

## Regulations vs. Legislation

To understand how your state game department arrives at the hunting regulations it adopts, you must look at several factors concerning how wildlife is managed. You must understand how the game department is funded, where the money comes from and how it gets access to that money.

Decisions leading to game regulations are arrived at in a different way than those laws that affect hunting through legislation.

Let's keep it simple.

Money from hunting license sales drives the bus. When license sales drop off, revenue decreases and game programs are cut. This may be in the form of personnel or enforcement efforts.

The other funding source comes from the pockets of you and me, the participants in hunting, archery and the shooting sports. When you purchase firearms, ammunition, bows and arrows, you are paying an excise tax that is added on by the manufacturers of hunting gear. This tax is in the ballpark of ten to eleven percent and is collected when the product is sold to the first buyer. When the manufacturer is paid for their merchandise, the tax is then paid to the Internal Revenue Service and goes into a fund called the Wildlife Restoration Fund. Once a year, the funds are allocated back to the states based on a formula. Each state gets a share of the money to fund wildlife management (including the purchase of public hunting lands) and hunter safety education. To qualify for the funds, each state must have a game plan - a Wildlife Management Plan - in effect. This process is called the American Model of Wildlife Conservation and has been working for nearly a century.

The information used to adopt a management plan is gathered by the state wildlife biologists that crunch the numbers. Population projections, hunter harvest, poaching, predation - all the science - goes into formulating a plan for all wildlife - game and non-game species.

Other management plans look at the long term management of certain species. Best known would be the Deer Management Plans of every game department. Population targets are set based on the carrying capacity of the habitat and the 'culture carrying capacity' of how wildlife and humans interact.

In general, seasons, bag limits, safety rules, qualifying firearms and archery tackle - regulations - are established by the game departments based on the science that is applied through the management plans.

The regulation process works pretty well in Maryland. To arrive at a point where an idea becomes a regulation involves the hunting community called "stakeholders" and the public. Hunting groups (stakeholders) can ask for a certain concept to be considered. From that point, internal debate by the wildlife managers turns the concept into a proposal which is put up for public comments. After that, the Wildlife Advisory Commission fine tunes the proposal and votes for the regulation to go into effect. Where it gets sticky is when politics enters the picture. Regulations sometimes meet interference from politicians. Sometimes, politicians try to be wildlife managers and introduce legislation that runs sideways to what the science tells the game managers.

Maryland's General Assembly meets for three months each year. Each political district is represented by a Delegate and a Senator. The General Assembly is bicameral which means it has two chambers, the House of Delegates and the Senate. Proposed laws, known as bills, are entered separately in each chamber. Usually a Committee reviews the pros and cons of each bill and can move it forward to a vote by the full chamber or keep it from advancing. All bills, no matter which chamber introduces them must be voted on by both the House and the Senate to advance to the Governor to sign into law or to veto.

Maryland's mish-mash of laws concerning Sunday hunting is an example of Legislation vs. Regulation. The wildlife department is charged with enforcing their own regulations as well as the laws of the land. In the case of Sunday hunting, the lawmakers, over time, have brought us to where we stand - not the wildlife managers.

Lawmakers act and react to input from the voters in their districts. If the citizens of Dorchester County generally support a law to hunt on Sunday and let their lawmakers know; so be it. If Baltimore County constituents oppose a similar law and make their voices heard; so be it. No politician is going to go against what he or she perceives as the majority of his district speaking out on a bill that affects them. That is a quick way to be voted out of office and lose the power and influence that their seat in the General Assembly provides.

Groups and individuals who oppose the freedom to hunt, fish and trap are organized, well-funded, politically savvy and driven by their beliefs

Overall, hunters are more active in the regulations process but fall short in the legislative process. To have the best of both worlds, hunters must organize, be educated and informed then act to preserve and advance their heritage and their tradition.

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