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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2871 Session of  
2006

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INTRODUCED BY FAIRCHILD, CAWLEY, THOMAS, BELFANTI, CALTAGIRONE,  
CAPPELLI, CLYMER, CREIGHTON, DeWEESE, MUSTIO, MYERS, PALLONE,  
PHILLIPS, RUBLEY, SATHER, SONNEY, STURLA, TIGUE AND  
YOUNGBLOOD, JUNE 30, 2006

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REFERRED TO COMMITTEE ON INTERGOVERNMENTAL AFFAIRS,  
JUNE 30, 2006

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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. Creation and general powers of council.

18 6405. Discretionary powers.

1 6406. Reports.

2 6407. Creation and general powers of committees.

3 6408. Composition and duties of committees.

4 6409. Pennsylvania Mapping and Geospatial Technologies Fund.

5 § 6401. Short title of chapter.

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

8 § 6402. Definitions.

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

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

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

19 § 6403. Pennsylvania Geospatial Coordinating Council.

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

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

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

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

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

1           (4) The Director of the Pennsylvania Emergency  
2 Management Agency.

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

8           (6) A designee of the President pro tempore of the  
9 Senate who shall serve a three-year term.

10          (7) A designee of the Minority Leader of the Senate who  
11 shall serve a three-year term.

12          (8) A designee of the Speaker of the House of  
13 Representatives who shall serve a three-year term.

14          (9) A designee of the Minority Leader of the House of  
15 Representatives who shall serve a three-year term.

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

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

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

25          (13) A designee of the Statewide organization  
26 representing school boards who shall be appointed by the  
27 Governor without the advice and consent of the Senate. The  
28 designee shall serve a three-year term.

29          (14) A designee of the Statewide organization  
30 representing authorities who shall be appointed by the

1 Governor without the advice and consent of the Senate. The  
2 designee shall serve a three-year term.

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

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

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

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

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

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

27 (21) A designee of the Pennsylvania Chamber of Business  
28 and Industry who shall be appointed by the Governor without  
29 the advice and consent of the Senate. The designee shall  
30 serve a three-year term.

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

5           (23) A designee of a Federal agency with an office in  
6 this Commonwealth from the Federal Geographic Data Commission  
7 or its successor 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          (24) Up to five persons who shall be nominated by the  
11 council and appointed by the Governor. The nominees shall be  
12 appointed without the advice and consent of the Senate and  
13 shall serve three-year terms. Members may be nominated from  
14 State executive agencies or independent boards, commissions  
15 or legislative service agencies not otherwise represented on  
16 the council, State row offices, county or local governments,  
17 regional counterterrorism task forces, local law enforcement,  
18 professional organizations, the Pennsylvania Mapping and  
19 Geographic Information Consortium or other interested private  
20 citizens and groups.

21          (c) Executive director.--The Management and Operations  
22 committee shall nominate an executive director to be approved by  
23 the council. The executive director shall appoint staff to any  
24 position created and funded by the council.

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

28          (e) Meetings.--The council shall meet quarterly and at other  
29 times at the call of the chair. The Secretary of Transportation  
30 shall call the first organizational meeting of the council and

1 preside until a chair is elected.

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

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

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

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

25 § 6404. General powers of council.

26 (a) Cooperation.--The council shall encourage cooperation  
27 and cost-sharing among Federal, State and local government  
28 agencies, academic institutions and the private sector to  
29 improve the quality, access, cost-effectiveness and utility of  
30 Pennsylvania's geospatial information and to promote geospatial

1 information and technology as a strategic resource in this  
2 Commonwealth.

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

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

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

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

25 (f) Fundraising.--The council shall seek public and private  
26 grants, donations, appropriations and contributions from its  
27 members and from foundations and other external entities in  
28 furtherance of the purposes of the council.

29 (g) Final approval.--The council shall have final approval  
30 of all policy recommendations proposed by any committee and

1 working group established by the council.

2 § 6405. Discretionary powers.

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

7 (b) Contracting.--The council may enter into contracts to  
8 purchase products and services required for council operations  
9 and to further the purposes of the council.

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

14 § 6406. Reports.

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

20 § 6407. Creation and general powers of committees.

21 (a) Duty of council.--The council shall oversee the standing  
22 committees created in this subsection.

23 (b) Creation of committees.--The council may establish,  
24 abolish and oversee working groups and additional standing  
25 committees as needed with the exception of the Management and  
26 Operations Committee.

27 (c) Bylaws.--The following committees are hereby created:

28 (1) State Government Committee.

29 (2) Local Government Committee.

30 (3) Federal Interagency Committee.

1           (4)   Statewide Mapping Advisory Committee.

2           (5)   Statewide Geospatial Technology Advisory Committee.

3           (6)   Management and Operations Committee.

4 Each standing committee shall adopt bylaws, subject to the  
5 council's approval, to govern its proceedings.

6 § 6408.   Composition and duties of committees.

7       (a)   State Government Committee.--Membership shall consist of  
8 representatives from all interested State government entities.  
9 The committee shall annually elect one of its members serving  
10 pursuant to section 6403(b)(1), (2), (3), (4), (5), (6), (7),  
11 (8), (9), (10) and (11) (relating to Pennsylvania Geospatial  
12 Coordinating Council) to serve as chair of the State Government  
13 Committee and as its representative on the council.

14       (b)   Local Government Committee.--Membership shall consist of  
15 representatives from organizations and professional associations  
16 that currently serve or represent local government geospatial  
17 technology users and other groups. The committee shall annually  
18 elect one of its members serving pursuant to section  
19 6403(b)(12), (13), (14), (15), (16), (17) and (18) to serve as  
20 chair of the Local Government Committee and as its  
21 representative on the council.

22       (c)   Federal Interagency Committee.--Membership shall consist  
23 of representatives from all interested Federal agencies with an  
24 office located in this Commonwealth. The appointed Federal  
25 representative serving pursuant to section 6403(b)(23) shall  
26 serve as the chair of the Federal Interagency Committee.

27       (d)   Statewide Mapping Advisory Committee.--Membership shall  
28 consist of interested members of the council and representatives  
29 of other organizations and professional groups with an interest  
30 in Statewide mapping issues. The committee shall consolidate

1 Statewide mapping requirements and attempt to gain Statewide  
2 support for financing cooperative programs. The committee shall  
3 also advise the council on issues, problems and opportunities  
4 relating to Federal, State and local government geospatial data  
5 and technology programs. The committee shall annually elect one  
6 of its members serving pursuant to section 6403(b) to serve as  
7 chair of the Statewide Mapping Advisory Committee and as its  
8 representative on the council.

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

22 (f) Management and Operations Committee.--The Management and  
23 Operations Committee shall consider management and operational  
24 matters related to geospatial technology and other matters that  
25 are formally requested by the council. The committee membership  
26 shall consist of the chair of the council, the executive  
27 director, the chair of each of the standing committees of the  
28 council and other members of the council appointed by the chair  
29 of the council and approved by the council.

30 § 6409. Pennsylvania Mapping and Geospatial Technologies Fund.

1       (a) Establishment.--The Pennsylvania Mapping and Geospatial  
2 Technologies Fund is hereby established in the Treasury  
3 Department.

4       (b) Source of funds.--The fund shall be comprised of public  
5 and private grants, donations, appropriations and contributions  
6 from members of the council and from foundations and other  
7 external entities.

8       (c) Purposes of fund.--Moneys from the fund shall be used  
9 for administrative and personnel costs of the council and its  
10 staff and in furtherance of the purposes of the council.

11       (d) Investment.--The State Treasurer shall invest money in  
12 the fund not currently needed to meet the obligations of the  
13 fund in the same manner as other public money may be invested.  
14 Interest that accrues from these investments shall be deposited  
15 in the fund.

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

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