

§424. Administration

The commissioner shall administer and enforce this subchapter. [PL 1981, c. 154, §1 (NEW).]

1. Rules. The commissioner may, in a manner consistent with the rulemaking provisions of the Maine Administrative Procedure Act, Title 5, chapter 375, adopt such rules as may be necessary to carry out and interpret the provisions and purposes of this subchapter. [PL 1981, c. 154, §1 (NEW).]

2. Considerations. In carrying out the purposes of this subchapter the commissioner shall consider any and all facts available to the commissioner with respect to the following economic factors:

A. The quality of an agricultural commodity available for distribution as well as the quantity of the agricultural commodity that would normally be required by consumers; [RR 2021, c. 1, Pt. B, §65 (COR).]

B. The cost of producing an agricultural commodity, the purchasing power of consumers, and the level of prices of commodities, services and articles that producers commonly buy; [RR 2021, c. 1, Pt. B, §65 (COR).]

C. The level of prices of other commodities that compete with or are utilized as substitutes for an agricultural commodity; and [RR 2021, c. 1, Pt. B, §65 (COR).]

D. Such other factors as the nature of the location, volume and marketing structure of production of the agricultural commodity. [PL 1981, c. 154, §1 (NEW).]

[RR 2021, c. 1, Pt. B, §65 (COR).]

3. Enforcement. The commissioner may institute investigations, hold hearings, require reports, subpoena records and persons and take other actions that the commissioner finds necessary to implement this subchapter. The commissioner may institute such action as may appear necessary to enforce compliance with any provision of this subchapter or any rule, market agreement or order committed to the commissioner's administration under this subchapter. In addition to any other remedy under this subchapter or otherwise, the commissioner may apply for relief by injunction to protect the public interest without being compelled to allege or prove that an adequate remedy at law does not exist and without being compelled to post bond.

[PL 2005, c. 512, §7 (AMD).]

SECTION HISTORY

PL 1981, c. 154, §1 (NEW). PL 2005, c. 512, §7 (AMD). RR 2021, c. 1, Pt. B, §65 (COR).

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