parking authorities (special acts)  
Peninsula Port Authority of Virginia  
Portsmouth Port and Industrial Commission  
Public facilities districts (municipal)  
Public recreational facilities authorities (serving a single city or town)  
Regional jail boards created under joint exercise of powers agreements  
Regional public libraries operated by one city under contract  
Richmond Ambulance Authority  
Road authorities (municipal)  
Service districts (created by one local government or created by court order with a local government in charge of the board)  
Special service districts (city or town)
- Tourism financing development authorities (created by a single city or town)  
Transportation districts created under the following acts:  
Local transportation districts (single municipality or two or more contiguous localities)  
Public transportation systems  
Transportation districts—1964 law (single municipality)  
Virginia wireless authorities (governed by municipal governing body)  
Water and waste authorities (single city)

### **Joint County-Municipal**

- Luray-Page County Airport Authority  
Planning districts (joint county-city-town)  
Regional criminal justice training academies  
Southwest Virginia Health Authority

# WASHINGTON

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## COUNTY GOVERNMENTS

The entire area of the state of Washington is encompassed by county governments. A county's governing body is known as the board of county commissioners except for home rule counties, which are governed by the county council. Although consolidated city-county governments are authorized by state statutes, none currently exist in the state.

## SUBCOUNTY GENERAL PURPOSE GOVERNMENTS

### Municipal Governments

Municipal governments in Washington are the cities and towns. Charter municipalities are divided into two classes according to population size at the time of their organization, as follows:

- First class—10,000 inhabitants or more.
- Second class—1,500 or more inhabitants.
- Towns—Fewer than 1,500 inhabitants.

Change from one class to another occurs only after voter approval. Cities with a population of 10,000 or more may adopt a home rule charter with voter approval. In addition, since 1969, all municipalities may acquire statutory home rule by becoming a noncharter code municipality. Two cities, Union Gap and Waitsburg, operate under charters granted prior to 1889 by the former Washington territory.

The minimum population requirement for incorporation is 300; however, if the proposed incorporation is within five air miles of a city of 15,000 population or more, the minimum population requirement is 3,000.

For provisions governing "metropolitan municipal corporations," see "Special District Governments" section.

### Township Governments

Authorizing legislation for townships was repealed in 1997. Townships were last reported in operation for the 1972 Census of Governments.

## PUBLIC SCHOOL SYSTEMS

### School District Governments

The following types of school districts in Washington are counted as separate governments in Census Bureau statistics:

- First-class school districts—2,000 or more pupils.

- Second-class school districts—fewer than 2,000 pupils.

- Towns—Fewer than 1,500 inhabitants.

A school district may include territory in more than one county. Such districts are called joint (intercounty) school districts. Also, school districts are divided into high school and non-high school districts. An elected board of directors administers each school district. A school district may levy a special tax for maintenance and operation, may levy property taxes, or may issue bonds for capital construction, after voter approval.

### Dependent Public School Systems

Washington has no dependent public school systems.

### Other Educational Activities

Educational services districts consists of one or more counties or portions of counties. They provide regional administration of local school districts. These districts are classified for Census Bureau reporting as joint educational service agencies of the participating school districts and are not counted as separate governments in Census Bureau statistics on governments.

The community colleges and technical colleges in Washington are classified as state institutions and are not counted as separate governments in Census Bureau statistics. A board of trustees appointed by the governor governs each college.

Skills centers are regional secondary schools providing technical education. Each center is governed by an administrative council consisting of the superintendents of the participating school districts. The centers are state funded. These districts are classified as joint educational service agencies of the participating school districts and are not counted as separate governments in Census Bureau statistics.

## SPECIAL DISTRICT GOVERNMENTS

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

### Agencies Created Under the Interlocal Cooperation Act

This act was passed in 1967. Local government units may agree to exercise any of their powers jointly. Such

an agreement may establish a separate agency that may or may not be counted as a government in Census Bureau statistics. The functions to be performed by such an agency are specified in the agreement. Agencies established under this law may have a wide variety of names.

### Air Pollution Control Authorities

General law establishes an air pollution control authority in each county. The authorities are activated upon county resolution either initiated by voter petition or initiated by the county and following a public hearing. Multicounty authorities may be established by contiguous counties. A board of directors, appointed by the governing bodies of the establishing county or counties and municipalities within each county, governs each authority. The authorities apportion their fiscal needs to the participating governments according to population and/or assessed valuation. Air pollution control authorities may levy property taxes with voter approval.

### Behavioral Health Organizations

Two or more counties may form a behavioral health organization by interlocal agreement to serve a state designated area per contract with the state secretary of the department of social and health services. Tribal authorities may be included in the agreement. The organizations contract with licensed mental health service providers and also may serve as a licensed service provider. The membership of each governing board is set by the creating agreement. The networks are funded by fees fixed by the state and funds from the federal, state, and participating local governments.

Behavioral health organizations created by a single county are not counted as separate governments in Census Bureau statistics on governments. See "Subordinate Agencies and Areas" section. In addition, private entities may serve as the behavioral health organization, these are not counted as separate governments for Census Bureau statistics.

### Cemetery Districts

Cemetery districts may be established by the board of county commissioners after a petition, hearing, and voter approval. An elected board of commissioners governs each district. The districts may levy ad valorem taxes.

### Community Facilities Districts

These districts provide housing, office buildings, community facilities, and infrastructure. Two or more counties, cities, or towns may create a community facilities district upon landowner petition and after a public hearing. Each district is governed by a board of supervisors consisting of landowners or appropriate professionals appointed by the governing bodies of the

applicable counties, cities, or towns and also ex officio members of the same. The districts may levy special assessments and issue revenue bonds.

Community facilities districts created by one county, city, or town are not counted as separate governments for Census Bureau statistics on governments. See "Subordinate Agencies and Areas" section.

### County Airport Districts

County airport districts are established by the county governing body after voter petition and a referendum. Voters may also petition for an elected district board of commissioners. A district may levy ad valorem taxes if approved by the voters, fix charges and revenues, and issue revenue bonds.

A county airport district administered by the county governing body is not counted as a separate government in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### Cultural Arts, Stadium, and Convention Districts

The creation of these districts may be initiated by petition of voters, by resolution of a county, by resolution of two or more cities in the same county, or by joint resolution of two or more counties. A public hearing and referendum are held. The district governing body consists of ex officio representatives of the participating governments, as specified in the resolution creating the district. Participating governments may include port districts, public school districts, or community college districts, as well as cities and counties. The districts may receive the proceeds of county hotel-motel tax levies, issue revenue bonds and, after voter approval, may levy ad valorem taxes and issue general obligation bonds.

Districts governed by the commissioners of a single county ex officio are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### Diking and Drainage Districts

Washington statutes authorize the following types of diking and drainage districts:

- Diking districts—1895 law.
- Drainage districts—1895 law.
- Intercounty diking and drainage districts—1909 law.

Under two separate 1895 laws, diking districts or drainage districts may be established by the board of county commissioners after petition of landowners, a public hearing, and voter approval. Under a 1909 law, intercounty diking and drainage districts may be established by a joint meeting of the commissioner of public lands and the participating county boards upon petition of

landowners, subject to voter approval. Elected boards of commissioners govern all three types of districts. The districts may impose special benefit assessments and issue bonds. Cities within diking and drainage districts may levy property assessments on behalf of the district. Districts created under the diking and drainage district law may be known as "flood control districts."

In addition, a general law authorizing the establishment of ditch districts has been repealed, but some districts remain in existence.

Drainage and diking districts may reorganize as improvement districts. Improvement districts for drainage, diking, or sewerage (organized under a 1913 law) are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### **Fire Protection Districts**

Fire protection districts may be established in unincorporated areas upon petition of voters filed with the county auditor and after a hearing and election called by the board of county commissioners. The districts are governed by boards consisting of elected officials of the participating jurisdictions, and, if specified in the plan forming the district, additional members elected by the voters. The districts may issue bonds and levy ad valorem taxes; these powers may require voter approval. With voter approval, the districts may levy benefit charges. Districts providing emergency medical services may set fees. A fire protection district may establish an ambulance service to be operated as a public utility.

An alternative method of creation of fire protection districts allows the legislative authority of a city or town to establish a fire protection district by a resolution, subject to the approval of the voters, with boundaries that are the same as the corporate boundaries of the city or town. Such fire protection districts are governed by the legislative authority of a city or town or by three fire commissioners appointed by the corresponding legislative authority. Fire protection districts governed by the legislative authority of a city or town are not counted as separate governments in Census Bureau statistics.

Local improvement districts may be created within fire protection districts. These districts have the power to levy special benefit assessments, but are subordinate areas of the fire protection districts. Local improvement districts are not counted as separate governments in Census Bureau statistics.

### **Flood Control Districts 1937 Act**

Under a 1937 general law, these districts may be established upon petition of property owners or upon resolution of the governing body of the county or the municipality to be served after a public hearing and voter approval. An elected board of directors governs each

district. The districts may levy assessments and issue bonds.

Flood control districts established under a 1935 law are not counted as separate governments in Census Bureau statistics. The 1935 law was repealed. Districts existing at the time of repeal may continue under that law or reform under the 1937 law. See "Subordinate Agencies and Areas" section.

### **Health Districts**

Health districts may be created by interlocal agreements pursuant to general law to serve multiple local governments. The districts may serve any combination of counties, cities, and towns. The boards are established per the agreement. These boards receive contributions from the participating governments per the creating agreements.

Health districts created by one or more counties are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### **Housing Authorities**

The governing body of any county, city, or town may create a housing authority by resolution. Joint city-county housing authorities are created by agreement between the city and county governing bodies. County housing authority boards are appointed by the county governing body. City or town housing authority boards are appointed by the mayor. Housing authorities may fix rentals and charges and issue bonds.

The Columbia Gorge Housing Authority, a joint housing authority established with the state of Oregon, is located in and counted as a separate government in Census Bureau statistics for Oregon.

### **Hydroelectric Resources Authorities**

These authorities to build, operate, and maintain hydroelectric facilities are created by agreement between one or more irrigation districts and any combination of cities, towns, or public utility districts. The composition of the authority governing body is specified in the agreement creating each authority. The authorities may fix rates, tolls, and charges, and may issue revenue bonds.

### **Irrigation Districts**

These districts are created by the county board of commissioners after petition of landowners and after voter approval. Such districts may also provide drainage, domestic water supply, and electric power facilities, as well as irrigation. An elected board of directors governs each district. The districts may fix rates and charges, levy special benefit assessments, and, with voter approval, issue bonds. These districts also may be known as "reclamation districts."

Irrigation and rehabilitation districts are formed from irrigation districts under special conditions and possess the same type of organization and powers.

Utility local improvement districts may be established by irrigation districts. They are classified as dependent activities of the irrigation districts and are not counted as separate governments in Census Bureau statistics on governments.

### **Irrigation Districts Joint Control**

Irrigation districts under joint control may be established upon petition of landowners to the county, followed by county resolution, a public hearing, and a referendum. These districts administer water works, main and branch canals and water lines, and the water facilities of two or more irrigation districts. The district is governed by a board of directors consisting of a president appointed by the county board and the resident owner of each tract of land involved. The districts levy special assessments and charges upon each member irrigation district.

### **Joint Municipal Utility Authorities**

Authorities of this type may be established by agreement between any two or more city, town, county, water-sewer district, public utility district, other special purpose district, municipal corporation, or other unit of local government of this or another state that provides utility services. American Indian tribes recognized as such by the U.S. government may participate in these agreements. The composition of the appointed joint powers board is specified in the agreement establishing the board. The authorities may impose fees, rates, and charges for its utility services. Member governments also may create local improvement districts or utility local improvement districts to impose and collect assessments, and to issue bonds and notes.

### **Joint Operating Agencies for Electric Power**

These agencies may be established by any combination of two cities or public utility districts to develop and sell electric power. The system board of directors consists of one representative from each of the participating governments. The system board may fix rates and charges for the sale of power and may issue revenue bonds. The Conservation and Renewable Energy System and Energy Northwest were established under this legislation.

### **Library Districts**

Washington statutes authorize the following types of library districts that are counted as governments in Census Bureau statistics:

Intercounty rural library districts are formed by identical resolutions of the boards of two or more county commissioners or by majority vote of the

county commissioners in joint session after voter petition and approval. The district board of trustees is appointed jointly by the participating county boards. District finances and powers are the same as for rural library districts.

Island library districts are established in counties with fewer than 25,000 in population and consisting solely of islands (San Juan) upon petition of voters to the county commission and after voter approval. A board of trustees appointed by the county commissioners governs each district. The districts may levy ad valorem taxes and issue bonds.

Regional libraries are formed by action of the governing bodies of any two or more counties, cities, towns, intercounty rural library districts, island library districts, rural county library districts, or rural partial-county library districts. The intergovernmental agreement establishing the regional library specifies the membership of the library board. Expenses of the regional library are apportioned among the participating governments as provided in the agreement.

Rural county library districts are established in unincorporated areas by the county commissioners after petition of voters and voter approval. A board of library trustees appointed by the county commissioners governs each district. The districts may levy ad valorem taxes and issue bonds. Rural partial-county library districts may be formed to serve a portion of the unincorporated area of a county.

### **Metropolitan Municipal Corporations**

General law provides that any area containing two or more cities, one of which is a city of 10,000 or more, may organize as a metropolitan municipal corporation for one or more of the following metropolitan functions: sewage disposal, water supply, public transportation, garbage disposal, parks and parkways, and planning. Establishment is by approval of the voters at an election that has been called either by participating local governments or by voter petition. A metropolitan council consisting of elected officials of the component counties and cities governs each corporation. Metropolitan municipal corporations may fix fees and charges, issue revenue bonds, and, with voter approval, issue general obligation bonds. They may also levy a retail sales and use tax and a motor vehicle excise tax for public transportation purposes upon voter approval. A 1-year property tax may only be submitted for voter approval at the establishing election. If income is insufficient, participating towns and cities make supplemental payments to the corporation. No metropolitan municipal corporations were reported in operation as of June 30, 2017.

Local improvement districts or utility local improvement districts may be established by the metropolitan municipal

corporations. They are classified as dependent activities of the metropolitan municipal corporations and are not counted as separate governments in Census Bureau statistics.

## **Metropolitan Park Districts**

A district is established by referendum initiated either by petition of the voters or by the city council. An elected board of park commissioners governs each district. The districts may levy ad valorem taxes and issue revenue bonds. Voter approval is necessary for bond issues that exceed a specified percentage of the assessed value of the property in the district.

Districts governed by the commissioners of a single county, or a city council serving in an ex officio are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

## **Mosquito Control Districts**

These districts may be established upon petition of voters to the county commissioners or by resolution of intent by the board of county commissioners, followed by a hearing and voter approval. A board of trustees appointed by the governing bodies of the participating counties and cities governs each district. The districts may, with voter approval, issue general obligation bonds and levy ad valorem taxes.

## **Park and Recreation Districts**

These districts may be formed upon petition of voters. Creation requires resolution of the municipal governing body, a public hearing, and a referendum. A popularly elected board of commissioners governs each district. The districts may fix rates and charges and issue revenue bonds. Upon voter approval, the districts may levy ad valorem taxes and issue general obligation bonds.

Park districts may create local improvement districts. The local improvement districts are classified as dependent activities of the park and recreation districts and are not counted as separate governments in Census Bureau statistics.

## **Port Districts**

Port districts are established by an election that is called by the board of county commissioners upon petition of voters or on its own initiative. Port districts furnish airport or port facilities and promote the use of such facilities. An elected port commission governs each district. The districts may fix rates and charges, levy ad valorem taxes, and issue revenue bonds. Port districts may enter into agreements with local governments for the purpose of exercising the powers of a community renewal agency.

Industrial development districts and local improvement districts may be established by and within a port district

as a dependent activity of the port district. Property tax levies for industrial development require voter approval. Industrial development districts, local economic development finance authorities, public corporations for economic development, and local improvement districts are not counted as separate governments in Census Bureau statistics.

## **Port Development Authority**

The Northwest Seaport Alliance was established under 2015 Port Development Authority legislation and interlocal agreement laws between the port districts of Tacoma and Seattle to promote cooperation between the two port districts and make them more competitive globally. Each port district authority provides the funds and oversees the operation of the port development authority through a commission elected by the port districts. The authority does not have the power of eminent domain or the power to levy taxes or special assessments.

## **Public Facilities Districts—1988 Law**

Under the 1988 law, public facilities districts may be created by county resolution. Each district is governed by a board of directors appointed by the governing body of the county, the governing body of the largest city in the county, and/or by the governor based on population requirements. The districts may set fees and issue revenue bonds. With voter approval, districts may levy lodging taxes and ad valorem taxes and may issue general obligation bonds.

## **Public Facilities Districts—1999 Law**

Under the 1999 law, public facilities districts may be created by county, city, or town governing bodies singly or jointly, provided that the county or counties involved meet population requirements. Each district is governed by a board of directors appointed by the participating governments. The districts set fees, issue revenue bonds, and levy sales and use taxes and excise taxes. With voter approval, the districts may levy ad valorem taxes and may issue general obligation bonds.

## **Public Hospital Districts**

These districts may be established in one or more counties upon resolution of or petition to the board of county commissioners after voter approval. An elected board of commissioners governs each district. The districts may fix rates and issue general obligation and revenue bonds. With voter approval, the districts may set and levy ad valorem taxes.

## **Public Transportation Benefit Area Authorities**

These authorities are created by resolution of the county commissioners upon recommendation of a transportation improvement conference (consisting of city council

representatives and county commissioners) and a public hearing. The authority board consists of elected officials selected by the governing bodies of component cities and counties. The authorities may fix rates and fares. Authorities providing ferry service may, with voter approval, levy a motor vehicle excise tax and a sales and use tax.

Unincorporated public transportation benefit areas are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

## Public Utility Districts

Districts for the conservation and the supply of domestic and irrigation water and electric light and power are created by a resolution of or a petition to the board of county commissioners after voter approval. An elected board of public utility commissioners governs each district. The districts may set rates and fees, levy ad valorem taxes, and issue both revenue and general obligation bonds.

Local utility districts with the power to levy benefit assessments may be established as dependent activities of the parent public utility district. They are not counted as separate governments in Census Bureau statistics.

## Regional Fire Protection Authorities

Any two or more adjacent fire protection jurisdictions (fire district, city, town, port district, municipal airport, or American Indian tribe) may create an authority and convene a planning committee. The planning committee submits a plan and a proposal for ad valorem taxes or benefit charges for voter approval. If the referendum passes, the participating governments appoint representatives to a governing board. The authorities may issue general obligation bonds in addition to levying ad valorem taxes or benefit charges. The authorities also may set charges for ambulance services, if this is a function.

## Regional Support Networks

2014 Legislation replaced regional support networks; it is now behavioral health organizations.

## Regional Transit Authorities

This law has special application to the Central Puget Sound area. Two or more contiguous counties each with a population of 400,000 or more may initiate the process of creating a high capacity transportation system by passing resolutions. A referendum, including approval of proposed taxes, is required. Each authority is governed by a board consisting of county and municipal officials serving ex officio and appointed by the county executive with confirmation by the county governing body. The state secretary of transportation also serves on the board.

The authorities may fix rates, tolls, fares, and charges. The authorities may issue general obligation bonds, special assessment bonds, and revenue bonds. The voters may approve additional taxes to fund an authority. The Central Puget Sound Regional Transit Authority was created under this law to serve King, Pierce, and Snohomish counties.

Regional transit authorities may create local improvement districts and impose special assessments within the districts. Local improvement districts and commissions, public corporations, or other authorities created by a regional transit authority are not counted as separate governments in Census Bureau statistics.

## Water-Sewer Districts

Water-sewer districts, which may be known as water-sewer districts, water districts, or sewer districts, may include one or more counties, cities, towns, or other political subdivisions. They may provide water supply, sanitary sewer systems, fire protection, and street lighting. The districts are created upon petition of voters to the board of county commissioners, followed by a hearing and voter approval. An elected board of commissioners governs each district. The districts may levy special benefit assessments, fix rates and charges, issue bonds, and submit property tax levies to the voters. Water-sewer districts may merge into irrigation districts.

Local improvement districts or utility local improvement districts may be created within a water-sewer district as dependent activities of the parent water-sewer district. They are not counted as separate governments in Census Bureau statistics.

## SUBORDINATE AGENCIES AND AREAS

Shown below are various governmental designations in Washington that have certain characteristics of governmental units but that are classified in Census Bureau statistics as subordinate agencies of the state or local governments and are not counted as separate governments. Legal provisions for some of the larger of these are discussed below (see "Public School Systems" section regarding educational agencies of this nature).

**Conservation districts (county)**—These districts are established to provide soil and water conservation services upon petition of landowners to the state conservation commission after a public hearing and voter approval. A board of supervisors, three elected and two appointed by the state conservation commission, governs each district. A conservation district has no independent revenue raising powers, but it may accept contributions, receive special assessments collected by the county, and manage and lease property.

**Public stadium authorities (state)**—These authorities may be created upon resolution of any county with a letter of intent with a team affiliate. Each authority is governed by a board of directors appointed by the governor. The authorities may set fees and charges. The state may issue bonds on behalf of the authority with voter approval. The Washington State Public Stadium Authority was created under this act.

**Washington Health Care Facilities Authority (state)**—

This authority was established by special act to assist and encourage the building and maintenance of modern health care facilities. The authority governing body consists of the governor, the lieutenant governor, the insurance commissioner, the secretary of health, and a public member appointed by the governor. The authority may set fees and charges for services and may issue revenue bonds.

**Washington State Housing Finance Commission (state)**—

This commission was created by act of the legislature to provide mortgage credit for low- and moderate-income housing. The commission consists of 11 members, nine of whom are appointed by the governor, the state treasurer, and the director of community, trade, and economic development ex officio. The commission may fix fees and charges in connection with the provision of mortgage credit and may issue bonds.

Other examples include:

**State<sup>1,2</sup>**

Community preservation and development authorities  
Economic Development Finance Authority  
Life Sciences Discovery Fund Authority  
Regional transportation investment districts  
Tobacco Settlement Authority  
Washington Higher Education Facilities Authority  
Washington State Horse Park Authority

**County**

Behavioral health organizations  
Boards of law library trustees  
Community councils (for unincorporated areas of island counties)  
County airport districts (ex officio)  
County hospital boards of trustees (may be joint with city)  
County park and recreation boards County park and recreation service areas  
County public transportation authorities  
County rail districts  
County road districts  
County road improvement districts

Cultural arts, stadium, and convention districts (single county)  
Drainage, diking, or sewerage improvement districts—1913 law  
Emergency medical service districts  
Flood control districts  
Flood control zone districts  
Health districts  
Health sciences and services authorities  
Intercounty weed districts  
Lake and beach management districts  
Library capital facility areas  
Metropolitan Park Districts (county)  
Multipurpose community centers (county)  
Parking and business improvement areas (county)  
Public corporations—1974 law (county)  
Public corporations for economic development—1981 law (county)  
Public waterway districts  
River and harbor improvement districts  
Service districts (for bridge and road improvements)  
Shellfish protection districts  
Solid waste collection districts—1971 law  
Solid waste disposal districts—1982 law  
Television reception improvement districts  
Transportation benefit districts—1987 law (county)  
Unincorporated transportation benefit areas  
Utility local improvement districts (sewerage, water, and drainage systems)  
Water conservancy boards  
Weed control districts

**Municipal<sup>3</sup>**

Cemetery board of trustees  
Community preservation and development authorities  
Community renewal agencies (formerly urban renewal agencies)  
Downtown and neighborhood commercial districts  
Flood control districts—1935 act  
Lake and beach management districts  
Local improvement districts  
Metropolitan Park Districts (municipal)  
Multipurpose community centers (municipal)  
Parking and business improvement areas (municipal)  
Parking commissions  
Public corporations—1974 law (municipal)  
Public corporations for economic development—1981 law (municipal)  
Transportation benefit districts—1987 law (municipal)  
Urban emergency medical service districts  
Utility local improvement districts

## **Other**

Public corporations established by port districts are classified as dependent activities of the port districts and are not counted as separate governments in Census Bureau statistics.

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

## **ENDNOTES**

<sup>1</sup> Legislation authorizing Innovate Washington was expired in 2014.

<sup>2</sup> The legislation authorizing Puget Sound Partnership was repealed in 2007.

<sup>3</sup> The legislation authorizing Emergency service communication districts was repealed in 2011.

# WEST VIRGINIA

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## COUNTY GOVERNMENTS

The entire area of the state of West Virginia is encompassed by county governments. The county governing body is called the county commission.

## SUBCOUNTY GENERAL PURPOSE GOVERNMENTS

### Municipal Governments

Municipal governments in West Virginia are the cities, towns, and villages. Cities are divided according to population size into the following classes:

- Class I—More than 50,000 inhabitants.
- Class II—10,001 to 50,000 inhabitants.
- Class III—2,001 to 10,000 inhabitants.
- Class IV (towns and villages)—2,000 inhabitants or fewer.

To incorporate, a population of 100 is required for an area less than one square mile; 500 residents per square mile are required for an area of one square mile or more.

Municipalities with a population of more than 2,000 may elect to operate under a home rule charter.

### Township Governments

West Virginia has no township governments.

## PUBLIC SCHOOL SYSTEMS

### School District Governments

Each county in West Virginia constitutes a school district. The county school districts are counted as governments. An elected county board of education governs each district. The board may levy ad valorem taxes and issue bonds.

### Dependent Public School Systems

West Virginia has no dependent public school systems.

### Other Educational Activities

Multicounty regional educational service agencies may be established by the state board of education to provide special educational and other services. The governing board of each agency is selected in accordance with state board of education regulations. These agencies may receive county contributions, federal funds, gifts, and grants. Multicounty regional educational service agencies are classified as joint educational service agencies of

the participating school districts and are not counted as separate governments in U.S. Census Bureau statistics.

## SPECIAL DISTRICT GOVERNMENTS

West Virginia statutes authorize the creation of a variety of special districts or authorities that are counted as governments. These are discussed in detail below.

### Airport Authorities (regional)

General law provides that regional airport authorities may be established by the governing bodies of two or more contiguous municipalities or counties. A board appointed by the participating governments governs each authority. The authority may fix and collect service charges and issue revenue bonds.

Single-county airport authorities are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### Conservation Districts

Conservation districts are created by the state conservation committee on petition of landowners and after a referendum. A board of supervisors, consisting of one elected member from each county wholly or partially located within the district and two members appointed by the state committee, governs each district. The districts may require contributions from benefited landowners.

In addition, watershed improvement districts may be formed as subdistricts of a conservation district upon petition and after hearing. The supervisors of the overlying conservation district govern the watershed conservation district. A watershed improvement district is not counted as a separate government in Census Bureau statistics.

### Corridor G Regional Development Authority

This authority was created by a special act to advance industrial, commercial, agricultural, and recreational development in the counties of Boone, Lincoln, Logan, and Mingo. It is governed by a 16-member board appointed by the participating counties. The authority may fix and collect fees for its services, and issue revenue bonds.

### Drainage, Levee, and Reclamation Districts

These districts provide flood control and reclamation of swampland. The districts may be created by the circuit court on petition of landowners after a hearing.

An elected board of supervisors governs each district. The districts may issue bonds and levy special benefit assessments.

### **Greater Huntington Park and Recreation District**

This district was created by a special act. An elected board of park commissioners governs the district. The district may levy ad valorem taxes, impose fees, and issue revenue bonds.

### **Greenbrier, Monroe, and Pocahontas Multicounty Economic Development Authority**

This authority was created by special act to provide economic development for the three-county area. It is governed by a board of at least 12 directors consisting of the presidents of the 3 county governments and at least 9 members appointed jointly by the county presidents and the corporate members of the authority. The authority receives a statutorily mandated per capita contribution from each member county and annual dues from its corporate members. The authority may issue revenue bonds.

### **Hatfield-McCoy Regional Recreation Authority**

This authority was created by a special act to manage a system of recreational trails in a 14-county area in the southern part of the state. It is governed by a board appointed by each participating county. The authority may fix and collect fees, and may issue revenue bonds.

### **Housing Authorities**

A general law provides for the creation of housing authorities by a city or county governing body on its own initiative or on petition of residents. A board of commissioners appointed by the ma (in the case of city housing authorities) or the county commission (in the case of county housing authorities) governs each authority. Additionally, any combination of counties and cities may form regional housing authorities governed by jointly appointed boards. Housing authorities may issue bonds and fix and collect rents and charges. Housing authorities may undertake redevelopment activities as well as provide assisted housing.

### **Hughes River Water Board**

This board was created by a special act to provide water supply and water treatment to the municipalities of Cairo, Harrisville, and Pennsboro. It consists of one member appointed by each municipality. The board may fix and collect fees for the sale of water, and may issue revenue bonds.

### **National Coal Heritage Area Authority**

The Coal Heritage Highway Authority (National Coal Heritage Area Authority) previously classified as a

special district government, has been reclassified as a dependent unit of the state and is not counted as separate government for the 2017 Census of Governments.

### **Public Library Boards**

A number of public libraries have been created by special acts. The governing boards always include members appointed by the county board of education, usually include members appointed by the county, and may include municipal appointees. Funding is established by the authorizing special act in the form of mandatory tax levies by the member governments. In some cases, the public library board can set the tax, within limits.

Public library boards created under general law are classified as dependent agencies of the creating government or governments and are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### **Public Service Districts**

These districts provide water, sewerage or storm water service, gas distribution service, or any combination thereof. The districts may be established by the county commission (on its own motion, on recommendation of the public service commission, or on petition of voters) after a public hearing, a local referendum upon voter demand, and approval of the public service commission. A board of three or more members governs each district; with each participating municipal government appointing one or more members according to population. If fewer than three members represent the participating governments, the county commission appoints additional members so that the total number of district board members will be three or more. The district may fix and collect charges and issue revenue bonds.

### **Regional Water and Wastewater Authorities**

These districts may be created by any combination of counties, municipalities, public service districts, or other political subdivisions of the state after approval by the state public service commission. The board members are appointed by the participating public agencies. The authorities may issue bonds and fix and collect fees.

Authorities of this type that lack fiscal or administrative autonomy are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### **Resort Area Districts**

These districts are created to increase economic development and job creation of resort and recreational areas through better infrastructure and provisions of essential services. The districts may be established by the county commission (on petition of landowners)

after a public hearing, a local referendum upon voter demand, and approval of the governing body. A seven-member board governs each district. The boards may be composed of three owners of or representatives of owners of residential, improved real property; two representatives of the resort operator(s); one owner or a representative of owners of commercial business property; and one owner or a representative of owners of unimproved, developable real property, all located within the resort area district. The districts may issue bonds, charge interest, levy fines and penalties on unpaid assessments, and fix and collect resort service fees.

## **Sanitary Districts**

Sanitary districts provide sewerage facilities. These districts may be established in areas that contain one or more cities, towns, or villages by the county commission on petition of voters and after a hearing and referendum. A board of trustees appointed by the county commission with approval of the council of the largest municipality therein governs each district. The districts may issue bonds after a referendum, establish rates and charges, and levy property taxes.

## **Solid Waste Authorities**

Two or more counties, with the approval of the state solid waste management board, may establish a regional solid waste authority. A board of directors appointed by various state and local officials governs each authority. The authorities may fix rentals and charges for their services and issue revenue bonds.

Counties not participating in a regional solid waste authority have county solid waste authorities created by a January 1, 1989, law. These authorities are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

## **Urban Mass Transportation Authorities**

These authorities to provide and operate transit systems may be created by ordinance of one or more county or municipal governing bodies. A board appointed by the governing bodies of the constituent governments governs each authority. The authority may impose charges for services and issue revenue bonds.

## **SUBORDINATE AGENCIES AND AREAS**

Shown below are various governmental designations in West Virginia that have certain characteristics of governmental units, but that are classified in Census Bureau statistics as subordinate agencies of the state or local governments and are not counted as separate governments. Legal provisions for some of the larger of these are discussed below (see "Public School Systems" section regarding educational agencies of this nature).

## **Urban renewal authorities (municipal and county)—**

These authorities may be created by the governing body of a municipality or a county. A board of commissioners administers each authority; its members are appointed by the mayor with the consent of the municipal governing body (in the case of a city urban renewal authority) or by the county commission (in the case of a county urban renewal authority). Regional urban renewal authorities may be created by two or more municipalities or counties. Municipal or county governments within the area of operation of an authority may levy taxes or issue bonds to obtain funds for redevelopment purposes. The authority board may fix and collect rentals and issue revenue bonds. Plans require the approval of the creating governments. These authorities also may be called slum clearance authorities.

**West Virginia Hospital Finance Authority (state)**—This authority was created by act of the legislature to finance hospital facilities. The seven-member board is composed of five members appointed by the governor, plus the state treasurer and the director of the state department of health. The authority may fix and collect fees and issue revenue bonds.

**West Virginia Housing Development Fund (state)**—This agency was formed by act of the legislature to provide mortgage credit for low- and moderate-income housing. The 11-member board of directors consists of seven members appointed by the governor, plus the attorney general, the commissioner of agriculture, the state treasurer, and the governor. The fund may fix and collect fees in connection with its loans and issue revenue bonds.

**West Virginia Parkways Authority (state)**—This authority was established by act of the legislature to construct, operate, and maintain highway projects. The authority board consists of six members appointed by the governor with the consent of the Senate, plus the state secretary of transportation. The authority may fix and collect tolls, fees, and rents, and may issue revenue bonds.

Other examples include:

### **State<sup>1</sup>**

Educational Broadcasting Authority

Local port authorities

State Armory Board

The State Building Commission of West Virginia

West Virginia Agricultural Land Protection Authority

West Virginia Community Infrastructure Authority

West Virginia Economic Development Authority

West Virginia Health Care Cost Review Authority

West Virginia Investment Management Board

West Virginia Jobs Investment Trust Board

West Virginia Land Stewardship Corporation

West Virginia Public Energy Authority

West Virginia Public Port Authority

West Virginia Regional Jail and Correctional Facility Authority  
West Virginia School Building Authority  
West Virginia Solid Waste Management Board  
West Virginia State Rail Authority  
West Virginia Traumatic Brain and Spinal Cord Injury Rehabilitation Fund Board  
West Virginia Water Development Authority

### **County**

Airport authorities (single county)  
Braxton County Recreational Development Authority  
Coalfields Expressway Authority  
Community improvement districts (county)  
County boards of health  
County building commissions  
County development authorities  
County Economic Opportunity Development Districts  
County farmland protection boards  
County fire boards  
County library boards  
County parks and recreation commissions  
County waterworks and electric power systems  
Emergency ambulance service authorities—1975 law  
Emergency operations center boards in Kanawha, Cabell, and Mercer Counties  
Historic landmarks commissions (county)  
Hospital boards (county)  
Land use agencies  
Marshall County Activities Development Authority  
Mercer County Tourist Train Authority  
New River Parkway Authority  
Prince Railroad Station Authority  
Regional library boards

Regional water and wastewater authorities (lacking autonomy)  
Shawnee Parkway Authority Solid waste authorities (single county)  
Tucker County Cultural District Authority

### **Municipal**

Boards of park and recreation commissioners (excluding Greater Huntington Park and Recreation District)  
City library boards  
Community improvement districts (municipal)  
Emergency ambulance service authorities  
Historic landmarks commissions (municipal)  
Hospital boards (municipal)  
Land use agencies  
Municipal boards of health  
Municipal building commissions  
Municipal development authorities  
Municipal waterworks and electric power systems  
Regional water and wastewater authorities (lacking autonomy)  
Sanitary boards  
Wheeling Centre Market Commission

### **Joint Municipal-County**

Berkeley County Roundhouse Authority  
Municipal-county building commissions

West Virginia laws also provide for various types of local areas for election purposes and administration of justice.

### **ENDNOTE**

<sup>1</sup> The law authorizing West Virginia Affordable Housing Trust Fund was repealed.

# WISCONSIN

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## COUNTY GOVERNMENTS

The entire area of the state of Wisconsin is encompassed by county governments. The county governing body is called the county board of supervisors.

## SUBCOUNTY GENERAL PURPOSE GOVERNMENTS

The subcounty general purpose governments consist of municipal (city and village) governments and town governments.

### Municipal Governments

The term "municipality," as defined for U.S. Census Bureau statistics on governments, applies only to cities and villages. Municipalities in Wisconsin have home rule. Towns, to which the term "municipality" is applied by some Wisconsin statutes, are counted in Census Bureau statistics as townships, rather than municipal governments (see below). Cities and villages exist outside the area of any town. Cities are divided into the following four classes:

- First class—150,000 inhabitants or more.
- Second class—39,000 to 149,999 inhabitants.
- Third class—10,000 to 38,999 inhabitants.
- Fourth class—fewer than 10,000 inhabitants.

The minimum population requirement for the incorporation of a village is 150. For the incorporation of villages within a metropolitan community (an area containing a city or 2 cities with borders no more than 5 miles apart and with an aggregate population of 25,000 or more) the minimum population is 2,500 for an area covering 2 square miles and a population density of at least 500 persons per square mile.

Villages may convert to cities upon meeting certain requirements. Villages outside a metropolitan area must have a population of 1,000 and a density of 500 people per square mile before obtaining city status. Villages within a metropolitan community must have a population of 5,000, an area of 3 square miles, and a density of at least 750 persons per square mile before converting to city status.

### Town or Township Governments

Governmental units in Wisconsin designated as "towns" are counted in Census Bureau statistics as township governments. Towns encompass the entire area of the state, except for areas within the boundaries of cities

or villages. Milwaukee County consists entirely of cities and villages and has no towns. The Town of Menominee and Menominee County are coterminous; however, each government is a separate entity and each is counted separately in Census Bureau statistics.

Each town is governed by a town board of supervisors. Towns may exercise the powers of a village by resolution of the town meeting.

## PUBLIC SCHOOL SYSTEMS

### School District Governments

The following types of school districts in Wisconsin are counted as separate governments in Census Bureau statistics:

- Common school districts.
- Unified school districts.
- Union high school districts.
- First class city school districts.
- Technical college districts.

School districts in first-class cities were created under general law with special application. All four types of school districts above are administered by elected school boards. The school boards may issue bonds and levy local property taxes. The taxes to be levied for common and union high school districts are determined at the annual district meeting. School boards may create recreation boards, which are dependent agencies of the creating school board.

The technical college districts are administered by boards selected by the governing bodies of the participating school districts or by the chairs of the county boards of supervisors of participating counties. The districts may levy property taxes and issue bonds. Sixteen such districts encompass the entire state.

### Dependent Public School Systems

Wisconsin statutes provide for a dependent public school system.

Systems dependent on county governments:

- County handicapped children's education boards.

These boards are established and appointed by the county board of supervisors. The boards receive the

proceeds of county tax levies. These boards are classified as dependent agencies of county governments and are not counted as separate governments for Census Bureau statistics.

## Other Educational Activities

Cooperative educational service agencies act primarily as intermediaries between the state and the local school districts. Services are furnished to school districts within their boundaries on a contractual basis. A board of control, chosen by and from the participating school district boards, governs each agency. Cooperative educational service agencies are classified as joint educational service agencies of the participating school districts and are not counted as separate governments in Census Bureau statistics.

## SPECIAL DISTRICT GOVERNMENTS

Wisconsin statutes authorize the creation of a variety of special districts or authorities that are counted as governments in Census Bureau statistics. These are discussed in detail below.

### Community Development Authorities

These authorities provide public housing and urban renewal. They are established by resolution or ordinance of the governing body of any city, village, or town. A board of seven members appointed by the mayor, two of whom are members of the city council ex officio, governs each authority. Community development authorities may fix charges and rents, and issue bonds.

### County Drainage Districts

Landowners may petition the county circuit court to organize a drainage district. Each county has one county drainage board, which is appointed by the county circuit court. The county drainage board governs all drainage districts in the county. County drainage boards may levy benefit assessments and, upon approval of the circuit court, may issue bonds. These districts may also be known as "farm drainage boards."

Drainage districts governed by the city, village, or town governing body ex officio are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

### Housing Authorities

County, city, or village housing authorities may be created by resolution of the governing body. In addition, 1961 legislation authorized cities to establish housing authorities to provide housing for elderly persons. The authorities are governed by boards of commissioners appointed by the mayor, the village board, or the county board of supervisors. The authorities may issue bonds

and fix rents. However, some city housing authorities have been reorganized by ordinance and now operate as a department of the city government, rather than as an independent housing authority.

## Intergovernmental Commissions

Under the state's intergovernmental cooperation law, the state, local governments, specified special districts, and specified local agencies may contract to jointly exercise powers. Legally separate entities created pursuant to this law are counted in Census Bureau statistics as special districts. The selection and composition of the governing board and the specific duties and powers delegated to these entities are specified in the creating agreement.

### Joint Local Water Authorities

A local government unit may establish a joint local water authority by contracting with another local government unit or federally recognized American Indian tribe or band in the state. Local governmental units are defined for this purpose as any county, city, village, town, town sanitary district, or water utility district and any public inland lake protection and rehabilitation district possessing town sanitary district powers. A board of directors governs each district, with the selection of board members and length of terms decided by the creating governing bodies. The district board may issue bonds and collect fees for services.

### Local Cultural Arts Districts

Local cultural arts districts created by cities are established by resolution, a copy of which is delivered to the governor. A board of commissioners governs each district; the selection process is determined by the city council in which the district resides. These districts may issue bonds and collect fees for services.

### Local Exposition Districts

These districts establish and maintain exposition centers and facilities. The districts are created by resolution of a county, city, village, or town government separately or in combination. A board of directors, appointed by the participating governments, governs each district. If the sole sponsoring municipality is a first-class city, additional members are appointed by the governor and legislature. Districts may set rates and charges, and may issue bonds. For example, the Wisconsin Center District was created under this law.

### Local Professional Baseball Park Districts

These districts may be created by resolution of a county with a population of more than 600,000, subject to approval by the governor. The jurisdiction of the district includes the county in which the baseball park resides and any immediate contiguous counties. A board of

commissioners governs the district; the members are selected by the governor, the chief executive officers of each county in the jurisdiction, and the mayor of the most populous city in the jurisdiction. The district may issue revenue bonds, levy a sales and use tax, and collect charges for services. The Southeast Wisconsin Professional Baseball Park District was created under this law.

### **Local Professional Football Stadium Districts**

These districts may be created by resolution of a county with more than 150,000 in population that already has a stadium with a professional team, subject to approval by the governor. A board of commissioners governs the district; members of the board are selected by the chief executive officers of the most populous city in the county, the county in which the stadium resides, and any municipality in the jurisdiction. The district may levy a sales and use tax, issue bonds, and collect charges for facilities. For example, the Green Bay-Brown County Professional Football Stadium District was created under this law.

### **Long-Term Care Districts**

These districts were formerly known as “family care districts.” These districts may be established under state law by resolution of the county board of supervisors of one or more counties. The districts are coterminous with the creating governments; however, more than one of these districts may be created by a government. The participating governments appoint a board of commissioners. The districts may fix charges for services.

### **Metropolitan Sewerage Districts (except the Milwaukee Metropolitan Sewerage District)**

Proceedings to create these districts are initiated by resolution of any county, city, village, or town, after a public hearing. A board of commissioners governs each district; the county board appoints the commissioners unless the cities, towns, and villages composing the district agree to appoint the commissioners or provide for their election. The district may issue bonds (voter approval is required for bond issues if petitioned for), set property taxes, set special benefit assessments, and fix charges for services.

### **Milwaukee Metropolitan Sewerage District**

This district was originally established under a 1921 general law with special application. Effective April 1982, the governing body of this district was reorganized as a single 11-member commission, with 7 members appointed by the mayor of Milwaukee and 4 members selected by a council of chief executives of other cities, towns, and villages in Milwaukee County. The district may set ad valorem taxes and issue bonds. The district may receive revenue from

user charges and from the sale of fertilizer. The districts may impose assessments on cities, towns, and villages in the district.

### **Municipal Electric Companies**

These entities may be established by two or more cities, villages, or towns. Each company is governed by a board of directors, with one member appointed by each contracting municipality. Municipal electric companies may issue bonds, and may fix and revise fees, rates, rents, and charges.

### **Public Inland Lake Protection and Rehabilitation Districts**

These districts (often called “lake districts”) may be created by the county or town board upon landowner petition; upon resolution of a city council or village board on its own initiative; or by conversion of a town sanitary district. In addition to lake preservation powers, these districts may have the powers of a town sanitary district. A five-member board of commissioners governs each district; three members are elected, one member is appointed by the county board, and one member is appointed from the governing body of the town, city, or village within which the largest portion by valuation of the district lies. The districts may issue bonds, impose special assessments and user charges, and set ad valorem taxes.

Districts administered by city, town, or village governing bodies ex officio are not counted as separate governments in Census Bureau statistics. See “Subordinate Agencies and Areas” section.

### **Solid Waste Management Boards**

These boards are created by resolution of one county and one or more county or municipal governing bodies. Members of the boards are appointed by the governing bodies of the county or counties served. The boards may charge and collect fees for its services and facilities, and set ad valorem taxes. Solid waste management boards may not be created in counties that have a population of 500,000 or more.

### **Town Sanitary Districts**

These districts are created by the town board upon its own initiative or upon petition of the landowners within the proposed district, and after a public hearing. Also, the state department of natural resources may order the establishment of a town sanitary district. For a single town district, the town board determines if the governing board is appointed or elected. For a multiple-town district, the town board with the largest portion of the district makes this determination. The town citizens may petition to change the method of board selection. A sanitary district may collect charges, set special assessments, set an ad valorem tax, and issue municipal obligations.

Lake sanitary districts, also created under this law, include at least 60 percent of the shoreline of a lake that does not have a public inland lake district. These districts have both sanitary district and lake district powers. Town sanitary districts may convert to public lake inland protection and rehabilitation districts. A town sanitary district may merge with a public lake inland protection and rehabilitation district.

Districts administered by a town governing body ex officio are not counted as separate governments in Census Bureau statistics. See "Subordinate Agencies and Areas" section.

## SUBORDINATE AGENCIES AND AREAS

Shown below are various governmental designations that have certain characteristics of governmental units, but that are treated in Census Bureau statistics as subordinate agencies of the state or local governments and are not counted as separate governments. Legal provisions for some of the larger of these are discussed below (see "Public School Systems" section regarding educational agencies of this nature).

**City redevelopment authorities (municipal)**—These authorities may be established by the city council. A board of seven commissioners appointed by the mayor governs each authority. No more than two of these commissioners may be city officers. An authority may issue bonds and lease its facilities.

**Land conservation committees (county)**—These committees, formerly known as soil and water conservation districts, are established by resolution of the county governing body. Each committee consists of the chairperson of the county agricultural stabilization and conservation committee, plus at least two members of the county committee on agriculture and extension education. The land conservation committee may include any number of county board members and up to two persons who are not members of the county board. The committees may require contributions from landowners for benefits received.

**Neighborhood Improvement Districts**—These districts promote orderly development within municipalities. They are established on petition of voters and approval of operating plans. An elected board governs each district. With the approval of the municipal planning commission, the board may levy special assessments.

**Wisconsin Health and Educational Facilities Authority (state)**—This authority was created by act of the legislature to finance health care and postsecondary education facilities. A board of seven members appointed by the governor governs the authority. The authority may fix rents, fees, and charges, and may issue revenue bonds.

## Wisconsin Housing and Economic Development

**Authority (state)**—This authority, formerly the Wisconsin Housing Finance Authority, was created to provide mortgage credit for low- and moderate-income housing. The authority is governed by a board of nine members, six of whom are appointed by the governor with the consent of the Senate, plus the secretary of commerce, the secretary of administration, and the chairpersons of the Senate and assembly committees on local affairs. The authority may make mortgage loans and issue revenue bonds.

**Wisconsin State Building Commission (state)**—This commission was established primarily to administer the building program of the state and to supervise the leasing of new state buildings. The commission consists of the governor, three state senators, and three representatives to the assembly, plus one citizen member appointed by the governor. The commission receives state appropriations.

Other examples include:

### State

Bradley Center Sports and Entertainment Corporation  
Flood control boards  
Forest protection areas  
Fox River Navigational System Authority  
Health Insurance Risk-Sharing Plan Authority  
Lower Fox River Remediation Authority  
Turnpike corporations  
Wisconsin Aerospace Authority

### County

Boards of harbor commissioners  
Consolidated public library system boards  
County park commissions  
Dane County Lakes and Watershed Commission  
Federated public library system boards  
Industrial development agencies  
Joint committees for county homes, hospitals, or juvenile detention homes  
Library boards (county)  
Mosquito control districts  
Transit commissions (county)

### Municipal

Boards of harbor commissioners  
Boards of public land commissioners  
City or village drainage districts with ex officio boards  
City park boards  
City sewerage districts  
Library boards (municipal)  
Public inland lake protection and rehabilitation districts with ex officio boards  
Transit commissions (city or village)  
Utility districts (third- and fourth-class cities or villages)

**Town**

Boards of harbor commissioners  
Library boards (town)  
Public inland lake protection and rehabilitation districts  
with ex officio boards  
Public recreation boards  
Town drainage districts with ex officio boards  
Town park commissions  
Town sanitary districts with ex officio boards  
Transit commissions (town)  
Utility districts (town)

**Joint**

City-county hospital boards  
Joint library boards  
Joint sewerage commissions  
Wisconsin Public Finance Authority

Wisconsin law also provides for various types of local areas for election statistics and administration of justice.

# WYOMING

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## COUNTY GOVERNMENTS

The entire area of the state of Wyoming is encompassed by county governments. The county governing body is called the county board of commissioners.

## SUBCOUNTY GENERAL PURPOSE GOVERNMENTS

### Municipal Governments

Municipal governments in Wyoming are the cities and towns. First-class cities are municipalities with a population of 4,000 or more. Municipalities in Wyoming not designated as first-class cities are designated as towns. The minimum population for incorporation is 200. Municipalities in Wyoming have home rule.

### Township Governments

Wyoming has no township governments.

## PUBLIC SCHOOL SYSTEMS

### School District Governments

Three types of school districts are authorized in Wyoming:

- Elementary school districts.
- Unified school districts.
- Community College districts.

Fremont County is the only county with elementary school districts, which operate along with unified districts. The governing body is an elected board of trustees. School districts in Wyoming may levy taxes and issue bonds.

Community college districts may be created after petition to the Wyoming Community College Commission and a referendum. The governing body is an elected board of trustees. The district may levy property taxes; charge and collect fees and tuition; issue revenue bonds; and, with voter approval, issue general obligation bonds.

### Dependent Public School Systems

Wyoming has no dependent public school systems.

### Other Educational Activities

Boards of cooperative services may be established to provide educational services, including but not limited to, postsecondary education, vocational-technical education, adult education, or services for children with disabilities. The boards are created by agreement between

any combination of two or more school districts and community college districts. The board members are appointed by the boards of trustees of the participating school and community college districts. The activities of the boards of cooperative services are financed by ad valorem taxes levied by the participating school and community college districts. Boards of cooperative services are classified as joint educational service agencies of the participating school districts and are not counted as separate governments in U.S. Census Bureau statistics.

## SPECIAL DISTRICT GOVERNMENTS

Wyoming statutes authorize the creation of a variety of special districts or authorities that are counted as governments in Census Bureau statistics. These are discussed in detail below.

### Cemetery Districts

These districts are established by the board of county commissioners upon petition of landowners, a public hearing, and a referendum. A popularly elected board of trustees governs each district. The districts may levy taxes, sell lots, and, with voter approval, issue bonds.

### Conservation Districts

These districts are established by the state board of agriculture on petition of landowners and after a hearing and referendum. An elected board of supervisors governs each district. The districts may require contributions from benefited landowners, and levy taxes upon voter approval.

### County Improvement and Service Districts

These districts finance and provide various improvements and services, such as streets, parks, water supply, sewerage, emergency medical services, and solid waste disposal. Districts may be created in unincorporated areas by petition of landowners to the county commissioners and after a hearing and referendum. A popularly elected board of directors governs each district. Board resolutions for proposed improvements are subject to approval by property owners at public hearings. Districts may levy ad valorem taxes, levy special assessments, fix and collect user charges, and after voter approval, may issue bonds.

Local improvement districts created by county improvement and service districts are administered by the creating district. They are not counted as separate governments in Census Bureau statistics.

## **Drainage Districts**

Drainage districts are created by the district court on petition of landowners and after a hearing. A board of commissioners appointed by the district court, or locally elected if the landowners so request, governs each district. The district may issue bonds and levy special benefit assessments.

Subject to a referendum, two or more drainage districts may cooperate in the operation and maintenance of their respective systems. These joint operations are governed by a board of district managers composed of either one or two members representing each participating district.

## **Fire Protection Districts**

These districts may be established in unincorporated areas of the county. The districts are established upon landowner petition to the county commission subject to a hearing and referendum. Alternatively, the county commission may propose a district by resolution and subject the question to a referendum. A popularly elected board of directors governs each district. The district board establishes its budget, and the county collects the necessary ad valorem taxes. Subject to voter approval, districts may issue bonds.

## **Hospital Districts**

Hospital districts may be established and subsequent elections held under the procedures for petitioning, hearing, and election of special districts as set forth in the Special District Elections Act of 1994. A popularly elected board of trustees governs each district. The districts may fix charges and levy ad valorem taxes. The districts may issue revenue and general obligation bonds; general obligation bonds require voter approval.

## **Irrigation Districts**

Irrigation districts are established by the district court upon petition of landowners and after a hearing. Irrigation districts are permitted to develop and distribute hydroelectric energy and power. A board of commissioners elected by landowners governs each district. The districts may levy special benefit assessments, fix and collect charges, and issue bonds.

Subject to referendum, two or more irrigation districts may cooperate in the operation and maintenance of their respective systems. These joint operations are governed by a board of district managers composed of either one or two members representing each participating district.

## **Joint Powers Boards**

Boards of this type are established by agreement between any two or more county, municipal, school district, or special district governments. Tribal business councils may participate in these agreements. The composition

of the appointed joint powers board is specified in the agreement establishing the board. The board may fix fees and charges, and issue revenue bonds. Member governments also may issue bonds for the benefit of the board.

## **Predatory Animal Districts**

Each county in Wyoming is a predatory animal district pursuant to general law. A board of directors elected by the sheep and cattle ranchers in the district governs each district. In addition, the county board of commissioners appoints one or more directors. Revenues include predatory animal control fees paid by stockowners on all sheep and cattle inspected within the district.

## **Recreation Districts**

Recreation districts may be established by school district governing bodies, either independently or jointly, for the purpose of providing a system of public recreation. Such districts are governed by a board of trustees. Revenues include gifts and donations, and a tax levied by the school district(s).

## **Resort Districts**

Districts may be established in unincorporated areas within a single county where there is a permanent population of less than 500 people; where no real property is used for manufacturing, electricity generation, or the extraction or processing of minerals; and where the major economic activity is catering to the recreational and personal needs of visitors to the area. Establishment is upon petition and subject to vote of landowners and timeshare owners. Each district is governed by a three-member board of directors elected by property owners and timeshare owners. The districts may levy ad valorem taxes and benefit assessments; impose an optional sales and use tax; and establish and collect charges for services and for the use of facilities. Subject to a referendum, the district may issue bonds.

## **Rural Health Care Districts**

These districts are established upon landowner petition to the county commissioners after a public hearing and referendum. A popularly elected board of trustees governs each district. The districts may levy ad valorem taxes and after voter approval, may issue bonds.

## **Senior Citizen Service Districts**

These districts may be organized following resolution of the board of county commissioners or a citizen petition. A public referendum is required. Each district is governed by an elected five-member board of trustees. The board may levy an ad valorem tax subject to a referendum.

## Solid Waste Disposal Districts

These districts are created upon resolution of the board of county commissioners. A board appointed by the county commissioners governs each district. The district may fix rates for the use of its facilities, and upon voter approval, levy an ad valorem tax.

## Special Museum Districts

These districts may be established upon petition of landowners to the board of county commissioners and after public hearing and referendum. A popularly elected board of trustees governs each district. The district may levy ad valorem taxes and issue bonds. Bonds issued must have voter approval.

## Water Conservancy Districts

These districts may be established for the purpose of conserving, developing, and stabilizing supplies of water for domestic, transportation, industrial, manufacturing, irrigation, power, recreation, and other beneficial uses. Districts may be established by the district court upon petition of landowners and after a public hearing. A board of directors elected by landowners governs each district. The district may fix rates for the sale or use of water, and levy taxes and benefit assessments. Bond issues must be approved by the voters.

## Water and Sewer Districts

These districts may be established upon landowner or qualified elector petition to the board of county commissioners subject to a public hearing and referendum. Districts may be created for either or both purposes and may include all or a portion of the unincorporated area of the county. A popularly elected board of directors governs each district. The district may levy ad valorem taxes and special assessments, fix rates and charges, and issue bonds with voter approval.

## Watershed Improvement Districts

Districts may be established to provide for the prevention and control of erosion, floodwater, and sediment damages; for agricultural uses; and for the storage, conservation development, utilization, and disposal of water. These districts may be established as subdistricts of one or more conservation districts. Petition is made by landowners to the board of supervisors of the conservation district. Formation is subject to a hearing and referendum of all qualified electors and landowners. Each district is governed by a popularly elected board of directors. After a public hearing, the districts may levy benefit assessments. Bonds may be issued after voter approval. Should the supervising conservation district be dissolved, the supervisory duties are transferred to the state conservation commission.

## Wyoming Municipal Power Agency

This agency was authorized by special act and formed by agreement of the participating cities and towns. The agreement specifies the composition of its governing board. The agency receives revenue from the sale of power and may issue revenue bonds.

## SUBORDINATE AGENCIES AND AREAS

Shown below are various governmental designations in Wyoming that have certain characteristics of governmental units, but are classified in Census Bureau statistics as subordinate agencies of the state or local governments and are not counted as separate governments. Legal provisions for some of the larger of these are discussed below (See "Public School Systems" section, regarding educational agencies of this nature).

**Housing authorities (county or municipal)**—Each housing authority is created by action of the governing body of the county or the municipality it serves. In addition, two or more county or municipal governments may create a regional housing authority. A board of commissioners, appointed by the governing body governs each housing authority. Housing authorities may fix rents and issue revenue bonds and notes. Housing projects, however, require approval by the parent county or municipal government, not the housing authorities.

### **Wyoming Community Development Authority (state)**—

This authority was established to finance the development of housing and economic development projects. The authority is governed by a board of ten directors, seven of whom are appointed by the governor, plus the executive director of the authority, the governor and the state treasurer, who serve in an ex officio capacity. The authority may lease or sell projects, make mortgage loans, receive fees in connection with its loans, and issue revenue bonds.

**Wyoming Infrastructure Authority (state)**—Created in 2004, this authority plans, finances, constructs, and operates electric transmission facilities, energy transmission facilities, coal distribution facilities, and ports, plus related advanced technology facilities and supporting infrastructure. The five-member board is appointed by the governor, with the advice and consent of the Senate. The authority may establish and collect fees, rentals, and other charges for use of its facilities. The authority may issue revenue bonds.

Other examples include:

### **State<sup>1</sup>**

Wyoming Business Council  
Wyoming Capitol and State Building Commission  
Wyoming Environmental Quality Council  
Wyoming Higher Education Assistance Authority

Wyoming Lottery Corporation  
Wyoming Natural Gas Pipeline Authority  
Wyoming Pari-mutuel Commission  
Wyoming Public Library Endowment Challenge Fund  
Wyoming State Loan and Investment Board  
Wyoming Water Development Commission

## **County**

County airport boards  
County museums and collections  
Day care centers for special needs children  
Fair boards  
Health districts  
Industrial development project boards  
Library boards  
Livestock districts  
Local improvement districts (underground utilities)  
Rabies control districts  
Recreation districts (single county)  
Regional transportation authorities (single county)  
Road districts  
Surface water drainage utility boards (county)  
Weed and pest control districts

## **Municipal**

Boards of public utilities  
City airport boards  
Downtown development authorities  
Health districts administered by city  
Industrial development project boards  
Local improvement districts  
Local improvement districts (underground utilities)  
Recreation districts (single municipality)  
Street lighting districts  
Surface water drainage utility boards (municipal)  
Urban renewal agencies

## **Other**

Grazing districts are areas for the administration of the Taylor Grazing Act, a federal statute. They are not counted as governments in Census Bureau statistics.

## **ENDNOTE**

<sup>1</sup> Wyoming Yellowstone Park Commission does not exist.

# Appendix A. County-Type Areas Without County Government

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Areas with governments legally designated as consolidated city-county governments and operating primarily as cities (13):

Alaska . . . . .	Municipality of Anchorage, Juneau city and borough, Sitka city and borough, Wrangell city and borough
California . . . . .	San Francisco city and county
Colorado . . . . .	Denver city and county, Broomfield city and county
Georgia . . . . .	Macon-Bibb County
Hawaii . . . . .	Honolulu city and county
Kansas . . . . .	Kansas City and Wyandotte County, City of Tribune and Greeley County
Montana . . . . .	Anaconda-Deer Lodge County, Butte-Silver Bow County

Areas designated as metropolitan governments and operating primarily as cities (3):

Tennessee . . . . .	Hartsville and Trousdale County, Lynchburg and Moore County, Nashville and Davidson County
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Areas with certain types of county offices, but included as part of another government (city, township, state) (19):

Florida . . . . .	Duval County (Jacksonville city)
Georgia . . . . .	Chattahoochee County (Cusseta-Chattahoochee County unified government), Clarke County (Athens-Clarke County unified government), Georgetown and Quitman County (Georgetown-Quitman County unified government), Muscogee County (Columbus city), Richmond County (Augusta city), Webster County (Webster County unified government)
Hawaii . . . . .	Kalawao County (Hawaii state)
Indiana . . . . .	Marion County (Indianapolis city)
Kentucky . . . . .	Lexington-Fayette Urban County, Louisville-Jefferson County Metro Government
Louisiana . . . . .	East Baton Rouge Parish (Baton Rouge city), Lafayette Parish (Lafayette city), Orleans Parish (New Orleans city), Terrebonne Parish consolidated government
Massachusetts . . . . .	Nantucket County (Nantucket town), Suffolk County (Boston city)
New York . . . . .	Bronx, Kings, New York, Queens, Richmond boroughs (all part of New York City)

Pennsylvania..... Philadelphia County (Philadelphia city)

Areas classified as a separate county area and as a separate state area in U.S. Census Bureau population statistics, but counted as a municipal government in Census Bureau statistics on governments (1):

District of Columbia ..... Washington city

Cities located outside of any “county” area and administering functions elsewhere commonly performed by counties (41):

Maryland ..... Baltimore city (distinct from Baltimore County)

Missouri ..... St. Louis city (distinct from St. Louis County)

Nevada..... Carson City city

Virginia (38 cities)..... Alexandria, Bristol, Buena Vista, Charlottesville, Chesapeake, Colonial Heights, Covington, Danville, Emporia, Fairfax, Falls Church, Franklin, Fredericksburg, Galax, Hampton, Harrisonburg, Hopewell, Lexington, Lynchburg, Manassas, Manassas Park, Martinsville, Newport News, Norfolk, Norton, Petersburg, Poquoson, Portsmouth, Radford, Richmond, Roanoke, Salem, Staunton, Suffolk, Virginia Beach, Waynesboro, Williamsburg, Winchester

Unorganized areas bearing county designations (20):

Connecticut ..... (8 county areas with no county government) Fairfield, Hartford, Litchfield, Middlesex, New Haven, New London, Tolland, Windham

Massachusetts ..... (7 county areas with no county government) Berkshire, Essex, Franklin, Hampden, Hampshire, Middlesex, Worcester

Rhode Island..... (5 county areas with no county government) Bristol, Kent, Newport, Providence, Washington

Other unorganized county-type areas (11):

Alaska..... Aleutians West, Bethel, Dillingham, Hoonah-Angoon, Kusilvak, Nome, Petersburg, Prince of Wales-Hyder, Southeast Fairbanks, Valdez-Cordova, Yukon-Koyukuk Census Areas

## Appendix B. Geographical Overlap of Township Governments With Other Governments

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Some Municipalities Overlap Townships	Cover part of state: Connecticut, Illinois, Indiana, Kansas, Michigan, Minnesota, Missouri, Nebraska, New York, Ohio, Vermont
No Geographical Overlap Between Municipalities and Townships	All territory other than that served by municipalities: Massachusetts, New Jersey, Pennsylvania, Rhode Island, Wisconsin
No Geographical Overlap Between Municipalities and Townships	All territory except for areas served by municipalities and areas without any governments: Maine, New Hampshire, North Dakota, South Dakota
States Without Township Governments	Alabama, Alaska, Arizona, Arkansas, California, Colorado, Delaware, District of Columbia,* Florida, Georgia, Hawaii, Idaho, Iowa, Kentucky, Louisiana, Maryland, Mississippi, Montana, Nevada, New Mexico, North Carolina, Oklahoma, Oregon, South Carolina, Tennessee, Texas, Utah, Virginia, Washington, West Virginia, Wyoming

\* Municipality

# Appendix C. Persons Who Reviewed the Individual State Descriptions

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The following persons were consulted by the U.S. Census Bureau concerning the completeness and accuracy of the Individual State Descriptions. These reviewers gave generously of their time and effort, and their comments and suggestions were extremely valuable. This cooperative effort was an integral part in improving the quality of the Individual State Descriptions. However, responsibility for the classification of a particular government or agency, and for the definitions and the criteria applied in this report, rests with the Census Bureau.

## *Alabama*

Ms. Serena McMurtrey,  
Alabama Controller's Office

## *California*

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California State Census Data Center

## *Hawaii*

Ms. Claire Marumoto,  
Research Librarian  
Legislative Reference Bureau, Hawaii

## *Kansas*

Mr. Mike Heim,  
Assistant Revisor  
State of Kansas Officer of Revisor of Statutes

## *Maine*

Mr. Jon Clark,  
Deputy Director  
Office of Policy and Legal Analysis, Maine State Legislature

Ms. Lucia Nixon,  
Legislative Analyst  
Office of Policy and Legal Analysis, Maine State Legislature

Ms. Amanda Rector,  
State Economist  
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## *Maryland*

Mr. Jim Peck,  
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Maryland Municipal League

## *Nevada*

Ms. Jennifer Ruedy,  
Senior Principal Policy Analyst  
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## *New York*

Mr. Michael Bopp,  
Special Assistant for Local Government  
New York Department of State

## *Oregon*

Mr. Layne Sawyer,  
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Oregon State Archives

Mr. Charles Rynerson,  
State Data Center Coordinator  
Population Research Center, Portland State University

## *Pennsylvania*

Ms. Sue Copella,  
Director  
Pennsylvania State Data Center

## *Virginia*

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Local Government Policy Administrator  
Virginia Department of Housing and Community Development

Mr. Zachary Robbins,  
Director of Policy  
Virginia Department of Education

# Appendix D. Laws Used for Legislative Research

## *Alabama:*

Acts of Alabama  
Code of Alabama

## *Alaska:*

Alaska Session Laws  
Alaska Statutes

## *Arizona:*

Arizona Revised Statutes Annotated  
Session Laws, Arizona

## *Arkansas:*

Arkansas Statutes Annotated  
General Acts of Arkansas

## *California:*

Deering's California Codes Annotated  
Statutes of California

## *Colorado:*

Colorado Revised Statutes  
Session Laws of Colorado

## *Connecticut:*

General Statutes of Connecticut  
Connecticut Public Acts  
Connecticut Annotated Statutes  
Connecticut Special Acts

## *Delaware:*

Delaware Code Annotated  
Laws of Delaware

## *District of Columbia:*

District of Columbia Code Annotated  
District of Columbia Register  
District of Columbia Statutes at Large

## *Florida:*

Florida Statutes  
Laws of Florida

## *Georgia:*

Georgia Laws  
Official Code of Georgia Annotated

## *Hawaii:*

Hawaii Revised Statutes  
Session Laws of Hawaii

## *Idaho:*

Idaho Code  
Session Laws, Idaho

## *Illinois:*

Illinois Compiled Statutes Annotated  
Laws of Illinois

## *Indiana:*

Acts, Indiana  
Burns Indiana Statutes Annotated

## *Iowa:*

Acts and Joint Resolutions of the State of Iowa  
Iowa Annotated Statutes

## *Kansas:*

Kansas Annotated Statutes  
Session Laws of Kansas

## *Kentucky:*

Michie's Kentucky Revised Statutes Annotated  
Kentucky Acts

## *Louisiana:*

Louisiana Annotated Statutes  
State of Louisiana: Acts of the Legislature

## *Maine:*

Laws of the State of Maine  
Maine Revised Statutes Annotated

## *Maryland:*

Annotated Code of Maryland  
Laws of Maryland

## *Massachusetts:*

Acts and Resolves of Massachusetts  
Annotated Laws of Massachusetts

## *Michigan:*

Michigan Compiled Laws Service  
Public and Local Acts of the Legislature of the State of Michigan

*Minnesota:*

Laws of Minnesota  
Minnesota Annotated Statutes

*Mississippi:*

General Laws of Mississippi  
Mississippi Code of 1972 Annotated

*Missouri:*

Laws of Missouri  
Missouri Annotated Statutes

*Montana:*

Laws of Montana  
Montana Code Annotated

*Nebraska:*

Laws of Nebraska  
Revised Statutes of Nebraska Annotated

*Nevada:*

Nevada Revised Statutes Annotated  
Statutes of Nevada

*New Hampshire:*

Laws of the State of New Hampshire  
New Hampshire Revised Statutes Annotated

*New Jersey:*

Laws of New Jersey  
New Jersey Annotated Statutes

*New Mexico:*

Laws of New Mexico  
Michie's Annotated Statutes of New Mexico

*New York:*

Laws of New York  
New York Consolidated Laws Service

*North Carolina:*

General Statutes of North Carolina Annotated  
Session Laws of North Carolina

*North Dakota:*

Laws of North Dakota  
North Dakota Century Code

*Ohio:*

Constitution of the State of Ohio  
Page's Ohio Revised Code Annotated  
State of Ohio: Legislative Acts Passed and Joint  
Resolutions Adopted

*Oklahoma:*

Oklahoma Session Laws  
Oklahoma Statutes Annotated

*Oregon:*

Oregon Annotated Statutes  
Oregon Laws and Resolutions

*Pennsylvania:*

Laws of Pennsylvania  
Pennsylvania Consolidated Statutes  
Pennsylvania Statutes

*Rhode Island:*

General Laws of Rhode Island  
Public Laws of Rhode Island and Providence Plantations

*South Carolina:*

Acts and Joint Resolutions, South Carolina  
South Carolina Code of Laws, Annotated

*South Dakota:*

Laws of South Dakota  
South Dakota Codified Laws

*Tennessee:*

Public Acts of the State of Tennessee  
Private Acts of the State of Tennessee  
Tennessee Code Annotated

*Texas:*

General and Special Laws of the State of Texas  
Texas Statutes and Codes

*Utah:*

Laws of Utah  
Utah Code Annotated

*Vermont:*

Laws of Vermont  
Vermont Statutes Annotated

*[Virginia:](#)*

Acts of the General Assembly of the Commonwealth of Virginia  
Code of Virginia

*[Washington:](#)*

Annotated Revised Code of Washington  
Laws of Washington

*[West Virginia:](#)*

Acts of the Legislature of West Virginia  
West Virginia Code

*[Wisconsin:](#)*

Laws of Wisconsin  
Wisconsin Statutes

*[Wyoming:](#)*

Session Laws of Wyoming  
Wyoming Statutes Annotated

*[All States:](#)*

United States Code Service