



PA GIS Congress Meeting Notes: 01/21/10 and 01/27/10:

The intent of these meetings was to make a single set of recommendations to text changes for this proposed legislation and pass along to Garth Shipman and Representative Fairchild. When this congress could not reach consensus the intent is to inform Garth Shipman and Representative Fairchild what those issues are.

Meeting/Conference Call Attendees:

1/21/10: Dave Gilbert, Eric Jespersen, Melissa Hinton, Paul DeBarry, Kathryn Reed, Bill Kiger, Mike Shillenn, Laura Simonetti, Glenn McNichol, Glenn Mohler, Mark Stivers, Barry Hutchins, Stacey White, Kristin Woellmer, Ray Wolf, Gary Milbrand, Brady Stroh, Will Stevens

1/27/10: Dave Gilbert, Eric Jespersen, Kathryn Reed, Bill Kiger, Laura Simonetti, Glenn Mohler, Mark Stivers, Barry Hutchins, Stacey White, Ray Wolf, Gary Milbrand, Brady Stroh, Will Stevens, Mark Lecher, Curtis Rounds, Bill Boswell, Joe Steighner, Rob Schwarz, Maurie Kelly, Rob Rowe

Comments include those from Jan 14th meeting and meetings held on 1/21/10 and 1/27/10:

Office of Administration Comment #1:

The revised draft bill adds the executive director of Pennsylvania Spatial Data Access (PASDA) entity as a voting member of the council. The Office of Administration owns the PASDA contract with Pennsylvania State University and this entity is funded by the Office of Administration. There is no such title as executive director of PASDA and we do not recommend having Commonwealth contracted resources sitting on the council as a voting member due to conflict of interests this would impose. Additionally, the draft legislation already includes a seat for State-related academic institution. A more appropriate place for PASDA on the council would be as an informant member on an ad-hoc type of committee that voting council members have authority to create at will.

Jan 21: PASDA is a Penn State entity and is currently funded by OA. Therefore, they are not necessarily owned by OA just currently funded by them. Stacey White: since Universities already have a seat on the council PASDA would still be redundant.

Jan 27: OA states PASDA is not seeking a voting position so leaving them off the list for the proposed bill is recommended. Maurie Kelly agrees. PASDA informed OA they will seek an ex officio member.

Resolution of Consensus: Remove PASDA as a voting member and add them as an ex officio member of the council.

Office of Administration Comment #2:

The revised draft bill introduces the private sector as a voting member of the council. It is imperative that current private industry relationships continue to be fostered and new relationships established. Their guidance and advice is necessary to aid voting council members with decision making. Private industry should be represented on the council as non-voting informant members through a business type of committee that council voting members have authority to create at will.

Jan 21: This comment came from state policy makers. Many on the call felt this to be a show stopper for private company support of this bill.

Jan 27: OA does not see private industry as being a voting member. OA has also been getting feedback from some private industry to not have a voting position.

Several participants feel that this is purely an advisory council and there is no funding or policy being set by this council. It is not uncommon to have private industry involved. Other examples of advisory councils in the Commonwealth include private. PEHSC example: includes private.

Others are looking for a balance between public and private on the board as voters.

No resolution at this time as policy makers that advise OA.

The current bill includes certain members of private sector and currently includes PAMAPPs.

One recommendation is that we condition the appointments of the private side.

The key issue is: Does Private Sector Have a Vote?

One distinction mentioned was that there is not a single official authority that governs GIS in the state. This is unlike other advisory boards that advise an official authority.

Follow-up: there is a need to document other advisory boards in the involvement of Private industry.

No Resolution: Policy makers that advised OA stated they do not wish to have private companies have a vote on the council. Many of the private industry see this advisory board as being non effective without the vote and that there are examples in the Commonwealth of other advisory boards where private industry does have a vote.

Office of Administration Comment #3:

The Executive Branch Secretary's listed in the draft legislation should receive at a minimum two votes given the fact that the draft legislation includes two votes for House members and two votes for Senate members.

Jan 21: Executive would also like 2 seats. A PA-MAPPS representative noted that essentially the Governor can appoint 9 to the panel from a variety of positions.

Jan 27th: Chair and Vice Chair are identified from the membership. Others have commented that Office of Administration has a lot of voting seats on the council. Currently the governor can appoint as he/she chooses.

There is a small window of opportunity to move this bill forward (within 2 months) or it will not pass this year. There is a recommendation to not get too detailed with the makeup of the congress. "If we mess with this too much it won't pass."

Resolution of Consensus: Replace PASDA voting position with a member from the Land Surveyor. All in favor.

Office of Administration Comment #4:

We are seeking clarification on the quorum. The draft legislation lists eleven members of the council shall constitute a quorum. However, the council membership includes seventeen voting members. Typically, half the voting membership plus one constitutes a quorum.

Jan 21: Several people had questions about verbiage on this

Jan 27th: Should be 11 instead of 9 but many feel it is a procedure that can be defined later. A number too high is difficult to get.

Resolution of Consensus: Recommendation is to remove the number from the bill and let the congress itself decide the quorum in the by-laws they set.

Office of Administration Comment #5:

In regards to the powers and duties of the council, specifically the establishment of interoperability and architecture standards as listed within the draft legislation -- the council is advisory and legislation should reflect this specific power and duty as being advisory. The Geospatial Technologies Office within the Office of Administration develops and deploys geospatial technology investments, establishes data development priorities, architecture standards and interoperability and provides data sharing and coordination for state government. Unless this power and duty of the council is corrected to reflect "advisory", we can anticipate a duplication of effort and confusion by interested agencies and the public.

The solicitation of information from private business as described in the draft legislation would impose a conflict of interest for commonwealth agencies given they are bound by procurement codes and policies.

The source and use of the Pennsylvania Mapping and Geospatial Technologies Fund prompts a number of concerns. As proposed, the Fund may accept grants, donations, appropriations and contributions from anyone, including consultants and software vendors. We have serious concerns regarding the actual or potential conflicts of interest this arrangement will create. As commonwealth agencies we could not participate in an entity that does not have strict protocols regarding the way in which funds, including gifts and donations, are received and those protocols must meet our code of conduct and ethics act standards.

Jan 21: The use of the word solicitation will need to be revised. Stacey will look into alternative text

Jan 27: Recommendation is to change the text and let the bill writers decided what that should be

OA sought text change but did not get any further response from policy makers.

Resolution of Consensus: Recommendation is to change the text and let the bill writers decide what the change to 'solicitation' verbiage should be. OA will also supply revised text to define what the funds will be and will not be used for. The order of the purpose and limits should be reversed in the bill.

Office of Administration Comment #6:

The draft legislation implies that the Office of Administration will supply all necessary assistance to the council in carrying out its duties and responsibilities. Given we are in the same economic crisis as the Nation, we do not have an endless supply of resources to support such a strong statement. The Office of Administration needs to respond to the needs of the public and in particular, citizens, and priorities are driven by the Administration. Therefore, we can only agree to provide the council with support as feasible and within our resource means.

Jan 21: Some reduction in the expectation should be incorporated.

Jan 27: Recommendation: OA can supply revised text – to limit the support of OA to what is feasible and within their resource means.

Resolution of Consensus: All in favor of OA supplying revised text – to limit the support of OA to what is feasible and within their resource means.

CCAP Comment:

CCAP will not be able to provide an official position on the draft legislation at this time. Although CCAP supports the concept of a PA GIS Council, the language in the draft legislation is different from legislation that was previously introduced and supported by CCAP. Due to the differences, it has been determined that before a CCAP position is provided, the draft will have to be considered by the CCAP committees related to GIS services. We will let you know when a position is available but do expect that there would be language revisions needed.

Jan 27th: No further comments provided. No resolution needed at this time.

URISA Member & MPO Staffer Comment:

I believe we should support the bill but add the request that it be amended to include a GIS Department MPO staffer.

Jan 27th: MPOs are represented on other states. Some funding for GIS comes thru the MPOs so having a coordinated effort to GIS would make sense to include this level. Question: would county planner represent this? Not the same as these are regional.

Resolution of Consensus: Add regional level of government (MPO, PPO, TPO) as ex-officio member. All in favor.

APA-PA Board Member Comment:

The bill looks good. There seems to be a lot of people involved besides the 9 member council, like all those ex officio members. I guess that is normal. I think it is missing language as to how this council will carry out their mission. Will they meet in an office? Will they each need a laptop in front of them? If so, will a laptop be provided by the Commonwealth?

I see that the Office of Administration will supply the necessary assistance. I guess that office is in a physical space somewhere in Harrisburg. I just wonder if computers are available for the members and wouldn't the members need to have a computer if they are retrieving data to make available to whatever they are working on? I don't see this committee as your typical think tank. I see it as a more hands on group gathering information out there in cyberspace instead of creating policy.

One last thought. I think it is appropriate to replace the word chairman with chairperson. Thanks for your interest in what I think.

Jan 27th: APA will be meeting this week and drafting their view. The Title of the Chair will be identified by Legislative Reference Bureau. No further action needed.

URISA – CAC Comment:

Two points:

#1) I'm sure politics was involved, but my only comment is that 18 committee members (+6 nonvoting ex officio members) on a committee is about '6' too many -- I'd personally aim for '10' to '12' members on the committee (and move the others either 'off' or to 'nonvoting ex officio members').

#2) xxxxx (h)1 (page 5, line 4) (the 'xxxx' because I've lost track of the numbering scheme in the document) "..., and architecture standards for data sharing" -- I think "data exchange standards" would be a better definition here than 'architecture standards'. Architectural standards locks you into particular environments (software, hardware, and/or methodology), which may be the 'best' standard 'now' but a pretty 'bad' standard five years from now. Data exchange standards define how you move (or share) data in a consistent manner but allows significantly more flexibility in the actual method each organization chooses to physically 'store' and 'use' the data.

Jan 27th : No further action on the size is to be determined. Other councils recommend stands. On recommendation is to perhaps take out 'architecture' and 'exchange' text.

Also: The text states "establish....standards". Perhaps it should be 'recommend' policies and standards. This refers back to the OA comment on establishing.

Resolution of Consensus: On recommendation is to take out 'architecture' and 'exchange' text and change 'establish standards' to 'recommend'.

Professional Surveyor #1 Comment:

I believe that the legislation proposed is an excellent step forward and the comments and ideas generated from the GIS "congress" were pertinent and applicable.

My only contention and I wouldn't label this as either a "deal-breaker" or an "I would like to have", but rather as somewhere between those choices, is that I strongly believe that there should be a minimum of one member designated to the Council from the Pennsylvania Society of Land Surveyors (PSLS). The expertise and perspective from a professional land surveyor is extremely important with regard to setting, verifying, and documenting the levels of accuracy of the cartographic elements of GIS development.

Resolution of Consensus: Add a land surveyor as a voting member.

Professional Surveyor #2 Comment:

I just spoke with a PSLS representative; for him the deal breaker is that PSLS does not have a seat at the table in this iteration. I'm hoping he will work through PaMAGIC on this, though he wants to go direct to Representative Fairchild. Ideally, I am hoping we can get that reconciled with PSLS so as to avoid any appearance of controversy.

Resolution of Consensus: Add a land surveyor as a voting member.

State University Professor Comment:

I think the Academic part needs to be open to all faculty or at least PASSHE and PA - state related (due to the issues of state funding, etc.) One term could be a PA state related and another term could be a PASSHE, etc. Again I am not saying we need to be on the board, but we should be eligible. If not, I think you are going to get PASSHE faculty thinking - what is wrong with us, why cannot we sit on this board, we are more controlled by the state then PA - State related. We are more based on teaching (PASSHE) while they are more interested in research (PA - State related) of course PSU - Harrisburg is more like PASSHE. However this decision could really cause a rift in academia and ONE of the great things about this movement is that EVERYONE seems united. I hope this makes sense. Again these are just my thoughts on why this needs to be changed.

Finally, I am not saying we need to be on the board or that we understand certain issues that PA - state related do not. I am just saying in this bill, the bill that is uniting the GIS community we should be eligible to sit on the board

Suggestion from John Palatiello:

Perhaps Garth can be asked to change the provision to simply provide for a seat from an individual experienced in the geospatial field in the employ of a Pennsylvania university, college or community college, as such terms are defined in 22 Pa Code 31.2

<http://www.pacode.com/secure/data/022/chapter31/s31.2.html>

Jan 27th:

Resolution of Consensus: Recommendation that THE TEXT BE CHANGED TO ANY ACCREDITED UNIVERSITY OR COLLEGE. All agree.

Anonymous Comment:

Departmental secretaries on the board should be allowed to vote (or they won't attend!). Also, the Bureau of Topographic and Geologic Survey should have a seat. You might consider the same with PennDOT.

I would suggest putting the administrative end in a neutral state agency, perhaps PHMC?

Jan 27th: This advisory council is there to advise the agencies. Why would they have a vote? They can choose to participate or not.

Governor makes appointments but these are not from agencies in state government. Other states like North Carolina involve other state agencies.

If state agencies are included or not it does not supplant the existing state office structure through OA.

Recommendation:

Rob Rowe will look into other councils in other states to see about the state agency participation and whom they advise.

As for housing this council in an agency such as PHMC, that issue was resolved by OA.

Resolution of Consensus: Provide examples of other advisory boards and allow the decision to be made by legislation.

Final recommendation: provide list of issues we resolved and those that we did not and pass along the comments.

Next Step: Formulate the text to send to Garth based on what we have discussed today. Dave Gilbert will type the notes and send out for review to the group.

We will seek the revised Bill (with Number) for further review.