

PROCESSING, OR SELLING ENDANGERED FISH WITHIN THEIR RESPECTIVE JURISDICTIONS TO ASSURE CONTINUED SURVIVAL AND PROPAGATION OF ENDANGERED FISH FOR THE AESTHETIC, RECREATIONAL, AND SCIENTIFIC PURPOSES OF FUTURE GENERATIONS. THE GENERAL ASSEMBLY FINDS THAT BY ELIMINATING THE CATCHING, POSSESSING, TRANSPORTING, PROCESSING OR SELLING ENDANGERED SPECIES OF FISH IN THE STATE, AND BY ESTABLISHING A PROGRAM FOR CONSERVATION AND RESTORATION OF THESE ENDANGERED SPECIES, THEIR POTENTIAL FOR CONTINUED EXISTENCE CAN BE STRENGTHENED.

REVISOR'S NOTE: This subsection presently appears as Article 66C, section 125(b) of the Code. The only changes made are in style.

(E) PROHIBITED ACTS. - EXCEPT AS PROVIDED IN SUBSECTION (F), AND NOTWITHSTANDING ANY OTHER PROVISIONS OF THIS TITLE, THE CATCHING, TRANSPORTING, POSSESSING, PROCESSING OR SELLING WITHIN THE STATE ANY FISH APPEARING ON ANY OF THE FOLLOWING LISTS IS PROHIBITED: (1) THE UNITED STATES' LIST OF ENDANGERED FOREIGN FISH AND WILDLIFE PART 17 OF TITLE 50 OF THE CODE OF FEDERAL REGULATIONS, APPENDIX A, AS AMENDED; (2) THE UNITED STATES' LIST OF ENDANGERED NATIVE FISH AND WILDLIFE PART 17 OF TITLE 50 OF THE CODE OF FEDERAL REGULATIONS, APPENDIX D, AS AMENDED; AND (3) THE DEPARTMENT'S ENDANGERED SPECIES LIST.

REVISOR'S NOTE: This subsection appears as Article 66C, section 125(c) (1) of the Code. The reference to "fish and wildlife" as to federal lists is retained because the federal definitions of these terms may not coincide with those used in this title and title 10 - Wildlife. The only other changes made are in style.

(C) ENDANGERED SPECIES LIST; DETERMINATION AS TO WHEN FISH THREATENED WITH STATE WIDE EXTINCTION. - THE SECRETARY SHALL INVENTORY AND INVESTIGATE THE STATUS OF ALL FISH FOUND IN THE STATE TO DETERMINE WHETHER THEY ARE THREATENED WITH STATEWIDE EXTINCTION. THE SECRETARY SHALL MAINTAIN A LIST OF FISH THREATENED WITH STATEWIDE EXTINCTION GIVING THEIR COMMON AND SCIENTIFIC NAMES BY SPECIES AND SUB-SPECIES. FOR THIS PURPOSE, FISH ARE "THREATENED WITH STATEWIDE EXTINCTION" IF THE SECRETARY DETERMINES, BASED ON THE BEST SCIENTIFIC AND COMMERCIAL DATA AVAILABLE TO HIM, AND AFTER CONSULTATION WITH OTHER STATE FISHERIES DIRECTORS, FEDERAL AGENCIES, AND OTHER