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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. **1981**

March 23, 2009

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The bill was read for the first time and referred to the Committee on State and Local Government Operations Reform,
Technology and Elections

March 26, 2009

Committee Recommendation and Adoption of Report:

To Pass as Amended and re-referred to the Committee on Finance

1.1 A bill for an act
1.2 relating to state government; creating the Minnesota Geospatial Information
1.3 Office; proposing coding for new law in Minnesota Statutes, chapter 16B;
1.4 repealing Minnesota Statutes 2008, section 4A.05.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. **[16B.99] GEOSPATIAL INFORMATION OFFICE.**

1.7 Subdivision 1. **Creation.** The Minnesota Geospatial Information Office is created
1.8 under the supervision of the commissioner of administration.

1.9 Subd. 2. **Responsibilities; authority.** The office shall have authority to provide
1.10 coordination, guidance, and leadership, and to plan the implementation of Minnesota's
1.11 geospatial information technology. The office shall identify, coordinate, and guide
1.12 strategic investments in geospatial information technology systems, data, and services to
1.13 ensure effective implementation and use of Geospatial Information Systems (GIS) by state
1.14 agencies to maximize benefits for state government as an enterprise.

1.15 Subd. 3. **Duties.** (a) The office shall:

1.16 (1) coordinate and guide the efficient and effective use of available federal,
1.17 state, local, and public-private resources to develop statewide geospatial information
1.18 technology, data, and services;

1.19 (2) provide leadership and outreach, and ensure cooperation and coordination for
1.20 all GIS functions in state and local government, including coordination between state
1.21 agencies, intergovernment coordination between state and local units of government, and
1.22 extragovernment coordination, which includes coordination with academic and other
1.23 private and nonprofit sector GIS stakeholders;

2.1 (3) review state agency and intergovernment geospatial technology, data, and
2.2 services development efforts involving state or intergovernment funding, including federal
2.3 funding;

2.4 (4) provide information to the legislature regarding projects reviewed, and
2.5 recommend projects for inclusion in the governor's budget under section 16A.11;

2.6 (5) coordinate management of geospatial technology, data, and services between
2.7 state and local governments;

2.8 (6) provide coordination, leadership, and consultation to integrate government
2.9 technology services with GIS infrastructure and GIS programs;

2.10 (7) work to avoid or eliminate unnecessary duplication of existing GIS technology
2.11 services and systems, including services provided by other public and private organizations
2.12 while building on existing governmental infrastructures;

2.13 (8) promote and coordinate consolidated geospatial technology, data, and services
2.14 and shared geospatial Web services for state and local governments; and

2.15 (9) promote and coordinate geospatial technology training, technical guidance, and
2.16 project support for state and local governments.

2.17 Subd. 4. **Duties of chief geospatial information officer.** (a) In consultation with the
2.18 state geospatial advisory council, the commissioner of administration, the commissioner
2.19 of finance, and the Minnesota chief information officer, the chief geospatial information
2.20 officer shall identify when it is cost-effective for agencies to develop and use shared
2.21 information and geospatial technology systems, data, and services. The chief geospatial
2.22 information officer may require agencies to use shared information and geospatial
2.23 technology systems, data, and services.

2.24 (b) The chief geospatial information officer, in consultation with the state
2.25 geospatial advisory council, shall establish reimbursement rates in cooperation with
2.26 the commissioner of finance to bill agencies and other governmental entities sufficient
2.27 to cover the actual development, operation, maintenance, and administrative costs of
2.28 the shared systems. The methodology for billing may include the use of interagency
2.29 agreements, or other means as allowed by law.

2.30 Subd. 5. **Fees.** (a) The chief geospatial information officer shall set fees under
2.31 section 16A.1285 that reflect the actual cost of providing information products and
2.32 services to clients. The fees must be approved by the commissioner of finance. Fees
2.33 are not subject to rulemaking under chapter 14 and section 14.386 does not apply. Fees
2.34 collected must be deposited in the state treasury and credited to the Minnesota Geospatial
2.35 Information Office revolving account. Money in the account is appropriated to the chief
2.36 geospatial information officer for providing GIS consulting services, software, data, Web

3.1 services, and map products on a cost-recovery basis, including the cost of services,
3.2 supplies, material, labor, and equipment as well as the portion of the general support
3.3 costs and statewide indirect costs of the office that is attributable to the delivery of these
3.4 products and services. Money in the account shall not be used for the general operation of
3.5 the Minnesota Geospatial Information Office.

3.6 (b) The chief geospatial information officer may require a state agency to make
3.7 an advance payment to the revolving fund sufficient to cover the agency's estimated
3.8 obligation for a period of 60 days or more. If the revolving fund is abolished or liquidated,
3.9 the total net profit from the operation of the fund must be distributed to the various funds
3.10 from which purchases were made. For a given period of time, the amount of total net profit
3.11 to be distributed to each fund shall reflect the same ratio of total purchases attributable to
3.12 each fund divided by the total purchases from all funds.

3.13 Subd. 6. **Accountability.** The chief geospatial information officer is appointed by
3.14 the commissioner of administration and shall work closely with the Minnesota chief
3.15 information officer who shall play an advisory role on technology projects, standards,
3.16 and services.

3.17 Subd. 7. **Discretionary powers.** The office may:

3.18 (1) enter into contracts for goods or services with public or private organizations
3.19 and charge fees for services it provides;

3.20 (2) apply for, receive, and expend money from public agencies;

3.21 (3) apply for, accept, and disburse grants and other aids from the federal government
3.22 and other public or private sources;

3.23 (4) enter into contracts with agencies of the federal government, local government
3.24 units, the University of Minnesota and other educational institutions, and private persons
3.25 and other nongovernment organizations as necessary to perform its statutory duties;

3.26 (5) appoint committees and task forces to assist the office in carrying out its duties;

3.27 (6) sponsor and conduct conferences and studies, collect and disseminate
3.28 information, and issue reports relating to geospatial information and technology issues;

3.29 (7) participate in the activities and conferences related to geospatial information
3.30 and communications technology issues;

3.31 (8) review the GIS technology infrastructure of regions of the state and cooperate
3.32 with and make recommendations to the governor, legislature, state agencies, local
3.33 governments, local technology development agencies, the federal government, private
3.34 businesses, and individuals for the realization of GIS information and technology
3.35 infrastructure development potential;

4.1 (9) sponsor, support, and facilitate innovative and collaborative geospatial systems
4.2 technology, data, and services projects; and

4.3 (10) review and recommend alternative sourcing strategies for state geospatial
4.4 information systems technology, data, and services.

4.5 Subd. 8. **Geospatial advisory councils created.** The chief geospatial information
4.6 officer shall establish a governance structure that includes advisory councils to obtain
4.7 expert advice from stakeholders on issues focusing on improving the operations and
4.8 management of geospatial technology within state government and also on issues of
4.9 importance to users of geospatial technology throughout the state.

4.10 (a) A statewide geospatial advisory council shall advise the Minnesota Geospatial
4.11 Information Office about issues concerning the improvement of services statewide
4.12 through the coordinated, affordable, reliable, and effective use of geospatial technology.
4.13 Membership of the statewide council shall include voting members selected to represent a
4.14 cross section of organizations that include counties, cities, universities, business, nonprofit
4.15 organizations, federal agencies, and state agencies. State agency membership shall be
4.16 limited to no more than 20 percent of the total voting membership. In addition, the chief
4.17 geospatial information officer shall be a nonvoting member.

4.18 (b) A state government geospatial advisory council shall advise the Minnesota
4.19 Geospatial Information Office on issues concerning improving state government services
4.20 through the coordinated, affordable, reliable, and effective use of geospatial technology.
4.21 Membership of the state government council shall include voting members representing
4.22 up to 15 state government agencies and constitutional offices, including the Office of
4.23 Enterprise Technology and the Minnesota Geospatial Information Office and shall be
4.24 chaired by the chief geographic information officer. A representative of the statewide
4.25 geospatial advisory council shall serve as a nonvoting member.

4.26 (c) Members of both the statewide geospatial advisory council and the state
4.27 government advisory council shall be recommended by a process that ensures that each
4.28 member is designated to represent a clearly identified agency or stakeholder category
4.29 and that complies with the state's open appointment process. Appointments shall be
4.30 made by the commissioner of administration for a period of two years. Members serve
4.31 at the pleasure of the commissioner. Members shall be reimbursed for expenses in the
4.32 manner specified in section 15.059, but do not receive per diem under that section. The
4.33 advisory councils expire June 30, 2013.

4.34 (d) The Minnesota Geospatial Information Office shall provide administrative
4.35 support for both geospatial advisory councils.

5.1 Subd. 9. **Report to legislature.** By January 15, 2010, the chief geospatial
5.2 information officer shall provide a report to the appropriate chairs of the state government
5.3 committees of the legislature that addresses all statutes that refer to the land management
5.4 information center or land management information system and makes a recommendation
5.5 about whether they should be continued, amended, or repealed.

5.6 **Sec. 2. TRANSFER OF ASSETS, EMPLOYEES, EQUIPMENT, AND**
5.7 **SUPPLIES.**

5.8 The existing funds, assets, employees, equipment, and supplies of the Land
5.9 Management Information Center are transferred to the Minnesota Geospatial Information
5.10 Office according to Minnesota Statutes, section 15.039.

5.11 **Sec. 3. REVISOR'S INSTRUCTION.**

5.12 In the next edition of Minnesota Statutes and Minnesota Rules, the revisor of
5.13 statutes shall substitute the term "Land Management Information Center" with the term
5.14 "Minnesota Geospatial Information Office," wherever they appear in Minnesota Statutes
5.15 and Minnesota Rules.

5.16 **Sec. 4. REPEALER.**

5.17 Minnesota Statutes 2008, section 4A.05, is repealed.

5.18 **Sec. 5. EFFECTIVE DATE.**

5.19 Sections 1 to 4 are effective July 1, 2009.

4A.05 LAND MANAGEMENT INFORMATION CENTER.

Subdivision 1. **Purpose.** The purpose of the Land Management Information Center is to foster integration of environmental information and provide services in computer mapping and graphics, environmental analysis, and small systems development. The director, through the center, shall periodically study land use and natural resources on the basis of county, regional, and other political subdivisions.

Subd. 1a. **Statewide nitrate database.** The director, through the center, shall maintain a statewide nitrate database containing the data described in section 103A.403.

Subd. 2. **Fees.** The director shall set fees under section 16A.1285 reflecting the actual costs of providing the center's information products and services to clients. Fees collected must be deposited in the state treasury and credited to the Land Management Information Center revolving account. Money in the account is appropriated to the director for operation of the land management information system, including the cost of services, supplies, materials, labor, and equipment, as well as the portion of the general support costs and statewide indirect costs of the office that is attributable to the land management information system. The director may require a state agency to make an advance payment to the revolving fund sufficient to cover the agency's estimated obligation for a period of 60 days or more. If the revolving fund is abolished or liquidated, the total net profit from operations must be distributed to the funds from which purchases were made. The amount to be distributed to each fund must bear to the net profit the same ratio as the total purchases from each fund bear to the total purchases from all the funds during a period of time that fairly reflects the amount of net profit each fund is entitled to receive under this distribution.