

SUBJECT: Funding for highway landscaping projects using native plants

COMMITTEE: Transportation — committee substitute recommended

VOTE: 11 ayes — Pickett, Martinez, Burkett, Y. Davis, Fletcher, Harless, Israel, Murr, Paddie, Phillips, Simmons

0 nays

1 absent — McClendon

WITNESSES: For — (*Registered but did not testify*: Jeri Brooks, Scenic Texas; Jim Reaves, Texas Nursery and Landscape Association)

Against — None

On — (*Registered but did not testify*: Mark Marek, Texas Department of Transportation)

BACKGROUND: The general appropriations act often includes a “green ribbon” rider, which requires the Texas Department of Transportation (TxDOT) to spend a proportion of a project budget on landscaping projects along highways. Both versions of the proposed budget for fiscal 2016-17 contain instructions in Article 7, rider 15 for Green Ribbon Project enhancements, which would require TxDOT to allocate one-half of one percent to one percent of the amount spent on highway construction, maintenance, or improvement contracts in certain areas rated non-attainment and near non-attainment in terms of air quality.

Some observers believe that additional guidelines in statute would be useful in assuring that the spending of highway contract funding on beautification projects resulted in value for the state.

DIGEST: CSHB 3302 would require the Texas Department of Transportation (TxDOT) to develop guidelines for beautification projects on highway rights of way requiring the use of native or regionally appropriate plants.

The guidelines also would prioritize plants that were low maintenance and, as appropriate, drought resistant.

CSHB 3302 would require TxDOT to allocate money for landscaping improvements for each highway project that cost \$5 million or more. The money would be spent in the TxDOT district where the project was located. If a project were located in more than one district, landscaping funds would be divided between the districts according to the amount of the contract spent in each. TxDOT could consider any financial assistance from a local government or private funding when allocating landscaping funds.

Money for these landscaping improvements would be allocated based on the lesser of the actual or estimated amounts spent on each highway contract as follows:

- 1 percent of the amount of a contract that cost or was expected to cost less than \$50 million; and
- one-half of 1 percent of the amount of a contract that cost or was expected to cost \$50 million or more.

CSHB 3302 would take effect September 1, 2015.