

**Proposed Language Changes to the Montana Land Information Act**  
**Submitted 1/10/05**

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**NEW SECTION: Section 4. Responsibilities of department for land information management.** (1) The department shall:

- (a) serve as the administrator of the Montana land information account, working *cooperatively* with all federal, state, local, private, and tribal entities in the development and maintenance of land information;
  - (b) develop, *in coordination with State agency and division representatives*, an annual land information plan that describes the priority needs to collect, maintain, and disseminate land information;
  - (c) present the plan provided for in subsection (b) for *revision*, review and endorsement to the land information advisory council provided for in Section (6);
  - (d) *in cooperation with participating State agencies* develop and administer a granting process, to be used to distribute the funds in the Montana land information account provided for in Section (10);
  - (e) *in partnership with cooperating agencies* review all grant requests for access to funds contained in the account defined in Section (10) from state agencies, local, and tribal government entities for the purpose of implementing the annual land information plan provided for in subsection (b);
  - (f) give preference to interagency grant requests where multiple state, local, or tribal agencies have partnered together to meet a requirement of the annual plan provided for in subsection (b);
  - (g) monitor the use of the monies distributed to state, local, and tribal entities to ensure the use of the funds comply with the purposes provided for in this part;
  - (h) *work with cooperating entities to* coordinate the development of technological standards for the creation of land information;
  - (i) serve as *a* point of contact for national, regional, and other states' GIS coordinating groups for the purpose of channeling issues and projects to the appropriate individuals, organizations, or agencies; *and ensure the equal participation of all cooperating State agencies*
  - (j) provide staff support for the land information advisory council; and
  - (k) report to the Governor and the Legislature on the progress made in the ongoing collection, maintenance, and dissemination of land information.
- (2) To fulfill the responsibilities in subsection (1), the department may contract with private entities *who meet all State criteria for contracting requirements and are not engaged in any related activity where a conflict of interest might exist. Private entities contracted with by the department may not serve on the Land Information Council, and may not be affiliated with companies, individuals or other entities applying for grants provided by these fund.*

**NEW SECTION: Section 6. Land Information Advisory Council.** (1) There is a land information advisory council. The council consists of the following members, appointed by the Governor. *The chair will be elected from the Council membership by a majority*

vote of the Land Information Advisory Council at the first annual meeting will serve for a period of two consecutive years.

- (a) the Director of the Department of Administration (or designee). *The Department of Administration designee must be a full-time State employee and must have no demonstrated potential for personal financial gain from the activities or decisions of this Council.*
  - (b) the Directors of four state departments (or designees); which will be rotated between all interested State departments on a biannual basis.
  - (j) the President of the Montana Association of GIS Professionals (or designee);
- (2) The advisory council shall:
- (a) be responsible for outreach to State, Federal, local and tribal organization with regard to the MLIA fund, grant opportunities and cooperative efforts and advise the department with regard to issues relating to GIS and land information;
  - (b) make recommendations to the department on the priority of data layers to be developed;
  - (c) review and make recommendations to the department on its annual plan as provided in Section (4), subsection (1)(b);
  - (d) work cooperatively with the department on the development and management of the granting process described in Section (4), subsection (1)(d);
  - (e) make recommendations to the the department on the management and distribution of the land information account created in Section (10);
  - (f) share responsibility with the department in identifying, evaluating, and prioritizing requests by state agencies, local, and tribal government entities to provide development of and maintenance of services relating to land information and GIS;
  - (g)
  - (h) work collectively with all cooperating entities to ensure the development of consistent policies, standards and guidelines for the advancement of land information.
  - (i) present an independent report to the Governor and Legislature on the progress toward meeting the goals for land information established in the annual plan, needs and recommendations for future activities and funding.
  - (j) (3) Each member of the advisory council shall serve a 2-year term and may be reappointed. once within a ten year period.

**NEW SECTION: Section 11. Distribution of the Montana Land Information Account.**

- (7) Funds contained in the land information account provided for in Section (10) may be used to pay for technology to assist in the dissemination of land information to citizens and businesses where that technology is not provided for within existing State agencies or departments.

**NEW SECTION. Section 13. Funds may be used for private sector services.** Funds received by state, local, and tribal government agencies under this part may be used for contracts with the private sector to accomplish the projects *Private sector businesses or their representatives who are applying for, or have been granted contracts using funding acquired with this Act may not serve on the Land Information Advisory Council.*