§ 71-0519. Compromise of civil penalty.

1. A person who has violated any of the provisions of this chapter listed in section 71-0501 or under titles 5 through 15 inclusive and title 33 of this article, and who desires to compromise and settle his civil liability therefor, may appear with any conservation officer, regional and assistant regional conservation officer, special game protector, district ranger, forest ranger, or member of the state police, before a court or justice having jurisdiction in civil actions, and thereupon such person may, upon the consent of the representative of the department appearing, compromise and settle his liability for civil penalties, for an amount agreed upon between said court or justice, the representative of the department and the person who committed such violation.

2. The agreed amount shall not be less than ten dollars nor more than the amount for which such person would be liable in a civil action for penalties; provided that any person who has violated the provisions of this chapter listed in section 71-0501 or under titles 5 through 13 inclusive and titles 27 and 33 of this article, involving the taking of a deer with the aid of an artificial light, or has illegally taken a deer prior to the first day of the open season or after the last day of the open season in the county in which taken, or has otherwise illegally taken a deer, and who desires to compromise and settle his civil liability therefor, may, in the manner herein provided, compromise and settle his liability for civil penalties under the provisions of this chapter listed in section 71-0501 or under titles 5 through 13 inclusive and titles 27 and 33 of this article, in an amount not less than one hundred dollars nor more than the amount for which such person would be liable in a civil action for penalties.

3. If such compromise be made, such person shall forthwith subscribe his name to a statement setting forth concisely the facts constituting such violation, the amount agreed upon, and that a judgment may be entered against him for that sum. Upon said statement being sworn to before and filed with said court or justice, he shall forthwith enter in his civil docket a record of the proceedings and amount of the judgment.

4. Said court or justice shall upon the entry of such judgment be entitled to a fee of two dollars and fifty cents to be paid by the person who committed such violation, provided, however, that if the justice is a justice of a town or village, such fee shall be the property of the town or village of which he is an officer, and shall be paid by said justices to the State Comptroller in the same manner as other fees received by such justice.

5. A judgment entered as provided herein may be enforced by an execution against the property of the defendant, but no body execution shall issue thereon. Such judgment shall be a bar to a criminal action for the same violation, if satisfied within thirty days from the date of the entry thereof.

6. Whenever a person who desires to compromise and settle his civil liability pursuant to the provisions of this section is an infant over the age of fourteen years, upon his appearance for such purpose, the court or justice before whom such appearance is made, may, upon the application of such person appoint a person to appear as his guardian for the purpose of compromising and settling his said civil liability. The written consent of the person so appointed must be filed with the court or justice before his appointment.