CHAPTER 54-17.4
GEOLOGICAL SURVEY

54-17.4-01. Definitions.

As used in this chapter, unless the context otherwise requires:

1. "Commission" means the North Dakota industrial commission.
2. "State geologist" means the North Dakota state geologist.
3. "Survey" means the North Dakota geological survey, a division of the department of mineral resources.

54-17.4-02. Survey - Responsibilities.

There is created a North Dakota geological survey. The survey has the following responsibilities:

1. Serve as the primary source of geological information in the state.
2. Investigate, describe, and interpret the geological setting of the state with special reference to the economic products, geological hazards, and energy resources of the state's geology.
3. Conduct investigations designed to promote public understanding of the state's natural setting and natural resources.
4. Conduct research relative to the exploration, production, and regulation of oil, gas, coal, and other mineral resources of the state.
5. Conduct investigations and review externally prepared reports pertaining to geological aspects of the health and safety of the citizens and environment of the state.
6. Provide geological information contributing to the development of public health policies and to the use and management of natural resources.
7. Publish bulletins, circulars, maps, and other related materials that make available the results of the geological research and technical studies.
8. Provide educational information about the geology of the state to the public.
9. Operate and maintain a public repository for books, reports, maps, and other publications regarding the geology and mineral resources of the state.
10. Operate and maintain a public repository for fossil and rock specimens, rock cores, well cuttings, and associated data.
11. Provide technical advice and assistance concerning the geology of the state to local, state, and federal governmental agencies and to state educational institutions.
12. Aid in the regulation of the state's natural resources by providing the resource assessment and evaluation information necessary to create and maintain effective regulatory policy.
13. Investigate the kind, amount, and availability of the various mineral substances contained in state-owned lands, so as to contribute to the most effective and beneficial administration of these lands for the state.
14. Consider such other scientific and economic questions in the field of geology as in the judgment of the state geologist is deemed of value to the people of the state.
15. Carry out any other responsibilities assigned to it by the legislative assembly.

54-17.4-03. Survey - Direction and supervision.

The survey is under the direction and control of the commission.

54-17.4-04. Survey - Location.

The commission shall decide the location of the survey. However, the survey shall maintain a core and sample library at the university of North Dakota with associated core receiving, processing, and analytical equipment. The survey, in cooperation with the university of North Dakota, shall maintain a geologic literature library and archives at the university of North Dakota. The survey may also maintain a working geologic literature library at a site selected by the industrial commission.

54-17.4-05. State geologist - Qualifications - Selection - Salary.

There is created the position of state geologist.

1. The state geologist's qualifications must include a doctor of philosophy degree in geology from an accredited university or college or equivalent geological experience, demonstrated competency in administration, and five years of practical experience in the field of geology.
2. The director of mineral resources shall either appoint the state geologist or carry out the duties of the state geologist along with the duties of director of mineral resources. Prior to appointment of a state geologist the director of mineral resources may appoint an acting state geologist.
3. The state geologist is under the direction and control of the director of mineral resources.

54-17.4-06. State geologist - Authority.

The state geologist is the head of the survey and shall exercise the powers of the office and be responsible for the execution of its duties.

54-17.4-07. State geologist - Grants, funds, and contracts.

The state geologist, with the approval of the director of mineral resources, may accept and expend money from and enter into contracts with federal, state, local, or other public entities to carry out the purposes of this chapter or to provide geological services. If such funds exceed appropriations made by the legislative assembly, the director of mineral resources shall seek emergency commission approval for their expenditure.

54-17.4-08. State geologist - Acquisition of geological and geophysical data - Confidentiality.

The state geologist has the authority:

1. To acquire geological and geophysical data including seismic, magnetic, and gravity data by purchase or by acceptance of donated proprietary data.
2. To provide for the confidentiality of geological and geophysical data when requested by the seller or donor until the seller or donor notifies the state geologist that confidentiality is no longer required. Confidential data may be used only by the state geologist and staff members designated by the state geologist.

54-17.4-09. State geologist - Specimens collected - Exhibited - Exchanged.

The state geologist shall cause proper specimens, skillfully prepared, secured, and labeled, of rocks, minerals, ores, coals, fossils, and other earth materials discovered or examined in the course of the geological surveys to be preserved for public inspection free of cost. The state geologist, when practicable, shall cause duplicate specimens in reasonable numbers and quantities to be collected and preserved for the purpose of exchange with or transfer to universities, colleges, governmental bodies, and scientific institutions.

54-17.4-09.1. Fossil excavation and restoration fund - Continuing appropriation.

A special fund known as the fossil excavation and restoration fund must be maintained in the state treasury. Funds received by the geological survey for participation in a public fossil dig, fossil excavation, fossil restoration, and fossil exhibit must be deposited in the fund. All moneys in the fund are appropriated on a continuing basis to the geological survey for the purpose of public fossil dig expenses, fossil excavation, fossil restoration, and fossil exhibit development. The provisions of section 54-27-10 do not apply to appropriations from this fund.

54-17.4-10. State geologist - Purchase and sale of maps - Appropriation.

The state geologist is authorized to purchase cartographic products from the federal government for the purpose of reselling the products to the public at a fee set by the state geologist. All moneys collected from the sale of the products must be deposited in the cartographic products fund. This fund must be maintained as a special fund and all moneys

transferred into the fund are hereby appropriated and must be used and disbursed solely for the purpose of paying the state geologist's cost of purchasing and reselling the products.

54-17.4-11. State geologist - Colleges and universities - Cooperation.

The board of higher education and the survey shall develop a cooperative agreement for the sharing of books, equipment, and other physical resources.

54-17.4-12. State geologist - Collection of global positioning system data - Fee.

Repealed by S.L. 2021, ch. 402, § 2.

54-17.4-13. Geologic data preservation fund - Continuing appropriation.

The geologic data preservation fund may be used to defray the expenses of preserving geologic data compiled by the commission and disseminating the data to county, state, and federal departments and agencies and members of the general public. All moneys collected for dissemination of geologic data under this section must be deposited in the geologic data preservation fund. This fund must be maintained as a special fund in the state treasury and all moneys transferred into the fund are appropriated and must be used and disbursed solely for the purpose of paying the current cost of providing information as determined by the commission based on actual costs.