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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1304 Session of  
2007

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INTRODUCED BY FAIRCHILD, THOMAS, BASTIAN, CALTAGIRONE, CAPPELLI,  
COHEN, DENLINGER, GEIST, HARPER, MARKOSEK, MENSCH, PICKETT,  
PYLE, RUBLEY, SONNEY, STURLA AND YOUNGBLOOD, MAY 18, 2007

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REFERRED TO COMMITTEE ON INTERGOVERNMENTAL AFFAIRS, MAY 18, 2007

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AN ACT

1 Amending Title 27 (Environmental Resources) of the Pennsylvania  
2 Consolidated Statutes, establishing the Pennsylvania  
3 Geospatial Coordinating Council; providing for the powers and  
4 duties of the Pennsylvania Geospatial Coordinating Council  
5 and for the Pennsylvania Mapping and Geospatial Technologies  
6 Fund.

7 The General Assembly of the Commonwealth of Pennsylvania  
8 hereby enacts as follows:

9 Section 1. Title 27 of the Pennsylvania Consolidated  
10 Statutes is amended by adding a chapter to read:

11 CHAPTER 64

12 PENNSYLVANIA GEOSPATIAL COORDINATING COUNCIL

13 Sec.

14 6401. Short title of chapter.

15 6402. Definitions.

16 6403. Pennsylvania Geospatial Coordinating Council.

17 6404. General powers of council.

18 6405. Discretionary powers.

19 6406. Reports.

1 6407. Creation and general powers of committees.

2 6408. Composition and duties of committees.

3 6409. Pennsylvania Mapping and Geospatial Technologies Fund.

4 § 6401. Short title of chapter.

5 This chapter shall be known and may be cited as the  
6 Pennsylvania Geospatial Coordinating Council Act.

7 § 6402. Definitions.

8 The following words and phrases when used in this chapter  
9 shall have the meanings given to them in this section unless the  
10 context clearly indicates otherwise:

11 "Council." The Pennsylvania Geospatial Coordinating Council  
12 established in section 6403 (relating to Pennsylvania Geospatial  
13 Coordinating Council) as an agency independent of the executive  
14 branch.

15 "Fund." The Pennsylvania Mapping and Geospatial Technologies  
16 Fund established in section 6409 (relating to Pennsylvania  
17 Mapping and Geospatial Technologies Fund).

18 § 6403. Pennsylvania Geospatial Coordinating Council.

19 (a) Establishment.--The Pennsylvania Geospatial Coordinating  
20 Council is hereby established.

21 (b) Membership.--The council shall consist of up to 35  
22 members who shall serve until the expiration of their terms,  
23 membership or employment or until their successors are  
24 appointed. The following persons shall serve on the council:

25 (1) The Secretary of Environmental Protection of the  
26 Commonwealth.

27 (2) The Secretary of Conservation and Natural Resources  
28 of the Commonwealth.

29 (3) The Secretary of Transportation of the Commonwealth.

30 (4) The Director of the Pennsylvania Emergency

1 Management Agency.

2 (5) Three persons nominated by the Governor who shall be  
3 appointed without the advice and consent of the Senate. The  
4 persons nominated by the Governor shall be selected from  
5 either the Governor's Office or other State agencies under  
6 the Governor's jurisdiction and shall serve three-year terms.

7 (6) A member of the Senate from the majority party  
8 designated by the President pro tempore of the Senate who  
9 shall serve a three-year term.

10 (7) A member of the Senate from the minority party  
11 designated by the Minority Leader of the Senate who shall  
12 serve a three-year term.

13 (8) A member of the House of Representatives from the  
14 majority party designated by the Speaker of the House of  
15 Representatives who shall serve a three-year term.

16 (9) A member of the House of Representatives from the  
17 minority party designated by the Minority Leader of the House  
18 of Representatives who shall serve a three-year term.

19 (10) A designee of the Chief Justice of the Pennsylvania  
20 Supreme Court who shall serve a three-year term.

21 (11) A designee of the Pennsylvania Historical and  
22 Museum Commission who shall serve a three-year term.

23 (12) Six persons nominated by the County Commissioners  
24 Association of Pennsylvania to serve three-year terms. The  
25 nominees shall be appointed by the Governor without the  
26 advice and consent of the Senate. At least four of the six  
27 nominees shall be current county commissioners.

28 (13) A designee of the Statewide organization  
29 representing school boards who shall be appointed by the  
30 Governor without the advice and consent of the Senate. The

1 designee shall serve a three-year term.

2 (14) A designee of the Statewide organization  
3 representing authorities who shall be appointed by the  
4 Governor without the advice and consent of the Senate. The  
5 designee shall serve a three-year term.

6 (15) A designee of the Statewide organization  
7 representing boroughs who shall be appointed by the Governor  
8 without the advice and consent of the Senate. The designee  
9 shall serve a three-year term.

10 (16) A designee of the Statewide organization  
11 representing cities who shall be appointed by the Governor  
12 without the advice and consent of the Senate. The designee  
13 shall serve a three-year term.

14 (17) A designee of the Statewide organization  
15 representing first class townships who shall be appointed by  
16 the Governor without the advice and consent of the Senate.  
17 The designee shall serve a three-year term.

18 (18) A designee of the Statewide organization  
19 representing second class townships who shall be appointed by  
20 the Governor without the advice and consent of the Senate.  
21 The designee shall serve a three-year term.

22 (19) A designee of the Pennsylvania Society of Land  
23 Surveyors who shall be appointed by the Governor without the  
24 advice and consent of the Senate. The designee shall serve a  
25 three-year term.

26 (20) A designee of the Pennsylvania Association of  
27 Colleges and Universities who shall be appointed by the  
28 Governor without the advice and consent of the Senate. The  
29 designee shall serve a three-year term.

30 (21) A designee of the Pennsylvania Association of

1 Private Geospatial Organizations who shall be appointed by  
2 the Governor without the advice and consent of the Senate.  
3 The designee shall serve a three-year term.

4 (22) A designee of the Pennsylvania One Call System who  
5 shall be appointed by the Governor without the advice and  
6 consent of the Senate. The designee shall serve a three-year  
7 term.

8 (23) A designee of a Federal agency with an office in  
9 this Commonwealth from the Federal Geographic Data Commission  
10 or its successor who shall be appointed by the Governor  
11 without the advice and consent of the Senate. The designee  
12 shall serve a three-year term.

13 (24) Up to five persons who shall be nominated by the  
14 council and appointed by the Governor. The nominees shall be  
15 appointed without the advice and consent of the Senate and  
16 shall serve three-year terms. Members may be nominated from  
17 State executive agencies or independent boards, commissions  
18 or legislative service agencies not otherwise represented on  
19 the council, State row offices, county or local governments,  
20 regional counterterrorism task forces, local law enforcement,  
21 professional organizations or other interested private  
22 citizens and groups.

23 (c) Executive director.--The Management and Operations  
24 Committee identified in section 6408 (relating to composition  
25 and duties of committees) shall nominate an executive director  
26 to be approved by the council. The executive director shall  
27 appoint staff to any position created and funded by the council.

28 (d) Vacancies.--Vacancies on the council shall be filled by  
29 the appointment of a successor in accordance with the procedures  
30 set forth in this chapter.

1 (e) Meetings.--The council shall meet quarterly and at other  
2 times at the call of the chair. The Secretary of Transportation  
3 shall call the first organizational meeting of the council and  
4 preside until a chair is elected.

5 (f) Officers.--The council shall elect a chair and vice  
6 chair from among its membership at the first organizational  
7 meeting to serve until the first quarterly meeting of the  
8 following year. Thereafter, the council shall elect a chair and  
9 vice chair from its membership at the first quarterly meeting in  
10 each calendar year to serve one-year terms. No person may serve  
11 as chair for more than two consecutive terms or for more than a  
12 total of four full one-year terms.

13 (g) Quorum and bylaws.--A simple majority of the members  
14 appointed on the council shall constitute a quorum. The council  
15 shall establish bylaws to govern its proceedings as required for  
16 the council to take official action. The bylaws shall provide  
17 for the duties of the executive director regarding personnel,  
18 accounting, budgeting and other matters necessary to the  
19 functioning of the council.

20 (h) Reimbursement for expenses.--Members of the council  
21 shall serve without compensation and shall be reimbursed by the  
22 council for reasonable expenses actually incurred in connection  
23 with official duties of the council in accordance with this  
24 chapter and the bylaws of the council.

25 (i) Organization.--The council shall be organized within the  
26 Pennsylvania Historical and Museum Commission for  
27 organizational, budgetary and administrative purposes.

28 § 6404. General powers of council.

29 (a) Cooperation.--The council shall encourage cooperation  
30 and cost-sharing among Federal, State and local government

1 agencies, academic institutions and the private sector to  
2 improve the quality, access, cost-effectiveness and utility of  
3 Pennsylvania's geospatial information and to promote geospatial  
4 information and technology as a strategic resource in this  
5 Commonwealth.

6 (b) Forum for policy and technology.--The council shall  
7 serve as a forum on geospatial policy and technology issues  
8 within this Commonwealth to enhance cooperation and coordination  
9 among the governments, associations and organizations  
10 represented on the council.

11 (c) Strategic planning.--The council shall engage in  
12 strategic planning on geospatial issues and on the coordination  
13 and sharing of geospatial data and technology across this  
14 Commonwealth.

15 (d) Policy development.--The council shall develop and  
16 propose policies concerning the substance, documentation,  
17 standards and sharing of geographic data, geospatial technology  
18 systems and other related technologies and advise Federal,  
19 State, county and local elected officials regarding needed  
20 directions, priorities, responsibilities and funding of  
21 geospatial information and technology in this Commonwealth.

22 (e) Technical assistance program.--The council shall  
23 administer, within the limits of available resources, a  
24 technical assistance program for political subdivisions,  
25 authorities and regional planning agencies to develop geospatial  
26 technology capabilities that are consistent with the council's  
27 overall plan.

28 (f) Fundraising.--The council shall seek public and private  
29 grants, donations, appropriations and contributions from its  
30 members and from foundations and other external entities for the

1 purposes of the council.

2 (g) Final approval.--The council shall have final approval  
3 of all policy recommendations proposed by any committee and  
4 working group established by the council.

5 § 6405. Discretionary powers.

6 (a) Staff and administrative expenses.--The council may make  
7 expenditures for staff and administrative expenses of the  
8 council and for other council purposes from funds designated by  
9 the council for such purposes.

10 (b) Contracting.--The council may enter into contracts to  
11 purchase products and services required for council operations  
12 and for the purposes as expressed in the general and  
13 discretionary powers of the council.

14 (c) Study of specific topic.--The council may designate one  
15 or more additional nonvoting, ex officio members of the council  
16 on a temporary, ad hoc basis to assist with the council's study  
17 or deliberation of a specific topic.

18 § 6406. Reports.

19 The council shall report at least annually to the Governor,  
20 the President pro tempore of the Senate, the Speaker of the  
21 House of Representatives and its membership on the status of  
22 recommended improvements of geospatial technology in this  
23 Commonwealth.

24 § 6407. Creation and general powers of committees.

25 (a) Duty of council.--

26 (1) The council shall oversee and may abolish the  
27 standing committees created in subsection (b), provided that  
28 the Management and Operations Committee created under  
29 subsection (b)(6) may not be abolished by the council.

30 (2) The council may establish, abolish and oversee

1 working groups and additional standing committees as needed.

2 (b) Bylaws.--The following standing committees are hereby  
3 created:

4 (1) State Government Committee.

5 (2) Local Government Committee.

6 (3) Federal Interagency Committee.

7 (4) Statewide Mapping Advisory Committee.

8 (5) Statewide Geospatial Technology Advisory Committee.

9 (6) Management and Operations Committee.

10 Each standing committee created under this subsection shall  
11 adopt bylaws, subject to the council's approval, to govern its  
12 proceedings.

13 § 6408. Composition and duties of committees.

14 (a) State Government Committee.--Membership shall consist of  
15 representatives from all interested State government entities.

16 The committee shall annually elect one of its members serving  
17 pursuant to section 6403(b)(1), (2), (3), (4), (5), (6), (7),

18 (8), (9), (10) and (11) (relating to Pennsylvania Geospatial

19 Coordinating Council) to serve as chair of the State Government

20 Committee and as its representative on the council.

21 (b) Local Government Committee.--Membership shall consist of  
22 representatives from organizations and professional associations

23 that currently serve or represent local government geospatial

24 technology users and other groups. The committee shall annually

25 elect one of its members serving pursuant to section

26 6403(b)(12), (13), (14), (15), (16), (17) and (18) to serve as

27 chair of the Local Government Committee and as its

28 representative on the council.

29 (c) Federal Interagency Committee.--Membership shall consist  
30 of representatives from all interested Federal agencies with an

1 office located in this Commonwealth. The appointed Federal  
2 representative serving pursuant to section 6403(b)(23) shall  
3 serve as chair of the Federal Interagency Committee.

4 (d) Statewide Mapping Advisory Committee.--Membership shall  
5 consist of interested members of the council and representatives  
6 of other organizations and professional groups with an interest  
7 in Statewide mapping issues. The committee shall consolidate  
8 Statewide mapping requirements and attempt to gain Statewide  
9 support for financing cooperative programs. The committee shall  
10 also advise the council on issues, problems and opportunities  
11 relating to Federal, State and local government geospatial data  
12 and technology programs. The committee shall annually elect one  
13 of its members serving pursuant to section 6403(b) to serve as  
14 chair of the Statewide Mapping Advisory Committee and as its  
15 representative on the council.

16 (e) Statewide Geospatial Technology Advisory Committee.--  
17 Membership shall consist of interested members of the council  
18 and representatives of other organizations and professional  
19 groups with an interest in Statewide issues concerning  
20 geospatial technology. The committee shall advise and make  
21 recommendations on the Statewide technical infrastructure for  
22 geospatial technology and anticipate and respond to geospatial  
23 technology technical opportunities and issues affecting State,  
24 county and local governments in this Commonwealth. The committee  
25 shall annually elect one of its members serving pursuant to  
26 section 6403(b) to serve as chair of the Statewide Geospatial  
27 Technology Advisory Committee and as its representative on the  
28 council.

29 (f) Management and Operations Committee.--The Management and  
30 Operations Committee shall consider management and operational

1 matters related to geospatial technology and other matters that  
2 are formally requested by the council. The committee membership  
3 shall consist of the chair of the council, the executive  
4 director, the chair of each of the standing committees of the  
5 council and other members of the council appointed by the chair  
6 of the council and approved by the council.

7 § 6409. Pennsylvania Mapping and Geospatial Technologies Fund.

8 (a) Establishment.--The Pennsylvania Mapping and Geospatial  
9 Technologies Fund is hereby established in the Treasury  
10 Department.

11 (b) Source of funds.--The fund shall be comprised of public  
12 and private grants, donations, appropriations and contributions  
13 from members of the council and from foundations and other  
14 external entities.

15 (c) Purposes of fund.--Moneys from the fund shall be used  
16 for administrative and personnel costs of the council and its  
17 staff and for the purposes as expressed in the general and  
18 discretionary powers of the council.

19 (d) Investment.--The State Treasurer shall invest money in  
20 the fund not currently needed to meet the obligations of the  
21 fund in the same manner as other public money may be invested.  
22 Interest that accrues from these investments shall be deposited  
23 in the fund.

24 (e) No lapsing of moneys.--Money remaining in the fund at  
25 the end of each fiscal year shall remain in the fund and shall  
26 not lapse to the General Fund.

27 Section 2. This act shall take effect in 90 days.