

wildlife or plants. The Secretary may enter into agreements with federal agencies, other states, political subdivisions of [this] THE State, or with individuals with respect to programs designed to conserve nongame, endangered, or threatened species of wildlife or [plants] PLANTS, including agreements for administration and management established under this section or utilized for conservation of nongame, endangered, or threatened species of wildlife or plants.

(c) The Governor shall review other programs administered by [him] THE GOVERNOR and utilize these programs in furtherance of the purposes of this subtitle. All State departments and agencies, in consultation with and with the assistance of the Secretary, shall utilize their authorities in furtherance of the purposes of this subtitle by carrying out programs for the conservation of endangered species and threatened species listed pursuant to § 10-2A-04(f) OF THIS SUBTITLE, and by taking any action necessary to insure that actions authorized, funded, or carried out by them do not jeopardize the continued existence of the endangered species or threatened species or result in the destruction or modification of habitat of the species which is deemed by the Secretary to be critical.

(d) The Secretary shall adopt [rules and] regulations necessary to implement this section.

10-2A-07.

(a) Any person who violates the provisions of § 10-2A-05 OF THIS SUBTITLE, [or] fails to procure any permit required by § 10-2A-05 OF THIS SUBTITLE, or [who] violates the terms of any permit shall be fined not more than \$1,000 or be imprisoned not more than [one] 1 year, or both.

(b) Any Natural Resources police officer or any law enforcement officer may conduct searches as provided by law, and execute a warrant to search for and seize any equipment, business records, merchandise, wildlife, or plants taken, used, or possessed in connection with a violation of any subsection. Any Natural Resources Police officer or law enforcement officer, without a warrant, may arrest any person who the officer has probable cause to believe is violating, in [his] THE OFFICER'S presence or view, this subtitle, any [rule or] regulation, or permit provided for by this subtitle. Any Natural Resources police officer or law enforcement officer who has made an arrest of a person in connection with any violation may search the person, premises, or business records at the time of arrest and may seize any wildlife, plants, records, or property taken, or used in connection with any violation.

(c) Equipment, merchandise, wildlife, plants or records seized under the provisions of subsection (b) OF THIS SECTION shall be held by any Natural Resources police officer or law enforcement officer pending disposition of court proceedings, and [thereafter] AFTER THAT TIME shall be forfeited to the State for destruction or disposition as the Secretary may deem appropriate. Prior to forfeiture the Secretary may direct the transfer of wildlife or plants so seized to a qualified zoological, botanical, educational, or scientific institution for safekeeping, costs to be assessable to the defendant. The Secretary may issue [rules and] regulations to implement this section.