

July 3, 2001

The Honorable Michael S. Baer
Secretary of the Senate
State Capitol
Baton Rouge, LA 70804

Re: Senate Bill No. 1025 by Senator McPherson
Roads/Highways: Prohibits stacked configuration of more than one sign if the total area exceeds 576 square feet.

Dear Mr. Baer:

The primary object of Senate Bill No. 1025 is to establish a point in time after which the larger double stacked outdoor advertisement signs along Louisiana highways would be prohibited.

And while that goal probably would be welcome by most of our citizens, both the U. S. and Louisiana constitutions require that such a moratorium be imposed in a sufficient period of time to be fair, taking into account properly the existing property rights of those who own the land and those who own the right to erect the advertisement sign on the land. Otherwise, consistent with prior cases, both federal and state courts very well may render the state liable for any financial losses experienced as a result of the moratorium.

As the bill completed the legislative process, it mandates without discretion that no double stacked sign may exceed 576 square feet five years after July 31, 2001, and that no such sign could be erected after July 31, 2001. Given that some of these land leases can extend for decades, there would be a substantial potential for the bill to cause economic loss and therefore expose the state to lawsuits for the taking of private rights and consequent economic damages.

For these reasons, I am vetoing Senate Bill No. 1025 and returning it to the Senate.

Sincerely,

M.J. "Mike" Foster, Jr.

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