

March 13, 2009

The Honorable Brad Lager
Missouri Senate
State Capitol Building
Room 429
Jefferson City, MO 65101
FAX: 573-751-8342

RE: S.B. 384

Dear Senator Lager:

The Management Association for Private Photogrammetric Surveyors (MAPPS), representing more than 170 firms and more than 10,000 individual employees, is the only national association exclusively comprised of private sector firms engaged in a broad spectrum of geospatial activities, including firms providing geographic information services. Our membership includes several firms in Missouri, employing more than 100 persons in geographic information systems services. We are writing to express our concern for S.B. 384 in its present form, and to respectfully request your assistance and cooperation in amending the bill to correct its defects.

We have no objection to licensed professional land surveyors being responsible for the conduct of boundary or cadastral surveys. Such activities require specialized skill and education. We believe the oversight of data collection, field work and processing of a boundary survey to create a parcel or subdivision of land impacts public health, welfare and safety. These activities should be performed under the responsible charge of a licensed professional. However, S.B. 384 would require that only a land surveyor could use land survey data, or "cadastral parcel mapping" in a land information system (LIS) or geographic information system (GIS).

Our concern is that S.B. 384 would adversely affect a number of firms in Missouri, and out-of-state-firms, more than a hundred individual employees in Missouri and scores more nationwide. By limiting the use of GIS cadastral data to Missouri licensed land surveyors, we fear S.B. 384 is a jobs killer. It will literally legislate out of business the numerous firms and individual workers who use such GIS and cadastral data today. It would prohibit them from doing so upon enactment of the bill in its present form.

S.B. 384 is inconsistent with the National Council of Examiners for Engineers and Surveyors (NCEES) Model Law in its definition of surveying and, most importantly, its failure to include a savings or "grandfather" clause to protect currently practicing GIS professionals. In order for these individuals to continue in their occupation, S.B. 384 would force them to go back to school, serve internships, and become proficient in field surveying. This is an enormous, costly, impractical and unjustified burden that would do nothing to serve the interests of the citizens of Missouri.

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The bill will slow down current efforts to get a handle on the mortgage foreclosure crisis in Missouri and across the United States by shutting down parcel mapping efforts currently underway by firms that are not Missouri licensed surveyors. At a MAPPS conference earlier this year, it was reported that several firms are building national parcel data bases to help with tracking, monitoring, facilitating and performing asset management of parcels, mortgages and related data to help resolve and manage the mortgage crisis, in addition to other applications. These efforts are in support of recommendations of a National Research Council/National Academy of Sciences report, "*National Land Parcel Data: A Vision for the Future*". It should be noted that the Academy panel did not recommend that parcel GIS be limited to licensed land surveyors.

We regret that there was no effort by any of the proponents of S.B. 384 to work with affected stakeholders and organizations of persons and firms that would be impacted by the bill. When licensing bills affecting related geospatial and GIS activities have been considered in other State legislatures, the introduction of such bills have usually been preceded by meetings of and consultation with affected practitioners. This has resulted in workable solutions and consensus, and ultimately in successful legislation that had broad support.

Finally, we find troubling and unprecedented that S.B. 384 would subject Missouri land surveyors to two different regulatory agencies. As introduced, the bill mandates that the Office of the Land Surveyor in the Department of Natural Resources promulgate rules, regulation and minimum standards for GIS cadastral parcel mapping. This would place licensed surveyors under the regulatory control of both this office AND the Missouri Board for Architects, Professional Engineers, Land Surveyors and Landscape Architects, which is responsible for licensing of Land Surveyors, writing regulations, and promulgating standards.

MAPPS would be pleased to work with you and all interested parties and stakeholders to identify the problem S.B. 384 seeks to resolve and develop a workable, consensus remedy.

Respectfully,


John M. Palatiello
MAPPS Executive Director