

Legislative Commission  
of the  
Legislative Counsel Bureau  
State of Nevada

Bulletin No. 78



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LEGISLATIVE COMMISSION

Senator B. Mahlon Brown	Assemblyman Melvin D. Close, Jr.
Senator Carl F. Dodge	Assemblyman Zelvin D. Lowman
Senator James I. Gibson	Assemblyman Marvin L. White
Senator Archie Pozzi, Jr.	Assemblyman James E. Wood

Assembly Concurrent Resolution No. 21

(1967 session)

ASSEMBLY CONCURRENT RESOLUTION--Directing the legislative commission to make a study of the problems of public printing.

WHEREAS, It is the policy of the legislature of the State of Nevada to promote economy and efficiency and to improve methods of transacting public business in the departments, agencies, boards, commissions and other instrumentalities of city, county and state government; and

WHEREAS, The printing of the large amounts of material which are required for the daily operation of all levels of state and local government constitutes one essential element in the transaction of public business; and

WHEREAS, The need for a comprehensive inquiry by the legislature into the mechanical, administrative and economic problems created by this necessary component of public administration is paramount; and

WHEREAS, Several proposals have been presented to the legislature in an effort to confront the problem area at various levels; and

WHEREAS, A complete study of the matter is desirable before any extensive measures are taken to resolve the problems of reproduction of public materials; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the legislative commission is directed to make a thorough study of the problems of public printing at all levels of state and local government of the State of Nevada and to report the findings of such study to the 55th session of the legislature.



## REPORT OF THE LEGISLATIVE COMMISSION

To The Members of the 55th Session of the Nevada Legislature:

It appeared from the proposals and arguments submitted during the 1967 legislative session concerning local government printing that the underlying conflict to be resolved by the study ordered by Assembly Concurrent Resolution No. 21 is between the need of the larger counties, cities and school districts to employ the most efficient means of reproduction available for their extensive internal paper work, whether or not such means may be technically classified as "printing" and the need of the publishers of newspapers in the small communities to obtain all the work suitable for their shops which is to be done in their respective communities, in order to attain sufficient volume to survive. The resolution also directs that a study be made of public printing at all levels of state government.

The legislative commission assigned the directed study to the staff of the legislative counsel bureau. Dennis L. Wright, Esq., Deputy Legislative Counsel, made the study and his report, accepted by the legislative commission, follows.

Respectfully submitted,

Legislative Commission  
State of Nevada

Carson City, Nevada  
January, 1969





## PUBLIC PRINTING IN NEVADA

### I. Introduction

The study directed by Assembly Concurrent Resolution No. 21 encompassed the printing problems and needs of local governments as well as those of the state government. Questionnaires were sent to all officers of counties, cities and school districts who are primarily responsible for obtaining the printing needed by their respective governments. (A copy of the questionnaire is attached as Appendix A.) These questionnaires were followed up by telephone conversations and personal interviews where particular questions were raised. Statutes of other states were examined in relation to local government printing to determine their merit and applicability to the needs of Nevada. Part II of the report summarizes some of the findings in justification of the recommendations that are made as to local governments.

The superintendent of state printing was interviewed and consulted. In addition, a number of persons responsible for the reproduction activities of various state agencies were interviewed. All have cooperated in supplying information needed for this study. Personal inspection was also made of California's office of central services in Sacramento, which provides a centralized reproduction service for agencies of that state, and other states' statutes relating to public printing were examined and compared. The results of this portion of the study are found in Part III.

### II. Local Government Printing

#### A. Statutes.

Provisions in Nevada Revised Statutes relating to local government printing fall into two categories. The first relates to legal notices and advertising and, although there are specific provisions throughout the statutes, the basic provisions are found in chapter 238 of NRS (Legal Notices). The second category relates to all other printing of materials such as forms, reports and official documents.

The provisions in this second category are found in four different chapters of NRS, although their language is almost identical: NRS 244.330, relating to county printing, NRS 268.070, relating to cities, NRS 269.150, relating to towns, and NRS 393.210, relating to school districts. The only difference in these four sections is the language which makes them applicable to different governmental entities. NRS 244.330 reads as follows:

244.330 Public printing to be done within county by newspaper or commercial establishments; exceptions.

1. All public printing required by the various counties shall be placed with some bona fide newspaper or bona fide commercial printing establishment within the county requiring the same; but if there is no bona fide newspaper or bona fide commercial printing establishment within the county adequately equipped to do such printing, then the printing so required shall be placed through the local bona fide newspaper or bona fide commercial printing establishment.

2. Nothing in this section shall be construed as requiring counties to pay to the local bona fide newspaper or bona fide commercial printing establishment any commission on such printing, but the commission must be paid by the printing establishment doing the same.

3. Except as otherwise authorized in subsection 5, printing required by counties shall be done within the state.

4. The provisions of this section are contingent upon satisfactory services being rendered by all such printing establishments and reasonable charges therefor. Reasonable charges shall mean a charge not in excess of the amount necessary to be paid for similar work in other printing establishments.

5. Nothing in this section shall be construed as prohibiting the printing of county bonds and other evidences of indebtedness outside the state.

As stated in subsection 1 of NRS 244.330, all printing required by a local government must be done by a commercial printing establishment within the county. If it is not equipped to do the type of printing required, the printing still must be placed through such commercial printing establishment. This provision is modified to some extent by subsections 4 and 5, but subsection 4 is not as broad or as precise as it could be and subsection 5 is too limited in application to have much effect upon the provisions of subsection 1.

In 1966, the Fourth Judicial District Court in Elko County held that "printing" as used in NRS 244.330 included the offset process and enjoined Elko County from using an offset duplicator for the printing of certain simple office forms even though it could do so at 12 to 15 percent of the cost of a commercial printer. The district court stated that legislative policy was not for the court to question. The case was not appealed to the Nevada supreme court and the decision still stands in Elko County.

As to legal notices and advertisements, NRS 238.030 provides that "any and all legal notices or advertisements shall be published only in a \* \* \* newspaper of general circulation and printed in whole or in part in the county in which the notice or advertisement is required to be published \* \* \*." It goes on to limit such advertising to certain established newspapers. There are specific provisions throughout NRS where publication is required in a newspaper "of general circulation" with no requirement as to the place of publication. Where no such specific provisions are found, chapter 238 of NRS would apply where legal notices or advertising is required. NRS 238.070 establishes rates for all state and county advertising, although these rates may be reduced as to counties by means of an annual contract with a qualified newspaper.

#### B. Statutes of Other States.

A review has been made of the statutes of other western states relating to public printing. Most local government printing is obtained by bids but only two states have a requirement that the printing be done within the county. One of these, Idaho, provides that if the printing cannot be obtained within the county at a competitive cost, it may be obtained anywhere within

the state or even outside the state if costs within the state are not competitive. Most of the states surveyed merely require printing to be obtained from any printer in the state. In some instances, printing can be obtained outside the state, if necessary.

Montana has a county printing commission, appointed by the governor, which adopts a schedule of maximum rates that may be charged for county printing. A county may call for competitive bids and enter into a contract for rates less than the maximum set by the commission.

### C. Summary of Findings.

There appear to be no complaints from the local governments as to the provisions and practices relating to legal notices and advertisements. Such items are merely sent to the local newspapers for publication. There are at least three counties and school districts, however, where strict compliance with NRS 238.030 is impossible because there is no newspaper printed "in whole or in part" in the county. Further, there is at least one other county and school district where there is a question as to compliance because, although the newspaper is composed and prepared for printing by the offset process in the county, the actual printing is done in another county. Whether or not the composing phase is included as "printing" within the meaning of the statute is the pertinent question. Nevertheless, the statute as it now stands as written in 1925 makes it impossible for some counties and school districts lawfully to print legal notices or advertisements. (Although outside the scope of this study, some question does arise as to the validity of all legal notices and advertisements made by private persons in those counties under the authority of chapter 238 of NRS.) The officers of these counties and school districts are placed in the awkward position of being required by the statutes to do something which the same statutes prevent them from doing lawfully.

With respect to all other printing by local governments, there are, again, three counties and three school districts which cannot comply with the statutes because there are no commercial printing establishments within the county from or through which the printing can be obtained.

Although response to the questionnaires sent out was far from complete, the information obtained from them and from personal interviews appears to be representative of the situation in most local governments. It was found that there is a relatively high incidence of public printing obtained from outside the county where it is used. The usual procedure for obtaining such printing is to order it directly from the printing establishment without ordering through the local printer as required by statute. In many instances, the local printing establishments would be able to provide the printed material needed, although at a higher cost. In some instances the local officers readily volunteered the belief that they were acting contrary to statute, but the prevalent view was that it was necessary because of the lower costs and increased service. One county reported that particular forms were obtained from a print shop in California for one-tenth the amount paid in Nevada.

A number of counties indicated that forms required by the state should be printed by the state printing office and supplied to the counties without charge. Primary among these forms are marriage licenses and court forms which, although required for state purposes are not uniform between the counties.

One matter that lies on the fringe of the public printing question is that of county and city codes. A contract is usually made with a printing company to codify the city or county ordinances and provide the local government with the completed codification in printed form. New ordinances are delivered to the printer, who brings the code up to date and supplies the local government with printed changes in the code. Although the printing of the codification is incidental to the service obtained from the printing company, the question remains open as to the applicability of the printing statutes in such instances.

In spite of the decision of the district court in Elko County that printing included the offset process and, therefore, the statutes prohibited local governments from using offset equipment, a number of them do have such equipment and are using it regularly. Some of the local governments expressed the feeling that they should be permitted to purchase and use any equipment that any commercial business would use. There does not seem to be any common agreement in the printing industry as to whether or not use of the offset process is printing or duplication. This question would have to be resolved before it can finally be determined that the use of such equipment is a violation of present statutes.

Most printing is obtained merely by placing an order with the commercial printing establishment, although some local governments indicated that they receive bids for such work. There is no statutory requirement for bids, however, unless the printing comes under the provisions of the Local Government Purchasing Act.

#### D. Recommendations.

It is apparent that some changes must be made in the statutes relating to printing to bring them up to date with present requirements.

First, NRS 238.030 should be amended to delete the requirement that legal notices or advertisements be printed in a newspaper printed "in whole or in part" within the county where the notice or advertisement must be published. Although it is true as the Nevada supreme court stated in Nevada State Press Association v. Fax, Inc., 79 Nev. 82, 378 P.2d 674 (1963), that "the primary purpose for the printing of legal notices is to give the widest publicity practicable," and that to qualify to print legal notices a newspaper must fulfill that requisite, there is the added requirement that the newspaper must be at least partially printed in the county. NRS 238.080 makes void any notice not published as required by chapter 238 of NRS; so it is necessary, not only to amend the chapter as stated above, but also to provide that those notices and advertisements published prior to the effective date of the act in those counties which have no newspaper be made valid. A draft bill to accomplish these purposes is attached to this report as Appendix B.

Some changes are also warranted in the provisions relating to public printing. The present statutes on this subject provide, in effect, a public subsidy of local commercial printing establishments. There is merit to the philosophy that local governments should support the local economy where possible, and this philosophy is recognized in the present statutes. This philosophy is ineffective, however, if local governments are required to spend too much for the mere purpose of supporting local economy and most of the counties, cities and school districts, as a practical matter, recognize this and purchase printing needs where they can be obtained most simply and economically.

A draft bill, attached as Appendix C, is designed to permit local governments to obtain their printing anywhere in the state if it is economically sound to do so, while retaining a preference for local printers. Reflecting the procedure in some other states, the draft bill provides for a percentage differential to give preference to the local business, i.e., if the rates at the local establishments are not more than 5 percent higher than those of out-of-county printers, the printing must be obtained locally. At least one county has adopted a similar policy for the purchase of all goods and services.

Where the responsible officer is required to determine the relative costs of printing throughout the state, there must be some procedure which will not only help him make such determination but insulate him from subsequent complaints that his determination was inaccurate. The most common procedure for achieving this end involves competitive bidding pursuant to a legal advertisement by the governmental entity. This procedure is not practical, however, where the cost of each printing job is small, inasmuch as the cost of advertising would in many cases exceed any savings realized by thus obtaining the lowest bid. Therefore, a procedure is recommended as indicated in Appendix C where smaller printing jobs may be obtained at the discretion of the responsible officer from any printing establishment in the state unless a written offer from a local printer indicates that his cost is within the allowable rate. Larger printing needs would be obtained as provided in chapter 332 of NRS, relating to local government purchasing. Regardless of the procedure followed, the 5 percent differential applies, and local business is thus given a preference.

There are some specialty printing items that cannot be obtained within the state at a competitive cost. Local governments are now making it a practice to go out of the state for such items as school diplomas, ballots for voting machines and bonds and other evidences of indebtedness because there is no printing establishment in Nevada equipped to produce them. Because of the large savings involved, the draft bill permits such practices.

Express permission is also included in the draft bill for local governments to obtain services from out of state where printing is incidental to such services. This provision permits the local governments to take advantage of the lower costs of firms specializing in such services.

In those local governments where there is a substantial amount of printing, there could be large savings by the use of an off-set duplicator. As indicated earlier, there is no agreement

among printers and duplicators as to whether offset duplication is, in fact, printing. It would seem, however, that the question should not be determined so much by definition as by results. If the governing body of the local government can justify the purchase of an offset duplicator, it should be able to use such equipment, without regard to definitions. Where savings are as substantial as they were found to be by the court in Elko County, and by other local governments now using offset equipment, no other course of action is justifiable. As used in the draft bill, therefore, "printing" does not include offset duplication.

The present statutes contain no sanctions against violation of their provisions. Since the draft bill should be practical and workable, a section is added which encourages compliance. It is felt that criminal liability would be too harsh a punishment for violation of these provisions. The penalty for violation should be, therefore, civil liability for the cost of all printing not authorized by the statutes.

As a final recommendation, as manifested in the draft bill, all sections of the statutes relating to public printing should be combined into one section and placed in chapter 344 of NRS. Chapter 344 would thus be expanded to include all public printing and it would eliminate the duplication that now exists.

#### E. Other.

Because of time limitations, every conceivable question involved in local government printing and advertisements was not explored even though problems may exist. For example, there appear to have been some complaints that statutory rates allowed newspapers for publishing legal notices and advertisements are inadequate. This question remains to be explored.

### III. State Printing

#### A. History of State Printing Office.

The office of state printer was created originally in 1865. Without a building or any equipment, the primary duties of the state printer were to act as purchasing agent for public printing.

In 1877 the legislature abolished the office, and for 2 years all state printing was done by contract. This system proved unsatisfactory, however, and the 1879 legislature reestablished the office under the name of "Superintendent of State Printing." An appropriation of \$10,000 for a building and \$200 per month for salary was made, and the office has continued to the present day as an elective office.

In 1877 a board of printing commissioners was also established with the responsibility of providing a building for the state printing office together with necessary supplies and materials. The board, composed of the secretary of state, state controller and state treasurer, was abolished in 1957. A board of control, established in 1923 to edit and revise reports of state agencies before printing, was abolished in 1951 with the duties given to the superintendent of state printing.

The legislature in 1895 provided that the label of the International Typographical Union is to be affixed to all public printing with the result that most employees of the state printing office are members of one of the trade unions.

#### B. Statutes.

The statutes relating to state printing are primarily found in chapter 344 of NRS. The provisions of this chapter establish the state printing office and prescribe its duties, powers and procedures. Of primary concern in this report is NRS 344.050:

344.050 State printing to be done in state printing office; exceptions.

1. The superintendent of state printing shall not permit any other than state work to be done in the state printing office.

2. All state officers, boards, commissions, trustees, regents and directors required or authorized by law to make reports or to publish circulars, bulletins, printed books, stationery or printed matter of any kind shall:

(a) Have the printing and binding of such material done at the state printing office at the expense of their respective funds or appropriations; or

(b) Produce the reports or other published matter within their respective agencies by use of copying or duplicating machines other than printing by letterpress or the offset process.

3. The following pamphlets, bulletins and leaflets shall be printed:

Annual register of the University of Nevada.

Nevada mining laws.

Nevada land laws.

Nevada election laws.

Nevada official election returns.

General corporation laws.

Foreign corporation laws.

State school laws.

Fish and game laws.

Pharmacy law.

List of registered physicians.

Insurance laws.

Banking laws.

Necessary briefs, transcripts and other legal work for the public service commission.

4. The printing of official stationery, cards and other material appropriate to the official duties of members of the legislature shall be done in the state printing office at the expense of the legislative fund.

5. Invitations, tickets of admission, programs, menus or the like for any state institution or school shall not be considered state printing, and the superintendent of state printing is directed not to accept the same.

6. Nothing in this chapter shall be construed to mean that the superintendent of state printing is required or expected to perform any work other than that which the type, machinery and other printing and binding appliances in the state printing office will permit.

In brief, the section requires that all state printing be done at the state printing office but that a state agency may produce certain matter within the agency by any method other than with a letterpress or offset duplicator.

In addition to the provisions of chapter 344 of NRS, there are a number of sections throughout NRS which expressly require certain departments and agencies to have their printing done at the state printing office.

#### C. Statutes of Other States.

Most states obtain necessary printing from commercial printers on a low-bid basis. In some states, preference is given to resident printers over nonresident printers in much the same way as with local government printing.

There are only two western states in addition to Nevada which have state printing offices. These states are Oregon and California. Both of these printing offices are under an agency known as the department of general services. In Oregon, the department controls and regulates multiple duplication work as well as the purchase and use of equipment. To this end, the department may require that equipment owned by an agency be transferred either to the state printing office or to another agency where it might be used more effectively. In California, the office of state printing is, to a great extent, occupied with the publishing of school textbooks, although it also does all printing for the legislature and larger runs for other state agencies. A central service, also in the department of general services, but under a different deputy director, provides complete reproduction services to using state agencies. This service uses offset equipment primarily with some stencil duplicators.

#### D. Summary of Findings.

The state printing office is well equipped and is probably adequate to satisfy the present needs of the state. This should not be construed to mean that new and modern equipment should not be obtained if the best interests of the state would thus be served. The superintendent of state printing stated in his most recent biennial report to the governor that production totaled \$662,257 in 1967, with authorization for another \$266,721 with private printers where the state printing office could not provide printing services as economically as private printers.

There are two small letterpress units now being operated at the Nevada state prison by inmates. These presses are being used to produce forms and publications used at the prison. There have been instances in the past where printing was done at the prison for other agencies, but this practice has been discontinued. The primary concern of the prison officials is that the equipment be available to the inmates for training and rehabilitation. A saving to the prison is realized by producing much of the prison's printing needs from these presses.

A number of state agencies are using offset equipment as part of their programs at the present time. Some of these agencies have extensive reproduction sections which produce a considerable



volume of work. Although most of this equipment is used only for production of work within the agency, in one instance, the department of highways, work is freely done for other agencies as well.

As noted earlier, NRS 344.050 precludes the use of both letterpress and offset equipment by the agencies and requires all work done by such processes to be done by the state printing office. These provisions were added by an amendment to NRS 344.050 by the 1967 legislature, although the use of such equipment by the agencies predated the amendment by as much as 30 years. There has been no change in procedure by the agencies because of the amendment and the offset equipment is still being used as much as before. Some agencies indicate plans to purchase newer and more sophisticated equipment in the near future.

In addition to the offset duplicators used by these agencies, there are related pieces of equipment which, although not used as much as the duplicators themselves, are essential for the completed product or provide an added convenience to the agency. Much of this equipment, although not in use full time, is duplicated in other agencies.

The reasons given for the acquisition of this offset and related equipment was the necessity to produce certain reports, forms and pamphlets for agency programs. The agencies using this type of equipment were almost unanimous in stating that for smaller jobs the state printing office was too slow and too expensive and that the work could be done more efficiently within their own agency.

The almost unanimous feeling among the agencies also was that NRS 344.050 should be amended to permit them to use offset and related equipment. The attitude of the persons responsible for the operation of this equipment is that it is duplicating equipment rather than printing equipment and that it could legitimately be excluded from the operations of the state printing office. In California, the state printer considers all items that do not require composition to be duplicating and this includes the product of most small offset presses such as those used by these agencies.

Inasmuch as the statutes expressly preclude the use of this equipment, there is no central control over its purchase. Each agency has, in the past, purchased offset duplicators and related equipment whenever it could satisfy itself of the need and justify the expense within its own budget. Federal funds have been used to varying degrees in the purchase of the equipment. The equipment at the employment security department is purchased entirely with federal funds and that department's printing operation was initiated in 1937.

#### E. Recommendations.

The scope of the recommendations of this report has been necessarily curtailed by time limitations. Some areas of study were left virtually unexplored. As noted earlier, a number of state agencies are conducting sizable operations with the use of offset equipment even though this appears to be in violation of NRS 344.050. In fact, the offset equipment was being used long before the statute was amended to prohibit its use. The extent to which it is in use would seem to indicate that the

agencies feel that there is ample justification for its use and NRS 344.050 should be amended again to reflect this situation. The draft bill attached as Appendix D is designed to do this.

There is a need for readily available equipment in the agencies to produce on short notice varying volumes of work for which the offset equipment is particularly suited. The convenience of having the equipment available at any given moment is not measurable. The problem that has developed for the state, however, results from the unrestrained acquisition of equipment by each agency without giving consideration to the availability for use of such equipment in other agencies. In short, although each agency should be permitted to use such equipment when justifiable, there should be some type of centralized control over its acquisition. The absence of such control has resulted in the duplicate purchase of equipment by different agencies which is, in fact, needed for some jobs but which is idle for considerable periods of time. Such equipment, if made available for use by one agency to another, could result in substantial savings to the state.

There are two alternative methods whereby this could be carried out. Draft bills for each method are attached to this report as Appendices E and F. Both would produce desirable improvements over the present situation and both would be feasible. One is a forerunner of the situation as it undoubtedly will have to be sometime in the future. The other would not pose difficulties for any future changes and would make the least change now and would have little, if any, financial requirements. These alternatives are discussed as follows:

Alternative No. 1. The present statutes could be amended to permit state agencies to do lawfully what they are now doing, i.e., operate offset equipment within their operational structure. To prevent duplication of the equipment by various agencies, the superintendent of state printing would have to approve the purchase of offset duplicators and all related equipment. He would be given authority to determine the actual needs of state agencies and to direct the agencies to use equipment presently owned by another agency but not used on a full-time basis by such agency. If, for example, one agency demonstrated a need for one offset duplicator on a full-time basis with a part-time need for two such duplicators, the superintendent of state printing could approve the purchase of one duplicator and direct that the overload be handled by another agency where equipment may not be operating at full capacity. In addition, the superintendent of state printing would be permitted to direct that certain types of equipment, such as collators, owned by one agency, be made available to various agencies to eliminate the duplicate purchase of equipment used only a small portion of the time. Authority would have to be given to the superintendent of state printing to direct the flow of work through the agencies which have equipment available for such work. Since all such work should be done by him at the present time, the only change is that equipment owned by the agencies could be used as a backup for the state printing office and work could, on an overall basis, be completed more rapidly. Work required by the agency owning the equipment would, of course, have priority. Substantial savings could be realized by the state in equipment and maintenance costs. A draft bill to accomplish these purposes is attached as Appendix E.

Alternative No. 2. Supervision of all duplication and reproduction activities of executive agencies, excluding those performed by the state printing office, could be placed under a new division in the department of administration. The division would direct not only the use of the equipment now owned by the various executive agencies but would have administrative and supervisory control over the personnel now operating it. Although this would require a number of adjustments to be made by the executive agencies there would be a number of advantages. The division would have control over the purchase of duplication and reproduction equipment, thus preventing any further duplication. The equipment which is now owned by an executive agency would remain in that location as long as its presence is justified and work of that executive agency would have priority. Work of other executive agencies would be assigned to the equipment and personnel most capable of producing it as needed. Responsibility for providing backup personnel in case of illness would be with the division as would be the responsibility for locating and providing other equipment during breakdowns or periods of high workload. At the present time there would be no need to purchase new equipment or to establish a central location for the division's operations.

Statements of some persons now responsible for reproduction activities in the executive agencies indicate that there is sufficient equipment now available outside the state printing office to provide adequate service to all state agencies. Because of the expanding use of the offset and other duplicating equipment, there will eventually be a need for a central location for reproduction services in the State of Nevada. This alternative would provide the foundation for such a service. If the demands of each of the executive agencies now using duplicating equipment reaches full capacity, the division could acquire more equipment for the use of other agencies. This equipment could be placed wherever the workload required it. If the demands of one executive agency declined, equipment could be transferred to another location where it could be more effectively utilized. Substantial savings would be realized because of a more flexible and unified system. A draft bill to accomplish the purposes of this alternative is attached as Appendix F.

#### F. Other.

As noted in Part II-C of this report, counties indicated a feeling that certain forms required by the state should be furnished by the state. The printing of such forms would provide a uniformity which presently does not exist. An amendment to enable the state printing office to print such forms is incorporated in the draft bill in Appendix D.

The two letterpresses at the Nevada state prison are used for training and rehabilitation of inmates. Some forms and other printed matter required at the prison are being produced by these presses. Since this is not lawful under the present statute, even though probably not intended to have been excluded by it, an amendment to make it lawful is included as part of the draft bill in Appendix D.

#### IV. Additional Areas of Study

##### A. State Printing.

One matter of primary interest that should be examined in more depth to determine its feasibility is that of preparing camera-ready copy for the offset process of duplication. There is much equipment that has been or is in the process of being developed that is represented as being capable of doing the work now done by the state printing office for the legislature on letterpresses. Although the requirements of the legislature at the state printing office are extensive and complicated, the adaptability of such equipment should be studied. It would certainly be usable in most agency printing and the economic feasibility of obtaining it either for individual agency use or through a central service should be closely examined, as great savings might be realized by the state in using such equipment.

Although the superintendent of state printing could examine and study the question on his own, the legislative commission might examine the more extensive use of offset equipment for a number of printing jobs, such as biennial reports of agencies, that are now done by letterpress. Considerable savings might well result from such practice.

Of the three western states with state printing offices, Nevada is the only one whose superintendent of state printing holds an elective office. The desirability of changing the selection process could be the object of a study by the legislative commission. In this connection, it should be noted that NRS 344.-010 requires the superintendent of state printing to be a practical printer. No time requirement is mentioned, nor is there a requirement of administrative ability. The desirability of specifying additional requirements, possibly even replacing entirely the requirement of printing experience with administrative experience, should be studied.

During the course of the present study, many of the agencies indicated, as a reason for not using the facilities of the state printing office, the fact that union labor was involved and that costs of the state printing office were excessive. Although many factors must be taken into account to determine the validity of such reasoning, the question of requiring the union label to be placed on all state printing, with the result that all but clerical employees at the state printing office belong to a trade union, could be examined.

Another matter that might be explored is whether or not the state printing office should be placed under the administrative control of another state agency such as the department of administration. This should be examined in conjunction, and the results correlated, with the examination of the methods of selection and qualifications of the superintendent of state printing.

##### B. Local Government Printing.

Although the question of financing is a difficult one for all levels of government, there could well be a study of a possible restructuring of state assistance to local governments with respect to printing problems. This might take the form of direct

subsidies to such governments to cover printing costs or free distribution of certain items of printing from the state printing office. State agencies such as the Nevada state prison or the Nevada state hospital might furnish required court forms needed by the counties in connection with activities related to those institutions. One county suggested that the state printing office could print codifications of ordinances. These and other possible approaches to the question of local government financing could be studied by the legislative commission.

There are some indications that statutory rates allowed commercial printers for printing done for local governments might not be adequate. Inasmuch as commercial printers are required to print certain items, the question of adequate compensation should be explored.

Some smaller counties reported that it was questionable whether certain legal notices published as required by the statutes actually reach the persons intended to be reached. Advertisements for bids, for example, may not be seen by responsible bidders where such advertisements are printed in the local newspaper. An improved method of notice might be found through further study of the question.

#### C. Conclusion.

As indicated earlier, this study leaves many areas unexplored. Authorization by the legislature to continue the study and render a final report to the 1971 legislature would undoubtedly produce additional recommendations for improving the present situation regarding public printing.



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LOCAL GOVERNMENT PRINTING  
SURVEY

City/county/district \_\_\_\_\_ Name of person reporting \_\_\_\_\_  
Title \_\_\_\_\_

This survey is intended to determine the adequacy of certain provisions of the Nevada Revised Statutes relating to public printing. It covers legal notices and advertising as well as other types of printing of a public nature required by the local government, including forms, reports, etc. Comments and suggestions for improving the statutory provisions are welcomed.

I. LEGAL NOTICES AND ADVERTISING.

1. Names of newspapers in county/district qualified to publish legal notices and advertisements. Primary place of publication  
\_\_\_\_\_  
\_\_\_\_\_
2. Who publishes legal notices and advertisements for the city/ county/district? \_\_\_\_\_
3. Do the qualified newspapers adequately reach the persons intended to be notified by the notice or advertisement? \_\_\_\_\_
4. How much was spent during the last fiscal year for publication of legal notices and advertising? \_\_\_\_\_

II. PUBLIC PRINTING.

5. Number of contracts for printed material let each year (not including advertising and legal notices) \_\_\_\_\_
6. Total cost of such contracts for the last fiscal year  
\_\_\_\_\_
7. Are necessary funds available to cover necessary printing?  
\_\_\_\_\_
8. Do printing charges reflect the Franklin Price List?
  - a. If not, are they higher? \_\_\_\_\_
  - b. Lower? \_\_\_\_\_
  - c. Percentage of variation \_\_\_\_\_
9. Is public printing done within your county/district? \_\_\_\_\_
  - a. Is it satisfactory? \_\_\_\_\_
  - b. If not, why?
    - excessive cost \_\_\_\_\_
    - slow service \_\_\_\_\_ average delivery time \_\_\_\_\_
    - poor quality of workmanship \_\_\_\_\_
    - other \_\_\_\_\_





SUMMARY--Deletes requirement that legal notices or advertisements be published in newspaper printed in county where publication is required. (BDR 19-861)

AN ACT relating to legal notices and advertisements; deleting the requirement that legal notices and advertisements be published in a newspaper printed within the county where the publication is required; validating certain published legal notices and advertisements; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND  
ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 238.030 is hereby amended to read as follows:

238.030 1. Any and all legal notices or advertisements shall be published only in a daily, a triweekly, a semiweekly, a semi-monthly, or a weekly newspaper of general circulation [and printed in whole or in part] in the county in which the notice or advertisement is required to be published, which newspaper if published:

(a) Triweekly, semiweekly, semimonthly, or weekly, shall have been so published in the county, continuously and uninterruptedly, during the period of at least 104 consecutive weeks next prior to the first issue thereof containing any such notice or advertisement.

(b) Daily, shall have been so published in the county, uninterruptedly and continuously, during the period of at least 1 year next prior to the first issue thereof containing any such notice or advertisement.

2. The mere change in the name of any newspaper, or the removal of the principal business office or seat of publication of any newspaper from one place to another in the same county shall not break or affect the continuity in the publication of any such newspaper if the same is in fact continuously and uninterruptedly printed and published within the county as herein provided.

3. A newspaper shall not lose its rights as a legal publication if any of the following conditions maintain:

(a) If by reason of a strike or other good cause it should suspend publication; but the period shall not exceed 30 days in any calendar year.

(b) If by reason of generally recognized economic stress of a serious nature over which the publisher has no control it shall be necessary to suspend publication for a period not to exceed 2 years. The provisions of this paragraph shall apply only in the case of publications that have been operating continuously for a period of 5 years prior to such suspension. Any legal notice which fails of publication for the required number of insertions for such reason shall not be declared illegal if publication has been made in one issue of the publication and is resumed within a reasonable period.

4. If in any county in this state there shall not have been published therein any newspaper or newspapers for the prescribed period, at the time when any such notice or advertisement is required to be published, then such notice or advertisement may be published in any newspaper or newspapers having a general circulation [and printed and published in whole or in part] in the county.

5. The time limitations in subsection 1 do not apply to a newly established newspaper printed and published in:

(a) An incorporated city if, at the time such newspaper is established, there is no other newspaper [printed and published] having a general circulation in such city.

(b) A county if, at the time such newspaper is established, there is no other newspaper [printed and published] having a general circulation in such county.

Sec. 2. Notwithstanding the provisions of NRS 238.080, any

legal notice or advertisement published pursuant to chapter 238 of NRS prior to the effective date of this act in any newspaper having a general circulation within the county where there was no newspaper printed or published in whole or in part within such county, but which was otherwise qualified, is hereby declared to be valid.

Sec. 3. This act shall become effective upon passage and approval.



SUMMARY--Permits local governments to obtain public printing from other counties in some instances. (BDR 29-862)

AN ACT relating to public printing by local governments; permitting such printing to be obtained from outside the county in some instances; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 344 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.

Sec. 2. 1. Except as otherwise provided in this section, all public printing required by any county, city, town or district shall be done by a bona fide commercial printing establishment, if any, within the county where the printing is required. As used in this section, "printing" does not include duplication by the offset process.

2. Where the cost of printing within the county, city, town or district exceeds by 5 percent the cost of such printing at a bona fide commercial printing establishment in any other county within the state, such printing may be obtained in such other county. Where the estimated amount required to pay for the printing is:

(a) Less than \$1,000, the cost of printing within the county where the printing is required is presumed to exceed by 5 percent the cost of such printing in any other county in the state unless a bona fide offer in writing for printing of equal quality at the allowable rate is received by the officer responsible for obtaining the printing prior to his placing the order for such printing.

(b) More than \$1,000, the procedures established in chapter 332 of NRS shall be followed.

3. Nothing in this section is to be construed as prohibiting any county, city, town or district from contracting with a bona fide commercial printing establishment outside the state for:

(a) Specialty printing not obtainable within the state at a competitive cost.

(b) County, city, town or district bonds and other evidences of indebtedness.

(c) Services where printing is incidental to such services.

Sec. 3. Any officer of a county, city, town or district who authorizes a contract for printing in violation of section 2 of this act shall be liable for the cost thereof upon his official bond.

Sec. 4. NRS 393.170 is hereby amended to read as follows:

393.170 1. The board of trustees of a school district shall purchase all new textbooks and supplementary schoolbooks which are necessary and have been approved by the state textbook commission, and school supplies necessary to carry out the mandates of the school curriculum to be used by the pupils of the school district. The cost of the same shall be a legal charge against the school district fund.

2. All books purchased by the board of trustees shall be held as property of the school district, and shall be loaned to the pupils of the school in the school district while pursuing a course of study therein.

3. The parents and guardians of pupils shall be responsible for all books and any and all other material or equipment loaned to the children in their charge, and shall pay to the clerk of the board of trustees, or to any other person authorized by the board to receive the same, the full purchase price of all such books, material or equipment destroyed, lost or so damaged as to make them unfit for use by other pupils succeeding to their classes. The board of trustees shall establish reasonable rules

and regulations governing the care and custody of such school property, and for the payment of fines for damage thereto.

4. Equipment and materials for use in manual training, industrial training and teaching domestic science may be supplied to the pupils in the same manner, out of the same fund, and on the same terms and conditions as books. No private ownership can be acquired in such equipment or material, unless sold in the manner prescribed by law when such equipment or material shall be no longer used or required for the schools of the school district.

5. Authorized supplementary books and desk books for the use of teachers shall be purchased under NRS 393.160 to [393.210,] 393.200, inclusive, and shall remain the property of the school district for which they were purchased, unless sold in accordance with the provisions of this chapter.

6. The clerk of the board of trustees shall turn over to the county treasurer, within 30 days after receiving the same, all moneys collected under the provisions of this section, and the same shall be credited to the school district fund.

7. Any person violating any of the provisions of this section shall be guilty of a misdemeanor.

Sec. 5. NRS 244.330, 268.070, 269.150 and 393.210 are hereby repealed.

Sec. 6. This act shall become effective upon passage and approval.





SUMMARY--Permits state agencies to use offset duplicators;  
allows state printing office to provide certain  
printed materials to local governments. (BDR 29-863)

AN ACT relating to state printing; providing that the offset  
process may be used by agencies other than the state  
printing office; permitting the state printing office  
to print certain materials for local governments; and  
providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND  
ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 344.040 is hereby amended to read as follows:

344.040 1. The superintendent of state printing shall  
have the entire charge and superintendence of the state printing  
and all matters pertaining to his office. As used in NRS  
344.040 and 344.050, "printing" does not include the offset  
process. The superintendent of state printing may use the  
offset process, however, when the work of his office so requires.

2. He shall take charge of and be responsible for all  
manuscripts or other matter which may be placed in his hands  
to be printed, and shall cause the same to be executed promptly.

3. He shall receive and execute promptly all orders for  
printing required to be done by the various state officers,  
boards and commissions.

4. Biennially and prior to the meeting of the legislature,  
he shall make a report to the governor. His report shall  
embrace a record of the complete transactions of his office.

Sec. 2. NRS 344.050 is hereby amended to read as follows:

344.050 1. [The] Except as provided in subsection 6, the  
superintendent of state printing shall not permit any other  
than state work to be done in the state printing office.

2. All state officers, boards, commissions, trustees,  
regents and directors required or authorized by law to make

reports or to publish circulars, bulletins, printed books, stationery or printed matter of any kind shall:

(a) Have the printing and binding of such material done at the state printing office at the expense of their respective funds or appropriations; or

(b) Produce the reports or other published matter within their respective agencies by use of copying or duplicating machines other than printing by letterpress \_ [or the offset process.]

3. The following pamphlets, bulletins and leaflets shall be printed:

Annual register of the University of Nevada.

Nevada mining laws.

Nevada land laws.

Nevada election laws.

Nevada official election returns.

General corporation laws.

Foreign corporation laws.

State school laws.

Fish and game laws.

Pharmacy law.

List of registered physicians.

Insurance laws.

Banking laws.

Necessary briefs, transcripts and other legal work for the public service commission.

4. The printing of official stationery, cards and other material appropriate to the official duties of members of the legislature shall be done in the state printing office at the expense of the legislative fund.

5. Invitations, tickets of admission, programs, menus or the like for any state institution or school shall not be

considered state printing, and the superintendent of state printing is directed not to accept the same.

6. The superintendent of state printing shall furnish to the various counties marriage licenses and district court forms to be used by such counties.

7. Nothing in this chapter shall be construed to mean that the superintendent of state printing is required or expected to perform any work other than that which the type, machinery and other printing and binding appliances in the state printing office will permit.

8. Nothing in this chapter is intended to prevent the use of letterpress or offset equipment at the Nevada state prison when part of a program of training or rehabilitation of inmates and such equipment may be used to produce any printing required by the prison.



SUMMARY--Permits state agency to publish certain materials by offset process and requires superintendent of state printing to supervise purchase, use of such equipment. (BDR 29-864)

AN ACT relating to state printing; permitting state agencies to produce certain printed material by the offset process; requiring the superintendent of state printing to approve such equipment and to supervise its use; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 344.050 is hereby amended to read as follows:

344.050 1. The superintendent of state printing shall not permit any other than state work to be done in the state printing office.

2. All state officers, boards, commissions, trustees, regents and directors required or authorized by law to make reports or to publish circulars, bulletins, printed books, stationery or printed matter of any kind shall:

(a) Have the printing and binding of such material done at the state printing office at the expense of their respective funds or appropriations; or

(b) Produce the reports or other published matter within their respective agencies by use of copying or duplicating machines other than printing by letterpress \_ [or the offset process.]

3. The following pamphlets, bulletins and leaflets shall be printed:

Annual register of the University of Nevada.

Nevada mining laws.

Nevada land laws.

Nevada election laws.

Nevada official election returns.

General corporation laws.

Foreign corporation laws.

State school laws.

Fish and game laws.

Pharmacy law.

List of registered physicians.

Insurance laws.

Banking laws.

Necessary briefs, transcripts and other legal work for the public service commission.

4. The printing of official stationery, cards and other material appropriate to the official duties of members of the legislature shall be done in the state printing office at the expense of the legislative fund.

5. Invitations, tickets of admission, programs, menus or the like for any state institution or school shall not be considered state printing, and the superintendent of state printing is directed not to accept the same.

6. Nothing in this chapter shall be construed to mean that the superintendent of state printing is required or expected to perform any work other than that which the type, machinery and other printing and binding appliances in the state printing office will permit.

Sec. 2. Chapter 344 of NRS is hereby amended by adding thereto the provisions set forth as sections 3 and 4 of this act.

Sec. 3. No state agency may purchase any multiple duplication equipment without the prior approval of the superintendent of state printing. Before he approves such purchases he shall first determine that there is no other similar equipment owned by another state agency which is readily available for use by the agency seeking approval of the purchase.

Sec. 4. The superintendent of state printing may direct that any work which may be printed by the use of multiple duplicating

equipment be performed by any agency which has such equipment  
and which can perform such work without adversely affecting  
its own duplicating operations.





SUMMARY--Provides centralized administration of multiple duplication and reproduction services. (BDR 18-865)

AN ACT relating to state printing; providing for centralized administration of multiple duplication and reproduction services; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND  
ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 232.170 is hereby amended to read as follows:

232.170 1. The department of administration is hereby created.

2. The department shall consist of a director and the following divisions:

- (a) Budget division.
- (b) Buildings and grounds division.
- (c) Central data processing division.
- (d) Personnel division.
- (e) Central reproduction division.

[(e)] (f) Purchasing division.

3. The director may establish a motor pool division or may assign the functions of the state motor pool to one of the other divisions of the department.

Sec. 2. NRS 344.040 is hereby amended to read as follows:

344.040 1. The superintendent of state printing shall have the entire charge and superintendence of the state printing and all matters pertaining to his office. As used in NRS 344.040 and 344.050, "printing" does not include the offset process.  
The superintendent of state printing may use the offset process,  
however, when the work of his office so requires.

2. He shall take charge of and be responsible for all manuscripts or other matter which may be placed in his hands to be printed, and shall cause the same to be executed promptly.

3. He shall receive and execute promptly all orders for printing required to be done by the various state officers, boards and commissions.

4. Biennially and prior to the meeting of the legislature, he shall make a report to the governor. His report shall embrace a record of the complete transactions of his office.

Sec. 3. NRS 344.050 is hereby amended to read as follows:

344.050 1. The superintendent of state printing shall not permit any other than state work to be done in the state printing office.

2. All state officers, boards, commissions, trustees, regents and directors required or authorized by law to make reports or to publish circulars, bulletins, printed books, stationery or printed matter of any kind shall:

(a) Have the printing and binding of such material done at the state printing office at the expense of their respective funds or appropriations; or

(b) Produce the reports or other published matter within their respective agencies by use of copying or duplicating machines other than printing by letterpress \_ [or the offset process.]

3. The following pamphlets, bulletins and leaflets shall be printed:

Annual register of the University of Nevada.

Nevada mining laws.

Nevada land laws.

Nevada election laws.

Nevada official election returns.

General corporation laws.

Foreign corporation laws.

State school laws.

Fish and game laws.

Pharmacy law.

List of registered physicians.

Insurance laws.

Banking laws.

Necessary briefs, transcripts and other legal work for  
the public service commission.

4. The printing of official stationery, cards and other material appropriate to the official duties of members of the legislature shall be done in the state printing office at the expense of the legislative fund.

5. Invitations, tickets of admission, programs, menus or the like for any state institution or school shall not be considered state printing, and the superintendent of state printing is directed not to accept the same.

6. Nothing in this chapter shall be construed to mean that the superintendent of state printing is required or expected to perform any work other than that which the type, machinery and other printing and binding appliances in the state printing office will permit.

Sec. 4. Title 29 of NRS is hereby amended by adding thereto a new chapter to consist of the provisions set forth as sections 5 to 13, inclusive, of this act.

Sec. 5. The following terms, wherever used or referred to in this chapter, have the following meaning unless a different meaning clearly appears in the context:

1. "Chief" means the chief of the central reproduction division of the department of administration.

2. "Director" means the director of the department of administration.

3. "Division" means the central reproduction division of the department of administration.

Sec. 6. The division shall supervise all multiple duplication work of state executive agencies and shall administer the provisions of this chapter.

Sec. 7. The chief shall:

1. In cooperation with the superintendent of state printing, develop guidelines to be used by state executive agencies in securing multiple duplication services through the state printing office and the division.

2. Control and regulate the performance and production of all multiple duplication work required by the state executive agencies except that done by the state printing office.

3. Perform all administrative duties for and supervise all personnel and equipment providing multiple duplication services to the state executive agencies under the direction of the division.

Sec. 8. 1. The chief may:

(a) Require that multiple duplication equipment possessed by any executive agency be transferred to the division.

(b) Require that such equipment be transferred to another executive agency where greater efficiency and economy would result.

2. No transfer of equipment authorized by this section is intended to effect a transfer of ownership or to affect the obligation of any contract made by the transferring executive agency and any agency of any federal, state or local government. Any such obligation of contract shall be considered by the chief before authorizing any such transfer.

Sec. 9. No state executive agency may purchase multiple duplication equipment without first obtaining the approval of the chief. Before he approves such purchases he shall first determine that there is no other similar equipment owned by another state executive agency which is readily available for use by the executive agency seeking approval of the purchase.

Sec. 10. 1. The chief shall determine the charge to be made for all multiple duplication services provided by the division, and shall fix a price from time to time that will cover all costs of material and labor. For this purpose, he shall allow credit for space and equipment provided or owned by the executive agency requiring the services.

2. The chief shall render bills for all multiple duplication service rendered by the division against the executive agency rendering the same. The bills shall be audited by the state board of examiners and paid out of the appropriation or fund of the executive agency chargeable with such bills on warrants drawn by the state controller.

Sec. 11. 1. There is hereby created in the state treasury a fund to be known as the central reproduction fund.

2. The central reproduction fund shall consist of all moneys received from any source whatever in payment of all central reproduction services.

3. All expenses for the support of the division, except the purchase of new equipment, shall be paid from the central reproduction fund.

4. At the end of each fiscal year, the chief shall report to the state treasurer:

- (a) The amount receivable for work performed.
- (b) The value of inventory of supplies held by the chief.
- (c) The amount payable for work performed or ordered.

5. To the extent that the sum of the cash balance of the central reproduction fund plus the value of inventory and amount receivable, minus the amount payable, exceeds \$5,000, the cash balance of the central reproduction fund shall revert to the general fund.

Sec. 12. Nothing in sections 5 to 13, inclusive, of this act is to be construed as giving the division control over printing done at the state printing office for:

1. The legislature or the legislative counsel bureau; and
2. The supreme court.

Sec. 13. For the purposes of this act, "multiple duplication equipment" means stencil duplicators and offset duplicators and equipment of similar type, and all related equipment.

Sec. 14. 1. Not later than 30 days prior to the effective date of this act, the head of each executive agency which has a division, section or service providing multiple duplication services to that agency shall deliver to the director of the department of administration the names and grades of all personnel engaged in the operation of multiple duplication equipment and an inventory of all such equipment.

2. On the effective date of this act all personnel and equipment designated as provided in subsection 1 shall be transferred to the central reproduction division of the department of administration.