

(3) (I) ON CONVICTION OF A PERSON FOR A VIOLATION OF THIS SUBSECTION, THE DEPARTMENT ~~SHALL--REVOKE--IMMEDIATELY~~ MAY SUSPEND ALL EXISTING LICENSES TO TAKE OR CATCH FINFISH OR SHELLFISH OYSTERS ISSUED TO THAT PERSON FOR A PERIOD NOT TO EXCEED:

1. 1 YEAR FOR A FIRST CONVICTION; OR

2. 2 YEARS FOR A SECOND OR SUBSEQUENT CONVICTION.

~~(II) THE DEPARTMENT MAY NOT REISSUE A LICENSE REVOKED UNDER THIS SUBSECTION BEFORE 1 MONTH AFTER A CONVICTION AND MAY, IN ITS DISCRETION, WITHHOLD THE REISSUANCE OF A LICENSE FOR UP TO 2 YEARS AFTER THE CONVICTION.~~

(II) BEFORE SUSPENDING ANY LICENSE TO TAKE OR CATCH OYSTERS UNDER THIS SECTION, THE DEPARTMENT SHALL GIVE THE LICENSEE WRITTEN NOTICE OF THE RIGHT TO REQUEST A HEARING.

(III) A LICENSEE MAY REQUEST A HEARING WITHIN 15 DAYS FROM THE DATE THAT THE NOTICE REQUIRED BY THIS SECTION IS MAILED.

(IV) THE DEPARTMENT SHALL HOLD A HEARING WITHIN 30 DAYS OF THE DATE OF THE REQUEST AND RENDER A DECISION WITHIN 30 DAYS OF THE HEARING.

(b) A person, other than a lessee, may not remove, alter, transfer, or destroy any stake, buoy, or monument on any leased oyster bottom.

(c) A person, other than a lessee of leased oyster bottoms, or a lessee, while he is in default in payment of any rent or fee, may not use for any purpose any submerged land of the State. However, any person may use any submerged land subject to lease and not already leased for the temporary bedding of oysters for a period not exceeding three months.

4-1201.

(a) [Any] EXCEPT AS OTHERWISE SPECIFICALLY PROVIDED IN THIS TITLE, A 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] AND, 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.

(b) 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