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

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Assigned to: Rules

Re-referred to: Economic and Environmental Affairs, February 22, 2001

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 23, 2001

CHAPTER _____

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 under certain
7 circumstances; requiring the Commission to establish certain regulations; and
8 generally relating to the 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.

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

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

7 (3) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS
8 PARAGRAPH, THE SECRETARY MAY NOT DISAPPROVE OR REVISE REGULATIONS OF
9 THE COMMISSION ON INDIAN AFFAIRS.

10 (II) THE SECRETARY MAY DISAPPROVE OR REVISE REGULATIONS
11 OF THE COMMISSION ON INDIAN AFFAIRS THAT HAVE A FISCAL IMPACT.

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

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

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

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

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

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

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

35 5-401.

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

1 5-403.

2 The Commission shall:

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

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

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

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

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

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

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

21 (8) ESTABLISH REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS
22 SUBTITLE.

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