

PRINTING LAWS

CHAPTER 365

SENATE BILL NO. 2019

(Melland, Larson)

(From Legislative Council Study)

PRINTING DUTIES OF DEPARTMENT OF ACCOUNTS AND PURCHASES

AN ACT to amend and reenact section 46-01-02 of the North Dakota Century Code, relating to printing duties of the department of accounts and purchases.

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

SECTION 1. AMENDMENT.) Section 46-01-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

46-01-02. PRINTING DUTIES OF DEPARTMENT OF ACCOUNTS AND PURCHASES.) The department of accounts and purchases shall:

1. Draw up and examine all advertising and let all contracts.
2. Examine all work and supplies to determine if they conform to the contract.
3. Examine all accounts for state printing to determine if the charges are correct.
4. Determine the price of any legal notice or publication when requested by any state agency or department, or by any political subdivision. Its decision on the proper fee for such publication shall be binding and final, subject to review by the courts.
5. Prepare a legal publications handbook containing samples of the legal advertising, legal notices, proceedings, and other such items, including sample voting machine and paper ballots, required of or published by any state governmental entity or political subdivision other than the judicial or legislative branches of government. The handbook shall contain guidelines for form, style, and content. The department shall prepare the handbook with the advice of a committee composed of: the director of the department; the director of the department's purchasing and printing division; the secretary of state; the president of the printing industries of North Dakota; the president of the North Dakota newspaper association; and the president of the North Dakota county auditors association. The department shall distribute the handbook to all concerned parties. The department will determine if it shall approve payments for any state agency or department, other than the judicial or legislative branches of

government, advertising or publishing material not conforming with the handbook.

Approved February 6, 1973

CHAPTER 366

SENATE BILL NO. 2022
(Melland, Larson)
(From Legislative Council Study)

CLASSES OF STATE PRINTING

AN ACT to amend and reenact section 46-02-04 of the North Dakota Century Code, relating to the classes of state printing.

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

SECTION 1. AMENDMENT.) Section 46-02-04 of the 1971 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

46-02-04. CLASSES OF PRINTING - CONTRACTS.) The printing of the state is hereby divided into classes as follows:

1. The printing of legislative documents for the use of the legislative assembly shall constitute the first class. For the purposes of this subsection, the words "legislative documents" shall mean bills and resolutions. However, certain bills and resolutions may be excepted from this class, as directed by officers of the legislative assembly or as provided for in the rules of the senate and the house of representatives.
2. The printing and binding of the journals of the senate and the house of representatives shall constitute the second class.
3. The printing and binding of the reports and other documents required by state law to be prepared and submitted to the governor and the secretary of state, and which make up the governmental biennial reports as prescribed by sections 64-06-03 and 54-06-04, shall constitute the third class. This class does not include the official budget report.
4. The printing and binding of the volumes of laws, with such legislative resolutions as shall be included in said volumes, shall constitute the fourth class.
5. The printing of the publicity pamphlet shall constitute the fifth class.

6. All printing not included in the foregoing classes shall constitute the sixth class.

Separate contracts for each of classes 3 and 4 shall be let by the department of accounts and purchases under competitive bidding in accordance with the provisions of this title and at a cost and price not in excess of the cost and price as provided for in the Franklin Printing Catalogue. Contracts for classes 1 and 2 shall be let by competitive bidding by the department of accounts and purchases in accordance with the rules of the senate and the house of representatives of the state of North Dakota of the previous legislative session, but at a cost and price not in excess of the cost and price as provided for in the Franklin Printing Catalogue.

Approved March 10, 1973

CHAPTER 367

SENATE BILL NO. 2020
(Melland, Larson)
(From Legislative Council Study)

PRINTING CLASSIFICATIONS AND BIDS

AN ACT to amend and reenact section 46-02-09 of the North Dakota Century Code, relating to printing classifications and bids.

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

SECTION 1. AMENDMENT.) Section 46-02-09 of the 1971 Supplement to 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 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 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 15, 1973

CHAPTER 368

SENATE BILL NO. 2023
(Melland, Larson)
(From Legislative Council Study)

PRINTING TO BE DONE IN STATE

AN ACT to amend and reenact section 46-02-15 of the North Dakota Century Code, relating to where state and other political subdivision printing is to be done.

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

SECTION 1. AMENDMENT.) Section 46-02-15 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

46-02-15. WHERE PUBLIC PRINTING SHALL BE DONE.) Where practicable, all state, county, and other political subdivision public printing, binding, and blank book manufacturing, blanks, and other printed stationery, shall be done in this state.

Approved March 3, 1973

CHAPTER 369

SENATE BILL NO. 2024
(Melland, Larson)
(From Legislative Council Study)

LEGISLATIVE CALENDARS

AN ACT to repeal section 46-03-06 of the North Dakota Century Code, relating to the printing of legislative calendars.

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

SECTION 1. REPEAL.) Section 46-03-06 of the North Dakota Century Code is hereby repealed.

Approved February 14, 1973

CHAPTER 370

HOUSE BILL NO. 1022
(H. Johnson, Mertens, Thorsgard)
(From Legislative Council Study)

DEFINITIONS OF LEGAL AND
OFFICIAL NEWSPAPERS

AN ACT to amend and reenact sections 46-05-01 and 46-06-02 of the North Dakota Century Code, relating to the definitions of legal and official newspapers.

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

SECTION 1. AMENDMENT.) Section 46-05-01 of the 1971 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

46-05-01. NEWSPAPERS QUALIFIED TO DO LEGAL PRINTING - FILE COPIES WITH HISTORICAL SOCIETY - PUBLISHING NOTICES IN ADJOINING COUNTY.) Before any newspaper in this state shall be qualified to publish any legal notice or any matter required by law to be printed or published in some newspaper in the state, or any public notice for any political subdivision within this state, such newspaper must:

1. Have been established in a regular and continuous circulation of at least one year, with a bona fide subscription list of at least one hundred fifty regular subscribers;
2. Be nonsectarian and printed at least three-fourths in English; and
3. Have been admitted to the United States mails and have complied with the requirements of the federal laws governing second class mail for at least one year.

In the county where no newspaper having the above prescribed qualifications is published, any newspaper at the county seat of said county shall be entitled to publish such legal notices even though it may not have been established one year. The owner or publisher of each legal newspaper shall send to the state historical society, to such address as shall be designated by the secretary thereof, two copies of each issue of such newspaper. In a county in which no newspaper is published, any notice required by law to be published may be published in a newspaper published in an adjoining county and having a general circulation in said county.

SECTION 2. AMENDMENT.) Section 46-06-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

46-06-02. QUALIFICATIONS REQUIRED OF AN OFFICIAL NEWSPAPER.) A newspaper is qualified to serve as an official newspaper if it meets all the requirements of a legal newspaper set forth in section 46-05-01 and maintains its principal editorial office within the county in which it is a candidate for official newspaper.

Approved February 2, 1973

CHAPTER 371

SENATE BILL NO. 2393
(Smykowski)

FEES FOR LEGAL NOTICES

AN ACT to amend and reenact section 46-05-03 of the North Dakota Century Code relating to the fees to be paid for the publication of legal notices.

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

SECTION 1. AMENDMENT.) Section 46-05-03 of the 1971 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 legal notice and legal publication of whatever kind or character required by law to be published,

shall be eighteen cents per counted line of Compugraphic six-point news type number nine for the first insertion and eleven cents per line for each subsequent insertion, based on a column width of eleven picas. Newspapers using a different column width or type face shall submit a copy of their type face 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. All lines containing tabulated matter, leader work, or work containing one column of figures and the publication of ballots shall be figured at one and one-half times the rate for straight matter on first publication and all tabulated matter with two or more columns of figures shall be computed at double the rate for straight matter on first publication. All

tabulated matter, including ballots, shall be at the standard six-point, eleven pica line rate of twenty-seven cents for single tabulation and thirty-six cents for double tabulation, regardless of the length of line or size of type. However, in no instance shall the line be less than ten and one-half picas nor the type size larger than nine-point. Published ballots or publications which by their nature require open display shall be computed on the basis of twelve lines per column inch, six-point type, and at one hundred fifty percent of the six-point straight matter rate for first publication only.

Approved March 28, 1973

CHAPTER 372

HOUSE BILL NO. 1260
(Hilleboe)

REAL PROPERTY NOTICES

AN ACT to provide for the inclusion of the common name or address in all notices relating to real property which are required by law.

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

SECTION 1. CONTENTS OF REAL PROPERTY NOTICES.) All legal notices, advertisements, or other matter required by law to be printed or published in a newspaper in the state which contain a legal description of real property shall also contain any one or more of the following:

1. A description of the property by its common name, if such common name exists;
2. The address of the property involved, if such address exists; or
3. A map detailing the property involved.

Approved March 19, 1973