

**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.  
Act 244 of the Regular Session**

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  
24  
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



1 technologies is required to serve the essential needs of individuals,  
2 businesses, and government agencies.

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

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

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

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

27

28 15-21-502. Definitions.

29 As used in this subchapter:

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

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

36 (3) "Arkansas Spatial Data Infrastructure" means the combination

1 of state framework data, data repository, or GeoStor, distribution  
 2 mechanisms, and the staff and organizational structures necessary to  
 3 accomplish these activities;

4 ~~(4) “Board” means the Arkansas State Land Information Board;~~

5 ~~(5)~~(4) “Digital basemap” means a computerized representation of  
 6 map information;

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

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

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

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

21 ~~(10)~~(9) “Spatial data repository” means the physical location  
 22 and content of the state’s consolidated spatial data;

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

25 (11) “State Geodetic Advisor” means the coordinator of the  
 26 state’s network of geodetic control monuments;

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

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

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

1 4-103(17).

2

3 15-21-503. Creation – Board.

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

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

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

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

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

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

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

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

21 (C) Three (3) private sector representatives; ~~and~~

22 (D) Three (3) representatives of institutions of higher  
23 education; and

24 (E) The State Chief Technology Officer.

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

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

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

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

36 (B) Members of the board must elect a chair and vice chair

1 every year.

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

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

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

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

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

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

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

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

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

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

1 (f) Members of the board shall receive no compensation for their  
2 services.

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

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

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

11

12 15-21-504. Duties, responsibilities, and authority.

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

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

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

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

21 (b) The board shall:

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

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

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

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

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

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

35 (2)(A) The board, using the technical support provided by the  
36 Arkansas Geographic Information Office, shall ~~conduct a comprehensive study~~

1 ~~of the costs, requirements, and benefits~~ coordinate the development and  
 2 maintenance of a statewide digital cadastre system.

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

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

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

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

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

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

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

20 (4) Recommending methods of financing;

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

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

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

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

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

36 ~~(2) The revised National Map Accuracy Standards shall provide~~

1 ~~the basis for digital basemap standard guidelines.~~

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

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

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

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

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

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

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

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

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



1 seq., and regulations.

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

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

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

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

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

20

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

22 19-5-1112. Establishment of Geographic Information Systems Fund.

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

26 (2) The fund shall consist of:

27 (A) Funds approved by the General Assembly;

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

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

32 (D) Federal funds; and

33 (E) Any other funds allowable by law.

34 (3) This fund shall be used to:

35 (A) Carry out the duties, responsibilities, and authority  
36 of the Arkansas ~~State Land Information~~ Geographic Information Systems Board

1 as described by § 15-21-504;

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

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

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

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

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

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

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

19 (ii) Elimination of redundant systems;

20 (iii) Improved service for Arkansas citizens;

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

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

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

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

29  
30 **APPROVED: 2/26/2009**

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