

First Extraordinary Session, 2005

HOUSE BILL NO. 160

BY REPRESENTATIVE MONTGOMERY

TECHNOLOGY: Provides with respect to the Louisiana Geographic Information System (Item #26)

1 AN ACT

2 To amend and reenact R.S. 49:1053(A), (C)(15) through (17), (D), (E), and (F) and 1054 and  
3 to enact R.S. 49:1053(C)(18) through (21), 1054.1, and 1055(D), relative to the  
4 Louisiana Geographic Information Systems Council; to provide for membership of  
5 the Louisiana Geographic Information Systems Council; to provide for the duties of  
6 the Louisiana Geographic Information Systems Council and its staff; to provide for  
7 the powers, functions, and duties of the Louisiana Geographic Information Center;  
8 to provide for the protection and confidentiality of certain information; and to  
9 provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 49:1053(A), (C)(15) through (17), (D), (E), and (F) and 1054 are  
12 hereby amended and reenacted and R.S. 49:1053(C)(18) through (21), 1054.1, and 1055(D)  
13 are hereby enacted to read as follows:

14 §1053. Louisiana Geographic Information Systems Council; creation; membership;  
15 quorum; domicile

16 A. There is hereby created the Louisiana Geographic Information Systems  
17 Council, which shall be responsible for guiding the sound development of  
18 geographic information systems, spatially enabled data, and geographically related  
19 information technology for the state of Louisiana.

20 \* \* \*

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 C. The council shall be composed of the following members:

2 \* \* \*

3 (15) A representative of the Department of Labor, appointed by the  
4 secretary.

5 (16) A representative of the Department of Social Services, appointed by the  
6 secretary.

7 (17) A representative of the Department of Education, appointed by the  
8 superintendent of education.

9 ~~(15)~~ (18) A representative of the Louisiana Assessors Association, appointed  
10 by the governor from a list of three names submitted by such association and subject  
11 to confirmation by the Senate.

12 ~~(16)~~ (19) A representative of the Police Jury Association of Louisiana,  
13 appointed by the governor from a list of three names submitted by such association  
14 and subject to confirmation by the Senate.

15 ~~(17)~~ (20) A representative of the Louisiana Municipal Association, appointed  
16 by the governor from a list of three names submitted by such association and subject  
17 to confirmation by the Senate.

18 ~~(18)~~ (21) A representative of the Louisiana Association of Planning and  
19 Development Districts, appointed by the governor from a list of three names  
20 submitted by such association and subject to confirmation by the Senate.

21 \* \* \*

22 D. Upon approval of the council, any other entity ~~in state government~~ may  
23 appoint a representative as a member of the council. The appointing authority of  
24 such entity shall make the appointment.

25 E.(1) Each representative appointed shall be knowledgeable about  
26 geographic information systems and shall be involved in GIS applications in his  
27 employment capacity.

28 (2) Each representative may appoint a designee who shall have all the rights  
29 and privileges as a member of the council when acting in such capacity.

1 F. The council shall select a chairman and vice chairman from its  
2 membership.

3 \* \* \*

4 §1054. Duties of the Louisiana Geographic Information Systems Council

5 The Louisiana Geographic Information Systems Council shall have the  
6 following duties:

7 (1) To direct the activities of and provide oversight to a center, the Louisiana  
8 Geographic Information Center (LAGIC), established to provide various GIS  
9 services to the state.

10 (2) To establish GIS policies, procedures, and guidelines for the sharing of  
11 data and technology among federal, state, and local agencies.

12 ~~(3) To promote GIS use and development in Louisiana.~~

13 ~~(4) (3)~~ To provide a forum for the coordination and cooperation of federal,  
14 state, and local GIS efforts.

15 ~~(5) To attract funding for state GIS efforts.~~

16 ~~(6) To coordinate the acquisition of statewide data sets.~~

17 ~~(7) To facilitate the establishment of an infrastructure for network~~  
18 ~~communication and data exchange among state GIS users.~~

19 ~~(8) (4)~~ To advise state agencies on the acquisition and implementation of  
20 GIS and related activities.

21 ~~(9) To coordinate GIS activities in state government with the activities of the~~  
22 ~~office of information technology, office of electronic services as provided in R.S.~~  
23 ~~39:15.1 et seq.~~

24 §1054.1. Duties of the Louisiana Geographic Information Center

25 A. The Louisiana Geographic Information Center shall have the following  
26 duties:

27 (1) To provide various GIS services to the state and to implement the  
28 directives of the Louisiana Geographic Information Systems Council.

1                    (2) To create a statewide geo-spatial portal for the consolidated distribution  
2                    of spatial and related non-spatial data.

3                    (3) To collect, maintain, and distribute existing spatial or related non-spatial  
4                    data by a statewide geo-spatial portal.

5                    (4) To provide technical assistance to state agencies on the acquisition and  
6                    implementation of GIS and related activities.

7                    (5) To facilitate the establishment of an infrastructure for network  
8                    communication and data exchange among state GIS users.

9                    (6) To promote GIS use and development in Louisiana.

10                  (7) To attract funding for state GIS efforts.

11                  (8) To serve as the primary contact for information related to geo-spatial  
12                  activities.

13                  (9) To coordinate GIS activities in state government with the activities of the  
14                  office of information technology, office of electronic services, as provided in R.S.  
15                  39:15.1 et seq.

16                  B.(1) The Louisiana Geographic Information Center shall have authority to  
17                  enter into contracts or other associated agreements necessary to conduct the duties  
18                  set forth in this Section.

19                  (2) The Louisiana Geographic Information Center may seek reimbursement  
20                  for any assistance provided to federal, state, or local entities.

21                  (3) The Louisiana Geographic Information Center may apply for, accept,  
22                  and utilize grants, contributions, and other funding in order to carry out its powers,  
23                  functions, and duties and the directives of the Louisiana Geographic Information  
24                  Systems Council.

25                  §1055. Staff of the council; cooperation by departments and local units of  
26                  government

27    \*                          \*                          \*

28                  D. In order to obtain spatial or related non-spatial data, the Louisiana  
29                  Geographic Information Center shall have the authority to enter into agreements with

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1        federal, state, and local public entities and private sector entities. These agreements  
 2        shall protect confidentiality, contracted licensing agreements, and sensitive  
 3        information or information deemed sensitive as defined by the federal Department  
 4        of Homeland Security and state Office of Homeland Security and Emergency  
 5        Preparedness.

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### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument.

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Montgomery

HB No. 160

**Abstract:** Relative to the La. Geographic Information Systems Council, adds representatives from the Depts. of Labor, Social Services, and Education to the La. Geographic Information Systems Council, authorizes representatives on the council to appoint designees, establishes specific powers and duties for the La. Geographic Information Center (LAGIC), including entering into contracts and agreements, seeking reimbursements for certain activities, and seeking funding sources.

Present law provides for the creation of the La. Geographic Information Systems Council, hereinafter the "council", within the division of administration, office of information technology, office of electronic services to be responsible for guiding the sound development of geographic information systems and geographically related information technology for the state.

Proposed law retains present law and additionally specifies that the council is responsible for guiding the sound development of spatially enabled data.

Present law provides for the composition of the council as:

- (1) A representative of the Senate.
- (2) A representative of the House of Representatives.
- (3) A representative of the division of administration.
- (4) A representative of the office of the military department.
- (5) A representative of the Dept. of Justice.
- (6) A representative of the Dept. of Agriculture and Forestry.
- (7) A representative of the Dept. of Culture, Recreation and Tourism.
- (8) A representative of the Dept. of Economic Development.
- (9) A representative of the Dept. of Environmental Quality.
- (10) A representative of the Dept. of Health and Hospitals.
- (11) A representative of the Dept. of Natural Resources.
- (12) A representative of the Dept. of Public Safety and Corrections.
- (13) A representative of the Dept. of Transportation and Development.
- (14) A representative of the Dept. of Wildlife and Fisheries.
- (15) A representative of the La. Assessors Association.
- (16) A representative of the Police Jury Association of Louisiana.
- (17) A representative of the La. Municipal Association.
- (18) A representative of the La. Association of Planning and Development Districts.

Proposed law retains present law and provides for the following additional members:

- (1) A representative of the Dept. of Labor.

- (2) A representative of the Dept. of Social Services.
- (3) A representative of the Dept. of Education.

Present law provides for the council and specifically provides that the council may approve any other entity of the state to appoint a representative as a member of council, provides that each representative shall be knowledgeable about geographic information systems (GIS) and involved in GIS applications in his employment capacity, and provides that the council shall select a chairman from its membership.

Proposed law retains present law except that it allows the council to approve any entity (not just an entity of the state) to appoint a representative as a member of the council, authorizes each representative on the council to appoint a designee who shall have the rights and privileges as a member of the council when acting in such capacity, and provides that the council shall additionally select a vice chairman from its membership.

Present law provides that one of the duties of the council is to direct the activities of a center, the La. Geographic Information Center (LAGIC), established to provide various GIS services to the state and that other duties of the council include to promote GIS use and development in La.; to attract funding for state GIS activities; to coordinate the acquisition of statewide data sets; to facilitate establishment of an infrastructure for communication and data exchange among state GIS users; and to coordinate GIS activities in state government with the activities of the office of information technology.

Proposed law instead provides that such duties shall be performed by LAGIC, and specifically provides that the duties of LAGIC shall be:

- (1) To provide various GIS services to the state and to implement the directives of the council.
- (2) To create a statewide geo-spatial portal for the consolidated distribution of spatial and related non-spatial data.
- (3) To collect, maintain, and distribute existing spatial or related non-spatial data by a statewide geo-spatial portal.
- (4) To provide technical assistance to state agencies on the acquisition and implementation of GIS and related activities.
- (5) To facilitate the establishment of an infrastructure for network communication and data exchange among state GIS users.
- (6) To promote GIS use and development in Louisiana.
- (7) To attract funding for state GIS efforts.
- (8) To serve as the primary contact for information related to geo-spatial activities.
- (9) To coordinate GIS activities in state government with the activities of the office of information technology, office of electronic services.

Proposed law authorizes LAGIC to enter into all contracts or other associated agreements necessary to conduct its duties; to seek reimbursement for any assistance provided to federal, state, or local entities; and to apply for apply for, accept, and utilize grants, contributions, and other funding in order to carry out its powers, functions, and duties and the directives of the council. Proposed law additionally authorizes LAGIC to enter into agreements with federal, state, and local public entities and private sector entities in order to obtain spatial or related non-spatial data. Such agreements shall protect confidentiality, contracted licensing agreements, and sensitive information or information deemed sensitive as defined by the federal Dept. of Homeland Security and state Office of Homeland Security and Emergency Preparedness.

Proposed law provides that the remaining duties of the council shall be:

- (1) To direct the activities of and provide oversight to the center, established to provide various GIS services to the state.
- (2) To establish GIS policies, procedures, and guidelines for the sharing of data and

- technology among federal, state, and local agencies.
- (3) To provide a forum for the coordination and cooperation of federal, state, and local GIS efforts.
  - (4) To advise state agencies on the acquisition and implementation of GIS and related activities.

(Amends R.S. 49:1053(A), (C)(15)-(17), (D), (E), and (F) and 1054; Adds R.S. 49:1053(C)(18)-(21), 1054.1, and 1055(D))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on House and Governmental Affairs to the original bill.

1. Authorizes the GIS council to approve any entity (not just an entity of the state) to appoint a representative to the council and provides that in addition to selecting a chairman from its membership, the council shall also select a vice chairman.
2. Authorizes each representative on the council to appoint a designee and provides that such designee shall have the rights and privileges as a member of the council when acting in such capacity.
3. Provides that LAGIC shall serve as the primary contact for information related to geo-spatial activities rather than the single point of contact for federal, state, and local geo-spatial activities.
4. Authorizes LAGIC to seek reimbursement for assistance provided to federal, state, or local entities and to apply for, accept, and utilize grants, contributions, and other funding to carry out its powers, functions, duties, and directives.