

Fifty-sixth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2411

Introduced by

Senator Kilzer

1 A BILL for an Act to amend and reenact section 54-46.1-01 of the North Dakota Century Code,
2 relating to the provision of microfilm services.

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

4 **SECTION 1. AMENDMENT.** Section 54-46.1-01 of the 1997 Supplement to the North
5 Dakota Century Code is amended and reenacted as follows:

6 **54-46.1-01. Central microfilm unit - Contracting for services.** The state records
7 administrator shall establish and maintain a central microfilm unit and microfilm any record of
8 any state office, agency, or department in either the executive, legislative, or judicial branch of
9 state government, if the administrator determines the cost of ~~such~~ the microfilming is
10 reasonable in relation to the record's historical significance or the frequency and type of use of
11 the record. If the administrator determines that the services called for in this chapter can be
12 provided more efficiently and economically through contracting with private contractors, the
13 administrator may enter into such contracts or require an agency to use the services of a
14 contractor as allowed by section 54-46.1-05. Release of records to a contractor for
15 microfilming under this section or section 54-46.1-05 is not a violation of section 12.1-13-01 or
16 54-46.1-07. A contractor hired by the administrator under this section or by an agency under
17 section 54-46.1-05 may not further disclose any record the contractor receives for microfilming
18 services and may not make or retain a copy or other reproduction of a record not required by
19 the contract to be made. Each office, agency, and department shall reimburse the central
20 microfilm unit for the actual costs incurred in microfilming its records. The administrator shall
21 deposit moneys received under this section in the information services operating fund. The
22 administrator shall employ professional, technical, and clerical personnel as the administrator
23 determines to be necessary to carry out the duties prescribed in this chapter and, within the
24 limits of the legislative appropriation, shall fix the salaries of all employees within the central

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- 1 microfilm unit. All personnel within the central microfilm unit must be allowed their actual and
- 2 necessary travel expenses at the same rate as for other employees of the state. The
- 3 administrator may perform microfilm services for any state institution and for any county, when
- 4 the institution or county requests such services and the administrator agrees that the request is
- 5 consistent with good records management practices.