

PRELIMINARY

MONTANA

Montana ranks 28th among the states in number of local governments, with 1,128 as of June 2002.

COUNTY GOVERNMENTS (54)

The entire areas of the state is encompassed by county government, except for the following areas:

The former counties of Deer Lodge and Silver Bow, which were consolidated in 1977 with the cities of Anaconda and Butte, respectively.

The area occupied by that portion of Yellowstone National Park which lies in Montana.

In 1977, the former county of Deer Lodge consolidated with the city of Anaconda to operate as one government, designated Anaconda-Deer Lodge County. Also in 1977, the former county of Silver Bow consolidated with the city of Butte to operate as one government, designated Butte-Silver Bow. Anaconda-Deer Lodge County and Butte- Silver Bow are classified under Montana law both as counties and as municipalities. However, Anaconda-Deer Lodge and Butte-Silver Bow are each counted only once for census purposes--as municipal governments rather than as county governments.¹ The area occupied by that portion of Yellowstone National Park which lies in Montana is under the jurisdiction of the federal government, and is not counted as a government. In Montana counties with county government, the governing body is called the county board of commissioners. Counties are divided into seven classes according to assessed valuation.

SUBCOUNTY GENERAL PURPOSE GOVERNMENTS (129)

Municipal Governments (129)

Municipal governments in Montana are the cities and towns. They are divided into the following classes according to population size:

First class--with 10,000 inhabitants or more
 Second class--with 5,000 to 9,999 inhabitants
 Third class--with 1,000 to 4,999 inhabitants
 T owns--with 300 to 999 inhabitants

Cities between 5,000 and 7,500 population may remain second-class or become a third-class city, and cities between 1,000 and 2,500 population may retain town status.

Township Governments (0)

Montana has no township governments, although the term "township" is applied to certain geographic subdivisions for election of some county government officers.

PUBLIC SCHOOL SYSTEMS (352)

School District Governments (352)

The following types of school districts in Montana are counted as separate governments for census purposes:

- 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 the territory of one or more elementary school districts. High school districts are 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, and are classified as dependent activities of the elementary district(s) they serve.

In the 1982, 1987, and 1992 Census of Governments high school districts were counted as separate governments. In the 1977 Census of Governments, and earlier censuses high school districts were classified as dependent activities of the elementary districts they served.

Legislation enacted in 1991 permits creation of school districts, with elected boards and powers similar to those of county high school districts.

Community colleges in Montana are operated by community college districts. These districts are established by petition to the State Board of Regents. An elected board of trustees governs each district. Community college districts may levy taxes and may issue bonds.

Dependent Public School Systems (0)

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. Special education cooperatives are classified as joint educational service agencies of the participating school districts for census purposes. They are not counted as separate governments. As of June, 1997, there were 21 special education cooperatives reported in operation.

School districts or community college districts designated by the State Superintendent of Public Instruction, upon direction of the legislature, may administer vocational or technical education programs.

Joint boards of trustees may be formed by two or more school districts to coordinate educational programs and support services. They are composed of representatives of the member school boards. They are not counted as separate governments.

SPECIAL DISTRICT GOVERNMENTS (592)

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, after petition of residents and local referendum. An elected board of supervisors governs each district. The districts may levy special assessments, require contributions from landowners benefitted by district activities, and accept state and federal contributions.

Conservancy Districts

Conservancy districts to provide water conservation and flood control facilities are established by the

district court on petition of landowners, after 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 issue bonds upon voter approval. These districts may also be called "flood control districts" or "dike districts."

County Water and Sewer Districts

County water and/or sewer districts may be created by the board of county commissioners on petition of the voters, after referendum. The district governing body is a board of directors of three or five members elected at large plus one additional member from each municipality included in the district appointed by the mayor of the municipality, and one member from any unincorporated territory within the district appointed by the board of county commissioners. The districts may issue bonds, fix rates and charges for services, and levy assessments on lands benefitted by the district.

Drainage Districts

Drainage districts are created by the district court on petition of landowners and after 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 petition and 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. See Subordinate Agencies and Areas below.

Fire Service Areas

Areas to provide fire protection are created by petition of property owners, after resolution of the county commissioners and 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 board may levy special assessments and issue special obligation bonds.

Fire service areas that are governed by the county board of commissioners are not counted as separate governments. See "Subordinate Agencies and

Areas," below.

Housing Authorities

Montana statutes provide that city or county governing bodies may establish housing authorities by resolution on petition of residents and after a public hearing. A board of commissioners, appointed by the mayor (in the case of city housing authorities) or the county commissioners (in the case of county housing authorities) governs each authority. Housing authorities may issue bonds, fix rents and charges, and accept grants from other governments.

Irrigation Districts

Irrigation districts are established by the district court on petition of landowners and after hearing. An elected board of commissioners 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.

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 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, issue revenue bonds and, after voter approval, issue general obligation bonds. Similar provisions apply to regional port authorities, which serve two or more governments.

Montana Municipal Insurance 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 may be created by the board of county commissioners on petition of landowners after hearing and referendum. A board of trustees, appointed by the board of county commissioners, governs each district. The district may determine the amount of revenue to be raised from ad valorem tax levies.

Public Hospital Districts

These districts are established by the board of county

commissioners on petition of property owners, after public hearing and referendum. An elected board of trustees governs each district. The districts may collect rates for services and determine the amount of revenue to be raised from ad valorem taxes.

Railway Authorities

County and regional rail authorities may be created for the preservation and improvement of abandoned rail lines. They are created by resolution of the county board(s) of commissioners. Each authority is governed by a board appointed by the board(s) of county commissioners. They may levy an ad valorem property tax with voter approval, and may fix and collect fees and charges for services. The authorities may issue general obligation, and revenue bonds.

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, impose service charges, and accept federal and state aid and grants. In addition, participating municipalities may levy ad valorem taxes to meet fiscal needs as certified by an authority. Joint airport boards are similarly established. An airport authority or airport board established by a single municipal or county government is not counted as a separate government. See "Subordinate Agencies and Areas," below.

Solid Waste Management Districts (formerly listed as Refuse Disposal Districts)

Solid waste management districts may be created by resolution of the board of county commissioners. Cities and towns may be included in the district on resolution of their respective governing bodies. A board of directors of no fewer than five members, appointed by the county commissioners, governs each district; the board includes one county commissioner, and one member from the county board of health, along with other appointed members. The districts may fix service charges, receive grants, and borrow money. In addition, joint solid waste management districts may be formed which cover portions of two or more counties and which have similar provisions to solid waste management districts generally.

Solid waste management districts that serve only one county or municipal government are not counted as separate governments. See "Subordinate Agencies and Areas," below.

Television Districts

Television districts to construct, operate, and maintain television translator stations are created by the board of county commissioners on petition of voters and after public hearing and referendum. A board of trustees, appointed by the county commissioners, governs each district. The districts may impose a special tax on persons owning a television set.

Urban Transportation Districts

Urban transportation districts are established by petition to the county clerk, after hearing and referendum. The board may be appointed by member governments, or elected at the option of the members. The districts may levy ad valorem taxes and issue 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 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).

Among the subordinate agencies and areas listed below, some represent "special taxing areas" within the territory of an established government. This method of financing additional services in limited areas by property taxation, while also used by some municipal and township governments in a few states, is more widely utilized by county governments. In the listing below of authorized county-related agencies, a bullet (*) appears for each entity of this kind--i.e., any that may individually 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.

Montana Board of Housing (state). This board was established to provide mortgage credit for lower income housing. The board consists of seven members appointed by the governor with the consent of the Senate. The board may receive appropriations and grants; collect interest, fees, and charges; make mortgage loans; and issue revenue bonds.

Other examples include:

State

Forest fire protection districts
Montana Board of Investment
Montana Health Facility Authority
Montana Higher Education Student Assistance

Corporation

County

Business improvement districts (county)
County airport authorities
County building commissions
County health units
County museum boards
County board of park commissioners
County planning districts
District health units
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
Multi-jurisdictional service districts (county)
Public libraries
Road districts
Road improvement districts--1989 law
Rodent control districts
Rural improvement districts
Solid waste management districts (serving one county)
*Weed control and weed extermination districts
Zoning districts

Municipal

Business improvement districts (municipal)
City parking commissions
Fire hydrant maintenance districts
Industrial districts
Local water quality districts (municipal)
Multi-jurisdictional service districts (municipal)
Municipal airport authorities
Municipal park commissions
Public libraries
Solid waste management districts (serving one municipality)
Special improvement districts
Special Improvement Lighting Districts
Urban renewal agencies

Private associations

The agricultural cooperative districts and Montana state grazing districts are classified, for census purposes, as private associations, and are not counted as governments.

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

1. The city of Walkerville, located within the area of the former county of Silver Bow, continues to exist as a separate government.