

application, and to this end all the provisions of this Act are declared to be severable.

SECTION 3. AND BE IT FURTHER ENACTED, That all laws or parts of laws, public general or public local, inconsistent with the provisions of this Act are repealed to the extent of the inconsistency.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1973.

Approved May 21, 1973.

CHAPTER 427

(Senate Bill 737)

AN ACT to add new Section 696(d-1) to Article 66C of the Annotated Code of Maryland (1970 Replacement Volume and 1972 Supplement), title "Natural Resources," subtitle "Oysters and Clams," to follow immediately after Section 696(d) thereof, and to repeal and re-enact, with amendments, Sections 698(a) and (b) of the same Article, title and subtitle, to include diving apparatus among the devices which may be used for catching oysters; to set the license fee for the use of such a device; and to define the term.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That new Section 696(d-1) be and it is hereby added to Article 66C of the Annotated Code of Maryland (1970 Replacement Volume and 1972 Supplement), title "Natural Resources," subtitle "Oysters and Clams," to follow immediately after Section 696(d) thereof; and that Sections 698(a) and (b) of the same Article, title and subtitle be and they are hereby repealed and re-enacted, with amendments, and all to read as follows:

696.

(D-1) DIVING APPARATUS. - ANY DIVING EQUIPMENT THAT IS SUPPLIED WITH AIR FROM THE SURFACE THROUGH A HOSE, OR DIVING EQUIPMENT GENERALLY REFERRED TO AS SCUBA, THE USE OF WHICH ALLOWS A PERSON TO WORK BENEATH THE WATER FOR THE PURPOSE OF TAKING OR CATCHING OYSTERS BY HAND.

698.

(a) It shall be legal to catch oysters or clams in the waters of this State by rakes, patent tongs, DIVING APPARATUS, dredges, and scrapes, cultch material suspended on strings, in trays, in bags, or similar devices as defined in this section, and by no other means, except that in addition to the foregoing means, soft-shell clams may be caught by hydraulic or mechanical dredges or rigs. DIVING APPARATUS MAY BE LEGALLY USED TO CATCH OYSTERS OR CLAMS ONLY IN AREAS SPECIFICALLY MARKED TO INDICATE DIVERS MAY BE SUBMERGED.

(b) No person shall take or catch oysters or clams for market in the waters of this State who has not been duly licensed as provided in the regulations of the Fish and Wildlife Administration. No license shall be required under the provisions of this subtitle for any person to take or catch up to one bushel of oysters from the natural oyster bars of the State for his own use and consumption, and not for sale or marketing provided that such oysters may be taken only in such places and at