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By: **Senators Conway, Blount, Della, Exum, Hollinger, Mitchell, Sfikas, and Teitelbaum**

Introduced and read first time: February 15, 2001

Assigned to: Rules

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A BILL ENTITLED

1 AN ACT concerning

2 **Department of Housing and Community Development - Commission on**  
3 **Indian Affairs**

4 FOR the purpose of providing that the Commission on Indian Affairs is an agency  
5 within the Department of Housing and Community Development; prohibiting  
6 the Department from disapproving or revising certain regulations; requiring the  
7 Commission to establish certain regulations; and generally relating to the  
8 Commission on Indian Affairs.

9 BY repealing and reenacting, with amendments,  
10 Article 83B - Department of Housing and Community Development  
11 Section 1-205, 5-401, and 5-403  
12 Annotated Code of Maryland  
13 (1998 Replacement Volume and 2000 Supplement)

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

16 **Article 83B - Department of Housing and Community Development**

17 1-205.

18 (a) The Secretary is responsible for the budget of the office and for the budgets  
19 of the other boards, offices, and agencies within the jurisdiction of the Department.

20 (b) (1) The Secretary shall be responsible for adopting regulations for the  
21 office.

22 (2) [The] EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS  
23 SUBSECTION, THE Secretary shall review and shall have the power to approve or  
24 disapprove or revise the regulations of all of the boards, offices, agencies,  
25 commissions, etc. within the jurisdiction of the Department.

26 (3) THE SECRETARY MAY NOT DISAPPROVE OR REVISE REGULATIONS  
27 OF THE COMMISSION ON INDIAN AFFAIRS.

1 (c) The Secretary shall have a seal for purposes of authentication of copies of  
2 records or papers in the Secretary's office.

3 (d) (1) The Secretary shall be responsible for the coordination and direction  
4 of all planning facilities initiated by the Secretary.

5 (2) In addition, the Secretary shall keep fully apprised of plans,  
6 proposals, and projects of the Department and other agencies or units within the  
7 jurisdiction of the Department and may approve, disapprove, or modify any such plan,  
8 proposal, or project.

9 (e) Wherever it is provided by law that an appointment to a particular office  
10 within the Department is to be made by the Secretary with the approval of the  
11 Governor, and the appointee is to serve at the pleasure of the Secretary, the Secretary  
12 may not remove the appointee without first obtaining the approval of the Governor.

13 (f) In addition to the meetings of any board or commission within the  
14 Department which are provided for by law or are called by the chairman thereof, the  
15 Secretary may, whenever appropriate, call a meeting of such boards or commissions  
16 for the consideration of any subject which the Secretary considers necessary and  
17 proper.

18 (g) The Secretary may exercise or perform any power, duty, responsibility, or  
19 function assigned to any of the administrations, boards, commissions, offices,  
20 authorities, divisions, or other agencies within the jurisdiction of the Department.

21 (h) All divisions, commissions, boards, offices, authorities, and other agencies  
22 of the Department shall report to the Secretary or the Secretary's designee as  
23 provided in regulations or written directives promulgated by the Secretary.

24 5-401.

25 The Commission on Indian Affairs is an agency [in] WITHIN the Department. In  
26 this subtitle, it shall be referred to as the "Commission".

27 5-403.

28 The Commission shall:

29 (1) Initiate, direct, and coordinate projects which further the  
30 understanding of Indian history and culture;

31 (2) Conduct a survey of historic buildings, sites, artifacts, archives and  
32 repositories, and publish and disseminate these findings and information;

33 (3) Undertake a comprehensive study of indigenous American Indian  
34 tribes including but not limited to the Crees, Creeks, Cherokees, Chippewas,  
35 Choptanks, Delawares, Haliwas, Lumbees, Nanticokes, Piscataways, Potomacs,  
36 Rappahannocks, Seminoles, Susquehannas, and Wicomicos, and their influence upon  
37 Maryland history and culture;

1           (4)     Study the status of all Indian groups, tribes and communities in the  
2 State and assist them in obtaining recognition from the federal government;

3           (5)     Study the economic and social needs of Indians in Maryland and  
4 make recommendations for the alleviation of these needs;

5           (6)     Locate, preserve and disseminate information to the public about  
6 significant buildings and sites relating to Indian history and culture, respectively;  
7 [and]

8           (7)     Publish an annual report and any other material it deems necessary;  
9 AND

10          (8)     ESTABLISH REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS  
11 SUBTITLE.

12     SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
13 October 1, 2001.