

(2) HARASS, DRIVE, OR DISTURB ANY GAME ANIMAL INTENTIONALLY FOR THE PURPOSE OF DISRUPTING A LAWFUL HUNT, OR

~~(3) -- ENTER OR REMAIN IN THE -- DESIGNATED -- HUNTING -- AREA WITH -- THE INTENT -- TO INTERFERE WITH THE LAWFUL TAKING OF WILDLIFE --~~

~~(C) -- THE DEPARTMENT OR ANY PERSON WHO IS -- PROPERLY -- LICENSED TO -- TAKE WILDLIFE AND IS DIRECTLY AFFECTED BY A VIOLATION OF THIS SECTION MAY BRING AN ACTION --~~

~~(1) -- TO RESTRAIN CONDUCT -- DECLARED -- UNLAWFUL -- IN -- THIS SECTION, -- AND~~

~~(2) -- TO RECOVER DAMAGES.~~

~~(D)~~ (C) A NATURAL RESOURCES POLICE OFFICER OR OTHER POLICE OFFICER OF THE STATE WHO REASONABLY BELIEVES HAS PROBABLE CAUSE TO BELIEVE THAT A PERSON HAS VIOLATED THIS SECTION MAY:

(1) ORDER THE PERSON TO DESIST OR TO LEAVE THE AREA;  
OR

(2) ARREST THE PERSON ON REFUSAL TO DESIST OR LEAVE THE AREA.

~~(E)~~ (D) THE CONDUCT DECLARED UNLAWFUL IN THIS SECTION DOES NOT INCLUDE ANY INCIDENTAL INTERFERENCE ARISING FROM LAWFUL ACTIVITY BY PRIVATE LAND USERS OR PUBLIC LAND USERS USERS OF LAND MANAGED BY THE DEPARTMENT, INCLUDING FARMERS, MINERS, OR RECREATIONISTS PERSONS ENGAGED IN RECREATION.

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(b) Any person who violates any provision of this title is guilty of a misdemeanor. Unless another penalty is specifically provided elsewhere in this title, the person, upon conviction, is subject to a fine not exceeding \$500, or imprisonment not exceeding three months, or both, with costs imposed in the discretion of the court.

(c) Unless another penalty is specifically provided elsewhere in this title, any person found guilty of a second or subsequent violation of any provision of this title, is subject to a fine not exceeding \$1,000, or imprisonment not exceeding one year, or both, with costs imposed in the discretion of the court. In addition, the license under which he operated in the commission of the violation shall be suspended for 12 months from the date of the second conviction. For the purpose of this subsection, a second or subsequent violation is one which has occurred within two years of any prior violation of this title and which arises out of a separate set of circumstances.

(d) In addition to any administrative penalty provided in this title, violation of any rule or regulation promulgated by