

**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.

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Speaker of the House

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President of the Senate

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Chief Clerk of the House

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Secretary of the Senate

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

\_\_\_\_\_  
Secretary of State