

Fifty-seventh  
Legislative Assembly  
of North Dakota

**SENATE BILL NO. 2099**

Introduced by

Natural Resources Committee

(At the request of the Industrial Commission)

1 A BILL for an Act to amend and reenact subsection 3 of section 38-08-04.5, section 38-08-21,  
2 and subsection 7 of section 38-12-01 of the North Dakota Century Code, relating to the  
3 abandoned oil and gas well plugging and site reclamation fund, control of gas and oil resources,  
4 and subsurface mineral regulation.

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

6 **SECTION 1. AMENDMENT.** Subsection 3 of section 38-08-04.5 of the North Dakota  
7 Century Code is amended and reenacted as follows:

8 3. All moneys collected under this section must be deposited in the abandoned oil  
9 and gas well plugging and site reclamation fund. This fund must be maintained as  
10 a special fund and all moneys transferred into the fund are ~~hereby~~ appropriated  
11 and must be used and disbursed solely for the purpose of defraying the costs  
12 incurred in carrying out the plugging or replugging of wells, the reclamation of well  
13 sites, and all other related activities. However, when the ~~money~~ fees accumulated  
14 in the fund exceeds two hundred fifty thousand dollars, any additional fees  
15 collected by the oil and gas division of the industrial commission must be deposited  
16 in the general fund.

17 **SECTION 2. AMENDMENT.** Section 38-08-21 of the North Dakota Century Code is  
18 amended and reenacted as follows:

19 **38-08-21. Regulation of carbon dioxide and nitrogen gas.** The commission is  
20 ~~hereby~~ vested with the authority and duty to regulate the exploration, development, and  
21 production of carbon dioxide, coal bed methane gas, helium gas, and nitrogen gas within the  
22 state, ~~used for the development of oil and gas resources,~~ in the same manner, insofar as is  
23 practicable, as it regulates oil or gas as defined in this chapter.

1           **SECTION 3. AMENDMENT.** Subsection 7 of section 38-12-01 of the 1999 Supplement  
2 to the North Dakota Century Code is amended and reenacted as follows:

- 3           7. "Subsurface minerals" means all naturally occurring elements and their  
4 compounds, volcanic ash, precious metals, carbonates, and natural mineral salts  
5 of boron, bromine, calcium, fluorine, ~~helium~~, iodine, lithium, magnesium, ~~nitrogen~~,  
6 phosphorus, potassium, sodium, thorium, uranium, and sulfur, and their  
7 compounds, but does not include sand and gravel and rocks crushed for sand and  
8 gravel.