

This subsection presently appears as Article 66C, section 696(g) of the Code. The verb "take" and other verbs connoting catching or taking are proposed for deletion throughout this subtitle in light of the definition of catch appearing in section 4-101(b). The only other changes made are in style.

(C) "CHESAPEAKE BAY" MEANS THE WATERS, COMMONLY KNOWN AS THE CHESAPEAKE BAY AS DEFINED BY THE CHARTS OF THE OYSTER SURVEY OF 1906 TO 1912, AND ITS AMENDMENTS.

REVISOR'S NOTE: This subsection is new language derived from Article 66C, section 696(j) of the Code. A similar definition appears in subtitle 11. The provision indicating that the Chesapeake Bay includes only those waters lying outside the territorial limits of any county is proposed for deletion. As a result of the Bruce decision, a delineation between the waters of the Chesapeake Bay and the county waters is no longer needed. Prior to Bruce this distinction was necessary because all state residents could fish in the Chesapeake Bay, as defined by the present Code, while only county residents could fish in the county waters.

New language is added indicating that the Oyster Survey should be interpreted in light of any amendments to the charts added as a result of resurveys conducted under the authority of subtitle 11 and court decisions.

(D) "COUNTY WATERS" MEANS THE WATERS LYING WITHIN THE TERRITORIAL LIMITS OF ANY COUNTY IN THE STATE AS DEFINED BY THE CHARTS OF THE OYSTER SURVEY OF 1906 TO 1912, AND ITS AMENDMENTS.

REVISOR'S NOTE: This subsection is new language derived from Article 66C, section 696(1) of the Code. A similar definition appears in subtitle 11. Despite the implication of the Bruce decision, this definition is retained because some sections of the revised Code, not relating to residency, refer to county waters.

(E) "DIVING APPARATUS" MEANS ANY DIVING