

schemes as standard language, the Committee felt that a reference to a "reprimand" would be inappropriate in the context of the title. The Commissioner does not "reprimand" farm labor contractors.

The Committee also notes that former Art. 100, § 80E(a)(8) — now item (10) of this section — referred to "agreements entered into or arrangements with" an agricultural operation or a migrant agricultural worker while former § 80C(e)(1) and (2) — now § 7-402 of this title — referred to "written agreements" with an agricultural operation and "written agreements or working arrangements" with migrant agricultural workers. This discrepancy is retained in the revision.

The Committee also notes that former Art. 100, § 80E(a)(4) could be read so that the former phrase "in connection with any farm labor contracting activity" modified the references both to felony convictions and to certain misdemeanor convictions or only the reference to misdemeanor convictions. Based on the current application form, the former phrase is revised only in item (14) of this section. Former Art. 100, § 80E(a)(4) also could be read to include a felony under the law of any state or only under Maryland law. Although item (14) recognizes a misdemeanor conviction from outside of the State, based on an interpretation from the Division of Labor and Industry, item (13) is revised to apply only to felony convictions under federal or Maryland law.

The Committee also notes that items (13) and (14) of this section do not apply if an individual pleads guilty or nolo contendere or receives probation before judgment.

As to regulations of the Secretary of Health and Mental Hygiene for migratory labor camps, see COMAR 10.16.01.

As to the substitution of the term "license" for the former reference to a "certificate of registration", see the General Revisor's Note to this title.

Defined terms: "Agricultural operation" § 7-101

"Commissioner" § 7-101 "License" § 7-101

"Migrant agricultural worker" § 7-101

"Perform a farm labor contracting service" § 7-101

"State" § 1-101

## 7-309. SAME — HEARINGS.

### (A) RIGHT TO HEARING.

EXCEPT AS PROVIDED IN TITLE 10, SUBTITLE 4 OF THE STATE GOVERNMENT ARTICLE OR IN § 7-310 OF THIS SUBTITLE, BEFORE THE COMMISSIONER TAKES ANY FINAL ACTION UNDER § 7-308 OF THIS SUBTITLE, THE COMMISSIONER SHALL GIVE THE INDIVIDUAL AGAINST WHOM THE ACTION IS CONTEMPLATED AN OPPORTUNITY FOR A HEARING BEFORE THE COMMISSIONER.