

STATE OF ILLINOIS
OFFICE OF THE GOVERNOR
SPRINGFIELD, 62706GEORGE H. RYAN
GOVERNOR

August 10, 2001

To the Honorable Members of the
Illinois House of Representatives
92nd General Assembly

Pursuant to Article IV, Section 9 (b) of the Illinois Constitution of 1970, I hereby veto House Bill 176, entitled "AN ACT concerning telephone solicitation."

House Bill 176 is a well meaning bill that is described as allowing residents of Illinois to declare that they do not want to receive unsolicited telephone calls from businesses or other organizations. No one likes to have their family dinner interrupted by calls from people trying to sell products or solicit donations, but House Bill 176 would do very little to rectify the situation.

House Bill 176 would not apply to telephone companies until July 1, 2005.

House Bill 176 would not apply to non-profit organizations.

House Bill 176 would not apply to any politician or political organization or polling organization as the definition of solicitation only covers the purchase or rental of goods or services.

House Bill 176 would not apply to any company that already has an "existing relationship" with a customer.

House Bill 176 would not apply to any person who is licensed by the State of Illinois to carry out a trade, occupation, or profession who wants to set up a face-to-face meeting.

In fact, the number of exemptions included in House Bill 176 make it very difficult to identify just which groups would be covered by this bill.

Signing House Bill 176 into law would send a misleading message to the residents of Illinois.

People who believe that they should be free from unwanted telephone calls would rightfully become angry if they have placed their name on the restricted list only to be bothered by additional, unwanted telephone calls. This has been the result in other states that have passed similar laws, in many cases with fewer exemptions than exist in House Bill 176. When asked about their experiences, officials in other states have been unanimous in their advice that before a law like this is put on the books it should have as few exemptions as possible. The alternative is unnecessary hostility once the public realizes that the bill doesn't deliver what was promised.

Some may argue that taking even this small step creates a base that can be built upon in future years. I believe the result would be exactly the opposite as it would be almost impossible to remove any of these exemptions once this law is in place. I believe that the sponsors of this bill have their heart in the right place. They used their legislative skills to make the compromises that they felt were necessary to pass this bill.

However, the end result really is different from where this bill started and I firmly believe that with more input from the general public, the result could be a better bill that comes closer to meeting the sponsors' original goals. I considered an amendatory veto but was concerned that this might stretch beyond the permitted legal authority so it will be better to start fresh during the next legislative session.

If members of the General Assembly want to pass a genuine "no-call" bill I will be more inclined to sign it into law, but until that day comes the only fair recourse is to veto House Bill 176.

For these reasons, I hereby veto and return House Bill 176.

Sincerely,
s/GEORGE H. RYAN
Governor