

TO § 10-2A04(F), 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.

10-2A07.

(A) ANY PERSON WHO VIOLATES THE PROVISIONS OF § 10-2A05, OR FAILS TO PROCURE ANY PERMIT REQUIRED BY § 10-2A05, OR WHO VIOLATES THE TERMS OF ANY PERMIT SHALL BE FINED NOT MORE THAN \$1,000 OR BE IMPRISONED NOT MORE THAN ONE YEAR, OR BOTH.

(B) ANY NATURAL RESOURCE 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 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) SHALL BE HELD BY ANY NATURAL RESOURCES POLICE OFFICER OR LAW ENFORCEMENT OFFICER PENDING DISPOSITION OF COURT PROCEEDINGS, AND THEREAFTER 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.

10-2A08.

(A) THE PROVISIONS OF THIS SUBTITLE DO NOT PROHIBIT: