

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

H

D

HOUSE BILL 152
PROPOSED COMMITTEE SUBSTITUTE H152-PCS60025-SH-1

Short Title: Modify NCCGIA & GICC Enabling Law.

(Public)

Sponsors:

Referred to:

February 22, 2011

A BILL TO BE ENTITLED

AN ACT RELATING TO THE ORGANIZATION, AUTHORITY, AND RESPONSIBILITIES OF THE NORTH CAROLINA CENTER FOR GEOGRAPHIC INFORMATION ANALYSIS AND THE GEOGRAPHIC INFORMATION COORDINATING COUNCIL, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON INFORMATION TECHNOLOGY.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 143-725 reads as rewritten:

"§ 143-725. Council established; role of the Center for Geographic Information and Analysis.

(a) Council Established. – The North Carolina Geographic Information Coordinating Council ("Council") is established to develop policies regarding the utilization of geographic information, geographic information systems (GIS), ~~GIS systems~~, and other related technologies. The Council shall be responsible for the following:

- (1) Strategic planning.
- (2) Resolution of policy and technology issues.
- (3) Coordination, direction, and oversight of State, local, and private GIS efforts.
- (4) Advising the Governor, the General Assembly, and the State Chief Information Officer as to needed directions, responsibilities, and funding regarding geographic information.

The purpose of this statewide geographic information coordination effort shall be to further cooperation among State, federal, and local government agencies; academic institutions; and the private sector to improve the quality, access, cost-effectiveness, and utility of North Carolina's geographic information and to promote geographic information as a strategic resource in the State. The Council shall be located in the Office of the ~~Governor~~ State Chief Information Officer for organizational, budgetary, and administrative purposes.

(b) Role of CGIA. – The Center for Geographic Information and Analysis (CGIA) shall staff the Geographic Information and Coordinating Council and its committees. CGIA shall manage and distribute digital geographic information about North Carolina maintained by numerous State and local government agencies. It shall operate a statewide data clearinghouse and provide Internet access to State geographic information. CGIA shall be located in the Office of the State Chief Information Officer for organizational, budgetary, and administrative purposes. The State Chief Information Officer shall coordinate a professional services



* H 1 5 2 - P C S 6 0 0 2 5 - S H - 1 *

1 component for geographic information systems with the Center for Geographic Information
2 and Analysis. CGIA shall monitor and approve all new GIS-related information technology
3 projects and expansion budget requests. All State agencies shall coordinate any GIS initiatives
4 through the CGIA to ensure that they are not duplicating an existing function."

5 **SECTION 2.** G.S. 143-726 reads as rewritten:

6 **"§ 143-726. Council membership; organization.**

7 (a) **Members.** – The Council shall consist of up to ~~35~~37 members, or their designees, as
8 set forth in this section. An appointing authority may reappoint a Council member for
9 successive terms.

10 (b) **Governor's Appointments.** – The Governor shall appoint the following members:

- 11 (1) The head of an at-large State agency not represented in subsection (d) of this
12 section.
- 13 (2) An employee of a county government, nominated by the North Carolina
14 Association of County Commissioners.
- 15 (3) An employee of a municipal government, nominated by the North Carolina
16 League of Municipalities.
- 17 (4) An employee of the federal government who is stationed in North Carolina.
- 18 (5) A representative from the Lead Regional Organizations.
- 19 (6) A member of the general public.
- 20 (7) Other individuals whom the Governor deems appropriate to enhance the
21 efforts of geographic information coordination.

22 Members appointed by the Governor shall serve three-year terms. The Governor shall
23 appoint an individual from the membership of the Council to serve as Chair of the Council. The
24 member appointed shall serve as Chair for a term of one year.

25 (c) **General Assembly Appointments.** – The President Pro Tempore of the Senate and
26 the Speaker of the House of Representatives shall each appoint three members to the Council.
27 These members shall serve one-year terms.

28 (d) **Other Members.** – Other Council members shall include:

- 29 (1) The Secretary of State.
- 30 (2) The Commissioner of Agriculture.
- 31 (3) The Superintendent of Public Instruction.
- 32 (4) The Secretary of Environment and Natural Resources.
- 33 (5) The Secretary of the Department of Transportation.
- 34 (6) The Secretary of the Department of Administration.
- 35 (7) The Secretary of the Department of Commerce.
- 36 (8) The Secretary of the Department of Crime Control and Public Safety.
- 37 (9) The Secretary of the Department of Health and Human Services.
- 38 (10) The Secretary of the Department of Revenue.
- 39 (11) The President of the North Carolina Community Colleges System.
- 40 (12) The President of The University of North Carolina System.
- 41 (13) The Chair of the Public Utilities Commission.
- 42 (14) The State Budget Officer.
- 43 (15) The Executive Director of the North Carolina League of Municipalities.
- 44 (16) The Executive Director of the North Carolina Association of County
45 Commissioners.
- 46 (17) One representative from the State Government GIS User Committee.
- 47 (17a) The Executive Director of the North Carolina 911 Board.
- 48 (18) One representative elected annually from the Local Government Committee
49 established pursuant to subdivision (h)(2) of this section.
- 50 (19) The State Chief Information Officer who shall serve as a nonvoting member.
- 51 (20) The Executive Director of the State Board of Elections or his designee.

1 Council members serving ex officio pursuant to this subsection shall serve terms coinciding
2 with their respective offices. Members serving by virtue of their appointment by a standing
3 committee of the Council shall serve for the duration of their appointment by the standing
4 committee.

5 (e) Meetings. – The Council shall meet at least quarterly on the call of the Chair. The
6 Management and Operations Committee shall conduct the Council's business between quarterly
7 meetings.

8 (f) Administration. – The Director of the CGIA shall be secretary of the Council and
9 provide staff support as it requires.

10 (g) Reports. – The Council shall report at least annually to the Governor and to the Joint
11 Legislative Commission on Governmental Operations.

12 (h) Committees. – The Council may establish work groups, as needed, and shall oversee
13 the standing committees created in this subsection. Each standing committee shall adopt
14 bylaws, subject to the Council's approval, to govern its proceedings. Except as otherwise
15 provided, the Chair of the Council shall appoint the standing committee chairs from
16 representatives listed in subsections (b), (c), or (d) of this section. The standing committees are
17 as follows:

- 18 (1) State Government GIS User Committee. – Membership shall consist of
19 representatives from all interested State government departments. The Chair
20 of the Council shall appoint the committee chair from one of the State
21 agencies represented in subsection (d) of this section.
- 22 (2) Local Government Committee. – Membership shall consist of
23 representatives from organizations and professional associations that
24 currently serve or represent local government GIS users, the North Carolina
25 League of Municipalities, the North Carolina Association of County
26 Commissioners, and Lead Regional Organizations. The committee shall
27 elect one of its members to the Council.
- 28 (3) Federal Interagency Committee. – Membership shall consist of
29 representatives from all interested federal agencies and Tribal governments
30 with an office located in North Carolina. The appointed federal
31 representative serving pursuant to subdivision (b)(4) of this section shall
32 serve as the Chair of the Federal Interagency Committee.
- 33 (4) Statewide Mapping Advisory Committee. – This committee shall
34 consolidate statewide mapping requirements and attempt to gain statewide
35 support for financing cooperative programs. The committee shall also advise
36 the Council on issues, problems, and opportunities relating to federal, State,
37 and local government geospatial data programs.
- 38 (5) GIS Technical Advisory Committee. – This committee shall develop the
39 statewide technical architecture for GIS and anticipate and respond to GIS
40 technical opportunities and issues affecting State, county, and local
41 governments in North Carolina.
- 42 (6) Management and Operations Committee. – This committee shall consider
43 management and operational matters related to GIS and other matters that
44 are formally requested by the Council. The committee membership shall
45 consist of the Chair of the Council, the State Budget Officer, the chair of
46 each of the standing committees of the Council, and other members of the
47 Council appointed by the Chair."

48 **SECTION 3.** G.S. 147-33.72H reads as rewritten:

49 **"§ 147-33.72H. Information Technology Fund.**

50 (a) There is established a special revenue fund to be known as the Information
51 Technology Fund, which may receive transfers or other credits as authorized by the General

1 Assembly. Money may be appropriated from the Information Technology Fund to meet
2 statewide requirements, including planning, project management, security, electronic mail,
3 State portal operations, and the administration of systemwide procurement procedures.
4 Expenditures involving funds appropriated to the Office of Information Technology Services
5 from the Information Technology Fund shall be made by the State CIO in consultation with the
6 Information Technology Advisory Board. By October 1 of each year, the State CIO shall
7 submit to the Joint Legislative Oversight Committee on Information Technology a report on all
8 expenditures involving funds appropriated to the Office of Information Technology Services
9 from the Information Technology Fund for the preceding fiscal year. Interest earnings on the
10 Information Technology Fund balance shall be credited to the Information Technology Fund.

11 (b) In addition to the purposes listed in subsection (a) of this section, the Information
12 Technology Fund shall be used (i) to fund the Center for Geographic Information and Analysis
13 (CGIA) in its legislatively mandated duties under G.S. 143-725(b); (ii) to fund acquiring and
14 managing, at the lowest cost, data layers useful to multiple State and local organizations,
15 according to the priorities set by the North Carolina Geographic Information Coordinating
16 Council; and (iii) to fund the development, operation, and maintenance of NC OneMap, the
17 statewide GIS data clearinghouse and warehouse and provider of Internet access to State
18 geographic information. The Information Technology Fund may receive private grants and gifts
19 and may include State, federal, local, and matching funds for this purpose."

20 **SECTION 4.** This act is effective when it becomes law.