

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

August 17, 2001

To the Honorable Members of the  
Illinois House of Representatives  
91st General Assembly

Pursuant to the authority vested in the Governor by Article IV, Section 9(e) of the Illinois Constitution of 1970, and re-affirmed by the People of the State of Illinois by popular referendum in 1974, and conforming to the standard articulated by the Illinois Supreme Court in People ex Rel. Klinger v. Howlett, 50 Ill. 2d 242 (1972), Continental Illinois National Bank and Trust Co. v. Zagel, 78 Ill. 2d 387 (1979), People ex Rel. City of Canton v. Crouch, 79 Ill. 2d 356 (1980), and County of Kane v. Carlson, 116 Ill. 2d 186 (1987), that gubernatorial action be consistent with the fundamental purposes and the intent of the bill, I hereby return House Bill 1011 entitled "AN ACT concerning zoning," with my specific recommendation for change.

House Bill 1011 amends the Illinois Municipal Code authorizing the City of Peoria and Peoria County to enter into an intergovernmental agreement that allows the municipality to exercise its zoning powers one and one-half miles outside of the city limits. The agreement would be limited to the territory within the municipality's planning jurisdiction as defined by law or any existing boundary agreement. Furthermore, the bill provides that the county must adopt the same zoning ordinance and that the municipality and the county must amend their individual zoning maps in the same manner as other zoning changes are incorporated into the maps. In addition, the bill provides that the agreement any not authorize the municipality to exercise its zoning power outside of the corporate limits of the municipality, with respect to land used for agricultural purposes.

It has come to my attention that the City of Peoria and Peoria County now have a legal interpretation that calls into question the application of the language in this bill with respect to land used for agricultural purposes. I have heard concerns not only from the city and county but also from the bill's sponsor. It is my understanding that this issue arises as a result of a drafting error on an amendment to this bill. In order to avoid unintended consequences from this legislation and at the request of the bill's sponsor, I hereby return House Bill 1011 with the following recommendation for change:

on page 3, line 19, by replacing "municipality" with "county".

With this change, House Bill 1011 will have my approval. I respectfully request your concurrence.

Sincerely,  
s/GEORGE H. RYAN  
Governor