

**HOUSE BILL NO. 1410**

Introduced by

Representatives Trottier, Lefor, Monson, Steiner

Senators Klein, Osland

1 A BILL for an Act to create and enact a new section to chapter 24-05, a new section to chapter  
2 24-06, and section 48-01.2-12.1 of the North Dakota Century Code, relating to arbitration of  
3 public improvement contracts.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 24-05 of the North Dakota Century Code is created  
6 and enacted as follows:

7 **Controversies to be arbitrated - Arbitrators - How named.**

8 A controversy arising out of a contract for an above grade road or street improvement under  
9 this chapter must be submitted to arbitration. A contractor that voluntarily enters a contract for  
10 the construction of an above grade road or street improvement is deemed to have agreed to  
11 arbitration of a controversy arising out of that contract. For a claim for less than one hundred  
12 thousand dollars, only one arbitrator may be jointly selected by the parties. For a claim for one  
13 hundred thousand dollars or more, three persons comprise the arbitration board.

14 **SECTION 2.** A new section to chapter 24-06 of the North Dakota Century Code is created  
15 and enacted as follows:

16 **Controversies to be arbitrated - Arbitrators - How named.**

17 A controversy arising out of a contract for an above grade road or street improvement under  
18 this chapter must be submitted to arbitration. A contractor that voluntarily enters a contract for  
19 the construction of an above grade road or street improvement is deemed to have agreed to  
20 arbitration of a controversy arising out of that contract. For a claim for less than one hundred  
21 thousand dollars, only one arbitrator may be jointly selected by the parties. For a claim for one  
22 hundred thousand dollars or more, three persons comprise the arbitration board.

23 **SECTION 3.** Section 48-01.2-12.1 of the North Dakota Century Code is created and  
24 enacted as follows:

1        **48-01.2-12.1. Controversies to be arbitrated - Arbitrators - How named.**

2        A controversy arising out of a contract for an above grade road or street improvement  
3 entered by a political subdivision under this chapter must be submitted to arbitration. A  
4 contractor that voluntarily enters a contract for the construction of an above grade road or street  
5 improvement is deemed to have agreed to arbitration of a controversy arising out of that  
6 contract. For a claim for less than one hundred thousand dollars, only one arbitrator may be  
7 jointly selected by the parties. For a claim for one hundred thousand dollars or more, three  
8 persons comprise the arbitration board.