

**Sixty-sixth Legislative Assembly of North Dakota  
In Regular Session Commencing Thursday, January 3, 2019**

HOUSE BILL NO. 1312  
(Representatives Jones, Damschen, Fegley, Hatlestad, Kasper, Laning, Longmuir, Steiner)  
(Senators Kannianen, Klein, J. Roers, Unruh)

AN ACT to amend and reenact section 35-24-01 of the North Dakota Century Code, relating to definitions pertaining to a well or pipeline construction lien.

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

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

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

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

1. "Construction" means construction, maintenance, operation, or repair.
2. "Contract" means a contract, written or oral, express or implied, or partly express and partly implied, or executory or executed, or partly executory and partly executed.
3. "Drilling" means drilling, digging, torpedoing, acidizing, cementing, completing, or repairing.
4. "Furnish" means sell or rent.
5. "Labor" means work performed in return for wages.
6. "Material" means material, machinery, equipment, appliances, buildings, structures, tools, bits, or supplies ~~but, including gasoline, diesel fuel, propane, and lubricants.~~ "Material" does not include rigs or hoists or their integral component parts except wire lines.
7. "Operating" means all operations in connection with or necessary to the development, production, or reclamation of oil or gas.
8. "Original contractor" means any person for whose benefit a lien is prescribed under section 35-24-02.
9. "Owner" means a person holding any interest in the legal or equitable title or both to any leasehold for oil or gas purposes, or any pipeline, or that person's agent, and includes purchasers under executory contract, receivers, and trustees.
10. "Person" means an individual, corporation, limited liability company, firm, partnership, or association.
11. "Pipeline" means any pipeline laid and designed as a means of transporting natural gas, oil, or gasoline, or their components or derivatives, and the right of way therefor.
12. "Services" means work performed exclusive of labor, including the hauling of material, whether or not involving the furnishing of material.
13. "Working interest" means interest in oil and gas that may be produced from a well but does not include royalty or overriding royalty interests.

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Chief Clerk of the House

\_\_\_\_\_  
Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-sixth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1312.

House Vote:    Yeas 93            Nays 0            Absent 1

Senate Vote:   Yeas 44            Nays 0            Absent 3

\_\_\_\_\_  
Chief Clerk of the House

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2019.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2019.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2019,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

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