

# PRINTING LAWS

## CHAPTER 456

HOUSE BILL NO. 1568  
(Horgan, Koski)

### SIXTH-CLASS PRINTING BID REQUIREMENT

AN ACT to amend and reenact section 46-02-09 of the North Dakota Century Code, relating to bidding requirements for certain public printing contracts.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 46-02-09 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

46-02-09. SIXTH-CLASS ITEMS - WHEN BIDS OR QUOTATIONS REQUIRED - COSTS DETERMINED. All work on sixth-class items amounting to ~~one~~ three hundred fifty dollars or over as determined by the Franklin Printing Catalogue, not done by the central duplicating service of the department of accounts and purchases or by departments, institutions, or state offices with authorized duplicating or printing centers, must be let by competitive bidding or by the solicitation of at least two quotations by the department of accounts and purchases, or by the departments, institutions, or state offices authorized to bid their own printing needs. Printing items amounting to less than ~~one~~ three hundred fifty dollars ~~and which are not economically feasible to be done by the central duplicating service,~~ may be given by the department head to the printer of his choice. All departments, institutions, or state offices shall submit requisitions for all printing to the department of accounts and purchases. Departments, institutions, or state offices authorized to do their own bidding must attach the bids or quotations to their requisition for printing. Where practical, all departments, institutions, or state offices authorized to do their own bidding shall take advantage of annual contracts established by the department of accounts and purchases. The department of accounts and purchases shall determine and fix the reasonable maximum cost or price for such printing work. The maximum cost of the work shall not exceed Franklin Printing Catalogue prices.

Approved March 31, 1981

## CHAPTER 457

HOUSE BILL NO. 1074  
(Legislative Council)  
(Interim Legislative Procedure and Arrangements Committee)

## LEGISLATIVE PRINTING

AN ACT to amend and reenact sections 46-02-10, 46-02-11, 46-03-11, and 46-03-18 of the North Dakota Century Code, relating to legislative printing and the timing thereof, to the publication of session laws, to the furnishing of copy for same by the secretary of state and the legislative council, and providing for contractual penalties.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 46-02-10 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

46-02-10. PRINTING AND BINDING DONE WITHOUT UNNECESSARY DELAY - TIME WITHIN WHICH LAWS AND PUBLIC DOCUMENTS MUST BE DELIVERED - HOW EXTENSION GRANTED.

1. Each contractor under the provisions of this chapter, promptly and without unnecessary delay, shall execute all orders issued to him by the legislative assembly, either branch thereof, or by the legislative council, or by the department of accounts and purchases on behalf of the executive officers of the state.
2. Volumes of public documents shall be delivered to the secretary of state within seventy days after receipt of final copy, exclusive of index copy, and the journals of the two houses of the legislative assembly shall be delivered ~~within sixty days after the index shall have been made out and delivered to the contractor~~ in accordance with the deadline provided in the contract for printing. The session laws shall be completed and delivered to the secretary of state within ninety days after the date of adjournment of the legislative assembly as recorded in the journals of that body.
3. The legislative council, with the assistance of the secretary of state, shall, with reasonable expedition,

furnish the printing contractor with true and correct copies of the laws and resolutions to be contained in the session laws and copy for the index to the session laws.

4. The department of accounts and purchases, with the concurrence of the legislative council in the case of a contractor for the printing of the session laws or journals, may, for good cause shown, extend the time for the execution of any printing contract for a period not to exceed twenty consecutive calendar days.

SECTION 2. AMENDMENT. Section 46-02-11 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

46-02-11. CONTRACTOR - FAILURE ON CONTRACT - CANCELLATION OF CONTRACT - PENALTY. If from death or any unforeseen cause there shall be a failure on the part of any successful bidder to execute his contract, the department of accounts and purchases may enter into a contract with the next lowest bidder. If any contractor, after commencing upon his contract, fails to execute the work embraced therein with reasonable expedition and in a suitable manner, the department of accounts and purchases may notify him for reasons it may specify that his contract is canceled and it may contract with some other person to do the work at the lowest practicable rate. The department may give written notice to any contractor who is unreasonably is delaying the execution of the work that ~~the--same~~ the work must be completed within a specified time. For failure to complete the contract within the time specified in the contract or in the notice authorized above, if given, the contractor shall suffer a penalty of one quarter of one percent--of the--contract--price--for--every--twenty--four--hours--of--delay--thereafter to--be--deducted--from--the--net--amount--of--the--printing--so--delayed be subject to a penalty as provided in the contract which penalty may not exceed two hundred fifty dollars for each twenty-four hours of delay.

SECTION 3. AMENDMENT. Section 46-03-11 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

46-03-11. PUBLICATION OF SESSION LAWS AND POCKET SUPPLEMENTS. The secretary of state and the legislative council shall correct ministerial or clerical errors and supervise the publication of the session laws and pocket part supplements to this code in a manner and form prescribed by the legislative council, correlating each year's laws with this code. The secretary of state shall secure a copyright of the session laws of each session of the legislative assembly before the same are distributed for the exclusive use and benefit of the state. The Notice of the copyright procurement shall be printed in--each--volume--of at an appropriate place in the session laws.

SECTION 4. AMENDMENT. Section 46-03-18 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

46-03-18. COPIES OF LAWS AND JOURNALS TO BE FURNISHED PRINTER - BY WHOM. ~~The secretary of state and the legislative council shall furnish a true and accurate copy of the laws as they may be demanded by the printer thereof. The secretary of the senate and the chief clerk of the house each shall furnish for the printer, who is bound by his contract to print the same, a copy of each journal, bill, report, and other paper and document, without unnecessary delay~~ journal copy for their respective houses and copies of legislative documents to the contract printer of the legislative documents or daily journals. No contractor shall be accountable under section 46-02-10 for any delay occasioned by the ~~want of~~ failure to furnish such copy on a timely basis.

Approved February 20, 1981

## CHAPTER 458

HOUSE BILL NO. 1185

(Committee on State and Federal Government)

(At the request of the Department of Accounts and Purchases)

## PUBLIC PRINTING BILLING REQUIREMENTS

AN ACT to amend and reenact section 46-02-14 of the North Dakota Century Code, relating to documents accompanying bills for printing.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 46-02-14 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

46-02-14. COPIES OF DOCUMENTS TO ACCOMPANY BILLS FOR PRINTING - CONTENTS OF BILL. Every person doing public printing pursuant to the provisions of this chapter shall file and preserve one copy of each document or other matter printed by him for the state which he shall deliver to the department of accounts and purchases at the time the completed work is delivered, together with a memorandum bill of the same. ~~In the account submitted for the payment of the work, the contractor at the same time shall submit his order for the work and shall state specifically:~~

~~1. The nature of the work performed.~~

~~2. The number of copies.~~

~~3. The number of ems of composition.~~

~~4. The extra charge, if any, for rule or figure, and rule and figure work.~~

~~5. The number of impressions of press work.~~

~~6. The cost of folding and binding.~~

~~7. Any other charges for which he claims payment.~~

~~8. If there is a charge for any alterations or changes from copy, the proofs of original composition and changes must be presented.~~

Approved March 2, 1981

## CHAPTER 459

SENATE BILL NO. 2370  
(Iszler, Lodoen, Naaden)

## LEGAL NOTICE FEES

AN ACT to amend and reenact section 46-05-03 of the North Dakota Century Code, relating to legal notice fees; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE  
STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 46-05-03 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

46-05-03. LEGAL NOTICES - FEES. The fees to be paid to newspapers for the publication of:

1. ~~Any notice or publication required to be published by any political subdivision of the state, or by any officer thereof,~~
2. ~~Any summons, citation, notice, or other document, proceedings, or process in an action or proceedings in any court of the state, which is required by law to be published,~~
3. ~~Any publication required to be published by any state officer, elected or appointive, and~~
4. Any any legal notice and legal publication of whatever kind or character required by law to be published,

shall be twenty-six cents per counted line of compugraphic six-point news type number nine for the first insertion, and sixteen cents per counted line for each subsequent insertion, based on a column width of eleven picas. Newspapers using a different column width or typeface shall submit a copy of their typeface and column to the department of accounts and purchases which will determine the legal rate to be charged by that newspaper to create parity with the base rate. Regardless of column width or size of type, all lines containing one or more columns of figures shall be thirty-nine cents

per counted line for first publication and sixteen cents per counted line for subsequent insertions. However, in no instance shall the line be less than nine picas nor the type size smaller than five-point nor larger than nine-point. Published ballots or publications which by their nature require open display shall be computed at thirty-nine cents per counted line for first publication and sixteen cents per counted line for subsequent insertions, based on the following ballot and open display line count chart.

Column Widths	Lines Per Column Inch
9	14.6
9 1/2	13.9
10	13.2
10 1/2	12.6
11	12
11 1/2	11.5
12	11
12 1/2	10.6
13	10.2
13 1/2	9.8
14	9.4
14 1/2	9.1
15	8.8

To effect uniformity, the department of accounts and purchases may compute a standard price on those legal notices which are widely published such as ballots, insurance statements, and official proclamations. In computing standard pricing, the department shall utilize the standard six-point type, eleven pica column rate. All newspapers must use the rates, type size, and column width as shown on its legal notice rate certification issued by the state ~~purchasing and~~ printing agent of the department of accounts and purchases. Certifications shall be issued within fifteen days after samples are submitted.

The department of accounts and purchases shall annually review and adjust the above rates to reflect changes in economic conditions within the newspaper industry and the general economy, and those adjustments shall become effective on each July first following the review. These annual changes may be percentage increases or decreases in the base rates, and they may incorporate revisions in the base rate structure. Whenever the department of accounts and purchases considers an adjustment in the legal publication rates contained herein, it shall consult with representatives of the daily and weekly newspaper industry of the state and with representatives of state and local units of government.

SECTION 2. EMERGENCY. This Act is hereby declared to be an emergency measure and shall be in effect from and after its passage and approval.

Approved March 31, 1981