

# PUBLIC BUILDINGS

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## CHAPTER 292

S. B. No. 152

(Johnson of Cass, Rue and Hagen)

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### CONTRACTORS BONDS; TAX PAYMENT

#### AN ACT

Relating to contractors bonds and providing for payment of all taxes due the State of North Dakota or its subdivisions.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

**§ 1. Provision Relating To Taxes In Contractors Bonds.)**

There shall be inserted in every bond given by a contractor doing work for the state of North Dakota or for any political subdivision thereof, in addition to the general provisions and requirements of other statutes, a further provision that said contractor will pay or cause to be paid all sales and use taxes payable as a result of the performance of the contract for which the bond is given, as well as the payment of gasoline and special motor fuels taxes used in the performance of the contract for which the bond is given, and all motor vehicle fees required for commercial motor vehicles used in connection with the performance of such a contract.

**§ 2. Surety Not To Be Released Until Taxes Paid.)**

No surety on any contractor's bond issued in compliance with any of the laws of this state shall be released or discharged from such bond until the principal has paid or caused to be paid the taxes and fees mentioned and described in section 1 of this Act.

Approved March 5, 1955.

## CHAPTER 293

S. B. No. 183

(O'Brien, Livingston and Kieley)

## IMPROVEMENTS OR CONSTRUCTION; BIDS; ARCHITECT

## AN ACT

To amend and re-enact section 48-0202 of the North Dakota Revised Code of 1943, relating to altering, repairing or constructing public buildings involving more than three thousand dollars, procuring plans, drawings and specifications therefor from a licensed architect.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

§ 1. **Amendment.)** Section 48-0202 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

**48-0202. Building And Repair By Contract: Prerequisite To.)** In altering, repairing, or constructing any building belonging or appertaining to any of the public institutions of the state, or to any county, city, park district, village, school district, or other political subdivision of the state, or in making any improvements connected therewith or pertaining thereto, or in doing any work thereon amounting to more than three thousand dollars, the governing body of such public institution, or of such municipality or political subdivision, shall procure such plans, drawings, and specifications thereof, upon competitive bids or otherwise as such board may deem necessary. In all cases where expedient such plans, drawings, and specifications shall be procured from a licensed architect.

Approved March 10, 1955.

## CHAPTER 294

S. B. No. 149  
(Johnson (Cass) )

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## NATIVE NATURAL RESOURCES; BIDS—REPEAL

## AN ACT

To repeal section 48-0210 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to materials found, produced, or manufactured in this state from native natural resources.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

§ 1.) Section 48-0210 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby repealed.

Approved March 3, 1955.

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## CHAPTER 295

S. B. No. 150  
(Johnson of Cass)

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PREFERENCE OF MATERIALS PRODUCED IN STATE FOR  
PUBLIC BUILDINGS

## AN ACT

To provide that all material produced in the state be given preference for use in public buildings.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

§ 1. **Material Produced In State Given Preference For Use In Public Buildings.)** All boards or commissions purchasing material for use in making alterations, repairs, or additions, or in erecting new buildings, and all contractors making such alterations, repairs or additions, or erecting new buildings or improvements therewith or pertaining thereto, always, price and quality being equal or better shall purchase materials manufactured or produced within this state and, next, shall purchase such as have been manufactured or produced in part in North Dakota.

Approved March 3, 1955.

## CHAPTER 296

H. B. No. 627

(Larson and Thompson of Burleigh)

## VACATING OF CAPITOL PARK PLAT

## AN ACT

To vacate the plat of Capitol Park platted by the capitol commission by virtue of the provisions of chapter 104, laws of Dakota Territory for 1883, said plat being a plat of the present capitol grounds, providing for a limitation of time for all claimants to object to such vacation and providing for the repeal of any Act or part of any Act in conflict herewith.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

**§ 1. Declaration of Legislative Intent.)** Whereas the tract known as Capitol Park was platted by plat recorded in the office of the register of deeds of Burleigh County, Dakota Territory, on September 19, 1883; and

Whereas, many lots were sold but no homes were ever erected, and the platted streets and alleys were never opened for travel by the public, excepting the streets, avenues and highways known as "Hill Street", otherwise known as "Divide Avenue", "The Boulevard" and "U.S. Highway 83" as described herein; and

Whereas, the original capitol building was burned and new buildings have been erected; and

Whereas, it is deemed proper that no private buildings be hereafter erected on the tract constituting the present capitol ground, and no necessity now exists for the further existence of such plat, it is the will of the legislature that said plat be now vacated.

**§ 2. Vacation of Plat.)** The plat of the tract known as Capitol Park, being the tract purchased and platted by the capitol commission created by chapter 104, laws of the territory of Dakota for 1883, which said tract of land is situated in the north one-half of section thirty-three, township one hundred thirty-nine, north, range eighty, bounded and described as commencing at the quarter corner between sections twenty-eight and thirty-three, thence 546 feet west following the section line between said sections, thence south 2,571.75 feet to a point 33 feet north of the northwest corner of block ninety in McKenzie and Coffin's addition to the city of Bismarck, thence east 2,584.40 feet to a point thirty-three feet

north of the northeast corner of block ninety-six of said McKenzie and Coffin's addition, thence 2,607.89 feet north to the section line, thence 2,037 feet west, following the section line to the point of beginning, be and the same is vacated in toto excepting from the operation and effect of this Act any and all rights in and to the following described streets, avenues and highways:

A strip of land situated in the north one-half of section thirty-three, township one hundred and thirty-nine north, range eighty, bounded and described as commencing at the quarter corner between sections twenty-eight and thirty-three; thence west 546 feet following the section line between said sections; thence south 40 feet; thence east 2583 feet, parallel to the section line between said sections; thence north 40 feet; thence west 2037 feet following the section line between said sections to the point of beginning. Said strip of land being the north forty feet of Capitol Park in the city of Bismarck, North Dakota, known as "Hill Street", otherwise known as "Divide Avenue" in the above named addition. A strip of land situated in the north one-half of section thirty-three, township one hundred and thirty-nine north, range eighty bounded and described as commencing at a point 33 feet north of the northwest corner of block ninety in McKenzie and Coffin's addition to the city of Bismarck; thence east 2584.40 feet to a point 33 feet north of the northeast corner of block ninety-six in McKenzie and Coffin's addition to the city of Bismarck; thence north 100 feet; thence west 2584.40 feet; thence south 100 feet to the point of beginning. Said strip of land being the south one hundred feet of Capitol Park in the city of Bismarck, North Dakota, also known as "The Boulevard" in the above named addition.

A strip of land situated in the northeast quarter of section thirty-three, township one hundred and thirty-nine north, range eighty, said strip being 150 feet wide, lying 75 feet on each side of the following described centerline; beginning at a point 40 feet north of the northwest corner of lot 32, block 95, of McKenzie and Coffin's addition to the city of Bismarck, said point being on the centerline of the state highway as surveyed and staked over and across said Capitol Park addition to Bismarck. Thence running south 89 degrees 43 minutes east 42.2 feet; thence along a 19 degree tangential curve to the left 473.2 feet; then north 0 degrees 23 minutes east 850.5 feet, thence along a 6 degree tangential curve to the right 481.7 feet, then north 29 degrees 17 minutes east 459.0 feet more or less to the east boundary of said Capitol Park addition, known as "U. S. Highway 83."

**§ 3. Limitation of Time To Object.)** Any person who owns or claims to own any lot or lots described upon said plat, who objects to such vacation shall take such legal steps as he may think proper within one year after the effective date of this Act.

**§ 4. Repeal.)** Any act or part of act in conflict herewith is hereby repealed.

Approved March 8, 1955.