

§12762. Fish kills; violations; fines; rules; definition

1. Prohibition. A person may not improperly operate a fishway required under this subchapter in a manner that results in a fish kill.

[PL 2003, c. 655, Pt. B, §306 (NEW); PL 2003, c. 655, Pt. B, §422 (AFF).]

2. Penalty. The following penalties apply to violations of this section.

A. A person who violates this section commits a civil violation for which a fine equivalent to the value of the fish killed but not more than \$10,000 for each day of that violation may be adjudged.

[PL 2003, c. 655, Pt. B, §306 (NEW); PL 2003, c. 655, Pt. B, §422 (AFF).]

B. A person who violates this section after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime. [PL

2003, c. 655, Pt. B, §306 (NEW); PL 2003, c. 655, Pt. B, §422 (AFF).]

[PL 2003, c. 655, Pt. B, §306 (NEW); PL 2003, c. 655, Pt. B, §422 (AFF).]

3. Rules; definition. The department and the Department of Marine Resources shall jointly make rules defining "fish kill."

[PL 2003, c. 655, Pt. B, §306 (NEW); PL 2003, c. 655, Pt. B, §422 (AFF).]

SECTION HISTORY

PL 2003, c. 414, §A2 (NEW). PL 2003, c. 414, §D7 (AFF). PL 2003, c. 614, §9 (AFF). PL 2003, c. 655, §B306 (RPR). PL 2003, c. 655, §B422 (AFF).

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