

HOUSE CONCURRENT RESOLUTION NO. 3012

Introduced by

Representative Weisz

Senator Trenbeath

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

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

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

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

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

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

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

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

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