

**BY-LAWS
OF THE
MARYLAND COMMISSION ON INDIAN AFFAIRS**

These By-Laws of the Commission on Indian Affairs ("the Commission"), an agency of the State of Maryland in the Department of Housing and Community Development (the "Department"), are subject to the provisions of the Act of the General Assembly whereby the Commission was created, as may hereafter be amended.

ARTICLE I - COMMISSIONERS

Section 1 - Appointment

The Commissioners shall be appointed and serve in accordance with the provisions of Article 83B, § 5-402(a) of the Annotated Code of Maryland.

Section 2 - Powers and Duties

The powers and duties of the Commission are vested in and shall be exercised by the Commissioners as provided by Article 83B, Title 5, Subtitle 4 of the Annotated Code of Maryland.

Section 3 - Removal

If a Commissioner fails to attend at least 50 percent of Commissioners' meetings during any period of 12 consecutive months, the Commissioner shall be considered to have resigned. The Chairperson of the Commission shall cause the Commissioner's name and a statement of non-attendance to be forwarded to the Governor by January 15 of the following year. The Governor shall appoint a successor for the remainder of the Commissioner's term. If the Commissioner has been unable to attend meetings for reasons satisfactory to the Governor, the Governor may waive the Commissioner's resignation upon making public the Commissioner's reasons for non-attendance.

ARTICLE II - MEETINGS

Section 1 - Time and Place

Meetings of the Commission shall be held monthly at a time and place determined by the Commission. All meetings shall be general meetings and open for the transaction of any and all business.

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Section 2 - Notice

Notice of all meetings, stating the time and place and including an agenda, shall be mailed to each Commissioner not less than seven days prior to the holding thereof. Public notice shall be posted in designated places.

Section 3 - Waiver of Notice

The Chairperson, a majority of the Commissioners, or the Secretary of the Department may call a special meeting. The call may require a shorter notice than seven days. The notice for such a meeting shall state the place, time, and purpose of the meeting. Business transacted at a special meeting shall be limited to business identified in the notice.

Section 4 - Attendance

Commissioners who are unable to attend a regularly scheduled or special meeting shall notify the Commission staff or Chairperson one or more days prior to the meeting.

Section 5 - Quorum

Five members of the Commission shall constitute a quorum at any meeting for the conduct of the business of the Commission. However, any act of the Commission relating to the expenditure, investment, or transfer of money or property shall require the affirmative vote of the total number of Commissioners at the time.

Section 6 - Voting

The Commissioners shall be entitled to one vote each. There shall be no voting by proxy. The vote may be taken by mail provided that the question to be voted upon shall be fully set forth in a ballot prepared for that purpose, providing spaces to be filled in or marked so as to record an affirmative or negative vote. Meetings and votes may be conducted through telephone conference calls, provided that each participant can communicate with all other participants.

ARTICLE III - OFFICERS - STAFF

Section 1 - Appointment of Officers

The Commission annually at the June meeting shall elect a Chairperson and a Vice-Chairperson from among the Commissioners. The Chairperson and Vice-Chairperson shall serve until the next annual elections and until their respective

successors are elected. The Chairperson and Vice-Chairperson are not eligible for re-election for the same office after 4 years, but are eligible for re-election to that office after one year has elapsed during which time that office is held by another Commissioner. If the Chairperson or Vice-Chairperson are unable or unwilling to serve a full term, an election shall be held to replace that officer at the monthly meeting immediately following the vacancy.

Section 2 - Duties

The duties of the officers shall be those that usually devolve upon the respective office, and are generally defined as follows:

- (1) Chairperson - The Chairperson shall preside at Commission meetings and have such other duties as may from time to time be assigned by the Commission or as otherwise prescribed by law or these By-Laws. The Chairperson shall appoint chairpersons for all standing committees and shall be an ex-officio non-voting member of all committees.
- (2) Vice-Chairperson - At the request or in the event of the absence or disability of the Chairperson, the Vice-Chairperson shall perform all the duties, and when so acting shall have all the powers, of the Chairperson.

Section 3 - Administrator

The Commission, subject to the approval of the Secretary of Housing and Community Development, shall appoint an Administrator to administer the activities of the Commission. The Administrator shall serve at the pleasure of the Commission, subject to the concurrence of the Secretary of Housing and Community Development, and shall be an unclassified employee of the State. Subject to the rules and policies set forth by the Commission and the administrative supervision of the Secretary of Housing and Community Development in accordance with Article 83B, § 5-405 of the Annotated Code of Maryland, the Administrator shall:

- (a) Direct, administer, and supervise the Commission program and activities;
- (b) Supervise the appointment and removal of personnel employed by the Commission;
- (c) Be custodian of records, artifacts, properties, and the Seal of the Commission;

- (d) Provide for the recording of the proceedings of all meetings and keep all minutes of the Commission.
- (e) Cause all notices of meetings to be duly given as directed by the Commission and these By-Laws and as otherwise required by law;
- (f) Ensure timely dissemination to Commissioners, and Indian Community leaders of all communications, directives, and decisions from the Governor's office, the Department of Housing and Community Development, and other State agencies that may impact on the Commission or Indian communities; and
- (g) Perform all actions incident to the other duties of the Administrator and such other duties as from time to time may be assigned or delegated by the Commission.

ARTICLE IV - FINANCES

Section 1 - Fiscal Year

The fiscal year of the Commission shall begin on July 1st and end June 30th of the year following.

Section 2 - Fiscal Control

The fiscal control and accountability of all monies from whatever source received shall be vested in a finance committee of three (3) Commissioners meeting with the Commission staff. The Committee shall be appointed by the Chairperson of the Commission.

Section 3 - Grants and Endowments

The Finance Committee shall advise the Commission on ways and means of encouraging public and private contributions of funds or property for the purposes of the Commission by way of grants and endowments, and shall be responsible for the management and supervision of such monies and property in accordance with the terms of the grant or policy established by the Commission.

Section 4 - Audit

The Finance Committee shall cause to be made such audits, reports, or statements of account as shall be required by the Commission or by State law.

ARTICLE V - COMMITTEES

Section 1 - Advisory Committee

There shall be an Advisory Committee composed of the Chairperson, the Vice-Chairperson, and such other persons as may from time to time be appointed by the Chairperson. It shall be the function of this Committee to assist the Commission in formulating policy and developing programs in furtherance of the legislative purposes for which the Commission was created.

Section 2 - Budget and Finance Committee

It shall be the duty of this committee to meet with the Commission staff for the purpose of preparing the annual budget for presentation to the Governor and the General Assembly. The Budget and Finance Committee shall review and approve all contractual obligations as well as oversee the financial operations of the Commission.

Section 3 - Special Committees

Special committees may be created and appointed for special purposes. When the work of a special committee is completed and its final report is made, it will automatically cease operation. Any special committee may be reactivated if the need arises.

Section 4 – Public Education Committee

The Public Education Committee shall be responsible for implementation of MCIA public education programs, media relations, website, publications, Native American Historical data bank, and the coordination of statewide campaigns.

Section 5 – Economic and Social Welfare Committee

The Economic and Social Welfare Committee is to develop strategies for monitoring businesses, employment practices, opportunities that lead to professions in which Native Americans are underrepresented especially in the areas of math, science technology and the environment and the accessibility to computers. The Committee is to monitor laws impacting the economic and social welfare of Native Americans in the State of Maryland.

Section 6 – Health and Mental Health Committee

The Health and Mental Health Committee shall monitor, and encourage health and mental health treatment programs accessibility of health insurance and prescription plans for Native Americans in the State of Maryland. The committee shall also monitor the impact of both federal and State laws on health and mental health of Native Americans in the State of Maryland.

ARTICLE VI - AMENDMENT OF BY-LAWS

The Commission may amend these By-Laws at any meeting by a majority affirmative vote, provided that an amendment to be so voted upon shall be mailed to each Commissioner thirty (30) days prior to the meeting.

ARTICLE VII - PARLIAMENTARY PROCEDURE

The Commission should be governed by THE NEW ROBERT'S RULES OF ORDER, 2nd edition; Mary A Devries; Signet, May 1998.

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