

FAILED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 198

AMENDMENT NO. A1
(to be filled in by
Principal Clerk)

H198-ASU-14 [v.3]

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Amends Title [NO]
Third Edition

Date _____, 2023

Representative Longest

1 moves to amend the bill on page 10, lines 49-50, by inserting the following between the lines:

2
3 **"ESTABLISH ROADSIDE BEAUTIFICATION STUDY COMMISSION**

4 **SECTION 27.5.(a)** There is established the Roadside Beautification Study
5 Commission (Commission).

6 **SECTION 27.5.(b)** The Commission shall be composed of 10 members appointed
7 as follows:

- 8 (1) Three members appointed by the President Pro Tempore of the Senate.
- 9 (2) Three members appointed by the Speaker of the House of Representatives.
- 10 (3) Four members appointed by the Governor.

11 Vacancies on the Commission shall be filled by the appointing authority. The
12 President Pro Tempore of the Senate and the Speaker of the House of Representatives shall each
13 designate a cochair. A quorum of the Commission shall be a majority of its members.

14 The Commission may meet at any time upon call of the chairs. The Commission may
15 meet in the Legislative Building or the Legislative Office Building, upon approval of the
16 Legislative Services Commission. The Commission may contract for professional, clerical, or
17 consultant services as provided by G.S. 120-32.02.

18 The Commission, while in the discharge of its official duties, may exercise all powers
19 provided for under G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4, including the power
20 to request all officers, agents, agencies, and departments of the State to provide any information,
21 data, or documents within their possession, ascertainable from their records, or otherwise
22 available to them, and the power to subpoena witnesses and documents.

23 The Legislative Services Commission, through the Legislative Services Officer, upon
24 approval, shall assign professional staff to assist the Commission in its work. The House of
25 Representatives' and Senate's Directors of Legislative Assistants shall assign clerical staff to the
26 Commission, and the expenses relating to the clerical employees shall be borne by the
27 Commission. Members of the Commission shall receive per diem, subsistence, and travel
28 allowances pursuant to G.S. 120-3.1, G.S. 138-6, G.S. 138-5, as appropriate.

29 **SECTION 27.5.(c)** The Commission shall study the following issues:

- 30 (1) The value of (i) roadside trees in protecting water quality, enhancing air
31 quality, providing habitat for wildlife, reducing flooding, reducing noise
32 impacts, providing ecosystem services, and enhancing tourism revenues, and



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- 1 (ii) native trees, flowers, and shrubs on rights-of-way and concerns about
2 nonnative species.
- 3 (2) The economic impact of selective vegetation removal to promote outdoor
4 advertising visibility on economic development opportunities and tourism.
- 5 (3) How scenic beauty's value in promoting tourism and development can be
6 measured against the costs of authorizing outdoor advertising on the
7 landscape.
- 8 (4) Economic impacts to the North Carolina Department of Transportation in
9 implementing the permit system for selective vegetation removal under
10 current law as of January 1, 2023, and as applicable, any subsequent proposed
11 or enacted legislative changes to vegetation cutting or removal laws or rules
12 during the course of the Commission's study.
- 13 (5) Coordination of regulatory activities on outdoor advertising selective
14 vegetation removal and other activities occurring on the rights-of-way
15 between federal, State, and local government agencies.
- 16 (6) The alternatives to clearcutting of trees along highways and use of best
17 practices in vegetation removal under the American National Standards
18 Institute's standards on tree pruning.
- 19 (7) The laws and rules regulating vegetation cutting or removal around billboards
20 and outdoor advertising in the states of South Carolina, Virginia, Georgia, and
21 Tennessee.
- 22 (8) The structure of the outdoor advertising industry and outdoor advertising
23 companies in this State versus interstate or international billboard or outdoor
24 advertising companies.
- 25 (9) The revenue potential for the North Carolina Department of Transportation
26 from imposing a graduated system of road user fees on outdoor advertising
27 for any company owning more than three signs. Such a fee would be
28 dependent on income produced by the signs for advertising generated by the
29 public investments in constructing and maintaining the adjacent road and
30 rights-of-way.
- 31 (10) Any other issue the Commission deems relevant.

32 **SECTION 27.5.(d)** In conducting its study, the Commission shall create a list of
33 stakeholders to be invited to report to the Commission at least three times during the process with
34 recommendations and suggestions during an open meeting. Stakeholders invited shall include
35 the following groups: farmers, rural landowners, neighborhood groups, outdoor advertising
36 owners, small business owners, convention and visitors' bureaus, community development
37 organizations, local governments, Garden Club of North Carolina, Sierra Club, North Carolina
38 Outdoor Advertising Association, Scenic NC, the North Carolina Department of Transportation,
39 and the North Carolina Department of Natural and Cultural Resources. The Commission may
40 also obtain assistance from University of North Carolina system constituent institutions,
41 particularly from those university resources associated with studying transportation
42 infrastructure, small business, and local government.

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1 **SECTION 27.5.(e)** The Commission shall make a final report of its findings and
2 recommendations to the 2024 Regular Session of the 2023 General Assembly by filing its report
3 with the President Pro Tempore of the Senate and the Speaker of the House of Representatives.
4 The report shall include any proposed legislation or legislative recommendations. The
5 Commission shall terminate upon filing its final report or upon the convening of the 2025 General
6 Assembly, whichever is earlier."

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

**The official copy of this document, with signatures
and vote information, is available in the
House Principal Clerk's Office**