



SENATE BILL 628: Native Plants Right to Work Act.

2021-2022 General Assembly

Committee:	Senate Agriculture, Energy, and Environment.	Date:	April 27, 2021
	If favorable, re-refer to Rules and Operations of the Senate		
Introduced by:	Sens. Rabon, McInnis	Prepared by:	Chris Saunders
Analysis of:	First Edition		Committee Co-Counsel

OVERVIEW: *Senate Bill 628 would require the use of plants and seeds native to North Carolina in various State-funded projects that involve plantings or landscaping.*

CURRENT LAW AND BACKGROUND: Last session, S.L. 2019-148 directed the Department of Transportation to give a "strong preference" to plants that the United States Department of Agriculture (USDA) has classified as native to North Carolina when planting in the highway right-of-way.

The Powell Bill, as amended in 2015, provides funding to be used for projects to maintain, repair, construct, reconstruct, or widen municipal streets in eligible municipalities from funds appropriated to the Department of Transportation for that purpose. These funds may also be used for planning, construction and maintenance of bikeways, greenways, or sidewalks. Under current law, cities performing landscaping associated with these projects must "strongly prefer" the use of plants that USDA has classified as native to North Carolina.

BILL ANALYSIS:

Section 1 of the bill would direct the Department of Administration, in consultation with university system and community college horticulture programs and the North Carolina Forestry Association, to require the use of seeds and plants that USDA has classified as native to North Carolina on all land owned or leased by the State or a State agency. This would not apply to nonnative seeds and plants used in landscaping for locations where the primary purpose is crop cultivation, crop and horticulture research, science, botanical gardens, and zoos; or nonnative turf grass.

Section 2 would require the Department of Transportation, in consultation with university system and community college horticulture programs and the North Carolina Forestry Association, to use seeds and plants that USDA has classified as native to North Carolina in plantings in the highway right-of-way.

Section 3 would require municipalities performing landscaping as part of projects financed with Powell Bill funds to use seeds and plants that USDA has classified as native to North Carolina.

Section 4 would provide that plantings performed as part of projects funded by the Parks and Recreation Trust Fund must use seeds and plants that USDA has classified as native to North Carolina, except for nonnative seeds and plants used in landscaping for locations where the primary purpose is crop cultivation, crop and horticulture research, science, botanical gardens, and zoos; or nonnative turf grass.

EFFECTIVE DATE: This act would be effective when it becomes law.

Jeffrey Hudson
Director



Legislative Analysis
Division
919-733-2578