

§12552. Purchase of live smelts from unlicensed dealers

1. Prohibition. A person licensed to deal in live baitfish pursuant to section 12551-A may not purchase live smelts from a person who does not hold a current license to sell live smelts issued pursuant to section 12551-A, subsection 3, paragraph A or C.

[PL 2003, c. 614, §9 (AFF); PL 2003, c. 655, Pt. B, §260 (AMD); PL 2003, c. 655, Pt. B, §422 (AFF).]

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

A. A person who violates subsection 1 commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged. [PL 2003, c. 655, Pt. B, §261 (NEW); PL 2003, c. 655, Pt. B, §422 (AFF).]

B. A person who violates subsection 1 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, §261 (NEW); PL 2003, c. 655, Pt. B, §422 (AFF).]

The commissioner, subject to the hearing provisions of section 10902, shall revoke for a period of at least one year from the date of adjudication any licenses issued under section 12551-A to a person adjudicated of a violation of subsection 1.

[PL 2003, c. 614, §9 (AFF); PL 2003, c. 655, Pt. B, §261 (RPR); 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, §§B260,261 (AMD). PL 2003, c. 655, §B422 (AFF).

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