PROPOSED AMENDMENTS OF SENATE AND HOUSE RULES 204(4) AND (5)  
AND CREATION OF JOINT RULE 604

SECTION 1. AMENDMENT. Subsections 4 and 5 of Senate Rule 204 are amended as follows:

4. The printer shall set aside twenty-seven twenty-eight copies of the daily journal. Upon termination of the legislative session, the printer shall deliver these copies to the contract binder, who shall assemble the copies into twenty-seven twenty-eight sets of permanent journals.

5. The permanent journals must be bound in hard covers. Two of these sets must be deposited with the Secretary of State, who shall preserve these sets and attach the Secretary of State's certificate thereto showing the date of delivery and attesting that the copies are identical and official journals as delivered to the Secretary of State. The Secretary of State shall forward one set to the Supreme Court Library, one set to the Law School Library at the University of North Dakota, eight sets to the State Library, two sets to the Attorney General, five six sets to the Legislative Council, one set to the Secretary of the Senate, and one set to each judicial district as determined by the presiding judge of the district.

SECTION 2. AMENDMENT. Subsections 4 and 5 of House Rule 204 are amended as follows:

4. The printer shall set aside twenty-seven twenty-eight copies of the daily journal. Upon termination of the legislative session, the printer shall deliver these copies to the contract binder, who shall assemble the copies into twenty-seven twenty-eight sets of permanent journals.

5. The permanent journals must be bound in hard covers. Two of these sets must be deposited with the Secretary of State, who shall preserve these sets and attach the Secretary of State's certificate thereto showing the date of delivery and attesting that the copies are identical and official journals as delivered to the Secretary of State. The Secretary of State shall forward one set to the Supreme Court Library,
one set to the Law School Library at the University of North Dakota, eight sets to
the State Library, two sets to the Attorney General, five sets to the Legislative
Council, one set to the Chief Clerk, and one set to each judicial district as
determined by the presiding judge of the district.

SECTION 3. Joint Rule 604 is created as follows:

Publication of legislative documents. The Legislative Council shall arrange for the
presentation of legislative documents in accordance with constitutional and statutory
requirements and the rules of the Senate and House and the Joint Rules. As published by the
Legislative Council, the legislative documents, whether in electronic or print format, are the
correct copies, deemed to be officially published.

NOTE: This proposed rule is in response to a question over whether the web version
of bills, resolutions, and journals is official, and whether a change could be made to
delete a portion of the journals on the web, while leaving the printed version complete.

The Legislative Council provides all documents to the contract printers and publishes
those documents on the legislative branch website. This proposed rules change would
eliminate the ambiguity over whether a printed bill, printed resolution, or printed journal
is "official" while an electronic version of that bill, resolution, or journal is not "official."

Constitutional and statutory provisions include:

- Constitution of North Dakota, Article IV, Section 13: "Each house shall keep a
  journal of its proceedings ...."

- North Dakota Century Code Section 46-03-05: "The printing or reproduction of
  legislative bills, resolutions, and journals must be in accordance with the rules of
  the senate and house of representatives ...."

- North Dakota Century Code Section 46-03-11: "[T]he legislative council shall ...
  supervise the publication of the session laws and [Century Code] ...."

- North Dakota Century Code Section 46-03-11.2: "The Legislative Council may
  establish specification for publication of [the Century Code] ...."

- North Dakota Century Code Section 46-03-19: "All laws, journals, and documents
  printed and published by any contractor under this title, and duly certified ... are
  deemed officially to be printed and published, and full faith and credit must be
  given to them as such."