

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

A Bill

ACT 1259 OF 1995
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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25
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 created.

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30 SECTION 2. Definitions.

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

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

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

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

1 (4) _Digital Data Repository (DDR)" means the physical location
2 of the state's land information.

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

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

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

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

9

10 SECTION 3. Purpose.

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

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

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

34 (d) Implementation of a unified land information system requires
35 development of cooperative methods for development and maintenance of spatial

1 data between state and local governments in the State of Arkansas.

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

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6 SECTION 4. Duties, responsibilities, and authority.

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

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

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

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

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

1 methods of funding.

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

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

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

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

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

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

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

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

1 with another entity as necessary, required, or appropriate.

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

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6 SECTION 5. Organization, meetings, and support.

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

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

20 (b) State Land Information Board Organization. A chairperson and a
21 vice chairperson shall be elected by the Board membership to oversee all board
22 and committee meetings. The Board will work with a State Land Information
23 Coordinator assigned by the Department of Computer Services. The State Land
24 Information Coordinator will assist the Board in developing a comprehensive
25 plan and evaluation procedures on how the state should implement tactical and
26 strategic GIS/LIS planning, implement informational and educational programs,
27 and coordinate intrastate GIS/LIS efforts. Board members must elect a new
28 chairperson and vice chairperson every year. The initial Board terms shall be
29 determined by drawing lots with three (3) members drawing five (5) year terms,
30 two (2) members drawing four (4) year terms, two (2) members drawing three (3)
31 year terms, and two (2) members drawing two (2) year terms. With the exception
32 of those members appointed to the board representing a state agency, no person
33 shall serve as a member of the board for more than two (2) consecutive terms.
34 Upon the death, disability, resignation, removal, or refusal to serve of any
35 member, the Governor shall appoint a qualified person to complete board

1 membership.

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

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

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

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

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

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

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

35 (j) *The Board shall seek the review and advice of the Joint Committee*

1 on Advanced Communications and Information Technology prior to issuing
2 guidelines, strategies, reports, studies, policy guidelines, grants,
3 solutions, recommendations, proposed legislation, strategic plans, catalogs,
4 dictionaries, agreements, fee structures, and any other products.

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

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12 SECTION 6. Digital Data Repository (DDR).

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

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

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

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

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

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

33 (3) Data Distribution Fee. Anyone requesting data in an existing
34 format would be charged for reproduction costs only. Requests for processed
35 data will be charged a processing fee set by the Board in addition to the

1 reproduction costs. Once data has been translated to another format and
2 charged a processing fee, all future distribution of that data would be
3 charged a reproduction cost only.

4

5 SECTION 7. State, regional and county mapping.

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

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

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

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

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

23

/s/Cassady

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APPROVED: 4-13-95

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As Engrossed: 3/27/95 4/7/95

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