

(II) REJECT THE COMMISSION'S RECOMMENDATION.

(2) An executive order [proposed to be] ~~promulgated~~ ISSUED under this subsection shall first be presented to the Joint Committee on Administrative, Executive, and Legislative Review for review by the members of the Committee. The executive order shall take effect 30 days after submission to the Committee.

(3) IF THE GOVERNOR REJECTS THE COMMISSION'S RECOMMENDATION, AND DOES NOT ISSUE AN EXECUTIVE ORDER WITHIN 120 DAYS OF RECEIVING THE RECOMMENDATION FOR FORMAL RECOGNITION FROM THE SECRETARY, THE PARTICULAR TRIBE, BAND, GROUP, OR CLAN SHALL RECEIVE MAY NOT BE GRANTED FORMAL RECOGNITION WITHOUT AN EXECUTIVE ORDER OF MARYLAND INDIAN STATUS UNLESS A SUBSEQUENT APPLICATION IS SUBMITTED AND APPROVED IN ACCORDANCE WITH THIS SECTION.

(e) (1) The provisions of this section are not intended to create any rights of ownership or other rights to land or to create any benefits or entitlements of any kind, nor are they intended to impair valid existing rights, benefits, or entitlements belonging to American Indians residing in the State.

(2) The provisions of this section may not impair existing judicial rulings of the State regarding Maryland's American Indians.

(3) Prior to formal recognition of Maryland Indian status, members of the petitioning group shall submit an affidavit renouncing all tribal rights of ownership with respect to land in the State.

~~(4) NOTHING IN THIS SUBTITLE OR REGULATIONS ADOPTED UNDER THIS SUBTITLE MAY BE CONSTRUED TO PROHIBIT A PARTICULAR TRIBE, BAND, GROUP, OR CLAN FROM RECEIVING FORMAL RECOGNITION BY EXECUTIVE ORDER FROM THE GOVERNOR IF THE COMMISSION HAS RECOMMENDED THE RECOGNITION TO THE GOVERNOR.~~

(f) Any action or failure to take action by the Commission under this section does not create a private cause of action under the laws of the State.

(g) (1) Any person who, in any matter within the scope of this section, knowingly and willfully falsifies or conceals, by any trick, scheme, or device, a material fact, or makes any false, fictitious, or fraudulent statements or representations, or makes or uses any false writing or document, knowing the writing or document contains any false, fictitious, or fraudulent statement or entry, is guilty of a misdemeanor.

(2) Except as otherwise provided by law, a person who violates this section is subject to a fine of not more than \$1,000, or imprisonment for not more than 6 months, or both.

(h) The provisions of this section may not be construed to create in the Commission any power to establish criteria for membership in a tribe, band, group, or clan. That power is specifically reserved to the individual tribe, band, group, or clan.