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Date: (Filing No. S-)

AGRICULTURE, CONSERVATION AND FORESTRY

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**STATE OF MAINE
SENATE
129TH LEGISLATURE
SECOND SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 568, L.D. 1719, Bill, “An Act To Improve Geographic Information System Data Acquisition and Maintenance”

Amend the bill by striking out the title and substituting the following:

'Resolve, To Establish a Stakeholder Group To Study the Changes Required To Modernize the Acquisition, Maintenance, Storage and Distribution of Geographic Data in Maine'

Amend the bill by striking out everything after the title and inserting the following:

'Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the technology supporting geographic information systems has changed substantially since the Department of Administrative and Financial Services, Office of Information Technology, Office of Geographic Information Systems was established and geographic information systems are a foundational tool in studying and evaluating the effects of public policies, supporting economic development and communicating complex issues to stakeholders; and

Whereas, a repository for geographic information is urgently needed to store, maintain and distribute geographic information to geographic information systems users; and

Whereas, the amount of geographic information has grown exponentially and continues to increase dramatically and the need for professional staffing to oversee and manage the acquisition, storage and distribution of geographic information from public, private and nonprofit sources has outstripped the capacity of the Office of Geographic Information Systems as established under the Maine Revised Statutes, Title 5, chapter 163, subchapter 3; and

Whereas, the Maine Library of Geographic Information is inadequately supported to meet its legislative mandate as established under Title 5, chapter 163, subchapter 4; and

COMMITTEE AMENDMENT

1 **Whereas**, access to parcel, engineering, zoning and other geographic information
2 developed by Maine communities is important to the efficient operations of state
3 agencies; and

4 **Whereas**, access to historical geographic information provides key context to
5 changes in the State's resources, development and environmental patterns and informs
6 decision making and research; and

7 **Whereas**, economic development, planning for climate change and many other
8 activities require research and analysis based on access to both current and historical
9 geographic information; and

10 **Whereas**, the primary focus of the Office of Information Technology and the Office
11 of Geographic Information Systems is providing software and data protection for state
12 agencies, not providing access for nonstate agencies; and

13 **Whereas**, geographic information system data is far different from ordinary data
14 required by most Office of Information Technology users and requires different protocols
15 for delivery and storage, and many nonstate users of data do not use the same software as
16 geographic information system users within state agencies; and

17 **Whereas**, opportunities for grants and partnerships to acquire and distribute data
18 may not coincide with the state budgeting process and may require more flexible access
19 to required matching funds; and

20 **Whereas**, the importance of accurate geospatial data is recognized as fundamental
21 to the well-being of the State's citizens and to the efficiency of both governmental and
22 nongovernmental activities in the State; and

23 **Whereas**, in the judgment of the Legislature, these facts create an emergency within
24 the meaning of the Constitution of Maine and require the following legislation as
25 immediately necessary for the preservation of the public peace, health and safety; now,
26 therefore, be it

27 **Sec. 1. Stakeholder group established; duties. Resolved:** That the
28 Commissioner of Agriculture, Conservation and Forestry shall, within existing resources,
29 form a stakeholder group to:

30 1. Review the State's legislation regarding geographic information systems and make
31 recommendations to the Legislature for legislation regarding any suggested changes to
32 the Maine Revised Statutes, Title 5, chapter 163, subchapters 3 and 4 and any other
33 provisions the stakeholder group determines necessary;

34 2. Review the resources needed to effectively manage the Maine Library of
35 Geographic Information, specifically considering the need for one full-time equivalent
36 geographic information system information officer whose responsibilities will be to
37 advise the Maine Library of Geographic Information Board and the commissioner
38 regarding geographic information system data needs for acquisition, maintenance and
39 distribution of geographic information system data and one full-time equivalent
40 geolibrarian with knowledge of geographic information system data models, concepts,
41 techniques and technologies and information and library science;

1 3. Consider the optimal administrative setting of the Maine Library of Geographic
2 Information;

3 4. Consider funding mechanisms for the staff of the Maine Library of Geographic
4 Information, including support through the General Fund or through fees charged to data
5 users;

6 5. Consider funding mechanisms, including the General Fund and other mechanisms,
7 to support necessary acquisition of orthoimagery, LIDAR and other essential datasets;
8 and

9 6. Consider funding mechanisms for technologies such as hardware, software and
10 data storage and services.

11 **Sec. 2. Membership. Resolved:** That the Commissioner of Agriculture,
12 Conservation and Forestry shall invite, at a minimum, the following to participate as
13 members of the stakeholder group under section 1:

14 1. A public member who represents a statewide association of engineers;

15 2. A public member who represents a statewide association of surveyors;

16 3. A member of the Maine Library of Geographic Information Board;

17 4. The Chief of the Penobscot Nation or the chief's designee;

18 5. A representative of the University of Maine System;

19 6. A representative of a postsecondary educational institution not associated with the
20 University of Maine System;

21 7. A representative of the Department of Administrative and Financial Services,
22 Office of Information Technology, Office of Geographic Information Systems users
23 group;

24 8. The Governor or the Governor's designee;

25 9. The executive director of the Maine Library of Geographic Information;

26 10. The Commissioner of Administrative and Financial Services or the
27 commissioner's designee;

28 11. The Commissioner of Environmental Protection or the commissioner's designee;

29 12. The Commissioner of Transportation or the commissioner's designee;

30 13. The Commissioner of Inland Fisheries and Wildlife or the commissioner's
31 designee; and

32 14. The Commissioner of Marine Resources or the commissioner's designee.

33 **Sec. 3. Report. Resolved:** That, no later than February 1, 2021, the Department
34 of Agriculture, Conservation and Forestry shall submit a report that includes findings and
35 recommendations of the stakeholder group under section 1, including suggested
36 legislation, for presentation to the joint standing committee of the Legislature having
37 jurisdiction over agriculture, conservation and forestry matters. The joint standing
38 committee of the Legislature having jurisdiction over agriculture, conservation and

1 forestry matters may submit a bill to the First Regular Session of the 130th Legislature
2 based on the report.

3 **Emergency clause.** In view of the emergency cited in the preamble, this
4 legislation takes effect when approved.'

5 Amend the bill by relettering or renumbering any nonconsecutive Part letter or
6 section number to read consecutively.

7 **SUMMARY**

8 This amendment replaces the bill with a resolve that directs the Commissioner of
9 Agriculture, Conservation and Forestry, within existing resources, to form a stakeholder
10 group to:

11 1. Review Maine's legislation regarding geographic information systems and make
12 recommendations to the Legislature for legislation regarding any suggested changes to
13 the Maine Revised Statutes, Title 5, chapter 163, subchapters 3 and 4 and any other
14 provisions the stakeholder group determines necessary;

15 2. Review the resources needed to effectively manage the Maine Library of
16 Geographic Information, specifically considering the need for one full-time equivalent
17 geographic information system information officer whose responsibilities will be to
18 advise the Maine Library Geographic Information Board and the commissioner regarding
19 geographic information system data needs for acquisition, maintenance and distribution
20 of geographic information system data and one full-time equivalent geolibrarian with
21 knowledge of geographic information system data models, concepts, techniques and
22 technologies and information and library science;

23 3. Consider the optimal administrative setting of the Maine Library of Geographic
24 Information;

25 4. Consider funding mechanisms for the staff of the Maine Library of Geographic
26 Information, including support through the General Fund or through fees charged to data
27 users;

28 5. Consider funding mechanisms, including the General Fund and other mechanisms,
29 to support necessary acquisition of orthoimagery, LIDAR, and other essential datasets;
30 and

31 6. Consider funding mechanisms for technologies such as hardware, software and
32 data storage and services.

33 The amendment also provides that, no later than February 1, 2021, the Department of
34 Agriculture, Conservation and Forestry must submit a report that includes findings and
35 recommendations, including suggested legislation, for presentation to the joint standing
36 committee of the Legislature having jurisdiction over agriculture, conservation and

1 forestry matters. The joint standing committee of the Legislature having jurisdiction over
2 agriculture, conservation and forestry matters may submit a bill to the First Regular
3 Session of the 130th Legislature based on the report. The amendment also adds an
4 emergency preamble and emergency clause.

5

FISCAL NOTE REQUIRED

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(See attached)