

[CHAPTER 199D]
CIVIL NATURAL RESOURCE VIOLATIONS ACT

Section

- 199D-1 Civil natural resource violations system authorization
- 199D-2 Applicability

Note

L 2014, c 218, §8 purports to amend this chapter.

Cross References

Environmental courts, jurisdiction over proceedings arising under this chapter, see §604A-2.

" **[\$199D-1] Civil natural resource violations system authorization.** (a) There is established, within the department of land and natural resources, a civil natural resource violations system, whose purpose shall be to process violations of departmental regulations for which administrative penalties have been authorized by law or rules adopted thereunder.

(b) The department shall adopt, amend, and repeal rules, subject to chapter 91, for the purposes of this chapter.

(c) The rules may include, but are not limited to, the following:

- (1) Notice of natural resource infraction;
- (2) A form of the answer that shall be made pursuant to a notice of natural resource infraction, which answer may be an admission of the infraction, a denial of the infraction, or an admission of the infraction with mitigating circumstances;
- (3) The action to be taken after an answer is received or when a person fails to answer the notice of natural resource infraction;
- (4) Administrative hearings under this chapter;
- (5) The imposition and enforcement of monetary assessments made pursuant to this chapter; and
- (6) Means of assuring that the alleged violator who answers the notice of natural resource infraction by an admission of the infraction or an admission of the infraction with mitigating circumstances has knowingly and voluntarily elected to use the civil natural resource violations system and waive the appeal provided for in section 91-14. [L 2004, c 142, pt of §2]

" **[\$199D-2] Applicability.** Notwithstanding any other provision of law to the contrary, all natural resource infractions that the department identifies as subject to administrative penalties may be adjudicated pursuant to this chapter. This chapter may be applied by all of the divisions of the department. [L 2004, c 142, pt of §2]