

**Fifty-eighth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 7, 2003**

HOUSE CONCURRENT RESOLUTION NO. 3012
(Representative Weisz)
(Senator Trenbeath)

A concurrent resolution directing the Legislative Council to study the laws of this state concerning arbitration of construction issues with the Department of Transportation.

WHEREAS, it is the responsibility of the Legislative Assembly to review existing laws to ensure that the laws address the problems the laws are intended to rectify; and

WHEREAS, it is necessary from time to time for the Department of Transportation to arbitrate issues concerning construction contracts; and

WHEREAS, recent use of arbitration has raised many issues and concerns with the current law and system; and

WHEREAS, there is some concern with whether certain issues may be arbitrable and whether certain issues should be handled by the courts; and

WHEREAS, mandatory arbitration may constrict the ability of the Department of Transportation to best resolve contract disputes;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council study the laws of this state concerning arbitration of construction issues with the Department of Transportation; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-ninth Legislative Assembly.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

Filed in this office this _____ day of _____, 2003,
at _____ o'clock _____ M.

Secretary of State