

§544-N. Prohibited acts

1. Defacing or damaging cave prohibited. A person may not deface or damage a cave. A person defaces or damages a cave if the person, without the prior written permission of the owner:

A. Breaks, breaks off, cracks, carves upon, writes or otherwise marks upon or in any manner destroys, mutilates, injures, defaces, removes, displaces, mars or harms any natural material found in a cave; [PL 2001, c. 113, §1 (NEW).]

B. Kills, harms or disturbs plant or animal life found in a cave, except for safety reasons; [PL 2001, c. 113, §1 (NEW).]

C. Disturbs or alters the natural condition of a cave or takes into a cave any aerosol or other container containing paints, dyes or other coloring agents; [PL 2001, c. 113, §1 (NEW).]

D. Stores, dumps, litters, disposes of or otherwise places any refuse, garbage, dead animal, sewage or toxic substance harmful to cave life or humans in a cave; [PL 2001, c. 113, §1 (NEW).]

E. Burns within a cave any material that produces smoke or gas that is harmful to any organism in the cave; or [PL 2001, c. 113, §1 (NEW).]

F. Breaks, forces, tampers with, removes or otherwise disturbs a lock, gate, door, sign or other structure or obstruction designed to prevent entrance to a cave, whether or not entrance is gained. [PL 2001, c. 113, §1 (NEW).]

[PL 2001, c. 113, §1 (NEW).]

2. Forfeiture. A person who violates the provisions of this subchapter commits a civil violation for which a forfeiture of up to \$1,000 may be adjudged.

[PL 2001, c. 113, §1 (NEW).]

3. Damages may be collected by landowner. A person who intentionally defaces or damages a cave on private land in violation of subsection 1 is liable to the owner of that land for actual damages recoverable through a civil action.

[PL 2001, c. 113, §1 (NEW).]

SECTION HISTORY

PL 2001, c. 113, §1 (NEW).

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