

HOUSE BILL 785

M1, J3

8lr1580

By: **Delegates Stein, Ali, Beidle, Boteler, Bromwell, Bronrott, Cardin, Carr, V. Clagett, Costa, Donoghue, Frush, Glenn, Healey, Hubbard, Hucker, Kach, Mathias, McDonough, Montgomery, Morhaim, Nathan-Pulliam, Oaks, Pena-Melnyk, Reznik, Stull, Tarrant, and Weldon**

Introduced and read first time: February 4, 2008

Assigned to: Environmental Matters

Committee Report: Favorable with amendments

House action: Adopted with floor amendments

Read second time: March 31, 2008

Returned to second reading: April 1, 2008

House action: Adopted with floor amendments

Read second time: April 1, 2008

CHAPTER _____

1 AN ACT concerning

2 ~~**Rosewood Center Closure Transfer to State Park System**~~
3 **Commission on Land Use at the Rosewood Center**

4 FOR the purpose of ~~requiring the Department of Health and Mental Hygiene to~~
5 ~~transfer to the Department of Natural Resources certain property known as the~~
6 ~~Rosewood Center if the Department of Health and Mental Hygiene plans to~~
7 ~~close the facility; requiring the Department of Natural Resources to include~~
8 ~~certain property in the State park system on the transfer; requiring the~~
9 ~~Department of Natural Resources to maintain certain property within the State~~
10 ~~park system in perpetuity unless the General Assembly approves an alternative~~
11 ~~use; and generally relating to the transfer of a closed Rosewood Center to the~~
12 ~~State park system~~ establishing a Commission on Land Use at the Rosewood
13 Center; establishing the membership of the Commission; ~~specifying the~~
14 ~~co-chairs~~ providing for the appointment of the chair of the Commission;
15 providing for the staffing of the Commission; prohibiting members from
16 receiving compensation or a certain expense reimbursement for service on the
17 Commission; requiring the Commission to review, discuss, and analyze options
18 for the use of the land and buildings at Rosewood Center once it closes;
19 requiring the Commission to make certain reports to the Governor and the
20 General Assembly by certain dates; providing for the termination of this Act;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



providing that a certain property disposition process shall proceed after a certain report is submitted to the Governor and the General Assembly; declaring the intent of the General Assembly relating to the use of the proceeds from the disposition of the buildings and grounds at the Rosewood Center; providing for the construction of this Act; and generally relating to the establishment of the Commission on Land Use at the Rosewood Center.

~~By adding to~~

~~Article—Natural Resources~~

~~Section 5-207.1~~

~~Annotated Code of Maryland~~

~~(2005 Replacement Volume and 2007 Supplement)~~

Preamble

WHEREAS, The Rosewood Center was established in 1888 as the “Asylum and Training Center for the Feeble Minded” and has operated as a State mental health facility for over 120 years in the picturesque Owings Mills area of Baltimore County; and

WHEREAS, At its inception the Rosewood Center encompassed a 683-acre campus and at its peak consisted of 43 buildings totaling 730,000 square feet, and still today comprises 300 acres and 26 buildings in active use totaling 480,000 square feet; and

WHEREAS, Many of the buildings currently in use at the Rosewood Center date to the 1950s and 1960s, but at least one dates back to 1895; and

WHEREAS, On January 15, 2008, Governor O’Malley issued an Executive Order to close Rosewood Center and relocate its residents over an 18-month period, with most residents transitioning to community placements that provide the appropriate services and setting; and

WHEREAS, Although at one time Rosewood was home to nearly 3,000 individuals, it is currently licensed to serve a total of 225 residents and on January 15, 2008, had 156 individuals in residence; and

WHEREAS, Over the years a substantial portion of the original acreage of the Rosewood Center property has been transferred through the State surplus property disposition process for use as a veterans’ cemetery, a nature center, and for school-related purposes; and

WHEREAS, The Governor has expressed a strong commitment to work with Baltimore County officials and community residents to plan for the future use of the remaining Rosewood Center property; and

WHEREAS, Baltimore County officials and residents in the community are keenly interested in the future uses of the Rosewood Center property and strongly

1 desire to partner with State officials to chart potential appropriate public uses for the
2 property, including possible use as open space and parkland; now, therefore,

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

5 ~~Article Natural Resources~~

6 ~~5-207.1.~~

7 ~~(A) IN THE EVENT OF THE PLANNED CLOSURE OF THE ENTIRE PARCEL~~
8 ~~OF PROPERTY OR A PORTION OF THE PARCEL OF PROPERTY KNOWN AS THE~~
9 ~~ROSEWOOD CENTER BY THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE,~~
10 ~~THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE SHALL TRANSFER THE~~
11 ~~PARCEL OF PROPERTY TO THE DEPARTMENT FOR INCLUSION IN THE STATE~~
12 ~~PARK SYSTEM.~~

13 ~~(B) THE DEPARTMENT SHALL MAINTAIN THE LAND WITHIN THE STATE~~
14 ~~PARK SYSTEM IN PERPETUITY UNLESS THE GENERAL ASSEMBLY APPROVES AN~~
15 ~~ALTERNATIVE USE.~~

16 ~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect~~
17 ~~October 1, 2008.~~

18 (a) There is a Commission on Land Use at the Rosewood Center.

19 (b) The Commission shall consist of the following members:

20 (1) Four members of the General Assembly, including:

21 (i) The Senator who represents the legislative district in which
22 the Rosewood Center is located; and

23 (ii) The three members of the House of Delegates who represent
24 the legislative district in which the Rosewood Center is located;

25 (2) The Secretary of Health and Mental Hygiene, or the Secretary's
26 designee;

27 (3) The Director of the Developmental Disabilities Administration, or
28 the Director's designee;

29 (4) The Secretary of General Services, or the Secretary's designee;

30 (5) The Secretary of Planning, or the Secretary's designee;

1 (6) The following members appointed by the Governor:

2 (i) Five individuals who reside in the community surrounding
3 the Rosewood Center;

4 (ii) One representative of the developmental disabilities
5 community;

6 (iii) One individual with expertise in issues relating to
7 transportation in the northwest Baltimore County area;

8 (iv) One individual with expertise in issues related to land use
9 planning;

10 (v) Two representatives of the Baltimore County government;

11 (vi) One representative of the Reisterstown–Glyndon–Owings
12 Mills Chamber of Commerce;

13 (vii) One representative of the Reisterstown–Owings
14 Mills–Glyndon Coordinating Council; and

15 (viii) One representative of the Valley’s Planning Council.

16 (c) The Governor shall appoint the chair of the Commission.

17 (d) The Department of Health and Mental Hygiene, the Department of
18 General Services, and the Department of Planning shall provide staff support for the
19 Commission.

20 (e) A member of the Commission:

21 (1) May not receive compensation as a member of the Commission;
22 and

23 (2) Is not entitled to reimbursement for expenses under the Standard
24 State Travel Regulations, as provided in the State budget.

25 (f) The Commission shall:

26 (1) Review, discuss, and analyze options for the use of the land and
27 buildings at the Rosewood Center once it is closed; and

28 (2) Make recommendations about how the property could best be used
29 once the Rosewood Center is closed.

30 (g) (1) On or before January 1, 2009, the Commission shall submit an
31 interim report of its activities, together with any interim findings and

1 recommendations it wishes to put forth, to the Governor and, in accordance with §
2 2-1246 of the State Government Article, the General Assembly.

3 (2) On or before January 1, 2010, the Commission shall submit a final
4 report of its activities, findings, and recommendations to the Governor and, in
5 accordance with § 2-1246 of the State Government Article, the General Assembly.

6 SECTION 2. AND BE IT FURTHER ENACTED, That the State property
7 disposition process through the Department of Planning, the Department of General
8 Services, and the Department of Transportation for the buildings and grounds at the
9 Rosewood Center shall proceed after the final report of the Commission on Land Use
10 at the Rosewood Center, established under Section 1 of this Act, has been submitted to
11 the Governor and to the General Assembly in accordance with this Act.

12 SECTION 3. AND BE IT FURTHER ENACTED, That it is the intent of the
13 General Assembly that the proceeds from the disposition of the buildings and grounds
14 at the Rosewood Center shall be dedicated to the Community Services Trust Fund for
15 its intended purposes.

16 SECTION 4. AND BE IT FURTHER ENACTED, That nothing in this Act may
17 be construed to have any effect on any recommendation regarding the Rosewood
18 Center contained in the 2008 Joint Chairmen’s Report.

19 SECTION ~~4~~ 5. AND BE IT FURTHER ENACTED, That this Act shall take
20 effect July 1, 2008. It shall remain effective for a period of 2 years and, at the end of
21 June 30, 2010, with no further action required by the General Assembly, this Act shall
22 be abrogated and of no further force and effect.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.