

## **CHAPTER 46-02**

### **PRINTING AND BINDING, GENERAL PROVISIONS**

#### **46-02-01. Printing and binding - Duties of the office of management and budget.**

The office of management and budget shall have charge of all the printing required to be done for all state agencies except as otherwise provided by section 46-02-09.

#### **46-02-02. Union label on printed matter - Prerequisite - Penalty.**

Unconstitutional.

#### **46-02-03. Paper - Quality.**

Repealed by S.L. 1987, ch. 547, § 11.

#### **46-02-04. Classes of printing.**

The printing of the state is divided into the following classes:

1. The printing of bills and resolutions of the legislative assembly constitutes the first class. 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 constitutes the second class.
3. The printing and binding of the reports and other documents that are prepared and submitted to the governor and secretary of state, and which make up the governmental biennial reports in accordance with sections 54-06-03 and 54-06-04, constitutes the third class. This class does not include the official budget report.
4. The printing and binding of the volumes of laws and legislative resolutions constitutes the fourth class.
5. All printing not included in the foregoing classes constitutes the sixth class.

#### **46-02-05. Proposals for printing - Classifications 1, 2, 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, and 4, required by the legislative assembly for the two succeeding years commencing with the first day of December next following the date of the contract. 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 printing work will be performed and the stock furnished.

#### **46-02-06. Opening of bids - Awards.**

The office of management and budget shall award the contract for 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.

#### **46-02-07. Proposals - How made.**

Each proposal for 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.

**46-02-08. Bids - When received - Not changed.**

No bids may be received after the hour specified in the published notice. No bid may be changed after the same has been received.

**46-02-09. Printing classifications 3 and 6 - Procured by the office of management and budget.**

All state printing in classifications 3 and 6 must be purchased by the office of management and budget, or delegated, according to chapter 54-44.4, unless the work is done by the central duplicating service of the office of management and budget.

**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 that contractor by the legislative assembly, either branch thereof, or by the legislative council, or by the office of management and budget on behalf of the executive officers of the state.
2. Volumes of public documents must be delivered to the secretary of state in accordance with the deadline provided in the contract for printing. The session laws must be completed and delivered to the secretary of state in accordance with the deadline provided in the contract for printing.
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 office of management and budget, 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.

**46-02-11. Contractor - Failure on contract - Cancellation of contract - Penalty.**

Repealed by S.L. 1987, ch. 547, § 11.

**46-02-12. The office of management and budget - Inferior printing and work.**

The office of management and budget may reject any and all printing that is not done in a workmanlike manner or with good material and with ordinary promptness. It may require contractors to present specimen pages of type they propose to use, and may reject the same in its discretion and require new material. Its ruling and determination are final and conclusive on the contractor. Only good, clean, and satisfactory work may be accepted, and it must be done within a reasonable time. The action of the office in this matter is final and conclusive upon such contractor and the contractor's sureties.

**46-02-13. Printing accounts - How certified and paid.**

Repealed by S.L. 1987, ch. 547, § 11.

**46-02-14. Copies of documents to accompany bills for printing.**

Repealed by S.L. 1997, ch. 386, § 1.

**46-02-15. Public printing resident bidder preference.**

If practicable, all state, county, and other political subdivision public printing, binding, and blank book manufacturing, blanks, and other printed stationery must be awarded to a resident North Dakota bidder as defined in section 44-08-02.

**46-02-16. Voucher for printing - Contents.**

Repealed by S.L. 1975, ch. 106, § 673.

**46-02-17. Serial numbering of forms - Penalty.**

All printed forms for acknowledging the receipt of cash, and for warrants, checks, or other orders for the payment or disbursement of funds supplied to municipalities, as defined by chapter 21-03, must be serially numbered by the printer, and no printer may furnish any unnumbered copies of said forms to any municipality. Any person violating the provisions of this section is guilty of a class A misdemeanor.

**46-02-18. Maximum cost of public printing.**

Repealed by S.L. 1987, ch. 547, § 11.

**46-02-19. Unlawful for public officials to place name on public documents in large-size type - Penalty.**

Repealed by S.L. 1997, ch. 386, § 1.

**46-02-20. In-plant print shops.**

Central duplicating services of the office of management and budget or by departments, institutions, state offices, and printing services under the jurisdiction of the board of higher education, with the exception of the state college of science, university of North Dakota, North Dakota state university, and Valley City state university, may not provide the following services: printing or duplicating of all coated stock; continuous forms; snap-out forms; envelopes over twenty thousand; process color, except for jobs generated on computer printers which do not exceed eleven inches [27.94 centimeters] by seventeen inches [43.18 centimeters] and five hundred total image pages; and print or duplicate paper larger than eleven inches [27.94 centimeters] by seventeen inches [43.18 centimeters], excluding work done on plotters.