

§956. Enforcement; jurisdiction

The commissioner shall diligently enforce all of the provisions of sections 951 to 957. The commissioner, either in person or by a duly authorized representative, has free access, ingress and egress to any place or field or any building, boat, truck, trailer, railroad car, warehouse, depot, station, packing house, boat dock or any building wherein potatoes are packed, stored, transported, sold, offered or exposed for sale or for transportation or for planting. The commissioner may also, in person, or by duly authorized representative, open any container and may take samples therefrom. The commissioner shall, upon written request, pay the packer the fair market value of any sample retained or destroyed by the commissioner. The commissioner may recover fines imposed for violation of those sections in a civil action brought in the commissioner's own name and, if the commissioner prevails in that action, recover full costs. [PL 2013, c. 475, §2 (AMD).]

Any person who refuses or interferes with access by the commissioner or the commissioner's representative as provided for in this section, following oral request and warning given by the commissioner or the commissioner's representative regarding the contents of this section, is guilty of a separate civil violation under section 957. [PL 1993, c. 699, §1 (AMD).]

All fees received under sections 951 to 957 by the commissioner and all money and forfeitures received by the commissioner under those sections must be paid by the commissioner to the Treasurer of State and must be appropriated for carrying out those sections. The commissioner shall, in a manner consistent with the Maine Administrative Procedure Act, establish such rules as may be needed for the proper enforcement of sections 951 to 957. [RR 2021, c. 1, Pt. B, §115 (COR).]

SECTION HISTORY

PL 1965, c. 219, §7 (AMD). PL 1977, c. 694, §90 (AMD). PL 1977, c. 696, §§80,81 (AMD). PL 1979, c. 541, §B6 (AMD). PL 1979, c. 731, §§10,11 (AMD). PL 1985, c. 655, §2 (AMD). PL 1993, c. 699, §1 (AMD). PL 2013, c. 475, §2 (AMD). RR 2021, c. 1, Pt. B, §115 (COR).

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