

# HOUSE BILL 1461

P1

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By: **Delegates Shank and Bates**

Introduced and read first time: February 27, 2009

Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Sesquicentennial of the American Civil War Commission**

3 FOR the purpose of establishing the Maryland Sesquicentennial of the American Civil  
4 War Commission; providing for the composition, terms, and staffing of the  
5 Commission; providing certain reimbursement for travel expenses; specifying  
6 the duties of the Commission; requiring the Commission to make a certain  
7 report to the Governor and the General Assembly on or before a certain date  
8 annually; establishing the Maryland Sesquicentennial of the American Civil  
9 War Commission Fund; specifying the purposes, contents, and uses of the Fund;  
10 providing for the termination of this Act; defining certain terms; and generally  
11 relating to the Maryland Sesquicentennial of the American Civil War  
12 Commission.

13 BY adding to

14 Article – State Government

15 Section 9–2801 through 9–2804 to be under the new subtitle “Subtitle 28.

16 Maryland Sesquicentennial of the American Civil War Commission”

17 Annotated Code of Maryland

18 (2004 Replacement Volume and 2008 Supplement)

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

21 **Article – State Government**

22 **SUBTITLE 28. MARYLAND SESQUICENTENNIAL OF THE AMERICAN CIVIL WAR**  
23 **COMMISSION.**

24 **9–2801.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
2 INDICATED.

3 (B) "COMMISSION" MEANS THE MARYLAND SESQUICENTENNIAL OF  
4 THE AMERICAN CIVIL WAR COMMISSION.

5 (C) "FUND" MEANS THE MARYLAND SESQUICENTENNIAL OF THE  
6 AMERICAN CIVIL WAR COMMISSION FUND.

7 9-2802.

8 (A) THERE IS A MARYLAND SESQUICENTENNIAL OF THE AMERICAN  
9 CIVIL WAR COMMISSION.

10 (B) THE COMMISSION CONSISTS OF:

11 (1) THE PRESIDENT OF THE SENATE;

12 (2) THE SPEAKER OF THE HOUSE OF DELEGATES;

13 (3) FOUR MEMBERS APPOINTED BY THE PRESIDENT OF THE  
14 SENATE, THREE OF WHOM SHALL BE MEMBERS OF THE SENATE OF MARYLAND;

15 (4) SIX MEMBERS APPOINTED BY THE SPEAKER OF THE HOUSE  
16 OF DELEGATES, FIVE OF WHOM SHALL BE MEMBERS OF THE HOUSE OF  
17 DELEGATES; AND

18 (5) AS AN EX OFFICIO MEMBER, THE PRESIDENT OF THE  
19 MARYLAND HISTORICAL SOCIETY, OR THE PRESIDENT'S DESIGNEE.

20 (C) (1) THE TERM OF A MEMBER OF THE COMMISSION IS 3 YEARS.

21 (2) A MEMBER MAY BE REAPPOINTED TO A SECOND TERM.

22 (3) IF A VACANCY OCCURS DURING THE TERM OF A MEMBER, THE  
23 APPOINTING AUTHORITY SHALL APPOINT ANOTHER INDIVIDUAL TO SERVE THE  
24 REMAINDER OF THE TERM.

25 (D) FROM AMONG ITS MEMBERS THE COMMISSION SHALL ELECT A  
26 CHAIR AND VICE CHAIR WHO SHALL BE MEMBERS OF THE GENERAL ASSEMBLY.

27 (E) (1) A MAJORITY OF THE MEMBERS IS A QUORUM.

1           (2)    **THE COMMISSION SHALL MEET AS OFTEN AS NECESSARY, AT**  
2 **THE TIMES AND PLACES DETERMINED BY THE CHAIR.**

3           (3)    **A RECOMMENDATION OF THE COMMISSION MAY NOT BE**  
4 **ADOPTED IF A MAJORITY OF THE MEMBERS APPOINTED FROM EITHER THE**  
5 **HOUSE OR THE SENATE VOTE AGAINST THE RECOMMENDATION.**

6           (F)    **THE STATE ARCHIVES SHALL PROVIDE STAFF FOR THE**  
7 **COMMISSION.**

8           (G)    **A MEMBER OF THE COMMISSION:**

9                (1)    **MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE**  
10 **COMMISSION; BUT**

11               (2)    **IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE**  
12 **STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE**  
13 **BUDGET.**

14 **9-2803.**

15           (A)    **THE COMMISSION MAY:**

16               (1)    **SELECT FIVE OF ITS MEMBERS, INCLUDING THE PRESIDENT**  
17 **OF THE MARYLAND HISTORICAL SOCIETY, TO CONSTITUTE AN EXECUTIVE**  
18 **COMMITTEE THAT SHALL CARRY OUT ACTS AS THE COMMISSION DIRECTS; AND**

19               (2)    **SOLICIT, ACCEPT, USE, AND DISPOSE OF GIFTS, GRANTS,**  
20 **DONATIONS, BEQUESTS, OR OTHER FUNDS OR PROPERTY FOR THE PURPOSE OF**  
21 **AIDING AND FACILITATING THE WORK OF THE COMMISSION.**

22           (B)    **THE COMMISSION SHALL:**

23               (1)    **PLAN, DEVELOP, AND CARRY OUT PROGRAMS AND ACTIVITIES**  
24 **APPROPRIATE TO COMMEMORATE THE SESQUICENTENNIAL OF THE AMERICAN**  
25 **CIVIL WAR;**

26               (2)    **ENCOURAGE INTERDISCIPLINARY EXAMINATION OF THE**  
27 **AMERICAN CIVIL WAR;**

28               (3)    **FACILITATE BALANCED ACTIVITIES RELATED TO THE**  
29 **AMERICAN CIVIL WAR THROUGHOUT THE STATE;**

1           (4) ENCOURAGE CIVIC, HISTORICAL, EDUCATIONAL, ECONOMIC,  
2 AND OTHER ORGANIZATIONS THROUGHOUT THE STATE TO ORGANIZE AND  
3 PARTICIPATE IN ACTIVITIES TO EXPAND THE UNDERSTANDING AND  
4 APPRECIATION OF THE SIGNIFICANCE OF THE AMERICAN CIVIL WAR;

5           (5) PROVIDE TECHNICAL ASSISTANCE TO LOCALITIES AND  
6 NONPROFIT ORGANIZATIONS TO FURTHER THE COMMEMORATION OF THE  
7 SESQUICENTENNIAL OF THE AMERICAN CIVIL WAR;

8           (6) DEVELOP PROGRAMS AND FACILITIES TO ENSURE THAT THE  
9 SESQUICENTENNIAL COMMEMORATION OF THE AMERICAN CIVIL WAR RESULTS  
10 IN A POSITIVE LEGACY AND LONG-TERM PUBLIC BENEFIT; AND

11           (7) ENCOURAGE THE DEVELOPMENT AND CONDUCT OF  
12 PROGRAMS DESIGNED TO INVOLVE ALL CITIZENS IN ACTIVITIES THAT  
13 COMMEMORATE THE AMERICAN CIVIL WAR.

14           (C) ON OR BEFORE THE FIRST DAY OF THE GENERAL ASSEMBLY  
15 SESSION ANNUALLY, THE COMMISSION SHALL REPORT TO THE GOVERNOR AND,  
16 IN ACCORDANCE WITH § 2-1246 OF THIS ARTICLE, THE GENERAL ASSEMBLY ON  
17 THE COMMISSION'S WORK.

18 **9-2804.**

19           (A) THERE IS A MARYLAND SESQUICENTENNIAL OF THE AMERICAN  
20 CIVIL WAR COMMISSION FUND.

21           (B) THE PURPOSE OF THE FUND IS TO ENABLE THE COMMISSION TO  
22 PERFORM ITS DUTIES.

23           (C) THE COMMISSION SHALL ADMINISTER THE FUND.

24           (D) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT  
25 SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

26           (2) THE STATE TREASURER SHALL HOLD THE FUND  
27 SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

28           (E) THE FUND CONSISTS OF GIFTS, GRANTS, DONATIONS, BEQUESTS,  
29 OR OTHER FUNDS FROM ANY SOURCE THAT ARE RECEIVED BY THE COMMISSION  
30 FOR THE COMMISSION'S WORK.

31           (F) THE FUND MAY BE USED ONLY FOR THE PURPOSE OF ENABLING  
32 THE COMMISSION TO PERFORM THE COMMISSION'S DUTIES.

1           **(G) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE**  
2 **FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.**

3           **(2) ANY INVESTMENT EARNINGS OF THE FUND SHALL BE PAID**  
4 **INTO THE FUND.**

5           **(H) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN**  
6 **ACCORDANCE WITH THE STATE BUDGET.**

7           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
8 July 1, 2009. It shall remain effective for a period of 6 years and, at the end of June 30,  
9 2015, with no further action required by the General Assembly, this Act shall be  
10 abrogated and of no further force and effect.