State of Arkansas  
50th General Assembly  
Regular Session, 1995  
By: Senator Cassady  

A Bill  
ACT 1259 OF 1995  
SENATE BILL  813  

For An Act To Be Entitled  
"AN ACT TO CREATE THE ARKANSAS STATE LAND INFORMATION BOARD; TO PROVIDE FOR APPOINTMENT OF MEMBERS; TO PROVIDE FOR THE FILLING OF VACANCIES; TO SPECIFY THE POWERS, DUTIES, AUTHORITY, AND FUNCTIONS OF THE BOARD; TO DESIGNATE THE BOARD TO COORDINATE AND ENCOURAGE DIGITAL MAP DEVELOPMENT AND ENHANCEMENT; TO INSURE THAT DIGITAL MAP DATA DEVELOPED BY THE STATE MEETS OR EXCEEDS NATIONAL MAP ACCURACY STANDARDS; TO DEVELOP AND IMPLEMENT LAND INFORMATION MODERNIZATION POLICY; TO ENCOURAGE COORDINATION AND ELIMINATE DUPLICATION OF DIGITAL MAP DEVELOPMENT BETWEEN STATE, LOCAL, AND FEDERAL AGENCIES; TO PROVIDE FOR CERTAIN STAFF AND ADMINISTRATIVE SUPPORT; TO REPEAL CONFLICTING LAWS; AND FOR OTHER PURPOSES."

Subtitle  
"AN ACT TO CREATE THE ARKANSAS STATE LAND INFORMATION BOARD."

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

SECTION 1. The Arkansas State Land Information Board is hereby created.  

SECTION 2. Definitions.  
As used in this section, unless the context otherwise requires:  
(1) “Board” means the Arkansas State Land Information Board.  
(2) “State Land Information Coordinator” provides administrative and technical support to the Board.  
(3) “State Geodetic Advisor” coordinates the state’s network of geodetic control monuments.
(4) "Digital Data Repository (DDR)" means the physical location of the state’s land information.

(5) "Metadata" describes the content, ancestry and source, quality, data base schema, and accuracy of digital map data.

(6) "Digital basemap" means a computerized representation of map information.

(7) "GIS" means Geographic Information Systems.

(8) "Clearinghouse" is the selected entity to maintain the DDR.

SECTION 3. Purpose.

(a) In recognition that a vast majority of all information used in the management of government can be spatially referenced; and that public institutions and private firms expend considerable resources collecting and managing land information records in diverse and disparate formats and scales, including property records, geodetic and mineral resource information, wetlands maps, agricultural land classifications, groundwater well log records, zoning regulations, political districts, industrial development zones, etc., a modern automated system of land information management is required to serve the essential needs of individuals, businesses, and government agencies.

(b) Unnecessary duplication of effort and cost are incurred since currently available land information is not consistently collected and maintained from jurisdiction to jurisdiction, state agency to state agency; is not maintained in a manner to assure total integrity; often does not meet National Map Accuracy Standards; and is not readily available or useful for cooperative planning or policy decisions.

(c) The essential components of all automated land information systems is valid, consistent, comprehensive, available, and current data. Since federal, state, regional, county, municipal agencies, state universities and colleges, private firms, and others require the same spatial data, it is desirable that unnecessary duplication of effort be avoided, that existing data be shared in a coordinated manner and that new data be developed in an accurate and usable form.

(d) Implementation of a unified land information system requires development of cooperative methods for development and maintenance of spatial
data between state and local governments in the State of Arkansas.

(e) The Arkansas State Land Information Board will determine, define, and implement a modernized land-records system consistent with the needs of the citizens of Arkansas.

SECTION 4. Duties, responsibilities, and authority.

(a) The Arkansas State Land Information Board shall be empowered to write guide lines and develop a strategy for establishing a statewide Digital Data Repository (DDR) for a digital geodata information system, draft standard metadata reports, and direct available funds to mapping and land-records modernization projects at various levels of government.

(b) The Board shall undertake a continuing study of the land information needs of federal, state, county, regional, and municipal agencies in the state, including a review of current and projected technology, standards, and collection methods, all statutes pertaining thereto, and develop strategies for policy guidelines for land information management systems that result in coordinated, cost effective programs for digital data development and distribution.

(c) The Board will develop a system of distributed data sources involving state agencies, universities, county and municipal governments, and implement a program to provide grants to further the process of land-records modernization.

(d) The duties of the Board shall include, but not be restricted to: identifying issues, problems, and solutions in implementing an overall Arkansas land and geographic resources program; identifying and clarifying the roles of participants; developing an overall coordinating schedule for spatial projects; recommending methods of financing; developing recommended priorities for the distribution of funds; developing procedures for the inventory, storage, and distribution of spatial information, and implementing an on-going information and education program to promote understanding and productive use of spatial and land information systems by public and private entities and individuals.

(e) The land information system implemented shall coordinate building a shareable, statewide digital land basemap and associated data; applications of land information system technologies; spatial project methodologies, and
methods of funding.

(f) The Board shall assist local and state government agencies in defining technical specifications and standards to use in the collection, distribution, and reporting of spatial information. The revised National Map Accuracy Standards shall provide the basis for digital basemap standard guidelines. The Federal Spatial Data Infrastructure Standard will be followed for standard metadata reports by public entities which create digital geodata.

(g) The Board will coordinate with the U.S. Geological Survey in the development of digital data, and will maintain an awareness of the impact on the State of Arkansas by existing or proposed Federal programs.

(h) The Board will analyze and propose legislation to address issues enabling cost recovery in respect of Freedom of Information (FOI) policy.

(i) Approve the distribution of public funds for land-records modernization, enhancement, implementation, and approve the strategic plans for digital mapping and land-records modernization.

(j) The Board will create and maintain a state digital data catalogue, a state digital data dictionary, and serve as a statewide source of mapping and land information technology information.

(k) The Board will develop and require a data quality report to be prepared and attached to all publicly funded mapping, digital maps, and their associated data bases.

(l) The Board may enter into agreements with state and local government entities for the purpose of providing GIS services and establish a system of uniform fees or special charges, to be paid by the state and local government entities served, to enable the Board to defray the cost of providing the services as provided in this chapter. Agreements will be inter-agency service agreements and are exempt from the provisions of State Purchasing Law and Regulations; further, these agreements will not be considered Professional Services or Consulting Service Contracts.

(m) The Board is authorized to contract with a qualified entity to act as the state clearinghouse for digital geodata and as the lead entity to provide technical support to agencies and units of government engaged in GIS development. The selected entity will house and maintain the Digital Data Repository (DDR) for GIS in the state. The Board is authorized to terminate any contract for DDR clearinghouse support upon written notice and to contract
with another entity as necessary, required, or appropriate.

(n) The Board will establish and maintain adequate and accurate records of the cost of its operations and establish fair and reasonable fee schedules to defray the cost of services rendered.

SECTION 5. Organization, meetings, and support.

(a) State Land Information Board. The Board shall be composed of nine (9) voting members appointed by the Governor for a term of four (4) years. All members of the Board shall have a 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 such management. Members will be generally drawn from but not limited to the membership of the State Mapping and Land Records Modernization Advisory Board created by Act 150 of 1993. The initial organizational meeting and election of Board officers shall be moderated by the Director of the Department of Computer Services. The Board will be comprised of the following members, or their designees:

1. Three (3) state entity representatives.
2. Three (3) city/county/local government representatives.
3. Three (3) private sector representatives

(b) State Land Information Board Organization. A chairperson and a vice chairperson shall be elected by the Board membership to oversee all board and committee meetings. The Board will work with a State Land Information Coordinator assigned by the Department of Computer Services. The State Land Information Coordinator will assist the Board in developing a comprehensive plan and evaluation procedures on how the state should implement tactical and strategic GIS/LIS planning, implement informational and educational programs, and coordinate intrastate GIS/LIS efforts. Board members must elect a new chairperson and vice chairperson every year. The initial Board terms shall be determined by drawing lots with three (3) members drawing five (5) year terms, two (2) members drawing four (4) year terms, two (2) members drawing three (3) year terms, and two (2) members drawing two (2) year terms. With the exception of those members appointed to the board representing a state agency, no person shall serve as a member of the board for more than two (2) consecutive terms. Upon the death, disability, resignation, removal, or refusal to serve of any member, the Governor shall appoint a qualified person to complete board
(c) The Board will seek the advice of the membership of the State Mapping and Land Records Modernization Advisory Board created by Act 150 of 1993 in carrying out the duties, responsibilities, and authorities set out in Section 4 of this act.

(d) State Land Information Coordinator. The State Land Information Coordinator shall administer daily operations as deemed appropriate by the Board. This may include liaison between the Governor, Board, and public/private sector entities involved in digital mapping and land-records modernization; project management in the preparation of the strategic planning documents related to mapping and land-records modernization; develop policy and procedures for land-records modernization; and develop policy and procedures for board activities. Additional requirements are the implementation of educational programs, coordinate vendor exhibits, and facilitate technical assistance and consulting.

(e) State Geodetic Advisor. The Board shall identify and determine strategies that lead to acquiring a State Geodetic Advisor. The Geodetic Advisor shall work with the State Land Surveyor of the AGC Land Survey Division to coordinate with the National Geodetic Survey, governmental, and private entities on various projects associated with the development and maintenance of geographic referencing systems in Arkansas. In particular, the Geodetic Advisor shall coordinate efforts such as the High Accuracy Reference Network (HARN) and the surveying community to densify and improve the quality and extent of geodetic monumentation.

(f) The Board may conduct meetings at such places and such times as it may deem necessary or convenient to enable it to exercise fully and effectively its powers, perform its duties, and accomplish its objectives and purposes.

(g) Members of the board shall receive no compensation for their services.

(h) The Board will be provided administrative support through the Department of Computer Services.

(i) The funds necessary to carry out the provisions of this act shall come from funds made available by the Department of Computer Services.

(j) The Board shall seek the review and advice of the Joint Committee...
on Advanced Communications and Information Technology prior to issuing
guidelines, strategies, reports, studies, policy guidelines, grants,
solutions, recommendations, proposed legislation, strategic plans, catalogs,
dictionaries, agreements, fee structures, and any other products.

(k) In the interest of a statewide coordinated effort in the area of
telecommunications and information technology, the Board shall notify the
Governor's Telecommunications and Information Technology Advisory Board of its
intention to issue grants and strategic or tactical plans prior to seeking
review and advice from the Joint Committee on Advanced Communications and
Information Technology.

SECTION 6. Digital Data Repository (DDR).
The Board shall develop a plan and strategy for establishing a state DDR
clearinghouse. Such a plan shall address but not be limited to the following
elements.

(a) Location. The DDR shall reside within the State of Arkansas.

(b) Metadata. The DDR will serve as a coordination point with USGS &
Federal Geographic Data Committee (FGDC) on metadata requirements of the
National Spatial Data Infrastructure (NSDI).

(c) Clearinghouse. As directed by the Board, the DDR will serve as the
statewide data clearinghouse, coordinate existing digital basemap themes,
provide technical processing of data sets, evaluate adherence to state
approved mapping standards, and work with the USGS on statewide projects. The
clearinghouse function will include:

(1) Metadata. Collect and disseminate metadata (information
detailing digital data sets) information for all state, regional, and county
mapping projects coordinated and funded through the Board as well as any other
publicly funded projects.

(2) Digital Data. Collect and disseminate digital data sets for
state and regional mapping projects. County mapping data sets need not be
maintained by the DDR; however, processing of these data sets may be performed
by the DDR upon request and payment of a previously approved processing fee.

(3) Data Distribution Fee. Anyone requesting data in an existing
format would be charged for reproduction costs only. Requests for processed
data will be charged a processing fee set by the Board in addition to the
reproduction costs. Once data has been translated to another format and charged a processing fee, all future distribution of that data would be charged a reproduction cost only.

SECTION 7. State, regional and county mapping.
(a) State/regional Mapping. Defined as any mapping project with a scale of 1:12,000 or smaller.
(b) County Mapping. Defined as any mapping project with a scale larger than 1:12,000.

SECTION 8. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 9. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 10. All laws and parts of laws in conflict with this act are hereby repealed.

/s/Cassady

APPROVED: 4-13-95