

AN ACT in relation to information technology.

**Be it enacted by the People of the State of Illinois,  
represented in the General Assembly:**

Section 1. Findings; purpose; validation.

(a) The General Assembly finds and declares that:

(1) Public Act 88-669, effective November 29, 1994, contained provisions creating the Illinois Geographic Information Council Act. Public Act 88-669 also contained other provisions.

(2) The Illinois Supreme Court declared Public Act 88-669 to be unconstitutional as a violation of the single subject clause of the Illinois Constitution in *People v. Olender*, Docket No. 98932, opinion filed December 15, 2005.

(b) The purpose of this Act is to re-enact the provisions of the Illinois Geographic Information Council Act and to minimize or prevent any problems concerning those provisions that may arise from the unconstitutionality of Public Act 88-669. This re-enactment is intended to remove any question as to the validity and content of those provisions; it is not intended to supersede any other Public Act that amends the provisions re-enacted in this Act. The re-enacted material is shown in this Act as existing text (i.e., without underscoring) and may include changes made by subsequent amendments. The re-enacted material includes some revisory changes; the revisory changes are shown by striking and underscoring.

(c) The re-enactment of provisions of the Illinois Geographic Information Council Act by this Act is not intended, and shall not be construed, to impair any legal argument concerning whether those provisions were substantially re-enacted by any other Public Act.

(d) All otherwise lawful actions taken before the effective date of this Act in reliance on or pursuant to the provisions re-enacted by this Act, as those provisions were set forth in

Public Act 88-669 or as subsequently amended, by any officer, employee, or agency of State government or by any other person or entity, are hereby validated, except to the extent prohibited under the Illinois or United States Constitution. This validation expressly includes the appointment of members by the Governor to the Geographic Information Council, and the members so appointed who are presently serving shall continue to serve at the pleasure of the Governor.

(e) This Act applies, without limitation, to actions pending on or after the effective date of this Act, except to the extent prohibited under the Illinois or United States Constitution.

Section 5. The Illinois Geographic Information Council Act is amended by re-enacting and amending Sections 5-1 and 5-5 and by re-enacting Sections 5-10, 5-15, 5-20, 5-25, and 5-30 as follows:

(20 ILCS 1128/5-1)

Sec. 5-1. Short title. This Act ~~Article~~ may be cited as the Illinois Geographic Information Council Act.

(Source: P.A. 88-669, eff. 11-29-94; 89-143, eff. 7-14-95.)

(20 ILCS 1128/5-5)

Sec. 5-5. Council. The Illinois Geographic Information Council, hereinafter called the "Council", is created within the Department of Natural Resources.

The Council shall consist of 17 voting members, as follows: the Illinois Secretary of State, the Illinois Secretary of Transportation, the Directors of the Illinois Departments of Agriculture, Central Management Services, Commerce and Economic Opportunity ~~Community Affairs~~, Nuclear Safety, Public Health, Natural Resources, and Revenue, the Directors of the Illinois Emergency Management Agency and the Illinois Environmental Protection Agency, the President of the University of Illinois, the Chairman of the Illinois Commerce

Commission, plus 4 members of the General Assembly, one each appointed by the Speaker and Minority Leader of the House and the President and Minority Leader of the Senate. An ex officio voting member may designate another person to carry out his or her duties on the Council.

In addition to the above members, the Governor may appoint up to 10 additional voting members, representing local, regional, and federal agencies, professional organizations, academic institutions, public utilities, and the private sector.

Members appointed by the Governor shall serve at the pleasure of the Governor.

(Source: P.A. 88-669, eff. 11-29-94; 89-143, eff. 7-14-95; 89-445, eff. 2-7-96; revised 12-6-03.)

(20 ILCS 1128/5-10)

Sec. 5-10. Chairmen; compensation.

(a) One of the members who is not an ex officio member, selected annually by the voting members, and the Director of Natural Resources shall serve as co-chairmen of the Council.

(b) Non-State employees of the Council shall serve without compensation but may be reimbursed for actual expenses incurred in the performance of their duties out of funds appropriated to the Department of Natural Resources for that purpose.

(Source: P.A. 88-669, eff. 11-29-94; 89-143, eff. 7-14-95; 89-445, eff. 2-7-96.)

(20 ILCS 1128/5-15)

Sec. 5-15. Technical and clerical assistance. The Department of Natural Resources shall provide the Council with any technical and clerical assistance or other support services that may be necessary for carrying out its duties.

(Source: P.A. 88-669, eff. 11-29-94; 89-445, eff. 2-7-96.)

(20 ILCS 1128/5-20)

Sec. 5-20. Meetings. The Council shall meet upon the call

of its chairmen and shall meet at least twice a year.

(Source: P.A. 88-669, eff. 11-29-94.)

(20 ILCS 1128/5-25)

Sec. 5-25. Duties and powers. The Council shall establish a User Advisory Committee. The Committee is the technical arm of the Council. The Committee shall evaluate the Task Force recommendations and identify the most important issues, which include database development, standards, data sharing, partnerships, applications, technical considerations, and funding. The Committee shall create subcommittees addressing relevant issues. Members of the Committee shall chair and coordinate the subcommittees.

(Source: P.A. 88-669, eff. 11-29-94; 89-143, eff. 7-14-95.)

(20 ILCS 1128/5-30)

Sec. 5-30. Evaluation of proposals.

The Council shall evaluate proposals made by the User Advisory Committee and make recommendations to the Governor and General Assembly on the efficient development, use, and funding of geographic information management technology (GIMT) for Illinois' State, regional, local, and academic agencies and institutions.

These include:

(1) Standards for the collection (geodetic), maintenance, dissemination, and documentation of spatial data, consistent with established and on-going development of national standards and guidelines when applicable.

(2) Funding strategies that encourage and support the use of GIMT at local levels of government.

(3) Examining the impacts of the Freedom of Information Act as it applies to digital data dissemination.

(4) Statewide basemap development.

(5) The development of multiyear strategies for integration of GIMT in Illinois.

(6) The Council shall report to the Governor and the

General Assembly by January 31st of each year on:

(a) the current status of efforts to integrate GIMT into the decision making, evaluation, planning, and management activities of State and local governments;

(b) the current status of integration of State and local government efforts with those of the federal government and the private sector; and

(c) Council objectives for the next 12-month period.

(7) As necessary, the Council may enter into agreements with professional non-profit organizations to achieve its objectives.

(8) The Council may accept grants and gifts from corporations, for-profit or not-for-profit, or associations for the purpose of conducting research, evaluations, or demonstration projects directed towards the development of an integrated statewide system of geographic information management technology.

(Source: P.A. 88-669, eff. 11-29-94; 89-143, eff. 7-14-95.)

Section 99. Effective date. This Act takes effect upon becoming law.