

(3) EXAMINE WITNESSES.

(B) DUTIES.

THE DEPARTMENT SHALL:

(1) ADMINISTER THE LAWS THAT RELATE TO THE PUBLIC SERVICE COMPANY FRANCHISE TAX;

(2) ADOPT REGULATIONS TO ADMINISTER THE PROVISIONS OF THOSE LAWS;

(3) DESIGN THE RETURNS AND OTHER FORMS THAT, ON COMPLETION, PROVIDE THE INFORMATION REQUIRED FOR THE ADMINISTRATION OF THOSE LAWS;

(4) COLLECT REVENUE FROM ESTIMATED TAX PAYMENTS, PAY THE REVENUE INTO THE GENERAL FUND OF THE STATE, AND ACCOUNT FOR THE REVENUE WITH THE COMPTROLLER; AND

(5) REMIT TO THE COMPTROLLER ANY OTHER REVENUE DERIVED FROM THE PUBLIC SERVICE COMPANY FRANCHISE TAX.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 81, § 134.

The introductory language of subsection (a) of this section, "[t]o determine the public service company franchise tax", is added for clarity.

In subsection (a)(1) of this section, the reference to "records" is substituted for the former reference to "the receipts and revenues accruing therefrom", for clarity.

In subsection (a)(2) and (3) of this section, the power to "administer oaths" and "examine witnesses" is substituted for the former references to examinations under oath of "any officer or agent of any such taxpayer touching the business in this State of such taxpayer" and "any other person who it may be advised or may believe has knowledge and information in the premises", for brevity.

In subsection (b)(3) of this section, the language "on completion, provide the information required for the administration of those laws" is added to clarify the scope of this duty.

The Tax - General Article Review Committee notes, for consideration by the General Assembly, that the bifurcation of duties with respect to this franchise tax between the Comptroller and Department creates some difficulties. Estimated taxes for a current year are paid to the Department, which then must account to