

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.