

HOUSE BILL NO. 1312

Introduced by

Representatives Jones, Damschen, Fegley, Hatlestad, Kasper, Laning, Longmuir, Steiner
Senators Kannianen, Klein, J. Roers, Unruh

1 A BILL for an Act to amend and reenact section 35-24-01 of the North Dakota Century Code,
2 relating to definitions pertaining to a well or pipeline construction lien.

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

4 **SECTION 1. AMENDMENT.** Section 35-24-01 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **35-24-01. Definitions.**

7 In this chapter unless the context or subject matter otherwise requires:

- 8 1. "Construction" means construction, maintenance, operation, or repair.
- 9 2. "Contract" means a contract, written or oral, express or implied, or partly express and
10 partly implied, or executory or executed, or partly executory and partly executed.
- 11 3. "Drilling" means drilling, digging, torpedoing, acidizing, cementing, completing, or
12 repairing.
- 13 4. "Furnish" means sell or rent.
- 14 5. "Labor" means work performed in return for wages.
- 15 6. "Material" means material, machinery, equipment, appliances, buildings, structures,
16 tools, bits, or supplies ~~but, including gasoline, diesel fuel, propane, and lubricants.~~
17 "Material" does not include rigs or hoists or their integral component parts except wire
18 lines.
- 19 7. "Operating" means all operations in connection with or necessary to the development,
20 production, or reclamation of oil or gas.
- 21 8. "Original contractor" means any person for whose benefit a lien is prescribed under
22 section 35-24-02.

- 1 9. "Owner" means a person holding any interest in the legal or equitable title or both to
2 any leasehold for oil or gas purposes, or any pipeline, or that person's agent, and
3 includes purchasers under executory contract, receivers, and trustees.
- 4 10. "Person" means an individual, corporation, limited liability company, firm, partnership,
5 or association.
- 6 11. "Pipeline" means any pipeline laid and designed as a means of transporting natural
7 gas, oil, or gasoline, or their components or derivatives, and the right of way therefor.
- 8 12. "Services" means work performed exclusive of labor, including the hauling of material,
9 whether or not involving the furnishing of material.
- 10 13. "Working interest" means interest in oil and gas that may be produced from a well but
11 does not include royalty or overriding royalty interests.