

Part 5

Division of Integrated Technology

63F-1-501 Creation -- Administration.

There is created within the department the Division of Integrated Technology to be administered by a director.

Enacted by Chapter 169, 2005 General Session

63F-1-502 Definitions.

As used in this part:

- (1) "Center" means the Automated Geographic Reference Center created in Section 63F-1-506.
- (2) "Database" means the State Geographic Information Database created in Section 63F-1-507.
- (3) "Director" means the director appointed in accordance with Section 63F-1-503.
- (4) "Division" means the Division of Integrated Technology created in this part.
- (5) "Geographic Information System" or "GIS" means a computer driven data integration and map production system that interrelates disparate layers of data to specific geographic locations.
- (6) "State Geographic Information Database" means the database created in Section 63F-1-507.
- (7) "Statewide Global Positioning Reference Network" or "network" means the network created in Section 63F-1-509.

Enacted by Chapter 169, 2005 General Session

63F-1-503 Director of division -- Appointment.

The executive director shall appoint a director of the Division of Integrated Technology with the approval of the governor.

Enacted by Chapter 169, 2005 General Session

63F-1-504 Duties of the division.

The division shall:

- (1) establish standards for the information technology needs of a collection of executive branch agencies or programs that share common characteristics relative to the types of stakeholders they serve, including:
 - (a) project management;
 - (b) application development; and
 - (c) procurement;
- (2) provide oversight of information technology standards that impact multiple executive branch agency information technology services, assets, or functions to:
 - (a) control costs;
 - (b) ensure business value to a project;
 - (c) maximize resources;
 - (d) ensure the uniform application of best practices; and
 - (e) avoid duplication of resources;
- (3) in accordance with Section 63F-1-204, provide the chief information officer a written analysis of any agency information technology plan provided to the division, which shall include:

- (a) a review of whether the agency's technology projects impact multiple agencies and if so, whether the information technology projects are appropriately designed and developed;
- (b) an assessment of whether the agency plan complies with the state information architecture; and
- (c) an assessment of whether the information technology projects included in the agency plan comply with policies, procedures, and rules adopted by the department to ensure that:
 - (i) information technology projects are phased in;
 - (ii) funding is released in phases;
 - (iii) an agency's authority to proceed to the next phase of an information technology project is contingent upon the successful completion of the prior phase; and
 - (iv) one or more specific deliverables is identified for each phase of a technology project;
- (4) establish a system of accountability to user agencies through the use of service agreements;
- (5) each year, provide the chief information officer and the Public Utilities, Energy, and Technology Interim Committee with performance measures used by the division to measure the quality of services delivered by the division and results of those measures; and
- (6) establish administrative rules in accordance with Section 63F-1-206 and as required by Section 63F-1-506.

Amended by Chapter 13, 2016 General Session

63F-1-505 Information technology plan.

- (1) In accordance with this section, the division shall submit an information technology plan to the chief information officer.
- (2) The information technology plan submitted by the division under this section shall include:
 - (a) the information required by Section 63F-1-203;
 - (b) a list of the services the division offers or plans to offer; and
 - (c) a description of the performance measures used by the division to measure the quality of the services described in Subsection (2)(b).
- (3)
 - (a) In submitting its information technology plan under this section, the division shall comply with Section 63F-1-204.
 - (b) The information technology plan submitted by the division under this section is subject to the approval of the chief information officer as provided in Section 63F-1-204.

Enacted by Chapter 169, 2005 General Session

63F-1-506 Automated Geographic Reference Center.

- (1) There is created the Automated Geographic Reference Center as part of the division.
- (2) The center shall:
 - (a) provide geographic information system services to state agencies under rules adopted in accordance with Section 63F-1-504 and policies established by the division;
 - (b) provide geographic information system services to federal government, local political subdivisions, and private persons under rules and policies established by the division;
 - (c) manage the State Geographic Information Database; and
 - (d) establish standard format, lineage, and other requirements for the database.
- (3)
 - (a) There is created a position of surveyor within the center.
 - (b) The surveyor under this Subsection (3) shall:

- (i) be licensed as a professional land surveyor under Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act;
 - (ii) provide technical support to the office of lieutenant governor in the lieutenant governor's evaluation under Section 67-1a-6.5 of a proposed boundary action, as defined in Section 17-23-20;
 - (iii) as requested by a county surveyor, provide technical assistance to the county surveyor with respect to the county surveyor's responsibilities under Section 17-23-20;
 - (iv) fulfill the duties described in Section 17-50-105, if engaged to do so as provided in that section;
 - (v) assist the State Tax Commission in processing and quality assurance of boundary descriptions or maps into digital format for inclusion in the State Geographic Information Database;
 - (vi) coordinate with county recorders and surveyors to create a statewide parcel layer in the State Geographic Information Database containing parcel boundary, parcel identifier, parcel address, owner type, and county recorder contact information; and
 - (vii) facilitate and integrate the collection efforts of local government and federal agencies for data collection to densify and enhance the statewide Public Land Survey System reference network in the State Geographic Information Database.
- (4) The division may:
- (a) make rules and establish policies to govern the center and its operations; and
 - (b) set fees for the services provided by the center.
- (5) The state may not sell information obtained from counties under Subsection (3)(b)(v).

Amended by Chapter 350, 2009 General Session

63F-1-507 State Geographic Information Database.

- (1) There is created a State Geographic Information Database to be managed by the center.
- (2) The database shall:
- (a) serve as the central reference for all information contained in any GIS database by any state agency;
 - (b) serve as a clearing house and repository for all data layers required by multiple users;
 - (c) serve as a standard format for geographic information acquired, purchased, or produced by any state agency; and
 - (d) include an accurate representation of all civil subdivision boundaries of the state.
- (3) Each state agency that acquires, purchases, or produces digital geographic information data shall:
- (a) inform the center of the existence of the data layers and their geographic extent;
 - (b) allow the center access to all data classified public; and
 - (c) comply with any database requirements established by the center.
- (4) At least annually, the State Tax Commission shall deliver to the center information the State Tax Commission receives under Section 67-1a-6.5 relating to the creation or modification of the boundaries of political subdivisions.
- (5) The boundary of a political subdivision within the State Geographic Information Database is the official boundary of the political subdivision for purposes of meeting the needs of the United States Bureau of the Census in identifying the boundary of the political subdivision.

Amended by Chapter 350, 2009 General Session

63F-1-508 Committee to award grants to counties for inventory and mapping of R.S. 2477 rights-of-way -- Use of grants -- Request for proposals.

- (1) There is created within the center a committee to award grants to counties to inventory and map R.S. 2477 rights-of-way, associated structures, and other features as provided by Subsection (5).
- (2)
 - (a) The committee shall consist of:
 - (i) the center manager;
 - (ii) a representative of the Governor's Office of Management and Budget;
 - (iii) a representative of Utah State University Extension;
 - (iv) a representative of the Utah Association of Counties; and
 - (v) three county commissioners.
 - (b) The committee members specified in Subsections (2)(a)(ii) through (2)(a)(iv) shall be selected by the organizations they represent.
 - (c) The committee members specified in Subsection (2)(a)(v) shall be:
 - (i) selected by the Utah Association of Counties;
 - (ii) from rural counties; and
 - (iii) from different regions of the state.
- (3)
 - (a) The committee shall select a chair from its membership.
 - (b) The committee shall meet upon the call of the chair or a majority of the committee members.
 - (c) Four members shall constitute a quorum.
- (4)
 - (a) Committee members who are state government employees shall receive no additional compensation for their work on the committee.
 - (b) Committee members who are not state government employees shall receive no compensation or expenses from the state for their work on the committee.
- (5)
 - (a) The committee shall award grants to counties to:
 - (i) inventory and map R.S. 2477 rights-of-way using Global Positioning System (GPS) technology; and
 - (ii) photograph:
 - (A) roads and other evidence of construction of R.S. 2477 rights-of-way;
 - (B) structures or natural features that may be indicative of the purpose for which an R.S. 2477 right-of-way was created, such as mines, agricultural facilities, recreational facilities, or scenic overlooks; and
 - (C) evidence of valid and existing rights on federal lands, such as mines and agricultural facilities.
 - (b)
 - (i) The committee may allow counties, while they are conducting the activities described in Subsection (5)(a), to use grant money to inventory, map, or photograph other natural or cultural resources.
 - (ii) Activities funded under Subsection (5)(b)(i) must be integrated with existing programs underway by state agencies, counties, or institutions of higher education.
 - (c) Maps and other data acquired through the grants shall become a part of the State Geographic Information Database.

- (d) Counties shall provide an opportunity to interested parties to submit information relative to the mapping and photographing of R.S. 2477 rights-of-way and other structures as provided in Subsections (5)(a) and (5)(b).
- (6)
 - (a) The committee shall develop a request for proposals process and issue a request for proposals.
 - (b) The request for proposals shall require each grant applicant to submit an implementation plan and identify any monetary or in-kind contributions from the county.
 - (c) In awarding grants, the committee shall give priority to proposals to inventory, map, and photograph R.S. 2477 rights-of-way and other structures as specified in Subsection (5)(a) which are located on federal lands that:
 - (i) a federal land management agency proposes for special management, such as lands to be managed as an area of critical environmental concern or primitive area; or
 - (ii) are proposed to receive a special designation by Congress, such as lands to be designated as wilderness or a national conservation area.
- (7) Each county that receives a grant under the provision of this section shall provide a copy of all data regarding inventory and mapping to the AGRC for inclusion in the state database.

Amended by Chapter 310, 2013 General Session

63F-1-509 Statewide Global Positioning Reference Network created -- Advisory committee.

- (1)
 - (a) There is created the Statewide Global Positioning Reference Network to improve the quality of geographic information system data and the productivity, efficiency, and cost-effectiveness of government services.
 - (b) The network shall provide a system of permanently mounted, fully networked, global positioning system base stations that will provide real time radio navigation and establish a standard statewide coordinate reference system.
 - (c) The center shall administer the network.
- (2)
 - (a) There is created the Global Positioning Systems Advisory Committee to advise the center on implementing and maintaining the network.
 - (b) The committee membership shall consist of:
 - (i) the center manager or the manager's designee;
 - (ii) a representative from the Department of Transportation created by Section 72-1-201 designated by the executive director appointed under Section 72-1-202;
 - (iii) the chief information officer or the chief information officer's designee;
 - (iv) a representative from the Utah Association of County Surveyors; and
 - (v) a representative from the Utah Council of Land Surveyors.
 - (c) The representative from the center shall be the chair of the committee.
 - (d) The committee shall meet upon the call of the chair or a majority of the committee members.
 - (e) The committee chair shall give reasonable notice to each member prior to any meeting.
 - (f) Three members shall constitute a quorum for the transaction of business.
 - (g) The center shall provide staff support to the committee.
 - (h) Committee members who are state government employees shall receive no additional compensation for their work on the committee.
 - (i) Committee members who are not state government employees shall receive no compensation or expenses for their work on the committee.

- (j) The committee shall recommend rules to the chief information officer for adoption under Subsection (3).
- (3)
 - (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the chief information officer shall make, in consultation with the committee, rules providing for operating policies and procedures for the network.
 - (b) The rules shall consider:
 - (i) network development that serves a public purpose;
 - (ii) increased productivity and efficiency for state agencies; and
 - (iii) costs and longevity of the network.

Amended by Chapter 382, 2008 General Session

63F-1-510 Monument Replacement and Restoration Committee.

- (1) As used in this section:
 - (a) "Committee" means the Monument Replacement and Restoration Committee created in this section.
 - (b) "Corner" means the same as that term is defined in Section 17-23-17.5.
 - (c) "Monument" means the same as that term is defined in Section 17-23-17.5.
- (2)
 - (a) There is created the Monument Replacement and Restoration Committee composed of the following seven members:
 - (i) five members appointed by an organization or association that represents Utah counties:
 - (A) that have knowledge and understanding of the Public Land Survey System; and
 - (B) who each represents a different county; and
 - (ii) two members, appointed by the center, who have a knowledge and understanding of the Public Land Survey System.
 - (b)
 - (i) Except as provided in Subsection (2)(b)(ii), a member appointed to the committee is appointed for a four-year term.
 - (ii) The director of the center shall, at the time an entity appoints or reappoints an individual to serve on the committee, adjust the length of the appointed individual's term, as necessary, to ensure that the terms of committee members are staggered so that approximately half of the committee members are appointed every two years.
 - (iii) When a vacancy occurs on the committee for any reason, the replacement appointee shall serve on the committee for the unexpired term.
 - (c) The committee shall elect one committee member to serve as chair of the committee for a term of two years.
 - (d) A majority of the committee constitutes a quorum, and the action of a majority of a quorum constitutes the action of the committee.
 - (e)
 - (i) The center shall provide staff support to the committee.
 - (ii) An individual who is a member of the committee may not serve as staff to the committee.
 - (f) A member of the committee may not receive compensation for the member's service on the committee.
 - (g) The committee may adopt bylaws to govern the committee's operation.
- (3)

- (a) The committee shall administer a grant program to assist counties in maintaining and protecting corners or monuments.
 - (b) A county wishing to receive a grant under the program described in Subsection (3)(a) shall submit to the committee an application that:
 - (i) identifies one or more monuments in the county that are in need of protection or rehabilitation;
 - (ii) establishes a plan that is consistent with federal law or rule to protect or rehabilitate each monument identified under Subsection (3)(b)(i); and
 - (iii) requests a specific amount of funding to complete the plan established under Subsection (3)(b)(ii).
 - (c) The committee shall:
 - (i) adopt criteria to:
 - (A) evaluate whether a monument identified by a county under Subsection (3)(b)(i) needs protection or rehabilitation; and
 - (B) identify which monuments identified by a county under Subsection (3)(b)(i) have the greatest need of protection or rehabilitation;
 - (ii) evaluate each application submitted by a county under Subsection (3)(b) using the criteria adopted by the committee under Subsection (3)(c)(i);
 - (iii) subject to sufficient funding and Subsection (3)(d), award grants to counties whose applications are most favorably evaluated under Subsection (3)(c)(ii); and
 - (iv) establish a date by which a county awarded a grant under Subsection (3)(c)(iii) shall report back to the committee.
 - (d) The committee may not award a grant to a county under this section in an amount greater than \$100,000.
- (4) A county that is awarded a grant under this section shall:
- (a) document the work performed by the county, pursuant to the plan established by the county under Subsection (3)(b)(ii), to protect or rehabilitate a monument; and
 - (b) before the date established under Subsection (3)(c)(iv), report to the committee on the work performed by the county.
- (5)
- (a) If the committee has not expended all of the funds appropriated to the committee by the Legislature for the fulfillment of the committee's duties under this section before December 31, 2017, the committee shall disburse any remaining funds equally among all counties that have established a dedicated monument preservation fund by ordinance as provided in Section 17-23-19.
 - (b) A county to which the center has disbursed funds under Subsection (5)(a) shall:
 - (i) deposit the funds into the county's monument preservation fund; and
 - (ii) expend the funds, in consultation with the committee, for the maintenance and preservation of monuments in the county.

Amended by Chapter 171, 2016 General Session