State of Arkansas

As Engrossed: H3/21/01

A Bill

Act 1250 of 2001

SENEATE BILL 580

By: Senator Gullett

By: Representative Seawel

For An Act To Be Entitled

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

Subtitle

AN ACT TO AMEND THE ARKANSAS CODE TO CREATE THE GEOGRAPHIC INFORMATION OFFICE AND ESTABLISH THE ARKANSAS SPATIAL DATA INFRASTRUCTURE.

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

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


(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 accessible land information management data and technologies is required to serve the essential needs of individuals, businesses, and government agencies.

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

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.
currently available spatial data and land records are land information is not
consistently collected and maintained from jurisdiction to jurisdiction and
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 component of all automated land information systems
is valid, consistent, comprehensive, available, and current data. Since
federal, state, regional, county, and 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 in accordance with the state’s shared technology
architecture. Pursuant to this, all state agencies, boards, and commissions,
are required to cooperate and participate with the Arkansas State Land
Information Board.

(d) Implementation of a unified land information system an overall
Arkansas land and geographic resources program 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 short and long-term strategies that will result in
improved decision making, effective asset management, and reduced costs for
the citizens of Arkansas.

SECTION 2. Arkansas Code 15-21-502 is amended to read as follows:
As used in this subchapter, unless the context otherwise requires:
(1) "Agency" means any agency or instrumentality of the State of
Arkansas which utilizes GIS data;
(2) "Arkansas Geographic Information Office" provides administrative
and technical support to the board including but not limited to staff,
hardware, software, and representation;
(3) "Clearinghouse" is the selected entity to maintain the digital
data repository or metadata and related information; "Arkansas Spatial Data
Infrastructure" is the combination of state framework data, data repository
(GeoStor), distribution mechanisms, and the staff and organizational structures necessary to accomplish these activities;

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

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

(6) "Digital base map" means a computerized representation of map information;

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

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

(9) "GIS" means geographic information systems;

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

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

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

(13) "Digital Spatial data repository" means the physical location and content of the state's consolidated digital land information spatial data;

(14) "State Geodetic Advisor" coordinates the state's network of geodetic control monuments; and

(15) "State Land Geographic Information Coordinator" provides administrative and technical support to the board; and

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

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

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

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

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

(2) 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.

(3) The Arkansas State Land Information Board will 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) institutions of higher education.

(4) All members of the Arkansas State Land Information 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 such management.

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

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

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

(B) Arkansas State Land Information Board members must
elect a new chairperson and vice chairperson every year.

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

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

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

(d) The Arkansas State Land Information 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 § 15-21-504.

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

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

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

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

(h) Members of the Arkansas State Land Information Board shall receive no compensation for their services.

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

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

(k) The Arkansas State Land Information 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, and strategic plans, catalogues, dictionaries, agreements, fee structures, and any other products.

SECTION 4. Arkansas Code 15-21-504 is amended to read as follows:

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

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

(1) Write guidelines and develop a strategy for establishing a statewide digital data repository for a digital geodata information system, the continuing development of the Arkansas Spatial Data Infrastructure;

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

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

(b) The board shall:

(1) undertake a continuing study of the land information needs of federal, state, county, regional, and municipal local agencies and private entities in the state; including a review of...
(2) Review current and projected technology, standards, and collection methods and all statutes pertaining thereto; and develop.

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

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

(e) The land information system implemented by the board shall coordinate building completion and maintenance of a shareable, statewide digital land basemap and associated framework data, applications of land geographic information system technologies, spatial project methodologies, and methods of funding.

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

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

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

(2) Identifying and clarifying the roles of participants;

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

(4) Recommending methods of financing;

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

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

(7) Implementing an ongoing information and education program to promote understanding and productive use of spatial and land information systems by public and private entities and individuals; and
Encourage and coordinate collaborative spatial project efforts and reward participants of collaborative efforts that result in economies of scale or demonstrable cost savings.

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

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

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

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

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

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

(k)(j) The board will develop and require a data quality report to be prepared and attached to all publicly funded mapping and digital maps and their associated databases.
(k)(1) The board shall enter into agreements with the Department of Information Systems and other qualified entities for the purpose of providing geographic information systems 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 subchapter.

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

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

(m)(1) The board is authorized to contract with the Department of Information Systems to support the Arkansas Spatial Data Infrastructure and to provide digital base maps or framework data and metadata for all agencies and units of government engaged in geographic information systems development to the public.

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

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

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