

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009
4

A Bill

HOUSE BILL 1356

5 By: Representative Harrelson
6 By: Senator Teague
7
8

For An Act To Be Entitled

10 AN ACT TO RENAME THE ARKANSAS STATE LAND
11 INFORMATION BOARD TO THE ARKANSAS GEOGRAPHIC
12 INFORMATION SYSTEMS BOARD; TO MAKE THE STATEWIDE
13 DIGITAL CADASTRE SYSTEM A REQUIRED FUNCTION OF
14 THE BOARD; TO IMPLEMENT THE CENTERLINE PROGRAM
15 AND THE ORTHOPHOTOGRAPHY PROGRAM AS ONGOING
16 FUNCTIONS OF THE BOARD; TO ESTABLISH A MINIMUM
17 ACCURACY LEVEL FOR STATEWIDE FRAMEWORK DATA; TO
18 REMOVE THE REQUIREMENT OF A FEE SYSTEM; AND FOR
19 OTHER PURPOSES.
20

Subtitle

21 AN ACT CONCERNING THE ARKANSAS STATE
22 LAND INFORMATION BOARD.
23
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25

26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
27

28 SECTION 1. Arkansas Code §§ 15-21-501 through 15-21-504 are amended to
29 read as follows:

30 15-21-501. Purpose.

31 (a) In recognition that a vast majority of all information used in the
32 management of government can be spatially referenced and that public
33 institutions and private firms expend considerable resources collecting and
34 managing land information records in diverse and disparate formats and
35 scales, a modern automated system of accessible land information data and
36 technologies is required to serve the essential needs of individuals,



1 businesses, and government agencies.

2 ~~(b) Unnecessary duplications of effort and cost are incurred since~~
3 ~~currently available spatial data and land records are not consistently~~
4 ~~collected and maintained from jurisdiction to jurisdiction and state agency~~
5 ~~to state agency, are not maintained in a manner to assure total integrity,~~
6 ~~often do not meet National Map Accuracy Standards, and are not readily~~
7 ~~available or useful for cooperative planning or policy decisions.~~

8 ~~(e)(b)~~ The essential component of all automated land information
9 systems is valid, consistent, comprehensive, available, and current data.
10 Since federal, state, regional, county, and municipal agencies, state
11 universities and colleges, private firms, and others require the same spatial
12 data, it is desirable that unnecessary duplication of effort be avoided, that
13 existing data be shared in a coordinated manner, and that new data be
14 developed in an accurate and usable form in accordance with the State of
15 Arkansas ~~Shared Technical~~ Enterprise Architecture. Pursuant to this, all
16 state agencies, boards, and commissions are required to cooperate and
17 participate with the Arkansas ~~State Land Information~~ Geographic Information
18 Systems Board.

19 ~~(d)(c)~~ Implementation of an overall Arkansas land and geographic
20 resources program requires cooperative methods for development and
21 maintenance of spatial data between state and local governments in the State
22 of Arkansas.

23 ~~(e)(d)~~ The board will determine, define, and implement short and long-
24 term strategies that will result in improved decision making, effective asset
25 management, and reduced costs for the citizens of Arkansas.

26
27 15-21-502. Definitions.

28 As used in this subchapter:

29 (1) "Agency" means any agency or instrumentality of the State of
30 Arkansas that utilizes geographic information systems data;

31 (2) "Arkansas Geographic Information Office" means the office
32 that provides administrative and technical support to the Arkansas ~~State Land~~
33 ~~Information~~ Geographic Information Systems Board, including, but not limited
34 to, staff, hardware, software, and representation;

35 (3) "Arkansas Spatial Data Infrastructure" means the combination
36 of state framework data, data repository, or GeoStor, distribution

1 mechanisms, and the staff and organizational structures necessary to
 2 accomplish these activities;

3 ~~(4) "Board" means the Arkansas State Land Information Board;~~

4 ~~(5)(4)~~ "Digital basemap" means a computerized representation of
 5 map information;

6 ~~(6)(5)~~ "Digital cadastre" means the storage and manipulation of
 7 computerized representations of parcel maps and linked parcel databases;

8 ~~(7)(6)~~ "Framework data" means commonly needed data themes
 9 developed, maintained, and integrated by public and private organizations
 10 within a geographic area. These data themes include, but are not limited to,
 11 digital cadastre, public land survey system, elevation, geodetic control,
 12 governmental units, hydrography, orthoimagery, transportation, soils, and
 13 geology;

14 ~~(8)(7)~~ "Metadata" means a description of the content, ancestry
 15 and source, quality, database schema, and accuracy of digital map data;

16 ~~(9)(8)~~ "Spatial data" means information that identifies the
 17 geographic location and characteristics of natural or constructed features
 18 and boundaries on the earth. This information may be derived from, among
 19 other things, remote sensing, mapping, and surveying technologies;

20 ~~(10)(9)~~ "Spatial data repository" means the physical location
 21 and content of the state's consolidated spatial data;

22 (10) "State Chief Technology Officer" means the Director of the
 23 Department of Information Systems;

24 (11) "State Geodetic Advisor" means the coordinator of the
 25 state's network of geodetic control monuments;

26 (12) "State Geographic Information ~~Coordinator~~ Officer" means
 27 the person who provides administrative and technical support to the board;
 28 and

29 (13)~~(A)~~ "State of Arkansas ~~Shared Technical Enterprise~~
 30 Architecture" means the ~~structure of program or system components,~~
 31 ~~how these components relate to one another, and the principles that govern~~
 32 ~~their design and evolution over time.~~

33 ~~(B) Important aspects include the division of functions~~
 34 ~~among system parts, the means of communication among them, and the~~
 35 ~~representation of shared information~~ same as the definition set out at § 25-
 36 4-103(17).

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15-21-503. Creation – Board.

(a) The Arkansas ~~State Land Information~~ Geographic Information Systems Board is created.

(b)(1)(A)(i) The board shall be composed of ~~twelve (12)~~ thirteen (13) voting members.

(ii) Twelve (12) of the voting members shall
be appointed by the Governor for terms of four (4) years.

(iii) The thirteenth voting member shall be the
State Chief Technology Officer.

(B) At the time of appointment or reappointment, the appointing authority shall adjust the length of terms to ensure that the terms of members of the board are staggered so that, insofar as possible, an equal number of members shall rotate each year.

(2) The board shall be composed of the following members or their designees:

- (A) Three (3) state entity representatives;
- (B) Three (3) city, county, and local government representatives;
- (C) Three (3) private sector representatives; ~~and~~
- (D) Three (3) representatives of institutions of higher education; and
- (E) The State Chief Technology Officer.

(3) All members of the board shall have knowledge of the use and usefulness of digital land and geographic information in the management of government and a general awareness of the role of mapping as related to that management.

(4) No person shall serve as a member of the board for more than two (2) full consecutive terms.

(5) Upon the death, disability, resignation, removal, or refusal to serve of any member, the Governor shall appoint a qualified person to complete board membership.

(c)(1)(A) A chair and a vice chair shall be elected by the board membership to oversee all board and committee meetings.

(B) Members of the board must elect a chair and vice chair every year.

1 (2)(A) The board ~~will work with~~ shall appoint the State
2 Geographic Information ~~Coordinator~~ Officer ~~assigned by the Director of the~~
3 ~~Department of Information Systems~~ to serve with the approval ~~from the board~~
4 and at the pleasure of the Governor.

5 (B) The State Geographic Information ~~Coordinator~~ Officer
6 will:

7 (i) Assist the board in developing a comprehensive
8 plan and evaluation procedures on how the state should implement tactical and
9 strategic geographic information systems and land information systems
10 planning;

11 (ii) Implement informational and educational
12 programs; and

13 (iii) Coordinate intrastate geographic information
14 systems and land information systems efforts.

15 (C) The State Geographic Information ~~Coordinator~~ Officer
16 shall report directly to the ~~Director of the Department of Information~~
17 ~~Systems~~ Governor.

18 (d)(1) The State Geographic Information ~~Coordinator~~ Officer shall
19 administer daily operations of the Arkansas Geographic Information Office
20 with direction from the board.

21 (2) This may include liaison between the board, ~~and~~ the
22 Governor, the ~~Director of the Department of Information Systems~~ State Chief
23 Technology Officer, and public or private sector entities involved in spatial
24 data and land records modernization, project management in the preparation of
25 the strategic planning documents related to spatial data and land records
26 modernization, developing policy and procedures for land records
27 modernization, and developing policy and procedures for the activities of the
28 board.

29 (3) Additional requirements are the implementation of
30 educational programs, coordinating vendor exhibits, and facilitating
31 technical assistance and consulting.

32 (e) The board may conduct meetings at such places and such times as it
33 may deem necessary or convenient to enable it to exercise fully and
34 effectively its powers, perform its duties, and accomplish its objectives and
35 purposes.

36 (f) Members of the board shall receive no compensation for their

1 services.

2 (g) The board will be provided administrative support through the
3 Arkansas Geographic Information Office.

4 (h) The funds necessary to carry out the provisions of this subchapter
5 shall come from the Geographic Information Systems Fund.

6 (i) The board shall ~~seek the review and advice of~~ provide an annual
7 report on the status of the Arkansas Spatial Data Infrastructure to the Joint
8 Committee on Advanced Communications and Information Technology ~~prior to~~
9 ~~issuing guidelines, proposed legislation, and strategic plans.~~

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11 15-21-504. Duties, responsibilities, and authority.

12 (a) The Arkansas ~~State Land Information~~ Geographic Information Systems
13 Board shall be empowered to:

14 (1) Provide a strategy for the continuing development of the
15 Arkansas Spatial Data Infrastructure;

16 (2) Develop standard metadata reports through the Arkansas
17 Geographic Information Office; and

18 (3) Direct available funds to mapping and land records
19 modernization projects at various levels of government.

20 (b) The board shall:

21 (1) Undertake a continuing study of the land information needs
22 of federal, state, county, local agencies, and private entities in the state;

23 (2) Review current and projected technology, standards, and
24 collection methods and all statutes pertaining thereto;

25 (3) Develop strategies and guidelines for spatial data systems
26 and land records modernization; and

27 (4) Pursue activities that result in coordinated, cost-effective
28 programs for spatial data development and distribution.

29 (c) The board shall coordinate completion and maintenance of shareable
30 statewide framework data, applications of geographic information system
31 technologies, spatial project methodologies, and methods of funding.

32 (d)(1) The board will develop and implement a program to further the
33 process of land records modernization.

34 (2)(A) The board, using the technical support provided by the
35 Arkansas Geographic Information Office, shall ~~conduct a comprehensive study~~
36 ~~of the costs, requirements, and benefits~~ coordinate the development and

1 maintenance of a statewide digital cadastre system.

2 (B) The digital cadastre manages and provides access to
3 cadastral information. Digital cadastre does not represent legal property
4 boundary descriptions, nor is it suitable for boundary determination of the
5 individual parcels included in the cadastre.

6 (C) The board, using the technical support provided by the
7 Arkansas Geographic Information Office, shall coordinate the development and
8 maintenance of a statewide road centerline database.

9 (D) The board, using the technical support provided by the
10 Arkansas Geographic Information Office, shall coordinate the development and
11 maintenance of a statewide digital orthophotography database with a priority
12 to be taken in leaf off conditions.

13 (e) The duties of the board shall include, but not be restricted to:

14 (1) Identifying issues, problems, and solutions in implementing
15 an overall Arkansas land and geographic resources program;

16 (2) Identifying and clarifying the roles of participants;

17 (3) Developing an overall coordinating schedule for framework
18 data projects;

19 (4) Recommending methods of financing;

20 (5) Developing recommended priorities for the distribution of
21 funds;

22 (6) Developing procedures for the inventory, storage, and
23 distribution of spatial information;

24 (7) Implementing an ongoing information and education program to
25 promote understanding and productive use of spatial and land information
26 systems by public and private entities and individuals; and

27 (8) Encouraging and coordinating collaborative spatial project
28 efforts and rewarding participants of collaborative efforts that result in
29 economies of scale or demonstrable cost savings.

30 (f)(1) The board, through the Arkansas Geographic Information Office,
31 shall ~~assist local and state government agencies in defining~~ define technical
32 specifications and standards to use in the collection, distribution, and
33 reporting of spatial information ~~including metadata~~ as required by the State
34 of Arkansas ~~Shared Technical~~ Enterprise Architecture.

35 ~~(2) The revised National Map Accuracy Standards shall provide~~
36 ~~the basis for digital basemap standard guidelines.~~

1 ~~(3)(2)(A)~~ The board shall require metadata to be prepared and
 2 attached to all publicly funded mapping and geographic information systems
 3 databases.

4 ~~(B)~~ The metadata shall follow the Federal Spatial
 5 Geographic Data Infrastructure Standard will be followed for standard
 6 metadata reports by public entities that create digital geodata Committee
 7 content for the geospatial metadata standard.

8 ~~(g)(1)~~ The board will coordinate with the United States Geological
 9 Survey and other federal agencies in the development of Arkansas spatial
 10 data.

11 ~~(2)~~ The board will serve as a point of contact for existing or
 12 proposed federal programs that impact the creation of spatial data or the
 13 Arkansas Spatial Data Infrastructure, or both.

14 (h) The board, through the Arkansas Geographic Information Office,
 15 shall review the strategic plans for digital mapping and land records
 16 modernization and make recommendations for the distribution of public funds
 17 for land records modernization, enhancement, and implementation.

18 (i) The Arkansas Geographic Information Office will serve as a
 19 statewide source of mapping and ~~land~~ geographic information technology
 20 ~~information~~ and will coordinate with ~~the United States Geological Survey and~~
 21 ~~the Federal Geographic Data Committee on metadata requirements~~ federal
 22 agencies on state components of the National Spatial Data Infrastructure.

23 ~~(j)~~ The board will develop and require a data quality report to be
 24 prepared and attached to all publicly funded mapping and digital maps and
 25 their associated databases.

26 ~~(k)(j)(1)~~ The board shall enter into agreements with the Department of
 27 Information Systems and other qualified entities for the purpose of providing
 28 geographic information systems services and shall establish a system of
 29 uniform fees or special charges to be paid by the state and local government
 30 entities thus served to enable the board to defray the cost of providing the
 31 services as provided in this subchapter The Arkansas Geographic Information
 32 Office may utilize existing repositories as appropriate in order to maintain
 33 the Arkansas Spatial Data Infrastructure.

34 (2)(A) Agreements will be interagency service agreements and are
 35 exempt from the provisions of the Arkansas Procurement Law, § 19-11-201 et
 36 seq., and regulations.

1 (B) Further, these agreements will not be considered
 2 professional services or consulting service contracts.

3 ~~(1)(1) The board is authorized to contract with the department to~~
 4 ~~support the Arkansas Spatial Data Infrastructure and to provide framework~~
 5 ~~data and metadata for geographic information systems development to the~~
 6 ~~public.~~

7 ~~(2) The department will maintain the Arkansas Spatial Data~~
 8 ~~Infrastructure and may utilize existing repositories as appropriate.~~

9 ~~(m)(k) The board, the State Geographic Information Coordinator, the~~
 10 ~~Arkansas Geographic Information Office, and the Director of the Department of~~
 11 ~~Information Systems or the director's designee shall submit an annual~~
 12 ~~maintenance plan and budget for geographic information systems and geodata~~
 13 ~~services relating to the Arkansas Spatial Data Infrastructure to the board.~~

14 ~~(n)(1) As directed by the board, the Arkansas Geographic Information~~
 15 ~~Office will coordinate framework data development and maintenance, provide~~
 16 ~~technical processing of data sets, evaluate adherence to state-approved~~
 17 ~~mapping standards, and work with both state and federal spatial data~~
 18 ~~stakeholders on statewide projects.~~

19
 20 SECTION 2. Arkansas Code § 19-5-1112 is amended to read as follows:

21 19-5-1112. Establishment of Geographic Information Systems Fund.

22 (a)(1) There is established on the books of the Treasurer of State,
 23 the Auditor of State, and the Chief Fiscal Officer of the State a trust fund
 24 to be known as the "Geographic Information Systems Fund".

25 (2) The fund shall consist of:

26 (A) Funds approved by the General Assembly;

27 (B) Grants, gifts, and donations received by the State of
 28 Arkansas for the purposes of this section;

29 (C) Agency investments toward enterprise geographic
 30 information systems projects;

31 (D) Federal funds; and

32 (E) Any other funds allowable by law.

33 (3) This fund shall be used to:

34 (A) Carry out the duties, responsibilities, and authority
 35 of the Arkansas ~~State Land Information~~ Geographic Information Systems Board
 36 as described by § 15-21-504;

1 (B) Create, operate, and maintain GeoStor, the Arkansas
2 Spatial Data Infrastructure; and

3 (C) Create, update, maintain, and disseminate framework
4 spatial data as defined by § 15-21-502.

5 (b)(1)(A) ~~The Director of the Department of Information Systems~~ State
6 Geographic Information Officer shall manage the fund, and the Governor shall
7 oversee the expenditures from the fund.

8 (B) ~~The Arkansas State Land Information Board~~ board shall
9 establish standards and methodologies for evaluating the funding of
10 enterprise-level geographic information systems projects.

11 (2)(A) ~~The director~~ State Geographic Information Officer, with
12 advice from the board, shall evaluate, prioritize, and approve proposals for
13 geographic information systems projects.

14 (B) ~~Such~~ The proposals and requests for funding shall
15 demonstrate any or all of the following:

16 (i) Improvement in the quality of life for
17 Arkansans;

18 (ii) Elimination of redundant systems;

19 (iii) Improved service for Arkansas citizens;

20 (iv) Enhanced economic development opportunities in
21 Arkansas;

22 (v) Implementation of electronic government twenty-
23 four (24) hours a day, seven (7) days a week;

24 (vi) Substantial benefit to more than one (1) agency
25 through lower operating costs; and

26 (vii) Continued development of the Arkansas Spatial
27 Data Infrastructure.

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