

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 1192

H.P. 861

House of Representatives, April 4, 1995

An Act Concerning the Office of Geographic Information Systems.

Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 24.

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative VIGUE of Winslow.

Cosponsored by Representatives: JACQUES of Waterville, WATSON of Farmingdale,

Senator: LORD of York.

2 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 5 MRSA §1886, sub-§6,** as amended by PL 1991, c. 780,
Pt. Y, §§88, is further amended to read:

6 **6. Maintain central data processing services.** The director
through the Division of Data Processing shall maintain and
8 operate central data processing services and geographic
information systems pursuant to subchapter II-A.

10 **Sec. 2. 5 MRSA c. 158, sub-c. II-A** is enacted to read:

12 SUBCHAPTER II-A

14 GEOGRAPHIC INFORMATION SYSTEMS

16 §1890-C. Definitions

18 As used in this subchapter, unless the context otherwise
20 indicates, the following terms have the following meanings.

22 **1. Administrator.** "Administrator" means the Administrator
of the Office of Geographic Information Systems.

24 **2. Geographic information system or GIS.** "Geographic
26 information system" or "GIS" means an entire formula, pattern,
compilation, program, device, method, technique, process, digital
28 data base or system that electronically records, stores,
reproduces and manipulates by computer geographic information
30 system data.

32 **3. Geographic information system data or GIS data.** "Geographic information system data" or "GIS data" means
34 geographic information that has been compiled and digitized for
use in geographic information systems by a state agency, either
36 alone or in cooperation with other agencies.

38 **4. Geographic information system services or GIS services.** "Geographic information system services" or "GIS services" means
40 the process of gathering, storing, maintaining and providing
geographic information system data for geographic information
42 systems. "Geographic information system services" or "GIS
services" does not include general purpose data processing
44 services.

46 **5. Office.** "Office" means the Office of Geographic
Information Systems.

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§1890-D. Established

The Office of Geographic Information Systems is established within the Bureau of Information Services.

§1890-E. Powers

The Bureau of Information Services through the office shall:

1. Geographic information system. Establish, maintain and operate a geographic data base information center, develop and administer standards, subject to the approval of the Information Services Policy Board, and provide geographic information system services to the public. A request to provide the Legislature or an office of the Legislature with existing information for policy decision-making purposes must be considered high priority;

2. GIS data repository. Create a GIS data repository for the proper management of GIS data and ensure the GIS data are documented, including ownership. Data must be stored and managed in a manner that facilitates the evolution of a distributed agency GIS network;

3. Data ownership. Maintain GIS base map data and other multipurpose data not specific to any state agency. All other GIS data are owned by the agency originally compiling the mapped data that were digitized for the GIS. Data owners are responsible for updating their GIS data and certifying its accuracy;

4. Accuracy level. Ensure that GIS data added on the GIS data repository are developed and maintained at an accuracy level and in a format that meets the GIS data standards, kept in a format that is compatible with the GIS and, upon request of a potential user, made available to the user;

5. Charges. Levy appropriate charges on those utilizing the services provided by the office, except that charges may not be levied on the Legislature for existing information. The charges must be fixed in a schedule or schedules prepared and revised as necessary by the Information Services Policy Board. The schedule of charges must be supported and explained by accompanying information; and

6. Consultation with Information Services Policy Board. Consult with the Information Services Policy Board on all major policy issues, including fee schedules, related to the management of GIS data and development of GIS data standards.

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§1890-F. Intergovernmental cooperation and assistance

The administrator, with the approval of the director, may enter into such agreements with other agencies and organizations as will promote the objectives of this subchapter and accept funds from public and private organizations to be expended for purposes consistent with this subchapter.

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§1890-G. Licensing agreements

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GIS data are subject to licensing agreements and must be made available only in accordance with this subchapter and upon payment of fees established under this subchapter. The licensing agreement must protect the security and integrity of the GIS data, limit the liability of the data owners and the office providing the services and products and identify the source of the GIS data.

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§1890-H. Priority of responsibilities

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The activities authorized under this subchapter do not take priority over the primary responsibilities of the bureau. If there are not sufficient financial or personnel resources for the office to perform certain GIS services and deliver GIS data and products as provided in this subchapter, the administrative management functions related to the office, technical support for other state agency GIS users, office equipment maintenance and GIS data base management must take precedence.

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Sec. 3. 5 MRSA §1893, sub-§1, as amended by PL 1989, c. 857, §37, is further amended to read:

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1. Establish written standards. The board shall approve written standards governing geographic information systems, data processing and telecommunications as defined in this chapter.

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Sec. 4. 5 MRSA §1893, sub-§5, ¶A, as amended by PL 1991, c. 291, §5, is further amended to read:

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A. Rules and policies relating to geographic information systems, data processing and telecommunications;

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Sec. 5. 12 MRSA c. 218, as amended, is repealed.

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Sec. 6. 38 MRSA §420-B, sub-§2, as enacted by PL 1993, c. 720, §1, is amended to read:

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2. Data management. The commissioner shall maintain data collected under this section in a manner consistent with standards established under Title ~~13~~ 5, chapter ~~218~~ 158,

2 subchapter II-A for the State's geographic information system.
All data is available to the public.

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STATEMENT OF FACT

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8 Public Law 1993, chapter 410 transferred the funding and
positions of the Office of Geographic Information Services from
10 the Department of Conservation to the Division of Data Processing
within the Bureau of Information Services. This bill removes the
12 statutory language specific to the office from the Department of
Conservation and reestablishes it, with minor revisions, within
the Bureau of Information Services.