

STATE OF MINNESOTA
DEPARTMENT OF NATURAL RESOURCES
COMMISSIONER'S ORDER NO. 2371

REGULATIONS FOR THE TAKING OF BEAR DURING 1990

Pursuant to authority vested in me by Minn. Stat. §§ 97B.401-.431 and other applicable law, I, Joseph N. Alexander, Commissioner of Natural Resources, hereby prescribe the following regulations for the taking of bear during 1990. All dates and time periods specified in this order are inclusive unless otherwise noted.

Section 1. DEFINITIONS.

(a) Legal firearms. A firearm or ammunition may be used to take bear if it meets the following requirements:

- (1) Handguns, rifles, shotguns and all projectiles used therein shall be at least 23/100ths of an inch in caliber;
- (2) All firearms shall be loaded only with ammunition containing single projectiles;
- (3) All projectiles shall be of a soft point or an expanding bullet type;
- (4) All ammunition shall have a case length of at least 1.285 inches except that 10 millimeter cartridges shall be at least 0.95 inches in length; and

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(5) Muzzleloaders must be incapable of being loaded at the breech. Smooth-bore muzzleloaders shall be at least .45 caliber and rifled muzzleloaders shall be at least .40 caliber.

It is unlawful to take bear with a .30 caliber M-1 carbine cartridge or with any other firearm or ammunition which does not meet the requirements set forth in this section.

(b) Legal bow and arrow. Bows must have a pull of no less than 40 pounds at or before full draw. Arrowheads used for taking big game must be sharp and have a minimum of two metal cutting edges, be of a barbless broadhead design, and must have a diameter of at least seven-eighths inch. It is unlawful to take bear with any poisoned arrow or arrow with explosive tip. A person may not hunt with a bow drawn, held, or released by a mechanical device, except with a disabled hunter permit issued under Minn. Stat. § 97B.315, or except that a person may use a mechanical device attached to the bowstring if the person's own strength draws, holds, and releases the bowstring.

(c) Drawings. Computerized random drawings will be conducted by the Department of Natural Resources to determine those who will be eligible to apply for a bear license within the bear permit areas. Preference in the drawings will be given to each applicant based upon the number of times he or she has correctly applied for a permit in previous years but has been

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unsuccessful in the drawing. Obtaining a no-quota bear license will have no effect upon eligibility or preference in the drawings except that no person may purchase more than one bear license in a calendar year.

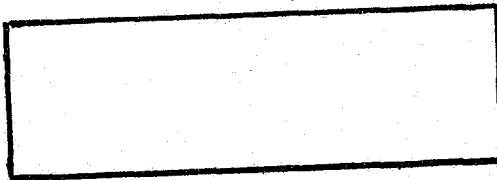
(d) No-quota area. That part of the state of Minnesota not included within the boundaries of permit areas described in Sec. 3.

(e) Bear feeding station. Bear feeding station means any location at which any materials are placed for the purpose of attracting or attempting to attract bear for any purpose other than hunting. This definition shall not be construed to include a bear bait station.

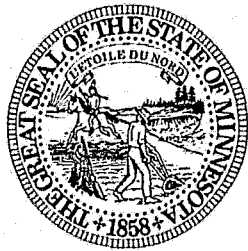
(f) Bear bait station. Bear bait station means any location at which any materials are placed for the purpose of attracting or attempting to attract bear for the purpose of hunting. This definition shall not be construed to include a garbage dump or bear feeding station, nor shall it be construed to include materials that are at all times attended by the hunter.

(g) Garbage dump. Garbage dump means any site regularly and primarily used for the disposal of garbage or other refuse. This definition shall not be construed to include a bear bait station.

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Sec. 2. BEAR HUNT DRAWING AND LICENSING.

(a) Persons desiring to hunt bear have a choice of two means of obtaining a bear license. Persons desiring to hunt within one of the permit areas described in Sec. 3 and subject to the quotas set forth in Sec. 4 must take part in the license application drawing. Persons desiring to hunt in the no-quota area outside of the permit areas described in Sec. 3 do not have to participate in a drawing and may purchase a bear license from a county auditor's office or the DNR License Bureau in St. Paul. No person may hunt bear without having first obtained a bear hunting license. A person obtaining a bear license for a permit area is restricted to hunting bear within the permit area for which the license is issued. A person obtaining a bear license for the no-quota area is restricted to hunting bear outside of the permit areas.

(b) Any resident or nonresident who is at least 12 years old prior to September 1, 1990 and whose big game hunting privileges are not suspended pursuant to Minn. Stat. § 97A.421 is eligible to purchase a bear license for the no-quota area or to enter a drawing for a permit area license. Persons under the age of 16 must possess a valid Firearms Safety Certificate.

(c) Application for the drawing must be made on the form provided by the Department of Natural Resources and all information requested must be supplied. A driver's license number

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or an official State of Minnesota identification number issued by the Department of Public Safety must be provided.

(d) Each permit area applicant may apply only once and for only one of the permit areas. Any person who submits more than one such application in any one year shall be ineligible to receive a bear license in that year and shall be guilty of a misdemeanor. Improperly completed applications will be rejected.

(e) Applications must be returned to the DNR License Bureau, Box 26, 500 Lafayette Rd., St. Paul, MN 55155-4026. If mailed, applications must be submitted in envelopes and postmarked no later than May 1, 1990. If hand-delivered, applications must be delivered no later than 4:30 p.m., May 1, 1990.

(f) Persons may apply individually or as part of a group totaling no more than four persons. Those who wish to apply as a group must submit their applications for the drawing together in one envelope. All applications in a group must be for the same permit area. The individual within a group with the lowest preference rating will determine the preference rating of the group. Either all members of the group will be drawn or none will. Improperly completed applications will be rejected but will not disqualify other members of the group.

(g) Successful drawing applicants will receive a license application with instructions for obtaining their licenses.

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Successful applicants who do not return the license application and the fee according to the provisions specified on the license application or who do not provide all of the requested information will be disqualified. All accumulated preference is lost upon issuance of a bear hunting license. Anyone under the age of 16 years must have a firearms safety certificate to be eligible to obtain a license. Licenses for the quota bear permit areas shall not be issued to successful drawing applicants after the hunting permit selection process.

Sec. 3. BEAR HUNT PERMIT AREAS.

(a) Bear Hunt Permit Area 12.

That portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 72 and the northern boundary of the state; thence along STH 72 to the Tamarac River; thence along the southerly shore of said river to Upper Red Lake; thence along the southeasterly shore of said lake to the east boundary of the Red Lake Indian Reservation; thence along the easterly, southerly, and westerly boundaries of said Reservation to the point where the Clearwater River leaves the Reservation boundary; thence along the south shore of said river to County State Aid Highway (CSAH) 2, Polk County; thence along CSAH 2 to CSAH 27, Pennington County; thence along CSAH 27 to STH 1; thence along STH 1 to County State Aid Highway (CSAH) 28, Pennington County; thence along CSAH 28 to CSAH 54, Marshall County; thence along CSAH 54 to CSAH 9, Roseau County; thence along CSAH 9 to CSAH 2, Roseau County; thence along CSAH 2 to STH 89; thence along STH 89 to STH 310; thence along STH 310 to the north boundary of the state; thence along the north boundary of the state to the point of beginning.

(b) Bear Hunt Permit Area 13.

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That portion of the state lying within the following described boundary:

Beginning on the north boundary of the state at State Trunk Highway (STH) 72; thence along the north boundary of the state to a point due north of the intersection of STH 11 and U.S. Highway 71; thence due south to U.S. Hwy. 71; thence along U.S. Hwy. 71 to STH 6; thence along STH 6 to STH 1; thence along STH 1 to STH 72; thence north along STH 72 to the point of beginning.

(c) Bear Hunt Permit Area 22.

That portion of the state known as the Boundary Waters Canoe Area Wilderness (BWCAW) but excluding the detached part of the BWCAW lying south of the Echo Trail, St. Louis County, and known as the Trout Lake unit or block.

(d) Bear Hunt Permit Area 23.

That portion of the state lying within the following described boundary:

Beginning at the junction of U.S. Highway 2 and State Trunk Highway (STH) 65; thence along STH 65 to STH 1; thence along STH 1 to STH 169; thence along STH 169 to the first Shagawa River bridge at Winton; thence along the northerly shore of said river to Fall Lake; thence along the westerly and northerly shores of Fall Lake to the south boundary of the Boundary Waters Canoe Area Wilderness (BWCAW); thence westward along the southerly boundary of the BWCAW to the intersection with the north boundary of the state; thence along the northern boundary of the state to a point due north of the junction of U.S. Hwy. 71 and STH 11 at Pelland; thence due south to said junction; thence along U.S. Hwy. 71 to STH 6; thence along STH 6 to U.S. Hwy. 2; thence along U.S. Hwy. 2 to the point of beginning.

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(e) Bear Hunt Permit Area 24.

That portion of the state lying within the following described boundary:

Beginning at the junction of U.S. Highway 2 and State Trunk Highway (STH) 65; thence along STH 65 to STH 1; thence along STH 1 to the Soudan-Two Harbors Branch of the Duluth, Missabe and Iron Range Railway Company (DM&IR); thence along said railroad to County State Aid Highway (CSAH) 16, St. Louis County; thence along CSAH 16 to U.S. Highway 53; thence along U.S. Hwy. 53 to CSAH 133, St. Louis County; thence along CSAH 133 to CSAH 25, Itasca County; thence along CSAH 25 to U.S. Hwy. 2; thence along U.S. Hwy. 2 to the point of beginning.

(f) Bear Hunt Permit Area 31.

That portion of the state lying within the following described boundary:

Beginning on U.S. Highway 53 at the eastern boundary of the state; thence along U.S. Highway 53 to County State Aid Highway (CSAH) 16, St. Louis County; thence along CSAH 16 to the Soudan-Two Harbors Branch of the Duluth, Missabe and Iron Range Railway Company (DM&IR); thence along said railroad to State Trunk Highway (STH) 169; thence along STH 169 to the first Shagawa River bridge at Winton; thence along the northerly shore of said river to Fall Lake; thence along the westerly and northerly shores of Fall Lake to the south boundary of the Boundary Waters Canoe Area Wilderness (BWCAW); thence easterly along said boundary of the BWCAW to the north boundary of the state at Magnetic Lake; thence easterly along the north boundary of the state to the boundary of the BWCAW on the south shore of North Lake; thence along the boundaries of this detached part of the BWCAW to the north boundary of the state at South Fowl Lake; thence along the northern and eastern boundaries of the state to the point of beginning.

(g) Bear Hunt Permit Area 41.

That portion of the state lying within the following described boundary:

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Beginning at the junction of U.S. Hwy. 59 and the north boundary of the White Earth Indian Reservation; thence along said boundary to County State Aid Highway (CSAH) 6, Polk County; thence along CSAH 6 to CSAH 3, Polk County; thence along CSAH 3 to CSAH 2, Polk County; thence along CSAH 2 to the Clearwater River; thence along the south shore of said river to the west boundary of the Red Lake Indian Reservation; thence along the west, south and east boundaries of said reservation to the southeasterly shore of Upper Red Lake; thence along said lakeshore to the Tamarac River; thence along the southerly shore of said river to State Trunk Highway (STH) 72; thence along STH 72 to U.S. Hwy. 71; thence along U.S. Hwy. 71 to U.S. Hwy. 2; thence along U.S. Hwy. 2 to STH 92; thence along STH 92 to the north boundary of the White Earth Indian Reservation; thence west along said reservation boundary to the point of beginning.

(h) Bear Hunt Permit Area 42.

That portion of the state lying within the following described boundary:

Beginning at the junction of U.S. Hwy. 59 and the north boundary of the White Earth Indian Reservation; thence along said boundary to State Trunk Highway (STH) 92; thence along STH 92 to U.S. Hwy 2; thence along U.S. Hwy 2 to U.S. Hwy. 71; thence along U.S. Hwy. 71 to STH 72; thence along STH 72 to STH 1; thence along STH 1 to STH 6; thence along STH 6 to STH 18; thence along STH 18 to U.S. Hwy. 169; thence along U.S. Hwy. 169 to STH 23; thence along STH 23 to the Mississippi River; thence upstream along the easterly shore of said river to STH 27 at Little Falls; thence along STH 27 to U.S. Hwy. 71; thence along U.S. Hwy. 71 to U.S. Hwy. 10; thence along U.S. Hwy. 10 to U.S. Hwy. 59; thence along U.S. Hwy. 59 to the point of beginning.

The Tamarac National Wildlife Refuge within Area 42 is not open for bear hunting.

(i) Bear Hunt Permit Area 51.

That portion of the state lying within the following described boundary:

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Beginning on U.S. Hwy. 53 on the eastern boundary of the state; thence along U.S. Hwy. 53 to County State Aid Highway (CSAH) 133, St. Louis County; thence along CSAH 133 to CSAH 25, Itasca County; thence along CSAH 25 to U.S. Hwy. 2; thence along U.S. Hwy. 2 to STH 6; thence along STH 6 to STH 18; thence along STH 18 to U.S. Hwy. 169; thence along U.S. Hwy. 169 to STH 23; thence along STH 23 to STH 47; thence along STH 47 to STH 27; thence along STH 27 to STH 65; thence along STH 65 to STH 18; thence along STH 18 to the west boundary of Pine County; thence along the west and north boundaries of Pine County to STH 23; thence along STH 23 to CSAH 22, Pine County; thence along CSAH 22 to CSAH 32; thence along CSAH 32 to the eastern boundary of the state; thence along the eastern boundary of the state to the point of beginning.

Sec. 4. BEAR HUNT PERMIT AREA QUOTAS.

The following quotas on hunter numbers are established for each bear hunt permit area:

<u>Permit Area</u>	<u>Quota</u>
12	320
13	280
22 (BWCAW)	370
23	1,010
24	520
31	980
41	290
42	1,410
51	<u>1,190</u>
TOTAL	6,370

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The quota of licenses listed for any permit area may be modified in order to accommodate party members if the last applicant to be selected is a member of a party.

Sec. 5. SEASON DATES, METHODS AND HOURS.

Bear may be taken by licensed hunters using legal firearms or legal bow and arrow from September 1 to October 14, 1990 in all Permit Areas and in the no-quota area between one-half hour before sunrise and sunset each day. However, no person shall hunt bear while having in possession or having under control both a firearm and a bow and arrow. Each hunter may hunt only within the permit area designated on his or her license.

Sec. 6. NUISANCE BEAR.

Nuisance bear may be taken under special permit by licensed bear hunters from July 1, 1990 to August 31, 1990, between one-half hour before sunrise and sunset each day, pursuant to the following conditions:

- (1) Permits shall be issued by a conservation officer on a case by case basis only after the conservation officer has determined that a nuisance bear problem does in fact exist, and that no practical alternatives to killing the bear exist for alleviating the problem.
- (2) Permits shall be issued to hunters with licenses valid for the permit area in which

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the damage is occurring. Permits issued for nuisance bears outside the permit areas shall be issued only to hunters with valid licenses for the no-quota area. Only one hunter shall hunt under any one permit. Each permit shall be restricted to a specified location.

(3) Any person taking a bear pursuant to this section shall register it with the officer who issued the permit (or his designee) within 48 hours after taking.

(4) Anyone who kills a bear pursuant to this section shall not kill, hunt or tag another bear during 1990.

(5) Nuisance bear permittees are subject to all provisions of this order not inconsistent with this section and all laws relating to the taking of wild animals.

Sec. 7. BAG LIMIT.

(a) No person shall take more than one bear during any calendar year whether by firearm or bow and arrow. Bear taken may be of either sex or any age except that cub bear may not be taken. Cub bear are any bear less than one year of age.

(b) Party hunting for bear is not permitted. No hunter shall affix the locking seal provided with his or her

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license to a bear which he or she did not kill. No hunter shall affix to a bear the locking seal of another hunter. No hunter shall kill a bear for another hunter.

Sec. 8. BEAR BAIT STATIONS, FEEDING STATIONS AND GARBAGE DUMPS.

(a) No person shall establish, service or maintain any bait station prior to August 17, 1990.

(b) No person shall establish a bait station without registering the site as follows:

(1) The following information must be provided on an 8-1/2 inch by 11 inch sheet of paper:

(A) Name, address and telephone number of person who established the bait station.

(B) County, Township, Range and Section in which the bait station is established.

(2) The above information must be mailed no later than the next postal service day following establishment of the bait station to the Division of Enforcement, Department of Natural Resources, Box 47, 500 Lafayette Road, St. Paul, MN 55155-4047.

(c) Any person establishing a bait station shall display a sign at the site as follows:

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(1) The sign shall be made of plastic, wood or metal and shall be at least 6 inches by 10 inches in size.

(2) The sign shall contain the full name and Minnesota driver's license number or the full name, address and telephone number, all in the English language, of the person placing the bait.

(3) Letters and numbers shall be legibly printed and either painted or impressed on the sign material.

(4) The sign shall be prominently displayed between 6 and 10 feet above the natural ground level and within 20 feet of the bait.

(d) No person shall hunt bear within 100 yards of a bait station unless it is registered and marked with a sign as prescribed by this section.

(e) To attract bear, a person may not use a bait with:

(1) More than 25 percent of an intact carcass of a mammal;

(2) Solid waste containing bottles, cans, plastic, paper or metal;

(3) Materials that are not readily biodegradable;

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(4) Any part of a swine, except that cured bacon and ham may be used.

(f) No person shall take or attempt to take bear within one-half mile of a garbage dump, designated municipal or county garbage collection point or bear feeding station, except as authorized pursuant to Sec. 6 of this order or as otherwise authorized by law. No person who is licensed to take bear may be in possession of an uncased weapon legal for taking bear while within one-half mile of any such location that has existed at any time within the preceding four months.

(g) No person shall establish a bait station within 150 yards of a campsite or in Bear Hunt Permit Area 22.

Sec. 9. SPECIAL PROVISIONS.

(a) Locking Seal. Every person killing a bear must affix to the carcass the locking seal provided with his or her bear hunting license. The seal must be fastened around the bear's sternum (breast bone) in such a way that the seal cannot be removed without breaking the lock. The seal must be attached to the bear when: (1) the animal is in a camp, or a place occupied overnight or the yard surrounding the place; or (2) the animal is on a motor vehicle (self-propelled vehicle or any vehicle propelled or drawn by a self-propelled vehicle).

(b) Registration. Every person taking a bear shall present it for registration at an official bear registration

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station or, in the case of a nuisance bear permit, to the issuing officer, within 48 hours after taking and obtain a Big Game Possession Tag. Prior to transporting the bear from the registration station the possession tag shall be attached to the bear in the same manner as the locking seal. Bear taken in the No-quota Area must be registered within the No-quota Area.

(c) Tooth Collection. Every person killing a bear must submit a bear tooth to the Department of Natural Resources according to instructions, and in the envelope provided at bear registration stations. It is the responsibility of each person killing a bear to mail the tooth envelope to the DNR except in those cases where a bear registration station is collecting the teeth.

(d) No person shall take or molest any bear in a den.

(e) No person shall take or attempt to take bear with the aid of dogs.

(f) No bear shall be taken in any manner in any area of the state except as herein expressly provided or as otherwise provided by Commissioner's Order or by law.


(g) None of the provisions of this order shall be construed as modifying or superseding any order establishing game refuges within the state nor as permitting the taking of any wild animals within such refuges or within state parks.

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(h) All animals taken pursuant to this order must be killed before being removed from the site where taken.

Dated at Saint Paul, Minnesota, this 5 day of

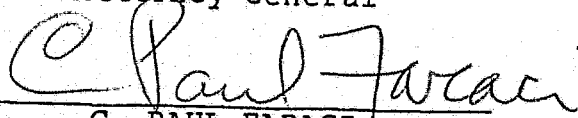
Apr, 1990.



JOSEPH N. ALEXANDER, Commissioner
Department of Natural Resources

APPROVED AS TO FORM AND EXECUTION

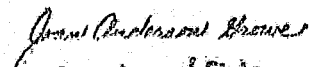
HUBERT H. HUMPHREY, III
Attorney General



C. PAUL FARACI
Deputy Attorney General

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

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Secretary of State

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