§ 71-0927. Mandatory license revocation.

1. Anyone convicted of violating the prohibition against harvesting, taking, possessing or transporting shellfish under facts and circumstances meeting the criteria for imposition of sanctions pursuant to subdivision 3 of section 71-0924; or anyone convicted two or more times within five years of violating the prohibition against harvesting, taking, possessing or transporting shellfish under facts and circumstances meeting the criteria for imposition of sanctions pursuant to subdivision 2 of section 71-0924, or of violating subdivision 1 or 2, paragraph e or f of subdivision 3, subdivision 6, 8, 9, 10, 11, or 13 of section 13-0309, section 13-0317, subdivision 2 of section 13-0323, section 13-0325, subdivision 3 or 5 of section 13-0327, or section 13-0344 of this chapter shall have his license to take and land shellfish revoked and shall not be relicensed for a minimum of five years thereafter, in addition to any other sanction imposed pursuant to this article.

1-a. Anyone convicted two or more times within five years of violating subdivision 4, 5 or 7 of section 13-0333 of this chapter shall have his license to take and land menhaden revoked and shall not be relicensed for a minimum of five years thereafter, in addition to any other sanction imposed pursuant to this article.

2. Anyone convicted of unlawfully harvesting, taking, possessing or transporting any marine fish, shellfish or crustacea under facts and circumstances meeting the criteria for imposition of sanctions pursuant to subdivision 3 of section 71-0924; or anyone convicted two or more times within five years of unlawfully harvesting, taking, possessing or transporting any marine fish, shellfish or crustacea under facts and circumstances meeting the criteria for imposition of sanctions pursuant to subdivision 2 of section 71-0924, or of violating subdivision 1, paragraph c of subdivision 2, subdivision 5, 6, 7 or 9 of section 13-0329, or section 13-0344 of this chapter shall have his license to take and land lobsters revoked and shall not be relicensed for a minimum of five years thereafter, in addition to any other sanction imposed pursuant to this article.

3. Any person convicted of violating the prohibition against harvesting, taking, possessing or transporting any marine food fish under facts and circumstances meeting the criteria for imposition of sanctions pursuant to subdivision 3 of section 71-0924; or any person convicted two or more times within five years of violating the prohibition against harvesting, taking, possessing or transporting any marine food fish under facts and circumstances meeting the criteria for imposition of sanctions pursuant to subdivision 2 of section 71-0924, or of violating section 13-0344 of this chapter, shall have his license to take and land marine food fish revoked and shall not be licensed for a minimum of five years thereafter, in addition to any other sanctions imposed pursuant to this article.

4. The provisions of this section shall be in addition to the ability of the department to suspend licenses pursuant to section 13-0309, 13-0311 or 13-0329 of this chapter or any other provision of law. Revocations pursuant to this section shall be automatic upon the second conviction and shall not require any hearing for the revocation.

5. For the purposes of this section, convictions shall only include convictions for violations of this chapter and shall not include convictions for violation of department regulations promulgated pursuant to this chapter. Conviction shall also not include an admission of guilt through stipulation or a consent order or a compromise of civil penalty under section 71-0519 of this article.

6. Any person who has had his license revoked pursuant to subdivision 1 or 2 of this section may, more than sixty days subsequent to such revocation, apply to the commissioner for a reinstatement of such license. The commissioner may reinstate such revoked license for such period as determined by the commissioner and upon such conditions deemed appropriate and necessary to protect the public health and natural resources of the state, including, but not limited to the posting of bond.