

enforcement officer has probable cause to believe that any person possesses any fish or any device in violation of this title, the officer shall go before any District Court judge of the county in which the fish or device is supposed to be and make affidavit to that fact. If the judge finds the affidavit legally sufficient, he shall issue a search warrant against the person complained of, directed to the officer making the affidavit, commanding him to proceed at once and search for the fish or device and, upon finding it, to seize, take possession, and keep it until further order by the judge. The warrant shall be executed pursuant to [Rule 780] RULE 4-601 of the Maryland Rules of Procedure [or Rule 780 of the Maryland District Rules]. The warrant shall be returned within five days from the issuing date or within a shorter period of time as set forth in the search warrant.

DRAFTER'S NOTE: This corrects outdated cross-references in § 4-1203 of the Natural Resources Article.

Former Rule 780 of the Maryland Rules became Rule 4-601, former Rule 780 of the Maryland District Rules was rescinded, and the criminal rules for the District Court were merged into Title 400 of the Maryland Rules by order of the Maryland Court of Appeals dated April 6, 1984.

The outdated cross-references were noted by the Michie Company.

5-206.

(b) The Secretary may commission any employee of the Department as a law enforcement officer. An employee so commissioned and assigned law enforcement duties has and may exercise the powers of a natural resources police officer or a law enforcement officer of the State. These powers may be exercised upon:

(1) Properties owned by the State and managed by the Department;

(2) Railroad rights-of-way and utility properties which are not owned by the State, but which traverse properties owned by the State and managed by the Department;

(3) All roadways which are within the boundaries of State properties managed by the Department; AND

(4) All waters of the State within one mile of the shoreline of all properties owned by the Department.

DRAFTER'S NOTE: This corrects the omission of a conjunction in § 5-206(b) of the Natural Resources Article.