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**OFFICE OF GOVERNOR RONNIE MUSGROVE**  
**INTEROFFICE MEMORANDUM**

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**TO:** GOVERNOR  
**FROM:** RILEY  
**SUBJECT:** SB 2098  
**DATE:** 4/1/02  
**CC:** FILE

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## **SB 2098**

SB 2098 amends current law to make the height restrictions on structures within 1,000 feet of the Natchez Trace Parkway apply to advertising structures and exempts agricultural structures, churches and public education structures from these restrictions if such structures were constructed or were under construction prior to July 1, 2002. Current law provides for a blanket exemption of such structures.

SB 2098 also creates the Mississippi Scenic Byways Program to be administered by MDOT, with assistance from the Scenic Byways Advisory Committee. This 19- member committee is comprised of:

- The Executive Director and a rep of MDOT
- The Executive Director and a rep of MDA's Division of Tourism
- The Executive Director and a rep of Keep MS Beautiful
- The Executive Director and a rep of the MS Association of Supervisors
- The Executive Director and a rep of the Mississippi Outdoor Advertising Assoc
- The Executive Director and a rep of the MS Retail Association
- The Executive Director and a rep of the MS Tourism Association
- The Executive Director and a rep of the MS Municipal League
- One member from each Transportation Commissioner's district

MDOT and the Advisory Committee are to develop, adopt and implement a scenic byways corridor management plan (after review by the House and Senate Transportation Committees), review scenic byway applications, and select highways, roads and streets as scenic byways. The Committee must hold a public meeting to receive public comment on any segment nominated by a county board of supervisors, municipal governing authority or MDOT for a scenic byway. The Committee can then nominate a scenic byway to the Legislature and a scenic byway may not be designated as an official byway until after its introduction and passage as a bill.

SB 2098 authorizes MDOT to accept donations, bequests, gifts, grants, appropriations, in-kind contributions and things of value from any source for the purpose of maintaining the Scenic Byways Program. SB 2098 establishes the “Scenic Byways Development and Maintenance Fund” special fund in the State Treasury for the deposit of all such funds. SB 2098 provides for the use of these funds.

SB 2098 provides that the Committee review each designated scenic byway at least once every 2 years to ensure that the applicants are meeting their obligations under the plan and that the scenic byway continues to possess the intrinsic qualities and to meet the criteria that supported the byway’s designation. If the Committee finds that such are not being met or upheld, they can recommend that the Legislature de-designate a scenic byway and the Legislature may do so.

Senator Dearing reported in committee that the Director of the Natchez Trace Parkway requested the exemption for structures constructed prior to July 1, 2002, in order to allow the lights at Tupelo High School and a church steeple in Tupelo, but to prohibit future structures in order to maintain the beautification of the Trace.

According to Ron Arledge of People Against Litter and Donna Mabus the organizations on the Committee got together this past summer and worked this bill out. They said that the scenic byway program is voluntary for local governments and private landowners. There are no state funds involved.

SB 2098 is effective July 1, 2002.

I recommend that you sign SB 2098.