

that this subsection might be expanded to include the power to accept private funds. Currently, this power is stated only as to specific functions.

Defined terms: "Department" § 1-101  
"Secretary" § 1-101

(J) DISPOSITION OF FUNDS.

EXCEPT AS OTHERWISE PROVIDED BY LAW, THE SECRETARY SHALL PAY ALL MONEY COLLECTED BY THE DEPARTMENT UNDER THIS ARTICLE INTO THE GENERAL FUND OF THIS STATE.

REVISOR'S NOTE: This subsection is new language added to avoid repetition throughout this article that fees and other money collected by the Department are to be paid to the State Treasurer and become part of the General Fund of this State.

Defined terms: "Department" § 1-101  
"Secretary" § 1-101

(K) SUBPOENAS; OATHS; TESTIMONY.

(1) THE SECRETARY OR A DESIGNEE OF THE SECRETARY MAY SUBPOENA ANY PERSON OR EVIDENCE, ADMINISTER OATHS, AND TAKE DEPOSITIONS AND OTHER TESTIMONY.

(2) IF A PERSON FAILS TO COMPLY WITH A LAWFUL ORDER OR SUBPOENA ISSUED UNDER THIS SUBSECTION, ON PETITION OF THE SECRETARY OR DESIGNEE, A COURT OF COMPETENT JURISDICTION MAY COMPEL OBEDIENCE TO THE ORDER OR SUBPOENA OR COMPEL TESTIMONY OR THE PRODUCTION OF EVIDENCE.

(3) A WITNESS WHO IS SUBPOENAED AT THE REQUEST OF THE SECRETARY OR DESIGNEE IS ENTITLED TO RECEIVE THE SAME FEES AND MILEAGE PROVIDED FOR BY LAW IN CIVIL CASES. HOWEVER, A WITNESS WHO IS SUBPOENAED AT THE REQUEST OF ANY OTHER PARTY IS NOT ENTITLED TO FEES OR MILEAGE, UNLESS THE SECRETARY OR DESIGNEE CERTIFIES THAT THE TESTIMONY WAS MATERIAL TO THE MATTER INVESTIGATED. THE FEE AND MILEAGE PAID UNDER THIS SUBSECTION SHALL BE AUDITED AND PAID BY THIS STATE IN THE SAME WAY OTHER EXPENSES ARE AUDITED AND PAID AND SHALL BE CHARGED TO THE GENERAL APPROPRIATION FOR THE DEPARTMENT.

REVISOR'S NOTE: This subsection is new language derived from former Article 43, § 3.

In paragraph (1) of this subsection, the term "evidence" is substituted for the references to "papers", "books", and "documents", for conformity to Maryland Rules 115a. and 407b., which permit a subpoena for the production of