

N.D.A.G. Letter to Wold (March 14, 1986)

March 14, 1986

Mr. James W. Wold
Griggs County State's Attorney
Griggs County Courthouse
P.O. Box 541
Cooperstown, ND 58425

Dear Mr. Wold:

Thank you for your letter of March 5, 1986, inquiring as to whether the question of discontinuing a job development authority which had been created by the board of county commissioners may be placed on the ballots of the next regular election.

N.D.C.C. § 11-11.1-01 states, in part, as follows:

11-11.1-01. JOB DEVELOPMENT AUTHORITY --BOARD OF DIRECTORS' MEMBERS QUALIFICATIONS. . . .If the authority is created, the question of discontinuing the authority may be placed on the ballot at the next regular election by petition signed by electors of the county equal in number to ten percent of the votes cast in the county for the office of governor in the last general election.

Clearly, the North Dakota Legislature has authorized the question of discontinuance of a job development authority to be placed on the ballot of a regular election so long as the petition requirement is satisfied. The fact that a mill levy has yet to be imposed pursuant to the creation of the job development authority is not mentioned in the authorization for such a submission to the voters.

Thus, so long as a job development authority has been created and regardless of whether any mill levy has been imposed, the question of the discontinuance of such an authority may be placed upon the ballot.

Sincerely,

Nicholas J. Spaeth

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