

N.D.A.G. Letter to Larson (April 22, 1985)

April 22, 1985

Mr. Stuart A. Larson
Traill County State's Attorney
P. O. Box 188
Hillsboro, North Dakota 58045

Dear Mr. Larson:

Thank you for your letter of April 1, 1985, concerning the authority of the Board of Township Supervisors to loan funds to the Water Management Board so that a new bridge may be constructed.

A township may exercise only those powers expressly provided by law or those necessary for the exercise of those express powers. N.D.C.C. §58-03-02. A review of the statutes as to the powers of a township (N.D.C.C. §5803-01) as well as the general powers and duties of the board of township supervisors (N.D.C.C. §58-06-01) fails to indicate any authority for the lending of money to another political subdivision or agency thereof. As a result, I would agree with your opinion that the Board of Township Supervisors does not have the necessary authority to loan funds to the Water Management Board for this particular purpose.

Sincerely,

Nicholas J. Spaeth

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