

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995
4 By: Senator Cassady

A Bill

SENATE BILL 813

For An Act To Be Entitled

8 "AN ACT TO CREATE THE ARKANSAS STATE LAND INFORMATION
9 BOARD; TO PROVIDE FOR APPOINTMENT OF MEMBERS; TO PROVIDE
10 FOR THE FILLING OF VACANCIES; TO SPECIFY THE POWERS,
11 DUTIES, AUTHORITY, AND FUNCTIONS OF THE BOARD; TO
12 DESIGNATE THE BOARD TO COORDINATE AND ENCOURAGE DIGITAL
13 MAP DEVELOPMENT AND ENHANCEMENT; TO INSURE THAT DIGITAL
14 MAP DATA DEVELOPED BY THE STATE MEETS OR EXCEEDS NATIONAL
15 MAP ACCURACY STANDARDS; TO DEVELOP AND IMPLEMENT LAND
16 INFORMATION MODERNIZATION POLICY; TO ENCOURAGE
17 COORDINATION AND ELIMINATE DUPLICATION OF DIGITAL MAP
18 DEVELOPMENT BETWEEN STATE, LOCAL, AND FEDERAL AGENCIES; TO
19 PROVIDE FOR CERTAIN STAFF AND ADMINISTRATIVE SUPPORT; TO
20 REPEAL CONFLICTING LAWS; AND FOR OTHER PURPOSES."

Subtitle

22 "AN ACT TO CREATE THE ARKANSAS STATE
23 LAND INFORMATION BOARD."
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26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

27
28 SECTION 1. The Arkansas State Land Information Board is hereby
29 created.

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31 SECTION 2. Definitions.

32 As used in this section, unless the context otherwise requires:

33 (1) "Board" means the Arkansas State Land Information Board.

34 (2) "State Land Information Coordinator" provides administrative
35 and technical support to the Board.

1 (3) "State Geodetic Advisor" coordinates the state's network of
2 geodetic control monuments.

3 (4) "Digital Data Repository (DDR)" means the physical location
4 of the state's land information.

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

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

9 (7) "GIS" means Geographic Information Systems.

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

11

12 SECTION 3. Purpose.

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

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

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

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

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

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8 SECTION 4. Duties, responsibilities, and authority.

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

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

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

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

35 (e) The land information system implemented shall coordinate building

1 a shareable, statewide digital land basemap and associated data; applications
2 of land information system technologies; spatial project methodologies, and
3 methods of funding.

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

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

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

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

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

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

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

33 (m) The Board is authorized to contract with a qualified entity to act
34 as the state clearinghouse for digital geodata and as the lead entity to
35 provide technical support to agencies and units of government engaged in GIS

1 development. The selected entity will house and maintain the Digital Data
2 Repository (DDR) for GIS in the state. The Board is authorized to terminate
3 any contract for DDR clearinghouse support upon written notice and to
4 contract with another entity as necessary, required, or appropriate.

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

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9 SECTION 5. Organization, meetings, and support.

10 (a) State Land Information Board. The Board shall be composed of nine
11 (9) voting members appointed by the Governor for a term of four (4) years.
12 All members of the Board shall have a knowledge of the use and usefulness of
13 digital land and geographic information in the management of government and a
14 general awareness of the role of mapping as related to such management.
15 Members will be generally drawn from but not limited to the *membership of the*
16 *State Mapping and Land Records Modernization Advisory Board created by Act*
17 *150 of 1993*. The initial organizational meeting and election of Board
18 officers shall be moderated by the Director of the Department of Computer
19 Services. The Board will be comprised of the following members, or their
20 designees:

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

24 (b) State Land Information Board Organization. A chairperson and a
25 vice chairperson shall be elected by the Board membership to oversee all
26 board and committee meetings. The Board will work with a State Land
27 Information Coordinator assigned by the Department of Computer Services. The
28 State Land Information Coordinator will assist the Board in developing a
29 comprehensive plan and evaluation procedures on how the state should
30 implement tactical and strategic GIS/LIS planning, implement informational
31 and educational programs, and coordinate intrastate GIS/LIS efforts. Board
32 members must elect a new chairperson and vice chairperson every year. The
33 initial Board terms shall be determined by drawing lots with three (3)
34 members drawing five (5) year terms, two (2) members drawing four (4) year
35 terms, two (2) members drawing three (3) year terms, and two (2) members

1 drawing two (2) year terms. With the exception of those members appointed to
2 the board representing a state agency, no person shall serve as a member of
3 the board for more than two (2) consecutive terms. Upon the death,
4 disability, resignation, removal, or refusal to serve of any member, the
5 Governor shall appoint a qualified person to complete board membership.

6 (c) *The Board will seek the advice of the membership of the State*
7 *Mapping and Land Records Modernization Advisory Board created by Act 150 of*
8 *1993 in carrying out the duties, responsibilities, and authorities set out in*
9 *Section 4 of this act.*

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

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

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

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

35 (h) The Board will be provided administrative support through the

1 Department of Computer Services.

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

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

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

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16 SECTION 6. Digital Data Repository (DDR).

17 The Board shall develop a plan and strategy for establishing a state
18 DDR clearinghouse. Such a plan shall address but not be limited to the
19 following elements.

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

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

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

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

33 (2) Digital Data. Collect and disseminate digital data sets for
34 state and regional mapping projects. County mapping data sets need not be
35 maintained by the DDR; however, processing of these data sets may be

1 performed by the DDR upon request and payment of a previously approved
2 processing fee.

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

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10 SECTION 7. State, regional and county mapping.

11 (a) State/regional Mapping. Defined as any mapping project with a
12 scale of 1:12,000 or smaller.

13 (b) County Mapping. Defined as any mapping project with a scale
14 larger than 1:12,000.

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

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

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

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/s/Cassady

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