



## Qualifications and Terms of Office for all Elected Positions in North Dakota

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### President and Vice President of the United States

Only natural born citizens shall be eligible to the offices of President and Vice President of the United States who are at least 35 years of age and have resided within the United States for at least 14 years. No person constitutionally ineligible to hold the office of President shall be eligible to hold the office of Vice President of the United States (United States Constitution, Article 2, Section 1, and Amendment 12).

The 4-year terms of office for President and Vice President of the United States begin at noon on January 20 following the date of election.

The positions will next appear on the ballot in 2008 and every four years thereafter.

### United States Senator

A member of the United States Senate must be at least 30 years of age, a citizen of the United States for at least nine years, and an inhabitant of the state of North Dakota (United States Constitution, Article 1, Section 3).

The 6-year term for United States Senator begins at noon on January 3 following the date of election.

One of the two positions will be on the ballot in 2006. The other position will appear on the ballot in 2010.

### Representative in Congress

A member of the United States House of Representatives must be at least 25 years of age, a citizen of the United States for at least seven years, and an inhabitant of the state of North Dakota (United States Constitution, Article 1, Section 2).

The 2-year term for Representative in Congress begins at noon on January 3 following the date of election.

North Dakota's one congressional seat appears on the ballot every two years.

### Governor and Lt. Governor (partisan)

The Governor and Lieutenant Governor must be citizens of the United States, qualified North Dakota voters, at least 30 years of age, and have resided in North Dakota for the five years next preceding the election ([North Dakota Constitution, Article V, Section 4](#)).

The 4-year terms of office for Governor and Lieutenant Governor begin on December 15 following the date of election.

The two positions run as a team from the same party and will next appear on the ballot in 2008 and every four years thereafter.

### Other Constitutional Statewide Officers (partisan)

The remaining partisan constitutional statewide officers are the Secretary of State, State Auditor, State Treasurer, Attorney General, Commissioner of Insurance, Commissioner of Agriculture, Public Service Commissioner and Tax Commissioner. To qualify for one of these positions, the candidate must be at least 25 years of age, a qualified North Dakota voter, and have resided in North Dakota for the five years preceding the election. In addition, the Attorney General must be licensed to practice law in North Dakota ([North Dakota Constitution, Article V, Section 4](#)).

Except for the Public Service Commissioner, which has a 6-year term, each remaining position has a 4-year term of office. All terms begin on January 1 following the date of election.

There are three Public Service Commissioners, with one position appearing on the ballot every two years.

The positions of Secretary of State, Attorney General, Commissioner of Agriculture, and Tax Commissioner will appear on the ballot in 2006 and be elected to terms of four years and every four years thereafter. The remaining positions of State Auditor, State Treasurer and Commissioner of Insurance will appear on the ballot in the same four-year cycle as the Governor and President of the United States.

### Superintendent of Public Instruction (non-partisan)

The Superintendent of Public Instruction must be at least 25 years of age, a qualified North Dakota voter, and have resided in North Dakota for the five years next preceding the election. The Superintendent of Public Instruction must also hold a teacher's certificate of the highest grade issued in this state. ([North Dakota Constitution, Article V, Section 4](#) and [NDCC § 15.1-02-01](#)).

The 4-year term of office for Superintendent of Public Instruction begins on January 1 following the date of election.

The position will appear on the ballot in 2008 and every four years thereafter.

### Justices of the Supreme Court

Justices of the Supreme Court shall be citizens of the United States and residents of North Dakota, shall be learned in the law, and shall possess any additional qualifications prescribed by law. No Justice of the Supreme Court shall engage in the practice of law, or hold any public office, elective or appointive, not judicial in nature. Justices of the Supreme Court must possess a certificate of admission to the bar of this state and an annual license from the state bar board ([North Dakota Constitution, Article VI, Section 10](#) and [NDCC §§ 27-11-01 and 27-11-22](#)).

The 10-year terms of office for Justices of the Supreme Court begin on January 1 following the date of election.

One of five Justice positions appears on the ballot every two years.

### Judges of the District Courts

Judges of the District Court shall be citizens of the United States and residents of North Dakota, shall be learned in the law, and shall possess any additional qualifications prescribed by law. No Judge of the District Courts shall engage in the practice of law, or hold any public office, elective or appointive, not judicial in nature. Judges of the District Courts must possess a certificate of admission to the bar of this state and an annual license from the state bar board ([North Dakota Constitution, Article VI, Section 10](#) and [NDCC §§ 27-11-01 and 27-11-22](#)).

The 6-year terms of office for Judges of the District Court begin on January 1 following the date of election.

There are seven District Courts in the state and a certain number of Judges in each district appear on the ballot in a rotating manner every two years.

## Legislature - Senate or House of Representatives

State Senators and Representatives must be, on the day of the election, qualified voters in the district from which they are chosen and have been a resident of the state for one year next preceding their election ([North Dakota Constitution, Article IV, Section 4 and 10](#)).

The 4-year terms of office for State Senators and Member of the House of Representatives begin in December 1 following the date of election.

State Senators and Representatives of the House of Representatives from odd numbered districts will be on the ballot in 2006.

## County Officers

County officers must be, at the time of election, a qualified elector in the jurisdiction in which the candidate is to serve. County commissioners must be qualified voters of the jurisdiction from which the commissioner is chosen at the time of the election. Depending on the form of county government, the office sought or other election alternatives employed by the county according to law, other residency requirements may apply. [NDCC § 11-10-04](#)

The 4-year terms of office for recorder, state's attorney, clerk of district court and sheriff begin on or before the first Monday in January following the date of election or within 10 days thereafter.

The 4-year term of office for county auditor begins on or before the first Monday of April next succeeding the auditor's election, or within ten days thereafter.

The 4-year term of office for county treasurer begins on or before the first Monday of May next succeeding the treasurer's election, or within ten days thereafter.

The 4-year terms of office for county commissioners begin on the first Monday in December following the date of election.

At least one commissioner's position appears on the ballot every two years. The remaining positions will next appear on the ballot in 2006 and every four years thereafter.

## Southwest Water Authority - Director

Directors of the Southwest Water Authority must be qualified voters of the county where the officer is chosen when nominating petitions are filed. ([NDCC § 61-24.5-06](#)).

Directors are elected at the primary election and do not advance to the general election.

The 4-year terms of office for Directors begin on the 1st Monday in July following the date of election.

At least one of the positions is on the ballot every two years.

## Soil Conservation District - Supervisor

Supervisors of the Soil Conservation District must be qualified voters residing in the district where the officer is chosen when nominating petitions are filed. ([NDCC § 4-22-16](#)).

Supervisors are not nominated at the primary election and are elected directly at the general election.

The 6-year terms of office for Supervisors begin on January 1 following the date of election.

The position appears on the ballot every two years.

## Garrison Diversion Conservancy - Director

Directors of the Garrison Diversion Conservancy District must be qualified voters of the county where the officer is chosen when nominating petitions are filed. ([NDCC § 61-24-03](#)).

The 4-year terms of office for Directors begin on January 1 following the date of election.

The position appears on the ballot every two years.

## School Board Member

Any person who is a qualified elector of this state is qualified to be a member of the school board in the district in which the person resides. ([NDCC § 15.1-07-14](#))

Depending on the school district, the position may appear on the ballot every two years.

## All City Officers

No person shall be eligible to hold an elective city office unless he or she is a qualified voter of the city and unless he or she has been a resident of the city for at least 9 months preceding the election. No person shall be eligible to hold an appointive city office unless he or she is a citizen of the United States. No person in default to the city shall be eligible to any city office. ([NDCC § 40-13-01](#))

## Mayor

The mayor must be a qualified voter within the city. ([NDCC § 40-08-14](#))

The 4-year term of office for mayor lasts until a successor is duly elected and qualified.

## Councilman

A person is not eligible to the office of council member if the person is not a qualified voter of and resident within the ward for which the person was elected [except that in cities where council members are elected at large and not required to be a resident of the ward for which the person is elected pursuant to [NDCC § 40-08-04.2](#), the person must be a qualified voter of and a resident within the city]; or has been convicted of malfeasance, bribery, or other corrupt practice or crime. ([NDCC § 40-08-05](#))

The 4-year term of office for a councilman lasts until a successor is duly elected and qualified.

## Commissioner

No person shall be eligible to the office of city commissioner unless he or she is a qualified voter of the city and unless he or she has been a resident of the city for at least 9 months preceding the election. ([NDCC § 40-13-01](#)).

The 4-year term of office for a commissioner lasts until a successor is duly elected and qualified.

Mayors, Councilmen, and Commissioners are subject to be on the ballot again in 2006, depending upon the city.