STATE OF ARIZONA

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July 2, 2007

The Honorable Jim Weiers
Speaker of the House
Arizona House of Representatives
1700 West Washington
Phoenix, Arizona 85007

Re: House Bill 2020: railroad siting authority; eminent domain

Dear Speaker Weiers:

Today I vetoed House Bill 2020, which would have allowed the Arizona Corporation Commission to review a railroad's decision to site new rail lines.

While railroads must use their eminent domain authority responsibly, the fact remains that railroads are regulated primarily, if not exclusively, at the federal level. *See* 49 U.S.C. § 10501(b)(2) (creating exclusive federal jurisdiction over the "construction, acquisition, operation, abandonment or discontinuance" of most types of rail tracks, even if located exclusively in one state).

In the near future, we must aggressively explore a host of new transportation options, including commuter rail and more efficient rail delivery of goods and other commodities, including ethanol. In that process, the Executive Branch will insist that railroads take into account environmental and other important community concerns. House Bill 2020 would only complicate those efforts.

For these and other reasons, I have vetoed House Bill 2020.

Yours very truly,

Janet Napolitano
Governor

JN:TAN/jm

cc: The Honorable Timothy Bee
The Honorable Marian McClure