

NUMBERS; (3) THE STATE SHOULD ASSIST IN THE PROTECTION OF SPECIES OF FISH WHICH ARE DETERMINED TO BE "THREATENED" OR "ENDANGERED" ELSEWHERE PURSUANT TO THE ENDANGERED SPECIES ACT OF 1973, 87 STAT. 884, BY PROHIBITING THE TAKING, POSSESSION, TRANSPORTATION, EXPORTATION, PROCESSING, SALE, OFFER FOR SALE, OR SHIPMENT WITHIN THIS STATE OF ENDANGERED SPECIES AND BY CAREFULLY REGULATING THESE ACTIVITIES WITH REGARD TO THE THREATENED SPECIES. EXCEPTIONS TO THESE PROHIBITIONS, FOR THE PURPOSE OF ENHANCING THE CONSERVATION OF THESE SPECIES, MAY BE PERMITTED AS SET FORTH IN THIS SUBTITLE.

4-2A03.

(A) THE SECRETARY SHALL CONDUCT INVESTIGATIONS OF THE FISH RESOURCES OF THE STATE IN ORDER TO DEVELOP INFORMATION RELATING TO POPULATION, DISTRIBUTION, HABITAT NEEDS, LIMITING FACTORS, AND OTHER BIOLOGICAL AND ECOLOGICAL DATA TO DETERMINE CONSERVATION MEASURES NECESSARY FOR THEIR CONTINUED ABILITY TO SUSTAIN THEMSELVES SUCCESSFULLY. ON THE BASIS OF THESE DETERMINATIONS THE SECRETARY SHALL ISSUE PROPOSED RULES AND REGULATIONS NOT LATER THAN JULY 1, 1976 AND DEVELOP CONSERVATION PROGRAMS DESIGNED TO INSURE THE CONTINUED ABILITY OF FISH DEEMED IN NEED OF CONSERVATION TO PERPETUATE THEMSELVES SUCCESSFULLY. THE SECRETARY SHALL CONDUCT ONGOING INVESTIGATIONS OF THE FISH RESOURCES OF THE STATE AND MAY AMEND THESE RULES AND REGULATIONS.

(B) THE SECRETARY, BY RULES AND REGULATIONS, SHALL ADOPT LIMITATIONS RELATING TO TAKING, POSSESSION, TRANSPORTATION, EXPORTATION, PROCESSING, SALE OR OFFER FOR SALE, OR SHIPMENT NECESSARY TO CONSERVE FISH.

(C) EXCEPT AS PROVIDED IN RULES AND REGULATIONS ADOPTED BY THE SECRETARY, NO PERSON MAY TAKE, POSSESS, TRANSPORT, EXPORT, PROCESS, SELL, OFFER FOR SALE, OR SHIP ANY FISH DEEMED BY THE DEPARTMENT TO BE IN NEED OF CONSERVATION PURSUANT TO THIS SECTION, NOR MAY ANY COMMON OR CONTRACT CARRIER KNOWINGLY TRANSPORT OR RECEIVE FOR SHIPMENT ANY FISH DEEMED BY THE SECRETARY TO BE IN NEED OF CONSERVATION PURSUANT TO THIS SECTION.

4-2A04.

(A) ANY SPECIES OF FISH DETERMINED TO BE ENDANGERED SPECIES PURSUANT TO THE ENDANGERED SPECIES ACT SHALL BE DEEMED TO BE AN ENDANGERED SPECIES UNDER THE PROVISIONS OF THIS SUBTITLE AND ANY SPECIES OF FISH DETERMINED TO BE A THREATENED SPECIES PURSUANT TO THE ENDANGERED SPECIES ACT SHALL BE DEEMED TO BE A THREATENED SPECIES UNDER THE PROVISIONS OF THIS SUBTITLE. THE SECRETARY MAY DETERMINE, IN ACCORDANCE WITH THIS SECTION, THAT ANY THREATENED SPECIES IS AN ENDANGERED SPECIES