



SENATE BILL No. 950

December 8, 1993, Introduced by Senators Ehlers and Hoffman and referred to the Committee on Natural Resources and Environmental Affairs

A bill to promote the development, maintenance, management, and wise use of geographically referenced data base systems in the state to create a geographic information systems coordination board to create an office of geographic information systems to create a digital parcel mapping system for the state to provide for certain fees and to prescribe the powers and duties of certain state and local agencies and officials

THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Sec 1 This act shall be known and may be cited as the
2 "geographic information systems act"

3 Sec 2 As used in this act

4 (a) "Board" means the geographic information systems coordi-
5 nation board created in section 3

6 (b) "Department" means the director of the department of
7 natural resources or his or her designee

1 (c) "Digital data sharing agreement" means a contractual
2 agreement between 2 or more public bodies providing for the
3 exchange of all nonprivileged digital data files useful in geo-
4 graphic information systems The agreement must stipulate that
5 all members will have unimpeded access to the nonprivileged digi-
6 tal data files of every other member for a cost not to exceed the
7 cost of duplicating the digital data file

8 (d) "Fund" means the geographic information systems fund
9 created in section 7

10 (e) "Geographic data" means information describing objects
11 in terms of their geographical position, attributes unrelated to
12 their geographical position, and spatial interrelationships

13 (f) "GIS" or "geographic information system" means an inte-
14 grated set of computer hardware and application software for col-
15 lecting, storing, retrieving, manipulating, analyzing, and dis-
16 playing geographic data

17 (g) "MIRIS" means the Michigan resource information system
18 established pursuant to the Michigan resource inventory act, Act
19 No 204 of the Public Acts of 1979, being sections 321 201 to
20 321 213 of the Michigan Compiled Laws

21 (h) "Office" means the office of geographic information sys-
22 tems created in section 4

23 (i) "Person" means an individual, partnership, corporation,
24 association, governmental entity, or other legal entity

25 (j) "Public body" means that term as it is defined in sec-
26 tion 2 of the freedom of information act, Act No 442 of the

1 Public Acts of 1976, being section 15 232 of the Michigan
2 Compiled Laws

3 Sec 3 (1) The geographic information systems coordination
4 board is created within the department of natural resources

5 (2) The board shall consist of 13 members, appointed by the
6 governor with the advice and consent of the senate The members
7 shall include representatives of federal, state, and local agen-
8 cies, universities, and private entities, that are involved with
9 creating or using geographic information systems and shall be
10 selected as follows

11 (a) Not less than 2 of the members shall reside in the Upper
12 Peninsula

13 (b) Not less than 2 of the members shall reside in the
14 northern portion of the Lower Peninsula

15 (c) Not less than 2 of the members shall reside in the
16 southern portion of the Lower Peninsula

17 (d) Three of the members shall represent state agencies
18 actively involved with GIS applications

19 (3) The members first appointed to the board shall be
20 appointed within 90 days after the effective date of this act

21 (4) Members of the board shall serve for terms of 4 years,
22 or until a successor is appointed whichever is later except
23 that of the members first appointed, 3 shall serve for 1 year, 3
24 shall serve for 2 years, 3 shall serve for 3 years, and 4 shall
25 serve for 4 years

1 (5) If a vacancy occurs on the board, the governor shall
2 make an appointment for the unexpired term in the same manner as
3 the original appointment

4 (6) The governor may remove a member of the board for incom-
5 petency, dereliction of duty, malfeasance, misfeasance, or non-
6 feasance in office, or any other good cause

7 (7) The first meeting of the board shall be called by the
8 governor At the first meeting the board shall elect from among
9 its members a chairperson and other officers as it considers nec-
10 essary or appropriate The chairperson of the board shall serve
11 for a 2-year term, after which a new chairperson shall be
12 elected After the first meeting, the board shall meet at least
13 quarterly, or more frequently at the call of the chairperson or,
14 if requested by a majority of the board's members The board may
15 establish operational procedures as it considers necessary or
16 appropriate

17 (8) A majority of the members of the board constitute a
18 quorum for the transaction of business at a meeting of the
19 board A majority of the members present and serving is required
20 for official action of the board

21 (9) The business which the board may perform shall be con-
22 ducted at a public meeting of the board held in compliance with
23 the open meetings act, Act No 267 of the Public Acts of 1976,
24 being sections 15 261 to 15 275 of the Michigan Compiled Laws

25 (10) A writing prepared, owned, used, in possession of, or
26 retained by the board in the performance of an official function
27 is subject to the freedom of information act, Act No 442 of the

1 Public Acts of 1976 being sections 15 231 to 15 246 of the
2 Michigan Compiled Laws

3 (11) Members of the board shall serve without compensation
4 However, members of the board may be reimbursed for their actual
5 and necessary expenses incurred in the performance of their offi-
6 cial duties as members of the board

7 (12) The board shall establish a subcommittee on MIRIS com-
8 posed of 1 or more members of the board and other nonboard mem-
9 bers appointed by the board The board may establish additional
10 subcommittees that include nonboard members with expertise in the
11 fields of GIS, land surveying, computers, data base management,
12 or other scientific fields Subcommittees established under this
13 subsection shall make recommendations to the board on specific
14 topics as directed by the board

15 (13) The board shall set policy for the office of geographic
16 information systems and shall advise the office on the implemen-
17 tation of this act

18 Sec 4 (1) The office of geographic information systems is
19 created within the department of natural resources The office
20 shall be administered by an executive director employed by the
21 department

22 (2) The office shall provide staff to the board as is
23 required by the board

24 (3) The office shall annually publish a report that
25 describes the activities undertaken by the office during the pre-
26 vious year and includes the recommendations of the office as
27 required under this act

1 Sec 5 (1) The office, under the broad direction of the
2 board, shall provide coordination between state agencies that use
3 GIS and shall recommend a state policy for GIS use In perform-
4 ing these duties, the board shall do all of the following

5 (a) Develop a financial needs assessment and mechanisms to
6 acquire and direct funding and support for GIS and related activ-
7 ities, including providing a continuing source of funding for
8 MIRIS

9 (b) Review and recommend changes to state statutes that
10 implement or affect the use of GIS including, but not limited to,
11 the following acts

12 (1) The Michigan resource inventory act, Act No 204 of the
13 Public Acts of 1979, being sections 321 201 to 321 213 of the
14 Michigan Compiled Laws

15 (11) The state survey and remonumentation act, Act No 345
16 of the Public Acts of 1990, being sections 54 261 to 54 279 of
17 the Michigan Compiled Laws

18 (111) Act No 360 of the Public Acts of 1927, being sections
19 209 101 to 209 107 of the Michigan Compiled Laws

20 (c) Review and make recommendations on pending state
21 legislation

22 (d) Develop a coordinated state position in federal GIS
23 development and provide input into the development and mainte-
24 nance of federal and international networks and data bases
25 including, but not limited to all of the following

26 (1) The national digital spatial data system and the federal
27 geographic data committee

1 (11) Federal data acquisition programs for imagery and the
2 production of digital elevation models

3 (111) Census file updates

4 (iv) The consortium for international earth science informa-
5 tion network

6 (2) The office, under the broad direction of the board,
7 shall provide services and perform the duties of the central
8 archive for state GIS activities, including all of the
9 following

10 (a) Identify known and potential user clientele and develop
11 and maintain a comprehensive bibliography of state GIS data its
12 availability, content, and quality

13 (b) Establish a GIS data archive and viewing facility

14 (c) Promote GIS education, technical assistance, and
15 outreach

16 (3) The office, under the broad direction of the board,
17 shall perform the duties necessary to facilitate the sharing and
18 exchange of digital data used in GIS facilities throughout the
19 state including all of the following

20 (a) Promote the sharing of public data

21 (b) Improve communication between and among GIS users and
22 providers by doing all of the following

23 (1) Expand the use of electronic communications among GIS
24 users

25 (11) Make available newsletters, technical and management
26 articles, and reports

- 1 (c) Establish a distributed GIS network for the state
2 including mechanisms for all of the following data
3 distribution, data base maintenance, reporting status and
4 progress, quality control, data collection specifications, clas-
5 sification specifications, agency requirements priorities for
6 data layer creation, and records disposition
- 7 (d) Document content and quality of existing digital GIS
8 data sets that will promote the sharing of information by facili-
9 tating communication about that information, and doing all of the
10 following
- 11 (1) Create a mechanism to collect and review proposed meta-
12 data standards
- 13 (11) Recommend a standard format for cataloging
14 information
- 15 (111) Recommend a standard reporting format for documenting
16 the quality and accuracy of geographic information
- 17 (1V) Recommend a standard format for a data dictionary
- 18 (V) Recommend a management structure to implement these
19 elements
- 20 (VI) Ensure compatibility with the federal spatial data
21 transfer standards and the federal geographic data committee
- 22 (e) Provide pricing policies for GIS data and products and
23 private for-profit use of public data
- 24 (4) The office, under the broad direction of the board,
25 shall perform the duties necessary to facilitate the development
26 of new digital data useful in GIS facilities throughout the
27 state, including all of the following

1 (a) Establish a digital parcel mapping system for the state
2 pursuant to section 6

3 (b) Construct or expand public statewide GIS data bases
4 including both of the following

5 (1) Expand state data holding in MIRIS to include other sets
6 of GIS data from local, state, federal, and private sources

7 (11) Obtain, translate, and reformat federal data from fed-
8 eral data bases

9 (c) Define local, state, and private roles for the develop-
10 ment of GIS data bases and applications and foster interagency
11 and intraagency cooperation

12 (d) Promote local, state, federal, and private partnerships
13 in GIS development, data collection, and computerization

14 Sec 6 (1) Within 1 year after the effective date of this
15 act, the office, under the broad direction of the board, shall
16 design a digital parcel mapping system for the state The digi-
17 tal parcel mapping system shall be designed to assist property
18 information users in making better decisions regarding land use
19 taxation sewer, water and drainage services utilities and
20 other applicable areas The digital parcel mapping system shall,
21 at a minimum, include parcel boundaries and unique parcel
22 identification

23 (2) The digital parcel mapping system shall utilize data
24 collected by participating counties A county that participates
25 in the digital parcel mapping system shall enter data into the
26 system in accordance with standards and procedures required by
27 the board After entering the data, the county shall transmit

1 the data to the office A county may contract with cities,
2 villages, townships, the county's register of deeds office, or
3 with private entities to collect or enter data into the digital
4 parcel mapping system

5 (3) Upon receipt of data from counties pursuant to subsec-
6 tion (2), the office shall incorporate each county's data into
7 the digital parcel mapping system The office shall assure that
8 the data meet the requirements established by the board

9 (4) Each participating county shall update the data submit-
10 ted under subsection (2) as directed by the board

11 (5) The office shall make the digital parcel mapping system
12 available to each participating county upon request

13 Sec 7 (1) The geographic information systems fund is cre-
14 ated within the state treasury

15 (2) The state treasurer may receive money or other assets
16 from any source for deposit into the fund The state treasurer
17 shall direct the investment of the fund The state treasurer
18 shall credit to the fund interest and earnings from fund
19 investments

20 (3) Money in the fund at the close of the fiscal year shall
21 remain in the fund and shall not lapse to the general fund

22 (4) The office shall expend money from the fund, upon appro-
23 priation, only for 1 or more of the following purposes

24 (a) Not more than 20% of the money received by the fund for
25 implementation of this act

26 (b) Grants to counties pursuant to section 8 to acquire
27 hardware and software necessary for the establishment of a local

1 geographic information system A grant made pursuant to this
2 subdivision shall be made in 2 parts The first part shall be a
3 statewide base grant that is the same for each eligible county
4 and shall reflect the fixed costs of a county in establishing a
5 basic county GIS The second part of the grant shall approxi-
6 mately reflect the amount of revenue derived from real property
7 within the county pursuant to this act and section 4(2) of Act
8 No 134 of the Public Acts of 1966 being section 207 504 of the
9 Michigan Compiled Laws, minus expenditures from the fund as oth-
10 erwise provided in this section

11 (5) Grants to counties under subsection (4) shall only be
12 made to counties that are participating in the digital parcel
13 mapping system under section 6

14 Sec 8 (1) To be eligible for a grant from the fund, a
15 county must have an approved county GIS plan and must agree to
16 participate in the establishment of the digital parcel mapping
17 system pursuant to section 6 The county board of commissioners
18 of each county desiring to be eligible for a grant shall cause to
19 be prepared a county GIS plan In preparing the county GIS plan
20 the county board of commissioners may appoint a GIS advisory
21 committee If the county board of commissioners appoints a GIS
22 advisory committee, the county board of commissioners shall con-
23 sider all of the following for appointment to the GIS advisory
24 committee

25 (a) The county executive, as applicable

26 (b) A county commissioner

- 1 (c) The register of deeds for the county
2 (d) The county treasurer
3 (e) The county clerk
4 (f) The county equalization director
5 (g) A county road commissioner
6 (h) A representative of the county or district health
7 department
8 (i) The county drain commissioner
9 (j) The county sheriff or municipal police chief, or both
10 (k) The county surveyor
11 (l) City, village, and township representatives
12 (m) Public utility and private enterprise representatives
13 (n) Other individuals considered appropriate by the county
14 board of commissioners
- 15 (2) A county GIS plan shall include, at a minimum, all of
16 the following
- 17 (a) Evidence that a digital data sharing agreement is avail-
18 able to all cities, villages, and townships within the county
- 19 (b) A proposal and implementation schedule for establishment
20 of a digital parcel mapping system in accordance with section 6
- 21 (c) A description of geographical information available in
22 the county
- 23 (d) A description of the data elements to be digitized under
24 the plan
- 25 (e) A description of the process to be used in obtaining
26 digital data

1 (f) A description of the digital data standards to be
2 applied

3 (g) A timetable indicating the goals and objectives of the
4 GIS plan and anticipated completion dates

5 (h) A process for long-term maintenance of each digital data
6 file obtained or identified under the GIS plan including updates,
7 corrections, and improvements of locational accuracy

8 (1) A description of how grant money received pursuant to
9 this act will be expended

10 (3) Upon completion of a county GIS plan, the county board
11 of commissioners shall submit the county GIS plan to the geo-
12 graphic information systems coordination board for its approval
13 The geographic information systems coordination board shall
14 approve or deny the county GIS plan within 60 days of receipt of
15 the plan If the geographic information systems coordination
16 board denies the county GIS plan, the geographic information sys-
17 tems coordination board shall provide the county board of commis-
18 sioners with a rationale for the denial

19 (4) If the geographic information systems coordination board
20 approves a county GIS plan, the county board of commissioners
21 shall annually review and update the GIS plan and provide
22 progress reports to the geographic information systems coordina-
23 tion board containing information requested by the geographic
24 information systems coordination board

25 (5) The geographic information systems coordination board
26 shall develop guidelines for the preparation of county GIS
27 plans

1 (6) The office shall assist counties in preparing GIS
2 plans

3 Sec 9 There is hereby imposed upon the owner of each
4 parcel of real property in this state an annual fee of \$1 00 per
5 parcel of real property, which shall be used to fund geographic
6 information systems pursuant to this act The fee imposed under
7 this section shall be collected by the township or city treasurer
8 at the same time and in the same manner that taxes are collected
9 under the general property tax act, Act No 206 of the Public
10 Acts of 1893, being sections 211 1 to 211 157 of the Michigan
11 Compiled Laws All fees collected under this section shall be
12 forwarded to the state treasurer for deposit in the fund at the
13 same times that the treasurer distributes taxes collected under
14 Act No 206 of the Public Acts of 1893 to the local taxing
15 units

16 Sec 10 (1) A public body may enter into digital data
17 sharing agreements

18 (2) A public body that has entered into a digital data shar-
19 ing agreement with the office may do either, or both, of the
20 following

21 (a) Charge fees to cover the reasonable costs of duplicating
22 and preparing digital data for distribution These fees may
23 include the reasonable proportional costs of maintaining digital
24 data, but shall not include costs of originally developing the
25 digital data base

26 (b) Enter into digital data licensing agreements with any
27 persons and charge licensing fees These fees may include the

1 reasonable costs of duplicating and preparing digital data for
2 distribution, the reasonable proportional costs of maintaining
3 the digital data, and, if the local unit of government originally
4 developed the digital data base, the reasonable proportional
5 costs of developing the digital data base

6 (3) This section does not require a public body to charge
7 fees or to provide digital data in any file format other than
8 that maintained by the public body

9 (4) A public body that provides digital data pursuant to
10 this section may prohibit the resale of that digital data

11 (5) Within 1 year after the effective date of this act, the
12 office under the broad direction of the board shall establish
13 voluntary guidelines for digital data licensing agreements The
14 office shall periodically review and update these guidelines, as
15 appropriate

16 Sec 11 The board may promulgate rules pursuant to the
17 administrative procedures act of 1969, Act No 306 of the Public
18 Acts of 1969, being sections 24 201 to 24 328 of the Michigan
19 Compiled Laws, to implement this act

20 Sec 12 This act shall not take effect unless Senate Bill
21 No 948 of
22 the 87th Legislature is enacted into law