



STATE OF ARIZONA

JANET NAPOLITANO  
GOVERNOR

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May 4, 2005

The Honorable Ken Bennett  
Senate President  
Arizona State Senate  
1700 West Washington  
Phoenix, Arizona 85007

Re: Senate Bill 1193: regulations; outdoor advertising; remedies; definitions

Dear President Bennett:

Today I vetoed Senate Bill 1193, relating to outdoor advertising regulations. Among other things, this bill would allow outdoor advertising companies to remedy alleged violations of local codes by conforming and/or relocating to comply with current codes or codes in effect when the structure was originally built.

This bill would weaken the ability of municipalities to enforce local ordinances regarding billboards and outdoor advertisements. Cities and counties have enacted codes to address the diverse needs of their communities and protect their local resources. State law should not dilute or negate their ability to manage local issues.

Finally, this bill seeks to legislate in an area that is presently the subject of ongoing litigation. In *City of Tucson v. Clear Channel Outdoor, Inc.*, 209 Ariz. 544 (Feb. 10, 2005), our state Supreme Court ruled that the City of Tucson could pursue claims against a variety of billboards that allegedly violate the city's zoning law. Those cases are now pending in Pima County Superior Court. I encourage the parties to that litigation to either work together to settle their differences or resolve them in court, rather than through the legislature.

Yours very truly,

A handwritten signature in black ink, appearing to read "Janet Napolitano".

Janet Napolitano  
Governor

JN:TN/jm

cc: The Honorable Jim Weiers  
The Honorable Dean Martin