

PUBLIC PRINTING.

CHAPTER 119.

[S. F. 190.]

PROVIDING FOR THE PUBLIC PRINTING OF THE STATE.

AN ACT in Relation to Printing and Binding for the State, to Create a Printing Commission, Providing for the Distribution of Public Documents, Reports and Session Laws, Prescribing the Duties of State Officers in Relation Thereto and Making an Appropriation for Document Fund.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. COMMISSION.] The Secretary of State, State Treasurer and State Auditor shall be *ex-officio* Commissioners of Public Printing during their terms of office respectively.

§ 2. PRINTING DIVIDED INTO CLASSES.] The printing of the State is hereby divided into five classes, the first and second to be let in one contract, and the third, fourth and fifth classes in separate contracts as follows:

First. The printing (in bill form) of bills, resolutions and other documents for the use of, and incident to, the Legislative Assembly shall constitute the first class.

Second. The printing and binding of the journals of the Senate and House of Representatives shall constitute the second class.

Third. The printing and binding (in book or pamphlet form) of executive or public documents and reports shall constitute the third class.

Fourth. The printing and binding of the volume of laws, with the joint resolutions, which shall be included in said volume, shall constitute the fourth class.

Fifth. The printing of all blanks, circulars and other miscellaneous job work necessary for the use of the Executive Departments, other than such as are printed in pamphlet form and not entering into the volumes of executive documents, and all printing not included in the foregoing classes shall constitute the fifth class.

§ 3. PROPOSALS.] The Commissioners of Public Printing shall, ninety days immediately preceding each biennial session of the Legislative Assembly, advertise for four weeks successively in two daily papers in the State, one of which shall be at the seat of government, inviting sealed proposals for doing all printing and

binding required by the Legislative Assembly and by the several State departments for the two succeeding years, and such bids shall specify at what per cent. below the maximum rates, severally prescribed in Section 4 of this act, the bidder will perform the work and furnish the stock; *Provided*, That the Commissioners of Printing may contract under the provisions of this act for such supplies and printing as may be required previous to the letting of the contract for the first regular biennial period.

§ 4. MAXIMUM PRICES.] The following prices are hereby established as the maximum prices for doing said work:

Composition—Sixty (60) cents for each 1,000 ems of plain composition; ninety (90) cents for each 1,000 ems of figure work; one dollar and twenty cents (\$1.20) for each 1,000 ems of rule and figure work.

Presswork—For the first 100 impressions of form, one (1) dollar; and twenty-five (25) cents for each additional 100 impressions or fraction thereof—one side of a sheet of flat cap, folio or medium, two pages on bill work and eight pages of pamphlet or journal work, or fraction thereof, to constitute a form.

Folding and pasting on the first and fifth class, for one fold, eight (8) cents per 100 sheets; for two folds on one sheet, twelve (12) cents per 100 sheets; for two folds and pasting and tipping, twenty-five (25) cents per 100 sheets including trimming. On the second, third and fourth class, when no charge is made for binding, ten (10) cents per 100 of eight pages or fractions thereof.

For stitching for all classes, including folding, collating, stabbing, stitching and trimming per 100 copies, for eight pages or less, thirty-five (35) cents per 100 copies, and for each additional signature of eight pages, ten (10) cents per 100 copies.

For binding for all classes, including folding, collating, stabbing, stitching and pamphlet covering for books of eight pages or less, per 100 copies forty (40) cents; for each additional signature of eight pages, ten (10) cents per 100 copies; if sewed instead of stitched, twelve (12) cents per 100 copies for each additional signature.

For Binding—Book work in tar board covered with paper, leather backs, lettered on back with ink, in addition to the pamphlet binding, thirty-five (35) cents per volume.

For binding book work in cloth, gilt lettering on back, in addition to pamphlet binding, thirty-five (35) cents per volume.

For binding in full law sheep and lettering, in addition to the pamphlet binding, seventy-five (75) cents per volume.

The printing under the fifth class, which includes miscellaneous job work for the executive departments, and other miscellaneous printing not covered by this act, shall be under the control of the Commissioners of Printing, who shall secure the same at the lowest rates, and upon the most advantageous terms.

For printing blank books, either ruled and printed or ruled

without printing, the paper used to be sized and calendered, and of standard brands:

Cap Paper—Eighteen pounds to the ream, plain ruled, half bound, \$1.25 per quire; ditto, printed heads, \$1.75 per quire; ditto, plain ruled extra full bound, \$2.00 per quire; ditto, printed heads, \$2.50 per quire.

Demy Paper—Twenty-eight pounds to the ream, plain ruled, half bound, \$1.50 per quire; ditto, printed heads, \$2.00 per quire; ditto, plain ruled, extra full bound, \$2.50 per quire; ditto, printed heads, \$3.00 per quire.

Medium Paper—Thirty-six pounds to the ream, plain ruled, half bound, \$2.00 per quire; ditto, printed heads, \$2.50 per quire; ditto, plain ruled, extra full bound, \$3.00 per quire; ditto, printed heads, \$3.50 per quire.

Medium Paper—Forty pounds to the ream, plain ruled, extra full bound, \$4.00 per quire; ditto, printed heads, \$4.50 per quire.

Super Royal Paper—Fifty-four pounds to the ream, plain ruled, extra full bound, \$4.50 per quire; ditto, printed heads, \$5.00 per quire.

All paper used for printing and binding, of whatever nature, shall be standard weights and grades, and approved by the Commissioners of Printing. The maximum price of sized and calendered book paper shall be ten (10) cents per pound; of linen ledger paper, twenty-five (25) cents per pound; common flat paper, eighteen (18) cents per pound; best bond paper, twenty-five (25) cents per pound.

§ 5. PROPOSALS, HOW MADE—BOND.] Each proposal shall be in writing, sealed and addressed to the Secretary of State, and shall be accompanied by a bond, executed in due form, by the bidders, with at least two good and sufficient sureties, satisfactory to the commissioners, in the penal sum of \$4,000, conditioned for the faithful performance, pursuant to this chapter, of such class or classes of the State printing as may be adjudged to him, and for the payment, as liquidated damages, by such bidder to the State, of any excess of cost over the bid or bids of such bidders, which the State may be obliged to pay for such work, by reason of the failure of such bidder to complete his contract. No bid unaccompanied by such bond shall be considered, and the right is reserved to the Commissioners of Printing to reject any bid or bids made by any other than regularly established and thoroughly competent printers, and shall also have the right to reject any or all bids if in their judgment the best interests of the State would be subserved thereby.

§ 6. AWARDS.] The Commissioners of Printing, or any two of them, shall within two days after the expiration of the term for receiving proposals as aforesaid, proceed to open in public all such proposals by them received, and they shall award the contract for each class of printing to the lowest bidder therefor, subject to the reservations of the preceding section; *Provided*, That nothing

herein contained shall be construed so as to prevent the same person from becoming contractor for two or more classes of printing, if he shall be the lowest bidder therefor. If two or more persons bid the same, and the lowest price for any class or classes of printing, the commissioners shall award the contract to such one or more of them as, in their opinion, will best subserve the interests of the State.

§ 7. HOW BILLS TO BE PRINTED.] Work of the first class shall be printed on first-class sized and calendered paper, from small pica type, with double the space between each line, the printed pages to be thirty-three ems pica wide and fifty-five ems pica long; one hundred and fifty copies of each bill shall be printed unless otherwise ordered by resolution of either house.

§ 8. HOW JOURNALS TO BE PRINTED.] The journals of the Legislative Assembly shall be printed on first-class, sized and calendered paper, of not less than forty pounds to the ream, size 25x38, from long primer type set solid, (except that extracts, table work, roll calls, etc., may be set in brevier or smaller type); the printed pages to be twenty-five ems pica in width and forty-three ems pica in length. Double the contract price will be allowed upon the journals when printed daily for the use of the members, but nothing shall be charged for composition or correction, or reimposition of the same matter for the bound journals, nor shall extra charge for composition be made when extra or additional copies are ordered printed.

§ 9. EXECUTIVE DOCUMENTS, HOW PRINTED.] The pamphlets and volumes of executive or public documents and reports shall be printed on first-class sized and calendered paper, of not less than forty pounds to the ream, size 25x38, from long primer type, set solid; *Provided*, that extracts and tabular work may be set in brevier or smaller type, the printed pages to be twenty-five ems pica in width and forty-three ems pica in length. The reports of the officers of the various departments of the government, required to be made out for the use of the Legislative Assembly and the information of the public, shall be printed and bound as elsewhere in this act provided, and the various reports, communications and other documents shall be reimposed and form the volumes of executive and public documents. There shall be no charge for the composition of matter used in the volumes of "executive documents," or as separate pamphlets, or as parts of reports that are to be used, or had been previously used and paid for in the pamphlet form; *Provided*, That the order for the same is given before the forms of type are distributed; but the maximum rate of one dollar for reimposition of each form of eight pages may be allowed. The volumes of the executive documents shall be paged consecutively, and the reports therein made up in as close and compact order as is consistent with good workmanship, without intervention of unnecessary blanks or separate title or half title pages, and at the conclusion of each volume there

shall be an index referring to the particular page at which each separate document commences. The commissioners of printing shall determine what reports and documents shall be printed in pamphlet form, and the number of copies of each report or document, where not specified by law. There shall be printed and bound three hundred copies of each volume of the executive documents.

§ 10. LAWS, HOW PRINTED.] The laws specified in the fourth class shall be printed in substantially the same form, as to type, paper and form, as is prescribed for the printing of public documents in Section 9 of this act.

§ 11. ESTABLISHED PRINTING HOUSES.] All printing shall be done by established printing houses in this State, which shall have been doing business in the State not less than one year, and all work shall be executed in a style consistent with good workmanship and with due reference to economy.

§ 12. DUTIES OF COMMISSIONERS IN CASE OF FAILURE ON CONTRACT.] If from death, or any unforeseen cause there be a failure on the part of any successful bidder to execute his contract, the Commissioners of Printing, or a majority of them, 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 Commissioners of Printing may notify him that, for reasons they may specify, his contract is cancelled, and they may then contract with some other person to do the work at the lowest practicable rate; *Provided*, That the Commissioners of Printing may give written notice to any contractor who is delaying the execution of the work in a manner they may deem unreasonable, that the same must be completed within a specified time, and for failure to complete the same within the time noted, that for every twenty-four hours' delay thereafter the contractor shall suffer a penalty of one-quarter per cent. to be deducted from the net amount of the bill for the printing so delayed.

§ 13. NUMBER OF REPORTS TO BE PRINTED.] Five hundred volumes of the laws required by this act to be printed shall be bound in full law sheep, and two thousand copies shall be half-bound. The volumes of "executive documents" provided for in Section 9 of this act, shall be bound in half-binding. Two hundred copies of the biennial reports of the State Auditor, State Treasurer, Commissioner of Insurance and Superintendent of Public Instruction, shall be bound in cloth, the remainder authorized by law to be bound in pamphlet form, unless otherwise ordered by the Commissioners of Printing.

§ 14. UNNECESSARY DELAY.] All contractors under the provisions of this act shall, promptly and without unnecessary delay, execute all orders to them issued by the Legislative Assembly or either branch thereof, or by the Commissioners of Printing, on behalf of the executive officers of the State; and the laws and volumes

of public documents shall be delivered to the Secretary of State within seventy days, and the journals of the two houses of the Legislative Assembly within sixty days after the index shall have been made out and delivered to the contractor; *Provided, however,* That the Commissioners of Printing may, on good cause shown by any such contractor, extend the time, not exceeding twenty days, for the execution of his contract.

§ 15. COMMISSIONERS MAY REJECT INFERIOR PRINTING.] The Commissioners of Printing may reject any and all printing that is not done in a workmanlike manner, or with good material and with ordinary promptness; and may require contractors to present specimen pages of the type they propose to use, and may reject the same, in their discretion, and require new material, and their ruling and determination shall be final and conclusive on the contractor, the intention of the law being that only good, clean and satisfactory work will be accepted, and that it must be done within a reasonable time. And, to accomplish this end, the Commissioners of Printing may withdraw the work from any contractor for unreasonable delay, or for neglect or refusal to use new material, if so required, or for neglect or refusal to furnish good, clean or satisfactory work, and may, by their agent or otherwise, go into the open market and contract for and have same done, to be paid for in the same manner and from the same fund, as would have been paid the original contractor; and if from any cause there is an excess of cost over and above what the same would have been, if furnished by the original contractor, such excess shall be charged to and collected from the original contractor, or shall be made payable by and collected from the bondsmen of the said original contractor; and the action of the said Commissioners of Printing in this matter shall be final and conclusive on said original contractor and his sureties.

§ 16. CLERKS TO KEEP LEGISLATIVE JOURNALS.] The secretary of the Senate and the chief clerk of the House of Representatives, shall keep a journal of the proceedings of their respective houses, and furnish a copy immediately upon each daily adjournment to the contractor for printing the same, who shall print and deliver the same at the commencement of the next day's session, for the use of the members of the Legislative Assembly—the number of copies of each daily journal to be determined by resolution of each branch of the Legislative Assembly. After being read in the house to which the journals respectively belong, and examined and compared with the minutes of the record or bill clerk, or the clerk having charge of the record of bills, memorials and joint resolutions, and in the presence and with the sanction of the house corrected, as found and declared to be correct, the proceedings of each day shall be attested by said secretary and chief clerk, and immediately thereafter delivered to the printer of the journals, who shall make the authorized corrections, if any, and print the sheets for the bound volumes of the journals. Each journal shall be recorded

in books to be furnished by the Secretary of State for that purpose. After the journals are recorded, said books shall be deposited with the Secretary of State, who shall carefully preserve the same, and said records shall be considered the true and authentic journal.

§ 17. COPY TO BE FURNISHED PRINTER.] The Secretary of State shall furnish a true and accurate copy of the laws as they may be demanded by the printer thereof, and the clerks of the respective branches of the Legislative Assembly shall each furnish for the printer, who is bound by his contract to print the same, copies of the journals, bills, reports, and other papers and documents, without unnecessary delay, and no contractor shall be accountable for any delay occasioned by the want of such copy.

§ 18. AUTHENTICATION.] All laws printed or published by authority of this State shall be printed or published without any certificates or additions to the same, except the word "approved," and the date of said approval, and in each volume of the Session Laws hereafter published there shall be a general certificate, made by the Secretary of State, to the effect that all laws, memorials, and resolutions contained therein have been compared by him with the originals thereof in his office, and that they are correct copies thereof.

§ 19. GOVERNOR'S MESSAGES.] All regular messages from the Governor, and all inaugural messages of the Governor-elect, shall be printed in pamphlet form, and there shall be printed in such form for the Governor's use 500 copies thereof, and for the use of the Legislative Assembly 2,000 copies, without any order by either or both houses for the printing thereof.

§ 20. BIENNIAL REPORTS, NUMBER OF.] There shall be printed 1,000 copies of the biennial reports of the State Auditor, Treasurer, Commissioner of Insurance and Superintendent of Public Instruction, and 500 copies of the biennial reports of other State officers and public institutions required to make reports.

§ 21. JOURNALS AND LAWS, NUMBER OF.] There shall be printed 150 copies of each journal for the daily use of the Legislative Assembly, and 300 copies of the bound edition which shall be in half binding; *Provided*, That the Legislative Assembly may by concurrent resolution increase this number; 2,500 copies of the General and Special Laws and joint resolutions shall be printed in one volume, and bound in accordance with the provisions of this act.

§ 22. COMMISSIONERS TO HAVE CHARGE OF ALL PRINTING PAID FOR BY THE STATE.] The Commissioners of Printing are hereby authorized to have charge of all the printing and binding required to be done for the several departments of the government; to receive the proper orders for the same and to have the same properly executed according to law; to keep a record of all work ordered from the several contractors under the law, and of all printing and binding ordered by the Legislative Assembly; to examine and supervise the work of printing in progress and see that

it is executed with due economy to the State; to make or authorize to be made the necessary indices for the permanent journals of the Legislative Assembly and for the volumes of the executive documents and reports; to examine all accounts of printing and binding that may be presented, and to adjust the same according to the terms of the contracts, and in accordance with law and such rulings as may be determined by the Commissioners of Printing; *Provided*, That no printing required by any State officer as provided under this act, shall be paid for unless the same shall have first been authorized by the Legislative Assembly or by the Commissioners of Printing.

§ 23. **BILLS FOR PRINTING TO BE ACCOMPANIED BY COPIES OF DOCUMENTS.]** Every contractor for any class of the public printing shall file and preserve one copy of each document or other matter by him printed for the State, which he shall deliver to the superintendent [Commissioners] of Printing at the same 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 will at the same time submit his order for the work, and state specifically the nature of the work performed, the number of copies, the number of ems of composition, the extra charge, if any, for rule or figure, and rule and figure work; the number of impressions of press work; the cost of folding and binding, and any other charges for which he claims payment; and if there is a charge for any alterations or changes from copy, the proofs of original composition and changes must be presented.

§ 24. **ACCOUNTS, HOW CERTIFIED.]** When the account of any contractor under this act shall have been adjusted the Commissioners of Printing shall certify the same to the State Auditor, who on the receipt thereof shall give his warrant upon the Treasurer of the State for the amount thereof; *Provided*, That in the current execution of such contract the Commissioners of Printing are hereby empowered, in their discretion, to deliver to said contractor a certificate for an amount not exceeding 75 per cent. of completed work, upon the contractor filing with the Commissioners of Printing a statement of the amount of work done, for which amount the State Auditor shall give his warrant upon the Treasurer of the State to said contractor.

§ 25. **DISTRIBUTION OF PUBLIC DOCUMENTS.]** Every member and officer of the Legislative Assembly, for himself, and every clerk of a court of record, and every county auditor, for the use of their offices respectively, is entitled to one copy of each journal and appendix, and the volumes of the executive documents. Every university, college, academy, or other literary institution within the State is entitled to one copy of the General Laws passed at each session of the Legislative Assembly, and also the volumes of executive documents.

§ 26. **WHO ENTITLED TO LAWS—PENALTY FOR FAILURE OF OFFICERS TO TURN OVER TO SUCCESSORS.]** Every member and officer

of the Legislative Assembly, for himself, shall have a copy of the laws; every judge and clerk of court of record; every justice of the peace, constable, chairman of the board of township supervisors, township clerk; every mayor, auditor, treasurer, clerk, recorder, alderman, or trustee of any ward in any city or incorporated village; every county auditor, treasurer, sheriff, register of deeds, court commissioner, county attorney, surveyor, coroner and county commissioner is entitled to receive one copy of the General Laws passed at each session of the Legislative Assembly, for their use while filling such offices, but every such officer, except members and officers of the Legislative Assembly, shall deliver the same to his successor in office, for his use while filling such office; and if any person refuse, on demand being made, to make such delivery, he shall forfeit and pay not less than five (5) nor more than fifteen (15) dollars, to be recovered in any action brought by the successor in office of any such person, in the name of the State of North Dakota, for the use of the county where such action is brought, before any justice of the peace in such county.

§ 27. EXCHANGE.] The Secretary of State shall deliver to the Governor, Auditor and Treasurer of State, each three copies of the laws and one of the journals and documents; to the Attorney General, the Adjutant General, the Railroad Commissioners, the Commissioner of Insurance, the Commissioner of Agriculture and Labor, the clerk of the Supreme Court, the Supreme Court reporter, the Superintendent of Public Instruction, the superintendent of every State benevolent society, each public institution, to the United States Circuit Judge, to the United States District Judge, to the Clerk of each of the United States Courts, and to the United States Marshal, one copy of the same. He shall supply each state, and each of the departments and territories of the United States and the general government of the United States with a copy. He shall furnish the State Library with ten copies of the general and special laws, both journals, and the volumes of executive documents.

§ 28. SECRETARY TO FORWARD LAWS, ETC.] The Secretary of State shall, as soon as the laws, journals and executive documents of each session are printed and ready for distribution, box up the number of each to which each county is entitled and forward the same by public conveyance to the auditor of the county. If any county seat be so situated that the laws, journals and documents cannot be sent to the same by public conveyance, they shall be forwarded to a secure place as near such county seat as practicable, and the Secretary of State shall notify the county auditor in writing of the delivery of the same at such point, and the county auditor shall contract with some person to convey the same to the county seat.

§ 29. DOCUMENT FUND.] For the purpose of defraying the expenses incident to the provisions of the four preceding sections, there is hereby annually appropriated the sum of two hundred (200) dollars to be designated the "document fund," upon which

the Secretary of State can draw at such times and for such amounts as may be necessary in the discharge of the duties imposed by said sections.

§ 30. COUNTY AUDITOR, WHEN TO DELIVER DOCUMENTS.] The county auditor shall deliver the laws, journals and documents to such persons and institutions as are entitled to receive them, when requested so to do, and shall take receipts therefor, and file the same in his office, subject to inspection.

§ 31. OFFICIALLY PRINTED.] All laws, journals and documents printed and published by any contractor under the provisions of this chapter, and duly certified by the Secretary of State, as provided herein, shall be deemed to be officially printed and published, and full faith and credit shall be given to them as such.

§ 32. SURPLUS DOCUMENTS, ETC.] All copies of the journals, executive documents and laws which are not distributed under the provisions of this chapter shall be preserved in the office of the Secretary of State, subject to future distribution by law.

§ 33. WHEN OFFICIAL REPORTS TO BE MADE.] All county, township, city and village officers, and all officers and boards of officers of all State institutions and buildings, and all officers connected with the public works of the State, and all corporations (except such as by their charter are required to make their reports at some other specified time) which are required by law to make annual reports for any purpose to any State officer, shall make out and transmit the same on or before the fifteenth day of November of each year to the proper officer. For the purpose of making out all such reports, the year shall begin on the first day of November of each year and end on the last day of October of the succeeding year.

§ 34. REPORTS TO GOVERNOR AND LEGISLATURE—WHEN TO BE MADE.] All State officers and boards of officers, and the officers of all such institutions and buildings, as are required to make annual [or biennial] report to the Legislative Assembly or to the Governor, shall make such report to the Governor on or before the fifteenth day of November of each year (and for the purpose of making out such reports the fiscal year is declared to begin on the first day of November of each year, and to end on the last day of October of the succeeding year). The Governor, upon receiving such reports, shall deliver the same to the Commissioners of Public Printing to be printed, and the Governor shall lay before the Legislative Assembly all such reports in printed form at the same time with his annual [biennial] message.

§ 35. REPEAL.] All acts and parts of acts in conflict with this act are hereby repealed.

§ 36. EMERGENCY.] Whereas, an emergency exists in that there is no provision under the present statutes for printing beyond the session of the first Legislative Assembly, therefore, this act shall take effect and be in force from and after its passage and approval.

Approved March 3, 1890.

CHAPTER 120.

[H. F. 311.]

WHAT NEWSPAPERS ARE QUALIFIED TO DO LEGAL PRINTING.

AN ACT to Define What Newspapers are Entitled to Publish Legal Notices and do Public Printing.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. WHAT NEWSPAPERS QUALIFIED TO DO LEGAL PRINTING.] Before any newspaper in this State shall be entitled to publish any legal notice of any nature or do any public printing for the State, or any county, city, town or other municipality within the State, such newspaper must have been established at least six months, and have been in regular and continuous circulation during that time and have a *bona fide* circulation of at least 150 regular and continuous subscribers. Such newspaper must contain at least four pages of five columns each, standard size and length and contain on an average of not less than four columns of reading or news matter; *Provided, however*, that in all counties organized hereafter, all newspapers conforming otherwise to the provisions of this act shall be entitled to publish legal notices and do public printing, from their incipiency.

§ 2. PUBLISHER TO FILE AFFIDAVIT.] It shall be the duty of the owner, owners or managers of any newspaper in this State and before such newspaper can be awarded any contract for public printing of any nature whatsoever or publish any legal notices of any kind or nature, to file with the county auditor of the county in which such newspaper is published, a statement, properly certified to before any officer empowered to administer oaths, setting forth the number of regular and continuous subscribers and the length of time such newspaper has been established and in general circulation.

§ 3. PENALTY.] All persons, associations or corporations, publishing any legal notices or doing any public printing contrary to the provisions of this act shall be liable to a fine of not less than twenty-five (25) dollars nor more than two hundred (200) dollars, and a forfeiture of all pay for any such printing to be recovered in any court of competent jurisdiction.

Approved March 31, 1890.

CHAPTER 121.

[H. F. 209.]

STATIONERS' SUPPLIES FOR LEGISLATURE AND STATE OFFICERS.

AN ACT to Provide for the Purchase of Stationers' Supplies for the Use of the Legislative Assembly and the Various State Officers, and Making an Appropriation Therefor.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. STATIONERS' SUPPLIES, WHO TO PURCHASE.] The Commissioners of Printing, consisting of the Secretary of State, State Auditor and State Treasurer, are hereby authorized to purchase all stationers' supplies required for the use of the Legislative Assembly and the various State officers, and the Secretary shall issue the same from time to time as required on requisition of the proper State and legislative officers.

§ 2. PROPOSALS—MAXIMUM PRICES.] It shall be the duty of the Commissioners of Public Printing to make an estimate of the amount and kind of stationers' supplies required for the use of the State officers and the Legislative Assembly, annually hereafter, on or before the first day of October in each year, and advertise for bids for furnishing the same. The board herein named shall fix the maximum rate on each article required and the bidder or bidders shall specify at what per cent. below the maximum rates so established the bidder will furnish the articles named; *Provided*, That the Commissioners of Printing may contract for such supplies as may be required prior to the letting of the contract for the first annual period.

§ 3. NOTICE OF PROPOSALS.] It shall be the duty of the commission herein named to give public notice, for at least four consecutive weeks, by advertisement in four daily newspapers, printed in this State, one of which shall be published at the capital of the State, that sealed proposals will be received until, (naming the day, month and hour), at the office of the Secretary of State, for furnishing such quantities of stationers' supplies, describing the same, required. To secure the faithful performance of said contracts, the Commissioners of Printing shall take from the contractor or contractors, a bond payable to the State of North Dakota, with good and sufficient security, to be approved by the Secretary of State, in the penal sum of not less than double the amount to be paid such contractors, by virtue of such contracts; *Provided*, That the said commission shall have power, and it shall

be their duty, to reject any or all bids that may be considered exhorbitant or against the interests of the State.

§ 4. CONTRACTOR TO FILE BOND.] Said bond shall be filed and retained in the office of the Secretary of State, and for any failure to comply with any of the conditions therein contained may be prosecuted in the name of the State in any court of competent jurisdiction, and the amount of damages when collected shall be paid into the State Treasury.

§ 5. APPROPRIATION.] The Commissioners of Printing shall certify to the State Auditor, from time to time, the amount due to such contractors, for stationers' supplies furnished under said contract, who shall issue his warrant upon the State treasury for the amount so certified; and there is hereby appropriated annually out of any monies in the treasury not otherwise appropriated a sufficient sum to meet the requirements of this act; *Provided*, That said Auditor shall not give his warrant for an amount to exceed 75 per cent. of the amount certified until said contract shall be fully completed and fulfilled.

§ 6. REPORT TO LEGISLATURE.] The Commissioners of Printing shall report to the Legislative Assembly, on the first day of each regular session, an itemized account of all stationers' supplies purchased by them with prices paid for same.

§ 7. EMERGENCY.] Whereas, an emergency exists, in that there is no law providing for the purchase of stationers' supplies for the State; therefore, this act shall take effect and be in force from and after its passage and approval.

Approved March 20, 1890.