

7-310. SUMMARY SUSPENSION OF LICENSE.

THE COMMISSIONER MAY SUSPEND A LICENSE SUMMARILY PENDING THE DETERMINATION OF A HEARING UNDER § 7-309 OF THIS SUBTITLE IF THE COMMISSIONER FINDS SUSPENSION NECESSARY TO PREVENT ABUSE OF OR INJURY TO A MIGRANT AGRICULTURAL WORKER.

REVISOR'S NOTE: This section is new language derived without substantive change from the second sentence of former Art. 100, § 80E(b).

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.

The Labor and Employment Article Review Committee notes, for consideration by the General Assembly, that this section retains the former, ambiguous reference to suspension "pending the determination of a hearing". The General Assembly may wish to clarify whether the reference is intended to allow suspension before a hearing is held or only after a hearing is held but before a decision based on the hearing.

As to the relationship between this section and SG § 10-405(b), see the revisor's note to § 7-309 of this subtitle.

Defined terms: "Commissioner" § 7-101

"License" § 7-101

"Migrant agricultural worker" § 7-101

7-311. ORDER TO CEASE VIOLATIONS.

(A) AUTHORITY TO ISSUE.

IF, AFTER AN INVESTIGATION, THE COMMISSIONER HAS REASON TO BELIEVE THAT A PERSON IS PERFORMING A FARM LABOR CONTRACTING SERVICE FOR CONSIDERATION IN THE STATE WITHOUT A LICENSE, THE COMMISSIONER MAY PASS AN ORDER TO REQUIRE THE PERSON IMMEDIATELY TO CEASE PERFORMING THE FARM LABOR CONTRACTING SERVICE.

(B) APPLICATION OF CONTESTED CASE PROVISIONS.

THE COMMISSIONER SHALL GIVE NOTICE OF THE ORDER AND, IF REQUESTED UNDER SUBSECTION (D) OF THIS SECTION, HOLD A HEARING IN ACCORDANCE WITH TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE.

(C) SPECIFIC NOTICE REQUIREMENTS.

AN ORDER PASSED UNDER THIS SECTION SHALL BE:

(1) SERVED PERSONALLY; OR