

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 83rd General Assembly
3 Regular Session, 2001
4

As Engrossed: H3/21/01

A Bill

Act 1250 of 2001
SENATE BILL 580

5 By: Senator Gullett
6 *By: Representative Seawel*
7

For An Act To Be Entitled

10 AN ACT TO AMEND THE ARKANSAS CODE TO CREATE THE
11 GEOGRAPHIC INFORMATION OFFICE AND ESTABLISH THE
12 ARKANSAS SPATIAL DATA INFRASTRUCTURE; AND FOR
13 OTHER PURPOSES.

Subtitle

16 AN ACT TO AMEND THE ARKANSAS CODE TO
17 CREATE THE GEOGRAPHIC INFORMATION OFFICE
18 AND ESTABLISH THE ARKANSAS SPATIAL DATA
19 INFRASTRUCTURE.
20
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. Arkansas Code 15-21-501 is amended to read as follows:
25 15-21-501. Purpose.

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

36 (b) Unnecessary duplication of effort and cost are incurred since

1 currently available spatial data and land records are ~~land information is~~ not
 2 consistently collected and maintained from jurisdiction to jurisdiction and
 3 state agency to state agency, is not maintained in a manner to assure total
 4 integrity, often does not meet National Map Accuracy Standards, and is not
 5 readily available or useful for cooperative planning or policy decisions.

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

16 (d) Implementation of ~~a unified land information system~~ an overall
 17 Arkansas land and geographic resources program requires ~~development of~~
 18 cooperative methods for development and maintenance of spatial data between
 19 state and local governments in the State of Arkansas.

20 (e) The Arkansas State Land Information Board will determine, define,
 21 and implement ~~a modernized land records system consistent with the needs of~~
 22 ~~the citizens of Arkansas~~ short and long-term strategies that will result in
 23 improved decision making, effective asset management, and reduced costs for
 24 the citizens of Arkansas.

25
 26 SECTION 2. Arkansas Code 15-21-502 is amended to read as follows:

27 15-21-502. Definitions.

28 As used in this subchapter, unless the context otherwise requires:

29 (1) "Agency" means any agency or instrumentality of the State of
 30 Arkansas which utilizes GIS data;

31 (2) "Arkansas Geographic Information Office" provides administrative
 32 and technical support to the board including but not limited to staff,
 33 hardware, software, and representation;

34 ~~(3) "Clearinghouse" is the selected entity to maintain the digital~~
 35 ~~data repository or metadata and related information;~~ "Arkansas Spatial Data
 36 Infrastructure" is the combination of state framework data, data repository

1 (GeoStor), distribution mechanisms, and the staff and organizational
 2 structures necessary to accomplish these activities;

3 ~~(4) "County mapping" is defined as any mapping project with a scale~~
 4 ~~larger than 1:12,000;~~

5 ~~(2)(4)~~ "Board" means the Arkansas State Land Information Board;

6 (5) "Digital basemap" means a computerized representation of map
 7 information;

8 (6) "Digital cadastre" means the storage and manipulation of
 9 computerized representations of parcel maps and linked parcel data bases;

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

16 ~~(7)(8)~~ "GIS" means geographic information systems;

17 ~~(8)(9)~~ "Metadata" describes the content, ancestry and source, quality,
 18 data base schema, and accuracy of digital map data;

19 ~~(9) "State and regional mapping" is defined as any mapping project~~
 20 ~~with a scale of 1:12,000 or smaller;~~

21 (10) "Spatial data" means information that identifies the geographic
 22 location and characteristics of natural or constructed features and
 23 boundaries on the earth. This information may be derived from, among other
 24 things, remote sensing, mapping, and surveying technologies;

25 ~~(6)(11)~~ "Digital Spatial data repository" means the physical location
 26 and content of the state's consolidated digital land information spatial
 27 data;

28 ~~(10)(12)~~ "State Geodetic Advisor" coordinates the state's network of
 29 geodetic control monuments; ~~and~~

30 ~~(11)(13)~~ "State ~~Land~~ Geographic Information Coordinator" provides
 31 administrative and technical support to the board; and

32 (14) "State of Arkansas Shared Technical Architecture" comprises the
 33 structure of program or system components, how these components relate to one
 34 another, and the principles that govern their design and evolution over time.
 35 Important aspects include the division of functions among system parts, the
 36 means of communication among them, and the representation of shared

1 information.

2

3 SECTION 3. Arkansas Code 15-21-503 is amended to read as follows:

4 15-21-503. Creation - Board.

5 (a) The Arkansas State Land Information Board is hereby created.

6 (b)(1)(A) The board shall be composed of twelve (12) voting members
7 appointed by the Governor for terms of four (4) years.

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

12 (2) Members will be generally drawn from, but not limited to,
13 the membership of the State Mapping and Land Records Modernization Advisory
14 Board created by Act 150 of 1993.

15 (3) The Arkansas State Land Information Board will be composed
16 of the following members or their designees:

17 (A) Three (3) state entity representatives;

18 (B) Three (3) city, county, and local government
19 representatives;

20 (C) Three (3) private sector representatives; and

21 (D) Three (3) institutions of higher education.

22 (4) All members of the Arkansas State Land Information Board
23 shall have knowledge of the use and usefulness of digital land and geographic
24 information in the management of government and a general awareness of the
25 role of mapping as related to such management.

26 (5) With the exception of those members appointed to the
27 ~~Arkansas State Land Information Board~~ board representing a state agency, no
28 person shall serve as a member of the ~~Arkansas State Land Information Board~~
29 board for more than two (2) consecutive terms.

30 (6) Upon the death, disability, resignation, removal, or refusal
31 to serve of any member, the Governor shall appoint a qualified person to
32 complete ~~Arkansas State Land Information Board~~ board membership.

33 (c)(1)(A) A chairperson and a vice chairperson shall be elected by the
34 Arkansas State Land Information Board membership to oversee all ~~Arkansas~~
35 ~~State Land Information Board~~ board and committee meetings.

36 (B) ~~Arkansas State Land Information Board~~ members must

1 elect a ~~new~~ chairperson and vice chairperson every year.

2 (2)(A) ~~The Arkansas State Land Information Board~~ board will work
3 with a ~~the~~ State ~~Land~~ Geographic Information Coordinator assigned by the
4 ~~Director of the Department of Information Systems~~ State Executive Chief
5 Information Officer with approval from the board.

6 (B) ~~The coordinator~~ State Geographic Information
7 Coordinator will assist the ~~Arkansas State Land Information Board~~ board in
8 developing a comprehensive plan and evaluation procedures on how the state
9 should implement tactical and strategic geographic information systems and
10 land information systems planning, implement informational and educational
11 programs, and coordinate intrastate geographic information systems and land
12 information systems efforts.

13 (C) ~~The coordinator~~ State Geographic Information
14 Coordinator shall report directly to the ~~director~~ State Executive Chief
15 Information Officer.

16 ~~(d) The Arkansas State Land Information Board will seek the advice of~~
17 ~~the membership of the State Mapping and Land Records Modernization Advisory~~
18 ~~Board created by Act 150 of 1993 in carrying out the duties,~~
19 ~~responsibilities, and authorities set out in § 15-21-504.~~

20 ~~(e)(d)~~(1) ~~The coordinator~~ State Geographic Information Coordinator
21 shall administer daily operations of the Arkansas Geographic Information
22 Office with direction from the board as deemed appropriate by the Arkansas
23 State Land Information Board.

24 (2) This may include liaison between the board and the Governor,
25 ~~the Arkansas State Land Information Board~~ State Executive Chief Information
26 Officer, and public or private sector entities involved in ~~digital mapping~~
27 spatial data and land records modernization, project management in the
28 preparation of the strategic planning documents related to ~~mapping~~ spatial
29 data and land records modernization, developing policy and procedures for
30 land records modernization, and developing policy and procedures for the
31 ~~Arkansas State Land Information Board~~ board activities.

32 (3) Additional requirements are the implementation of
33 educational programs, coordinating vendor exhibits, and facilitating
34 technical assistance and consulting.

35 ~~(f)(e)~~ ~~The Arkansas State Land Information Board~~ board may identify
36 and determine strategies that may lead to acquiring a State Geodetic Advisor.

1 ~~(g)~~(f) The Arkansas State Land Information Board board may conduct
2 meetings at such places and such times as it may deem necessary or convenient
3 to enable it to exercise fully and effectively its powers, perform its
4 duties, and accomplish its objectives and purposes.

5 ~~(h)~~(g) Members of the Arkansas State Land Information Board board
6 shall receive no compensation for their services.

7 ~~(i)~~(h) The Arkansas State Land Information Board board will be
8 provided administrative support through the Department of Information
9 Systems. One of the three (3) state entity representatives shall be a
10 Department of Information Systems employee as recommended by the Director of
11 Department of Information Systems.

12 ~~(j)~~(i) The funds necessary to carry out the provisions of this
13 subchapter shall come from ~~funds made available by the department~~ the
14 Geographic Information Systems Fund.

15 ~~(k)~~(j) The Arkansas State Land Information Board board shall seek the
16 review and advice of the Joint Committee on Advanced Communications and
17 Information Technology prior to issuing guidelines, ~~strategies, reports,~~
18 ~~studies, policy guidelines, grants, solutions, recommendations,~~ proposed
19 legislation, and strategic plans, ~~catalogues, dictionaries, agreements, fee~~
20 ~~structures, and any other products.~~

21
22 SECTION 4. Arkansas Code 15-21-504 is amended to read as follows:
23 15-21-504. Duties, responsibilities, and authority.

24 (a) The Arkansas State Land Information Board shall be empowered to:

25 (1) ~~Write guidelines and develop~~ Provide a strategy for
26 ~~establishing a statewide digital data repository for a digital geodata~~
27 ~~information system~~ the continuing development of the Arkansas Spatial Data
28 Infrastructure;

29 (2) Develop standard metadata reports through the Arkansas
30 Geographic Information Office; and

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

33 (b) The board shall:

34 (1) ~~undertake~~ Undertake a continuing study of the land
35 information needs of federal, state, county, ~~regional, and municipal~~ Local
36 agencies and private entities in the state; ~~including a review of~~

1 (2) Review current and projected technology, standards, and
2 collection methods and all statutes pertaining thereto; ~~and develop~~

3 (3) Develop strategies ~~for policy and~~ guidelines for ~~land~~
4 ~~information management~~ spatial data systems and land records modernization;

5 (4) Pursue activities that result in coordinated, cost-effective
6 programs for ~~digital~~ spatial data development and distribution.

7 ~~(e)(c)~~ The ~~land information system implemented~~ board shall coordinate
8 building completion and maintenance of a shareable, statewide ~~digital land~~
9 ~~basemap and associated~~ framework data, applications of ~~land~~ geographic
10 information system technologies, spatial project methodologies, and methods
11 of funding.

12 ~~(e)~~ (d) The board will develop a system of distributed data sources
13 involving state agencies, universities, and county and municipal governments
14 and implement a program to provide grants to further the process of land
15 records modernization. The board, using the technical support provided by
16 the Arkansas Geographic Information Office, shall conduct a comprehensive
17 study of the costs, requirements and benefits of a digital cadastre system.
18 The digital cadastre manages and provides access to cadastral information.
19 Digital cadastre does not represent legal property boundary descriptions, nor
20 is it suitable for boundary determination of the individual parcels included
21 in the cadastre.

22 ~~(d)~~(e) The duties of the board shall include, but not be restricted
23 to:

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

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

27 (3) Developing an overall coordinating schedule for ~~spatial~~
28 framework data projects;

29 (4) Recommending methods of financing;

30 (5) Developing recommended priorities for the distribution of
31 funds;

32 (6) Developing procedures for the inventory, storage, and
33 distribution of spatial information; ~~and~~

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

1 (8) Encourage and coordinate collaborative spatial project
2 efforts and reward participants of collaborative efforts that result in
3 economies of scale or demonstrable cost savings.

4 (f)(1) The board, through the Arkansas Geographic Information Office,
5 shall assist local and state government agencies in defining technical
6 specifications and standards to use in the collection, distribution, and
7 reporting of spatial information including metadata as required by the
8 state's Shared Technology Architecture.

9 (2) The revised National Map Accuracy Standards shall provide
10 the basis for digital basemap standard guidelines.

11 (3) The Federal Spatial Data Infrastructure Standard will be
12 followed for standard metadata reports by public entities which create
13 digital geodata.

14 (g) The board will coordinate with the United States Geological Survey
15 and other federal agencies in the development of digital Arkansas spatial
16 data, and will maintain an awareness of the impact on the State of Arkansas
17 by The board will serve as a point of contact for existing or proposed
18 federal programs that impact the creation of spatial data or the Arkansas
19 Spatial Data Infrastructure, or both.

20 ~~(h) The board will analyze and propose legislation to address issues~~
21 ~~enabling cost recovery in respect to freedom of information policy.~~

22 ~~(i)(h) Approve the distribution of public funds for land records~~
23 ~~modernization, enhancement, and implementation, and approve The board,~~
24 through the Arkansas Geographic Information Office, shall review the
25 strategic plans for digital mapping and land records modernization and make
26 recommendations for the distribution of public funds for land records
27 modernization, enhancement and implementation.

28 ~~(j)(i) The board Arkansas Geographic Information Office will create~~
29 ~~and maintain a state digital data catalogue and a state digital data~~
30 ~~dictionary and serve as a statewide source of mapping and land information~~
31 technology information and will coordinate with the United States Geological
32 Survey and the Federal Geographic Data Committee on metadata requirements of
33 the National Spatial Data Infrastructure.

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

1 ~~(l)~~(k)(1) The board shall enter into agreements with the Department of
2 Information Systems and other qualified entities for the purpose of providing
3 geographic information systems services and establish a system of uniform
4 fees or special charges to be paid by the state and local government entities
5 served to enable the board to defray the cost of providing the services as
6 provided in this subchapter.

7 (2)(A) Agreements will be interagency service agreements and are
8 exempt from the provisions of the Arkansas Purchasing Law, § 19-11-201 et
9 seq., and regulations.

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

12 ~~(m)~~(l)(1) The board is authorized to contract with the ~~department to~~
13 ~~act as the state clearinghouse~~ Department of Information Systems to support
14 the Arkansas Spatial Data Infrastructure and to provide ~~digital base maps or~~
15 framework data and metadata for all agencies and units of government engaged
16 ~~in~~ geographic information systems development to the public.

17 (2) The ~~department~~ Department of Information Systems will house
18 and maintain the ~~clearinghouse for geographic information systems in the~~
19 ~~state~~ Arkansas Spatial Data Infrastructure and may utilize existing
20 repositories as appropriate.

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

24 ~~(o)~~(m) The board, the State Geographic Information Coordinator, the
25 Arkansas Geographic Information Office, and the Director of the Department of
26 Information Systems or his designee shall ~~develop a transition and~~
27 ~~implementation plan for geographic information systems services and the~~
28 ~~clearinghouse~~ submit an annual maintenance plan and budget for geographic
29 information systems and geodata services relating to the Arkansas Spatial
30 Data Infrastructure.

31 (n) As directed by the board, the Arkansas Geographic Information
32 Office will coordinate framework data development and maintenance, provide
33 technical processing of data sets, evaluate adherence to state-approved
34 mapping standards, and work with both state and federal spatial data
35 stakeholders on statewide projects.

36

SECTION 5. Arkansas Code 15-21-505 is repealed.

~~15-21-505. Digital data repository.~~

~~(a) The Arkansas State Land Information Board shall develop a plan and strategy for establishing a state digital data repository clearinghouse.~~

~~(b) Such plan shall address, but not be limited to, the following elements:~~

~~(1) Location. The clearinghouse shall be located at the Department of Information Systems and may utilize existing repositories as appropriate;~~

~~(2) Metadata. The department will serve as a coordination point with the United States Geological Survey and the Federal Geographic Data Committee on metadata requirements of the National Spatial Data Infrastructure; and~~

~~(3) Clearinghouse.~~

~~(A) As directed by the board, the clearinghouse will coordinate existing digital basemap themes, provide technical processing of data sets, evaluate adherence to state approved mapping standards, and work with the United States Geological Survey on statewide projects.~~

~~(B) The clearinghouse function will include:~~

~~(i) Metadata. To 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;~~

~~(ii) Digital Data. To collect and disseminate digital data sets for state and regional mapping projects. County mapping data sets need not be maintained by the digital data repository. However, processing of these data sets may be performed by the digital data repository upon request and payment of a previously approved processing fee; and~~

~~(iii) 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 a processing fee charged, all future distribution of that data would be charged as a reproduction cost only.~~

/s/ Gullett

APPROVED: 4/3/2001