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George H. Ryan  
GOVERNOR

August 9, 2002

To the Honorable Members of  
The Illinois Senate  
92nd General Assembly

On August 10, 2001, I vetoed House Bill 176 which was very similar to Senate Bill 1830, "AN ACT concerning telephone solicitation." The intent of both bills was to allow people to indicate if they do not want to receive telephone calls from businesses or other organizations trying to sell products or solicit donations. House Bill 176 had a variety of exemptions. If this bill had become law, people would have been disappointed when they found out that the number of unsolicited telephone calls that they received would not have been greatly reduced. This has been the case in other states where initial reactions of public support have turned to displeasure when telephone customers realized that unwanted phone calls did continue.

I am going to sign Senate Bill 1830 into law, but I do so with some disappointment and with the hope that the General Assembly will build on this small, first step, by passing future improvements that reduce, and hopefully eliminate, the many exemptions that will be in the new law. I was hoping that the General Assembly would send me a better bill with fewer exemptions, but it appears that this is the best compromise version that could be achieved at this time.

I gave serious consideration to amendatorily vetoing Senate Bill 1830 to remove all of the exemptions, but I was concerned about violating the gubernatorial non-compliance threshold on what is and is not acceptable in an amendatory veto.

The principle involved here is really quite simple. A telephone customer pays money, in some cases a considerable amount of money, to secure telephone service each month. This is not a public good that is given away at no charge. If that paying customer indicates that they do not want to be called by organizations soliciting either sales or contributions, this is a request that should be respected. Additionally, organizations that want to solicit from telephone customers should appreciate having a list of people who have said in advance that they do not wish to be contacted. These organizations do not want to waste their time any more than the people receiving these calls want to have their time wasted.

Telephone customers are perfectly free not to put their names on the "do-not-call" list as they may see a benefit to receiving sales offers and requests for contributions over the telephone. Likewise, telephone customers should also have the right to know that when they say they do not want to be contacted via telephone, a service for which they pay, that this wish will be respected.

The issue has nothing to do with free speech or in any way compromising our system of free enterprise. Just as people now can turn off a television if they do not wish to see advertising, or toss solicitations that arrive via mail into the garbage, they should also be able to limit the unwanted telephone interruptions imposed on their families.

The State should not be in the position of determining which organizations are "worthy" enough to contradict the specific request of an individual who has clearly indicated that they do not wish to be contacted. Many organizations could make a compelling case but this misses the point that when a telephone customer says "no", they mean "no." Of course the Illinois Commerce Commission should consider how much an organization is able to pay when they determine the appropriate fee needed to purchase the "do-not-call" list.

No state has been able to create a "do-not-call" law that fully meets the expectations of its citizens. I believe that the bill sponsors did the best that they could to get a reasonable bill through the General Assembly; accordingly, I am pleased to sign this first good step into law.

Sincerely,  
George H. Ryan  
GOVERNOR