

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 771 Session of 2013

INTRODUCED BY GORDNER, RAFFERTY, FERLO, BROWNE AND YAW, APRIL 3, 2013

SENATOR BAKER, VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, REPORTED AS AMENDED, NOVEMBER 19, 2013

AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled
2 "An act providing for and reorganizing the conduct of the
3 executive and administrative work of the Commonwealth by the
4 Executive Department thereof and the administrative
5 departments, boards, commissions, and officers thereof,
6 including the boards of trustees of State Normal Schools, or
7 Teachers Colleges; abolishing, creating, reorganizing or
8 authorizing the reorganization of certain administrative
9 departments, boards, and commissions; defining the powers and
10 duties of the Governor and other executive and administrative
11 officers, and of the several administrative departments,
12 boards, commissions, and officers; fixing the salaries of the
13 Governor, Lieutenant Governor, and certain other executive
14 and administrative officers; providing for the appointment of
15 certain administrative officers, and of all deputies and
16 other assistants and employes in certain departments, boards,
17 and commissions; and prescribing the manner in which the
18 number and compensation of the deputies and all other
19 assistants and employes of certain departments, boards and
20 commissions shall be determined," providing for the State
21 Geospatial Coordinating Board.

22 The General Assembly of the Commonwealth of Pennsylvania
23 hereby enacts as follows:

24 Section 1. The act of April 9, 1929 (P.L.177, No.175), known
25 as The Administrative Code of 1929, is amended by adding a
26 section to read:

27 ~~Section 432.1. State Geospatial Coordinating Board. (a)~~ <--

~~1 The State Geospatial Coordinating Board shall be an advisory  
2 board within the Governor's Office with the same status under  
3 this act as that of advisory boards. The board is established to  
4 provide advice and recommendations to the Governor and the  
5 citizens of this Commonwealth on geospatial issues, providing  
6 for uniformity, data standards, coordination and the efficiency  
7 of geospatial policy and technology issues among Federal, State  
8 and local government agencies, academic institutions and the  
9 private sector.~~

~~10 (b) The State Geospatial Coordinating Board shall consist of  
11 the following members:~~

~~12 (1) The Secretary of Administration or a designee.~~

~~13 (2) The Secretary of Environmental Protection or a designee.~~

~~14 (3) The Secretary of Conservation and Natural Resources or a  
15 designee.~~

~~16 (4) The Director of the Pennsylvania Emergency Management  
17 Agency or successor agency or a designee.~~

~~18 (5) The Secretary of Transportation or a designee.~~

~~19 (6) The Secretary of General Services or a designee.~~

~~20 (7) One member designated by the President pro tempore of  
21 the Senate.~~

~~22 (8) One member designated by the Minority Leader of the  
23 Senate.~~

~~24 (9) One member designated by the Speaker of the House of  
25 Representatives.~~

~~26 (10) One member designated by the Minority Leader of the  
27 House of Representatives.~~

~~28 (11) Three members appointed by the Governor as follows:~~

~~29 (i) One member shall be a county commissioner at the time of  
30 appointment.~~

1 ~~(ii) One member shall be a local elected official~~  
2 ~~representing an urban or suburban Pennsylvania community.~~  
3 ~~(iii) One member shall be a local elected official~~  
4 ~~representing a rural Pennsylvania community.~~  
5 ~~(12) One member designated by the County GIS Professionals~~  
6 ~~Association of Pennsylvania.~~  
7 ~~(13) One member designated by the Pennsylvania Mapping and~~  
8 ~~Geographic Information Consortium.~~  
9 ~~(14) One member designated by the County Commissioners~~  
10 ~~Association of Pennsylvania.~~  
11 ~~(15) One member designated by the Pennsylvania Chapter of~~  
12 ~~the Management Association for Private Photogrammetric~~  
13 ~~Surveyors.~~  
14 ~~(c) The council shall also include the following nonvoting~~  
15 ~~ex officio members or their designees, which members shall have~~  
16 ~~all the rights of the other members except voting:~~  
17 ~~(1) The Commonwealth's mapping liaison from the United~~  
18 ~~States Geological Survey.~~  
19 ~~(2) One member designated by the Pennsylvania One Call~~  
20 ~~System.~~  
21 ~~(3) The Chairman of the Pennsylvania Public Utility~~  
22 ~~Commission or a designee.~~  
23 ~~(4) One member designated by the Pennsylvania Society of~~  
24 ~~Land Surveyors.~~  
25 ~~(5) One member designated by the Pennsylvania State System~~  
26 ~~of Higher Education — GIS Consortium.~~  
27 ~~(6) One member designated by the Pennsylvania Municipal~~  
28 ~~Authorities Association.~~  
29 ~~(7) One member designated by the Pennsylvania Chapter of the~~  
30 ~~American Planning Association.~~

1 ~~(8) The Executive Director of Pennsylvania Spatial Data~~  
2 ~~Access.~~

3 ~~(d) The terms of office of members representing State~~  
4 ~~agencies shall coincide with the terms of the Governor. In case~~  
5 ~~of a vacancy, the Governor shall make an appointment for the~~  
6 ~~unexpired portion of the term. An organizational designee shall~~  
7 ~~serve a term of three years. In the case of a vacancy, the~~  
8 ~~appropriate organization shall provide a designee for the~~  
9 ~~unexpired portion of the term.~~

10 ~~(e) The Governor shall designate the chairperson and vice~~  
11 ~~chairperson of the council from among the members of the~~  
12 ~~council, other than the ex officio and legislative members. The~~  
13 ~~council shall meet not less than four times yearly. Additional~~  
14 ~~meetings shall be at the discretion of the chairperson. Nine~~  
15 ~~members of the council shall constitute a quorum.~~

16 ~~(f) The members of the council shall serve without~~  
17 ~~compensation but shall be entitled to receive travel and other~~  
18 ~~reasonable expenses incurred in the discharge of their duties.~~  
19 ~~The council may, with the approval of the Governor, appoint and~~  
20 ~~fix the compensation of an executive director who shall be~~  
21 ~~technically qualified for the duties of the office and who shall~~  
22 ~~act as secretary of the council and conduct the work of the~~  
23 ~~council under its supervision.~~

24 ~~(g) The council shall have the power to employ and fix the~~  
25 ~~compensation of such experts, stenographers and assistants as~~  
26 ~~may be deemed necessary to carry out the work on the council,~~  
27 ~~but due diligence shall be exercised by the council to enlist~~  
28 ~~such voluntary assistance as may be available from citizens,~~  
29 ~~research organizations and other agencies in this Commonwealth~~  
30 ~~or elsewhere, generally recognized as qualified to aid the~~

1 ~~council.~~

2 ~~(h) The council shall have the following powers and duties:~~

3 ~~(1) Recommend data development priorities and~~  
4 ~~interoperability standards for data sharing across agencies and~~  
5 ~~different units of government across this Commonwealth.~~

6 ~~(2) Monitor national and State trends, identify issues of~~  
7 ~~potential interest and concern to the Commonwealth and prepare~~  
8 ~~for the Governor and the General Assembly on an annual basis, or~~  
9 ~~more often if necessary, reports detailing the findings of the~~  
10 ~~council.~~

11 ~~(3) Define and prioritize strategic opportunities where maps~~  
12 ~~and spatial analysis activities could enhance the business of~~  
13 ~~government and provide more cost effective services to citizens.~~  
14 ~~This may include recommendations of specific geospatial~~  
15 ~~technology investments in this Commonwealth.~~

16 ~~(4) Develop task forces as needed to formulate recommended~~  
17 ~~positions or actions. The task force membership may be comprised~~  
18 ~~of council members or designees appointed by the council. The~~  
19 ~~council shall consider any task force recommendations at its~~  
20 ~~next meeting.~~

21 ~~(i) The Office of Administration shall provide assistance to~~  
22 ~~the council as requested by the chairperson of the council.~~

23 ~~(j) Commonwealth agencies may provide assistance to the~~  
24 ~~board upon request of the chairperson when the Commonwealth~~  
25 ~~resources allow for it.~~

26 ~~(k) The addition of section 432.1 shall expire on June 30,~~  
27 ~~2020.~~

28 SECTION 432.1. STATE GEOSPATIAL COORDINATING BOARD.-- (A) <--  
29 THERE IS ESTABLISHED A STATE GEOSPATIAL COORDINATING BOARD  
30 WITHIN THE GOVERNOR'S OFFICE OF ADMINISTRATION. THE BOARD IS

1 ESTABLISHED TO PROVIDE ADVICE AND RECOMMENDATIONS TO THE  
2 GOVERNOR AND THE CITIZENS OF THIS COMMONWEALTH ON GEOSPATIAL  
3 ISSUES AND PROVIDE UNIFORM DATA STANDARDS, COORDINATION AND  
4 EFFICIENCY IN GEOSPATIAL POLICY AND TECHNOLOGY ISSUES AMONG  
5 FEDERAL, STATE AND LOCAL GOVERNMENT AGENCIES, ACADEMIC  
6 INSTITUTIONS AND THE PRIVATE SECTOR.

7 (B) (1) THE STATE GEOSPATIAL COORDINATING BOARD SHALL  
8 CONSIST OF THE FOLLOWING MEMBERS:

9 (I) THE SECRETARY OF ADMINISTRATION OR A DESIGNEE.

10 (II) THE SECRETARY OF ENVIRONMENTAL PROTECTION OR A  
11 DESIGNEE.

12 (III) THE SECRETARY OF CONSERVATION AND NATURAL RESOURCES OR  
13 A DESIGNEE.

14 (IV) THE DIRECTOR OF THE PENNSYLVANIA EMERGENCY MANAGEMENT  
15 AGENCY, OR ITS SUCCESSOR AGENCY, OR A DESIGNEE.

16 (V) THE SECRETARY OF TRANSPORTATION OR A DESIGNEE.

17 (VI) THE SECRETARY OF GENERAL SERVICES OR A DESIGNEE.

18 (VII) THREE MEMBERS APPOINTED BY THE PRESIDENT PRO TEMPORE  
19 OF THE SENATE IN CONSULTATION WITH THE MAJORITY LEADER AND  
20 MINORITY LEADER OF THE SENATE. ONE MEMBER SHALL BE A  
21 REPRESENTATIVE OF A MUNICIPAL AUTHORITY. ONE MEMBER SHALL BE AN  
22 ELECTED LOCAL GOVERNMENT OFFICIAL REPRESENTING A RURAL  
23 COMMUNITY. ONE MEMBER SHALL BE AN ELECTED LOCAL GOVERNMENT  
24 OFFICIAL REPRESENTING A SUBURBAN COMMUNITY.

25 (VIII) THREE MEMBERS APPOINTED BY THE SPEAKER OF THE HOUSE  
26 OF REPRESENTATIVES IN CONSULTATION WITH THE MAJORITY LEADER AND  
27 MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES. ONE MEMBER  
28 SHALL BE A LOCAL ELECTED OFFICIAL REPRESENTING AN URBAN  
29 COMMUNITY. ONE MEMBER SHALL BE AN EMPLOYE OF A COUNTY EMERGENCY  
30 MANAGEMENT AGENCY. ONE MEMBER SHALL BE AN INDIVIDUAL WITH

1 EXPERTISE IN GEOSPATIAL TECHNOLOGY.

2 (IX) THREE MEMBERS APPOINTED BY THE GOVERNOR. ONE MEMBER  
3 SHALL BE A COUNTY COMMISSIONER. ONE MEMBER SHALL BE A MEMBER OF  
4 THE PENNSYLVANIA SOCIETY OF LAND SURVEYORS. ONE MEMBER SHALL BE  
5 AN INDIVIDUAL WITH EXPERTISE IN DATA DEVELOPMENT AND SHARING.

6 (X) ONE MEMBER DESIGNATED BY THE COUNTY GEOGRAPHIC  
7 INFORMATION SYSTEMS PROFESSIONALS ASSOCIATION OF PENNSYLVANIA.

8 (XI) ONE MEMBER DESIGNATED BY THE PENNSYLVANIA MAPPING AND  
9 GEOGRAPHIC INFORMATION CONSORTIUM.

10 (XII) ONE MEMBER DESIGNATED BY THE COUNTY COMMISSIONERS  
11 ASSOCIATION OF PENNSYLVANIA.

12 (XIII) ONE MEMBER DESIGNATED BY THE PENNSYLVANIA CHAPTER OF  
13 THE MANAGEMENT ASSOCIATION FOR PRIVATE PHOTOGRAMMETRIC  
14 SURVEYORS.

15 (2) THE MEMBERS OF THE BOARD SHALL INCLUDE PERSONS  
16 KNOWLEDGEABLE IN THE FIELDS RELATED TO GEOGRAPHIC INFORMATION  
17 SYSTEMS, INCLUDING GEOSPATIAL TECHNOLOGY, DATA DEVELOPMENT,  
18 ARCHITECTURE STANDARDS, DATA SHARING, COUNTY GOVERNMENT, LOCAL  
19 GOVERNMENT, MUNICIPAL PLANNING OR MUNICIPAL AUTHORITIES. THE  
20 APPOINTEES SHALL SERVE AT THE PLEASURE OF THE APPOINTING  
21 AUTHORITY.

22 (C) THE BOARD SHALL ALSO INCLUDE THE FOLLOWING NONVOTING EX  
23 OFFICIO MEMBERS OR THEIR DESIGNEES, WHO SHALL HAVE ALL THE  
24 RIGHTS OF OTHER MEMBERS, EXCEPT FOR VOTING:

25 (1) THE COMMONWEALTH'S MAPPING LIAISON FROM THE UNITED  
26 STATES GEOLOGICAL SURVEY.

27 (2) ONE MEMBER DESIGNATED BY THE PENNSYLVANIA ONE CALL  
28 SYSTEM.

29 (3) THE CHAIRMAN OF THE PENNSYLVANIA PUBLIC UTILITY  
30 COMMISSION OR A DESIGNEE.

1       (4) ONE MEMBER DESIGNATED BY THE GEOGRAPHIC INFORMATION  
2 SYSTEM CONSORTIUM OF THE PENNSYLVANIA STATE SYSTEM OF HIGHER  
3 EDUCATION.

4       (5) ONE MEMBER DESIGNATED BY THE PENNSYLVANIA MUNICIPAL  
5 AUTHORITIES ASSOCIATION.

6       (6) ONE MEMBER DESIGNATED BY THE AMERICAN PLANNING  
7 ASSOCIATION, PENNSYLVANIA CHAPTER.

8       (7) THE DIRECTOR OF PENNSYLVANIA SPATIAL DATA ACCESS.

9       (D) THE TERMS OF OFFICE OF MEMBERS REPRESENTING STATE  
10 AGENCIES SHALL COINCIDE WITH THE TERM OF THE GOVERNOR. IN CASE  
11 OF A VACANCY, THE GOVERNOR SHALL MAKE AN APPOINTMENT FOR THE  
12 UNEXPIRED PORTION OF THE TERM. AN ORGANIZATIONAL DESIGNEE SHALL  
13 SERVE A TERM OF THREE YEARS. IN THE CASE OF A VACANCY, THE  
14 APPROPRIATE ORGANIZATION SHALL PROVIDE A DESIGNEE FOR THE  
15 UNEXPIRED PORTION OF THE TERM. THE REPLACEMENT COUNCIL MEMBER  
16 SHALL SERVE UNTIL AN ALTERNATE DESIGNEE IS DULY APPOINTED BY THE  
17 APPROPRIATE ORGANIZATION FOR THE FOLLOWING TERM.

18       (E) THE GOVERNOR SHALL DESIGNATE THE CHAIRPERSON AND VICE-  
19 CHAIRPERSON OF THE BOARD FROM AMONG THE MEMBERS OF THE BOARD,  
20 OTHER THAN THE EX OFFICIO MEMBERS. THE BOARD SHALL MEET NOT LESS  
21 THAN FOUR TIMES YEARLY. ADDITIONAL MEETINGS SHALL BE AT THE  
22 DISCRETION OF THE CHAIRPERSON. TEN MEMBERS OF THE BOARD SHALL  
23 CONSTITUTE A QUORUM.

24       (F) THE MEMBERS OF THE BOARD SHALL SERVE WITHOUT  
25 COMPENSATION. THE BOARD MAY, WITH THE APPROVAL OF THE GOVERNOR,  
26 APPOINT AND FIX THE COMPENSATION OF AN EXECUTIVE DIRECTOR WHO  
27 SHALL BE TECHNICALLY QUALIFIED FOR THE DUTIES OF THE OFFICE AND  
28 WHO SHALL ACT AS SECRETARY OF THE BOARD AND CONDUCT THE WORK OF  
29 THE BOARD UNDER ITS SUPERVISION.

30       (G) FROM FUNDS APPROPRIATED FOR THE PURPOSES OF THIS

1 SUBSECTION OR TO THE OFFICE OF ADMINISTRATION, THE BOARD MAY  
2 EMPLOY AND FIX THE COMPENSATION OF SUCH EXPERTS, STENOGRAPHERS  
3 AND ASSISTANTS AS NECESSARY TO CARRY OUT THE WORK ON THE BOARD.  
4 THE BOARD SHALL MAKE A DILIGENT EFFORT TO ENLIST VOLUNTARY  
5 ASSISTANCE AS MAY BE AVAILABLE FROM CITIZENS, RESEARCH  
6 ORGANIZATIONS AND OTHER AGENCIES IN THIS COMMONWEALTH OR  
7 ELSEWHERE, GENERALLY RECOGNIZED AS QUALIFIED TO AID THE BOARD.

8 (H) THE BOARD SHALL HAVE THE FOLLOWING POWERS AND DUTIES:

9 (1) RECOMMEND DATA DEVELOPMENT PRIORITIES AND  
10 INTEROPERABILITY STANDARDS FOR DATA SHARING ACROSS AGENCIES AND  
11 DIFFERENT UNITS OF GOVERNMENT ACROSS THIS COMMONWEALTH.

12 (2) MONITOR NATIONAL AND STATE TRENDS, IDENTIFY ISSUES OF  
13 POTENTIAL INTEREST AND CONCERN TO THE COMMONWEALTH AND SUBMIT  
14 ANNUAL REPORTS TO THE GOVERNOR AND THE GENERAL ASSEMBLY AND  
15 OTHER REPORTS AS NECESSARY.

16 (3) DEFINE AND PRIORITIZE STRATEGIC OPPORTUNITIES WHERE MAPS  
17 AND SPATIAL ANALYSIS ACTIVITIES COULD ENHANCE THE BUSINESS OF  
18 GOVERNMENT AND PROVIDE MORE COST-EFFECTIVE SERVICES TO CITIZENS.  
19 THIS PARAGRAPH MAY INCLUDE RECOMMENDATIONS OF SPECIFIC  
20 GEOSPATIAL TECHNOLOGY INVESTMENTS IN THIS COMMONWEALTH.

21 (4) DEVELOP TASK FORCES AS NEEDED TO FORMULATE RECOMMENDED  
22 POSITIONS OR ACTIONS. THE TASK FORCE MEMBERSHIP MAY BE COMPRISED  
23 OF BOARD MEMBERS OR DESIGNEES APPOINTED BY THE BOARD. THE BOARD  
24 SHALL CONSIDER ANY TASK FORCE RECOMMENDATIONS AT ITS NEXT  
25 MEETING.

26 (I) THE OFFICE OF ADMINISTRATION SHALL PROVIDE  
27 ADMINISTRATIVE ASSISTANCE TO THE BOARD AND MAY PROVIDE OTHER  
28 ASSISTANCE TO THE BOARD UPON RECOMMENDATION OF THE CHAIRPERSON,  
29 IF SUFFICIENT COMMONWEALTH RESOURCES EXIST.

30 (J) THIS SECTION SHALL EXPIRE JUNE 30, 2020.

1 Section 2. This act shall take effect in 60 days.