

HOUSE BILL NO. 1122

Introduced by

Government and Veterans Affairs Committee

(At the request of the Office of Management and Budget)

1 A BILL for an Act to amend and reenact sections 46-02-04, 46-02-05, 46-02-06, 46-02-07, and
2 46-02-09 of the North Dakota Century Code, relating to the acquisition, classifications,
3 specifications, and the authority of the office of management and budget with respect to state
4 printing.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1. AMENDMENT.** Section 46-02-04 of the 1999 Supplement to the North
7 Dakota Century Code is amended and reenacted as follows:

8 **46-02-04. Classes of printing –~~Contracts.~~** The printing of the state is divided into the
9 following classes:

- 10 1. The printing of bills and resolutions of the legislative assembly constitutes the first
11 class. However, certain bills and resolutions may be excepted from this class, as
12 directed by officers of the legislative assembly or as provided for in the rules of the
13 senate and the house of representatives.
- 14 2. The printing and binding of the journals of the senate and the house of
15 representatives constitutes the second class.
- 16 3. The printing and binding of the reports and other documents that are prepared and
17 submitted to the governor and secretary of state, and which make up the
18 governmental biennial reports in accordance with sections 54-06-03 and 54-06-04,
19 constitutes the third class. This class does not include the official budget report.
- 20 4. The printing and binding of the volumes of laws and legislative resolutions
21 constitutes the fourth class.
- 22 5. All printing not included in the foregoing classes constitutes the sixth class.

23 ~~Separate contracts for classes 3 and 4 must be let by the office of management and budget~~
24 ~~under competitive bidding in accordance with this title. Contracts for classes 1 and 2 must be~~

~~let by competitive bidding by the office of management and budget in accordance with the rules of the senate and the house of representatives of the previous legislative session or as directed by the legislative council.~~

SECTION 2. AMENDMENT. Section 46-02-05 of the North Dakota Century Code is amended and reenacted as follows:

46-02-05. Proposals for printing - Classifications 1, 2, ~~3~~, and 4 - Form, style, quantity, timing specifications. The office of management and budget, at least two months immediately preceding each regular session of the legislative assembly, shall invite sealed bids for doing all printing constituting each of classifications 1, 2, ~~3~~, and 4, required by the legislative assembly ~~and by the several state departments~~ for the two succeeding years commencing with the first day of December next following the date of the contract. ~~Such~~ The invitation for bids for the classes of printing under this section shall include the specifications for form, style, quantity, and timing in accordance with the rules of the senate and house of representatives of the previous legislative session or as directed by the legislative council. All bids must specify the price and cost for which the ~~said~~ printing work will be performed and the stock furnished.

SECTION 3. AMENDMENT. Section 46-02-06 of the North Dakota Century Code is amended and reenacted as follows:

46-02-06. Opening of bids - Awards. The office of management and budget, ~~within fifteen days after the date for receiving proposals as aforesaid,~~ shall award the contract for ~~each class~~ classifications 1, 2, and 4 of printing to the lowest bidder therefor, subject to the provisions of this title. If two or more persons bid the same and the lowest price for any class of printing, the office of management and budget shall award the contract to such one or more of them as in its opinion will best subserve the interests of the state.

SECTION 4. AMENDMENT. Section 46-02-07 of the North Dakota Century Code is amended and reenacted as follows:

46-02-07. Proposals - How made. Each proposal for ~~each class~~ classifications 1, 2, and 4 of state printing let under competitive bids must be in writing, sealed, and addressed to the office of management and budget. The office of management and budget may reject any bid made by anyone other than a regularly established and thoroughly competent printer and also may reject any or all bids if in its judgment the best interests of the state would be subserved thereby.

1 **SECTION 5. AMENDMENT.** Section 46-02-09 of the 1999 Supplement to the North
2 Dakota Century Code is amended and reenacted as follows:

3 **46-02-09. ~~Sixth-class items—When bids or quotations required~~ Printing**
4 **classifications 3 and 6 - Procured by the office of management and budget.** All work on
5 ~~sixth-class items amounting to seven hundred fifty dollars or over, not done by the central~~
6 ~~duplicating service of~~ state printing in classifications 3 and 6 must be purchased by the office of
7 ~~management and budget or by departments, institutions, or state offices, must be let by~~
8 ~~competitive bidding or by the solicitation of at least two quotations by the office of management~~
9 ~~and budget, or by the departments, institutions, or state offices authorized to bid their own~~
10 ~~printing needs. Printing items amounting to less than seven hundred fifty dollars may be given~~
11 ~~by the department head to a printer selected by the department head and accompanied by a~~
12 ~~purchase order. If practical, all departments, institutions, or state offices authorized to do their~~
13 ~~own bidding shall take advantage of annual contracts established by the office of management~~
14 ~~and budget, or delegated, according to chapter 54-44.4, unless the work is done by the central~~
15 duplicating service of the office of management and budget.