

**OPINION**  
**57-50**

March 25, 1957 (OPINION)

CONTRACTORS

RE: Public - Must be Licensed, When

This is in reply to your letter of March 11, 1957 requesting an opinion of this office in regard to public contractor's licenses.

You inform us that a question has arisen with regard to the painting and tiling of the interior of the Williams County court house as to whether or not this type of work is considered as "construction or reconstruction of public work" to bring it under the purview of Section 43-0701(3) of the N.D.R.C. of 1943.

The pertinent section provides, in so far as here applicable:

"43-0701. DEFINITION. In this chapter unless the context or subject matter otherwise requires:

"3. A 'public contractor' is any person as hereinbefore defined, who submits a proposal to or enters into a contract with the state of North Dakota, or any board, commission, or department thereof, or with any city council or board of city commissioners, board of village trustees, board of township supervisors, school board, or with any state or municipal agency, or with any other public board, body, commission, or agency authorized to let or award contracts for the construction or reconstruction of public work, when the contract cost, value, or price exceeds the sum of two thousand dollars."

In so far as the contract is let by the board of county commissioners and in so far as the contract cost or price exceeds the sum of two thousand dollars, it is our opinion that the contract can be let only to a licensed public contractor.

LESLIE R. BURGUM

Attorney General