

## CHAPTER 765

(Senate Bill 421)

## AN ACT concerning

Commission on Indian Affairs - Recognition of Maryland's  
American Indians

FOR the purpose of authorizing the Commission on Indian Affairs to establish a process to provide formal State recognition to certain native American tribes, bands, groups, or clans; modifying the membership criteria for members of the Commission; prohibiting a Commissioner from voting or participating in certain ways with respect to certain actions of the Commission; establishing an application process for recognition; creating certain criminal penalties; specifying--certain requiring the adoption of criteria which must be proven to the satisfaction of the Commission on Indian Affairs; authorizing requiring the Commission to adopt regulations and procedures to carry out the provisions of this Act; providing for the adoption of a certain executive order granting formal recognition; providing for certain review of the executive order by the Joint Committee on Administrative, Executive, and Legislative Review; providing that this Act is not intended to create any rights of ownership or other rights to land, or to create any benefits or entitlements of any kind, or to impair any existing rights, benefits, or entitlements belonging to American Indians residing in the State; providing that any action or failure to take action by the Commission under this Act does not create a private cause of action under the laws of this State; requiring members of a petitioning group to submit a certain affidavit prior to formal recognition of Maryland Indian status; providing that certain provisions of this Act may not impair certain judicial rulings of the State; and generally relating to the recognition of Maryland's American Indians.

BY repealing and reenacting, with amendments,

Article 41B - Department of Housing and Community  
Development  
Section 5-402(a) and 5-405(a)  
Annotated Code of Maryland  
(1986 Replacement Volume and 1987 Supplement)

BY adding to

Article 41B - Department of Housing and Community  
Development  
Section 5-406