

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3. A member of the Maine Library of Geographic Information Board;
4. The Chief of the Penobscot Nation or the chief's designee;
5. A representative of the University of Maine System;
6. A representative of a postsecondary educational institution not associated with the University of Maine System;
7. A representative of the Department of Administrative and Financial Services, Office of Information Technology, Office of Geographic Information Systems users group;
8. The Governor or the Governor's designee;
9. The executive director of the Maine Library of Geographic Information;
10. The Commissioner of Administrative and Financial Services or the commissioner's designee;
11. The Commissioner of Environmental Protection or the commissioner's designee;
12. The Commissioner of Transportation or the commissioner's designee;
13. The Commissioner of Inland Fisheries and Wildlife or the commissioner's designee; and
14. The Commissioner of Marine Resources or the commissioner's designee.

**Sec. 3 Report. Resolved:** That, no later than February 1, 2021, the Department of Agriculture, Conservation and Forestry shall submit a report that includes findings and recommendations of the stakeholder group under section 1, including suggested legislation, for presentation to the joint standing committee of the Legislature having jurisdiction over agriculture, conservation and forestry matters. The joint standing committee of the Legislature having jurisdiction over agriculture, conservation and forestry matters may submit a bill to the First Regular Session of the 130th Legislature based on the report.

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

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

## SUMMARY

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

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

2. Review the resources needed to effectively manage the Maine Library of Geographic Information, specifically considering the need for one full-time equivalent geographic information system information officer whose responsibilities will be to advise the Maine Library Geographic Information Board and

the commissioner regarding geographic information system data needs for acquisition, maintenance and distribution of geographic information system data and one full-time equivalent geolibrarian with knowledge of geographic information system data models, concepts, techniques and technologies and information and library science;

3. Consider the optimal administrative setting of the Maine Library of Geographic Information;
4. Consider funding mechanisms for the staff of the Maine Library of Geographic Information, including support through the General Fund or through fees charged to data users;
5. Consider funding mechanisms, including the General Fund and other mechanisms, to support necessary acquisition of orthoimagery, LIDAR, and other essential datasets; and
6. Consider funding mechanisms for technologies such as hardware, software and data storage and services.

The amendment also provides that, no later than February 1, 2021, the Department of Agriculture, Conservation and Forestry must submit a report that includes findings and recommendations, including suggested legislation, for presentation to the joint standing committee of the Legislature having jurisdiction over agriculture, conservation and forestry matters. The joint standing committee of the Legislature having jurisdiction over agriculture, conservation and forestry matters may submit a bill to the First Regular Session of the 130th Legislature based on the report. The amendment also adds an emergency preamble and emergency clause.

**FISCAL NOTE REQUIRED**  
**(See attached)**