

# SENATE BILL 359

R2, M3

1r1716  
CF HB 80

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By: **Senator Rosapepe**

Introduced and read first time: January 15, 2021

Assigned to: Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **Department of Transportation and Department of the Environment – Purple**  
3 **Line Tree Replacement Plan**

4 FOR the purpose of requiring the Department of Transportation, in conjunction with the  
5 Department of the Environment, to develop a plan to replace trees that are removed  
6 during construction of the Purple Line; requiring the Department of Transportation  
7 to consult with certain entities and individuals in developing the plan; requiring the  
8 plan to provide for the replacement of trees in certain communities and prioritize the  
9 initial replacement of trees in certain communities; authorizing the replacement of  
10 trees on certain types of property; requiring the Department of Transportation, in  
11 collaboration with the Department of the Environment, the Department of Natural  
12 Resources, and certain other State agencies, to identify available sources of funding  
13 for replacing trees in accordance with this Act; defining certain terms; and generally  
14 relating to replacing trees removed during construction of the Purple Line.

15 BY adding to  
16 Article – Transportation  
17 Section 7–713  
18 Annotated Code of Maryland  
19 (2020 Replacement Volume)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
21 That the Laws of Maryland read as follows:

22 **Article – Transportation**

23 **7–713.**

24 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**  
25 **INDICATED.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(2) “HEAT ISLAND EFFECT” MEANS THE PHENOMENON THAT OCCURS**  
2 **WHEN BUILDINGS, ROADS, AND OTHER INFRASTRUCTURE ABSORB AND RE-EMIT**  
3 **HEAT FROM THE SUN, CAUSING URBAN AREAS TO EXPERIENCE HIGHER**  
4 **TEMPERATURES THAN SURROUNDING AREAS.**

5           **(3) “PURPLE LINE” MEANS THE LIGHT RAIL TRANSIT LINE BETWEEN**  
6 **BETHESDA IN MONTGOMERY COUNTY AND NEW CARROLLTON IN PRINCE**  
7 **GEORGE’S COUNTY.**

8           **(B) (1) THE DEPARTMENT, IN CONJUNCTION WITH THE DEPARTMENT OF**  
9 **THE ENVIRONMENT, SHALL DEVELOP A PLAN TO REPLACE TREES THAT ARE**  
10 **REMOVED DURING CONSTRUCTION OF THE PURPLE LINE.**

11           **(2) IN DEVELOPING THE PLAN, THE DEPARTMENT SHALL CONSULT**  
12 **WITH:**

13                   **(I) REPRESENTATIVES OF BUSINESSES THAT ARE LOCATED IN**  
14 **THE COMMUNITIES WHERE THE TREES ARE REMOVED;**

15                   **(II) REPRESENTATIVES OF COMMUNITIES WHERE THE TREES**  
16 **ARE REMOVED;**

17                   **(III) COUNTY AND MUNICIPAL GOVERNMENTS FOR THE**  
18 **COMMUNITIES IN WHICH THE TREES ARE REMOVED; AND**

19                   **(IV) RESIDENTS OF COMMUNITIES WHERE THE TREES ARE**  
20 **REMOVED.**

21           **(C) (1) THE PLAN SHALL:**

22                   **(I) PROVIDE FOR THE REPLACEMENT OF TREES IN EACH**  
23 **COMMUNITY WHERE TREES ARE REMOVED DUE TO CONSTRUCTION OF THE PURPLE**  
24 **LINE; AND**

25                   **(II) PRIORITIZE THE INITIAL REPLACEMENT OF TREES IN**  
26 **COMMUNITIES THAT ARE AFFECTED BY:**

27                           1.   **ENVIRONMENTAL JUSTICE ISSUES; OR**

28                           2.   **THE HEAT ISLAND EFFECT.**

29           **(2) TREES MAY BE REPLACED ON STATE, COUNTY, MUNICIPAL, OR**

1 PRIVATE PROPERTY.

2 (D) THE DEPARTMENT, IN COLLABORATION WITH THE DEPARTMENT OF  
3 THE ENVIRONMENT, THE DEPARTMENT OF NATURAL RESOURCES, AND ANY OTHER  
4 STATE AGENCY THAT THE DEPARTMENT DETERMINES IS NECESSARY TO  
5 COLLABORATE WITH, SHALL IDENTIFY SOURCES OF FUNDING AVAILABLE FOR THE  
6 REPLACEMENT OF TREES IN ACCORDANCE WITH THIS SECTION.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
8 October 1, 2021.