

H. B. 2789

(By Delegates T. Campbell, Miley, Varner, Cann,  
Ferro and Canterbury)

[Introduced January 24, 2011; referred to the  
Committee on Government Organization then Finance.]

**FISCAL  
NOTE**

A BILL to amend the Code of West Virginia, 1931, as amended, by  
adding thereto a new article, designated §5A-6B-1, §5A-6B-2,  
§5A-6B-3, §5A-6B-4 and §5A-6B-5, all relating to the West  
Virginia Geographical Information System.

*Be it enacted by the Legislature of West Virginia:*

That the Code of West Virginia, 1931, as amended, be amended  
by adding thereto a new article, designated §5A-6B-1, §5A-6B-2,  
§5A-6B-3, §5A-6B-4 and §5A-6B-5, all to read as follows:

**ARTICLE 6B. WEST VIRGINIA GEOGRAPHICAL INFORMATION SYSTEM.**

**§5A-6B-1. Findings.**

(a) The Legislature finds that computerized geographical  
information systems technology and the management and sharing of  
information about the state's natural and cultural resources is  
essential to finding practical solutions to good, efficient and  
effective governance.

(b) The Legislature further finds that Executive Order 4-93  
provided for:

1       (1) The West Virginia Geographical Information System Policy  
2 Council to oversee the implementation of the state GIS Development  
3 Plan;

4       (2) The appointment of the state GIS Coordinator;

5       (3) The appointment of a steering committee to coordinate the  
6 technical aspects of the plan;

7       (4) The development of a GIS Users Group to educate, train and  
8 exchange information among GIS users; and

9       (5) The creation of a GIS Technical Center in cooperation with  
10 West Virginia University.

11 **§5A-6B-2. Definitions.**

12       (a) "Chief Technology Officer" means the person defined in  
13 article six, chapter five-a of this code.

14       (b) "Geological and Economic Survey" means the entity provided  
15 in article two, chapter twenty-nine of this code.

16       (c) "Geospatial" means a combination of spatial software and  
17 analytical methods of terrestrial or geographic datasets.

18       (d) "GIS Plan" means the Geographical Information System Plan.

19       (e) "GIS Technical Center" means the state GIS Technical  
20 Center in the Department of Geology and Geography at West Virginia  
21 University.

22       (f) "GIS Users Group" includes the West Virginia Association  
23 of Geospatial Professional and other groups or individuals that  
24 educate, train and exchange information among GIS users.

1 §5A-6B-3. Development of GIS Plan; report to Governor and

2 Legislature.

3 (a) The following offices, individuals and groups of  
4 individuals are recognized to assist the development of the state  
5 Geographic Information System Plan:

6 (1) The Chief Technology Officer;

7 (2) The Office of the state GIS Coordinator;

8 (3) The Office of the state Geological and Economic Survey;

9 (4) The West Virginia Geographical System Information Policy  
10 Council; and

11 (5) GIS Users Groups including, but not limited to, the Nick  
12 J. Rahall Appalachian Transportation Institute at Marshall  
13 University and the West Virginia Association of Geospatial  
14 Professionals.

15 (b) The state GIS Coordinator shall submit electronic annual  
16 reports to the Governor and all members of the Legislature, on the  
17 organizational design and administrative development and  
18 implementation of the plan, including database development; system  
19 and application development; system utilization, marketing and  
20 coordination with outside organizations; utility infrastructure  
21 mapping; inventory of assets; technology improvement initiatives;  
22 reports of workgroups; and budget and funding strategies for state  
23 and local governments.

24 §5A-6B-4. Security of government information.

1       The Chief Technology Officer shall ensure the security of all  
2 government information and the data communications infrastructure  
3 from unauthorized uses, intrusions or other security threats.

4 **§5A-6B-5. Legislative rule-making authority.**

5       The statewide GIS Coordinator in consultation with the Chief  
6 Technology Officer shall propose rules for legislative approval, in  
7 accordance with the provisions of article three, chapter twenty-  
8 nine-a of this code, to effectuate the provisions of this article.

NOTE: The purpose of this bill is to recognize GIS User Groups such as the West Virginia Association of Geospatial Professionals to assist the development of the state GIS Plan.

This article is new; therefore, it has been completely underscored.