

**§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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