

STATE OF MINNESOTA
DEPARTMENT OF NATURAL RESOURCES
COMMISSIONER'S ORDER NO. 2379
REGULATIONS FOR THE TAKING OF TURKEYS
DURING THE FALL OF 1990

Pursuant to authority vested in me by Minn. Stat. §§ 97A.045, 97A.435, 97B.711, 97B.723, 97B.725 and other applicable law, I, Joseph N. Alexander, Commissioner of Natural Resources, hereby prescribe the following regulations for the taking of turkeys during the fall of 1990. Unless otherwise specified, all dates and time periods in this order are inclusive.

Section 1. DEFINITIONS.

(a) Legal firearms: Only shotguns 20 gauge or larger, or muzzleloading shotguns 12 gauge or larger, using fine shot size No. 4, 5 or 6 shall be used.

(b) Legal bow and arrow: Bows must have a pull of no less than 40 pounds at or before full draw. It shall be unlawful to hunt turkeys with any poisoned arrow or arrow with explosive tip. The bow may not be drawn, held, or released by mechanical means, except for permits issued under Minn. Stat. Sec. 97B.106, 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. Arrowheads must:

(1) be sharp, have a minimum of two metal cutting edges, be of a barbed broadhead design, and have a diameter of at least seven-eighths inch; or

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(2) be of a blunthead design.

(c) Legal turkey: A turkey of any sex and any age.

(d) Drawings: Computerized random drawings will be conducted by the Department of Natural Resources to determine those who will be eligible to apply for a fall turkey license. Beginning with the 1990 fall hunt drawing, preference in the fall drawings will be given to each applicant based upon the number of times he or she has correctly applied for a fall permit but has been unsuccessful in the drawing.

(e) Agricultural or grazing land means land:

(1) that is plowed or tilled; (2) that has standing crops or crop residues; or (3) within a maintained fence for the purpose of enclosing domestic livestock.

Sec. 2. LICENSE ELIGIBILITY.

A person is not eligible for a turkey license unless the person:

(a) is at least 16 years of age or possesses a valid Minnesota Firearms Safety Certificate prior to October 17, 1990;

(b) has maintained a legal residence in Minnesota for a period of 60 days immediately preceding October 17, 1990; and

(c) has not had any small game hunting privileges

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revoked within one year prior to August 10, 1990.

Sec. 3. TURKEY HUNT DRAWING.

(a) License application drawings: Persons desiring to hunt turkeys must take part in one of the computerized license application drawings conducted by the Department of Natural Resources. The drawings shall be subject to the quotas set forth in Sec. 6. All persons selected by the drawings may apply for a license to hunt turkeys, as set forth in Sec. 4.

(b) Participation in drawings: All persons desiring to take part in one of the turkey license application computer drawings must complete an official application form for either the general turkey hunt or, if appropriate pursuant to paragraph (c) of this section, for the resident landowner-tenant turkey hunt.

(1) All information requested on the forms must be supplied. Applicants age 16 or over by October 17, 1990 must provide their individual Minnesota drivers license number of 13 characters or an official State of Minnesota Identification number of 13 characters issued by the Department of Public Safety. Applicants age 12 to 15 by October 17, 1990 may supply either of the above numbers or must provide a Minnesota Firearms Safety Certificate number. Individuals who apply with a Minnesota Firearms Safety Certificate and are unsuccessful will

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not gain preference in the 1991 drawing. Persons submitting the landowner-tenant form must provide a complete and accurate description of the qualifying land. All applicants must choose one of the three (3) zones.

(2) Applications for a group must all be for the same zone and time period. Two, but not more than four persons desiring to hunt together may apply together by submitting their drawing applications in one envelope. The individual within a group with the lowest preference rating will determine the preference rating of the group. Properly completed applications which are submitted in one envelope will either all be selected or none selected. Mixing landowner-tenant applications with general applications will not be permitted for purposes of applying as a party.

(3) Any person who makes a faulty application or who applies as a landowner or tenant but does not live on at least 40 acres of agricultural or grazing land or does not live within the zone applied for, will be ineligible for both the landowner-tenant fall drawing and general fall drawing.

(4) Applications must be returned to the DNR License Bureau, 500 Lafayette Road, Box 26, St. Paul, MN 55155-4026. If mailed, applications must be postmarked no later than June 15, 1990. If hand delivered, applications must be delivered no later than 4:30 p.m., June 15, 1990.

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(c) Special landowner or tenant drawing: A special landowner-tenant license application drawing will be held subject to the following restrictions:

(1) Applicants must be able to meet all eligibility requirements in Sec. 2 of this order.

(2) Applicants must be a landowner or tenant, or a member of their immediate family, living on, as their primary residence, 40 acres or more of agricultural or grazing land, defined by Section 1 of this order, which is located within the zone for which the application is made.

(3) For each zone and time period, not more than twenty percent of the successful participants shall be drawn from the special landowner-tenant applications.

(4) Individual participants in the landowner-tenant drawing may submit only one drawing application and only for the turkey zone in which they reside.

(5) Valid applications of participants unsuccessful in the landowner-tenant drawing will be included in the general drawing.

(6) Applicants for the landowner-tenant drawing that are determined to be ineligible for the landowner-tenant drawing will be disqualified from the entire 1990 fall turkey computer drawing.

(7) All participants who are successful in

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the special landowner-tenant drawing must allow turkey hunting on their lands. The Commissioner will provide descriptions of these lands to licensed turkey hunters.

(d) Application Fee: Each applicant must submit along with his/her application a cashiers check, money order or personal check in the amount of \$3.00 payable to the Minnesota Department of Natural Resources. Any checks that are returned to the Department of Natural Resources for non-payment shall invalidate the application and the check will be destroyed. Refunds of application fees shall not be made for any reason.

(e) Penalties: No person shall submit more than a total of one application for participation in the drawings. Any person who submits more than one application for the fall season shall be ineligible to receive a turkey license in that season and shall be guilty of a misdemeanor.

Sec. 4. LICENSING.

(a) Only applicants successful in a computerized drawing will be notified.

(b) Applicants successful in the drawing will receive a license application with instructions for obtaining their licenses. 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

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preference for the fall hunt is lost upon issuance of a fall turkey hunting license.

(c) Before hunting turkeys, participants successful in a drawing must:

(1) Apply for and receive a 1990 fall turkey hunting license.

(2) Purchase a 1990 Minnesota small game hunting license if age 16 or older, except that persons exempt from the small game hunting license requirement pursuant to Minn. Stat. Sec. 97B.601, subd. 4(b) need not purchase a small game license.

(3) Possess a valid Minnesota Firearms Safety Certificate if not age 16 or older prior to October 17, 1990.

Sec. 5. SEASON DATES, ZONES, HOURS AND WEAPONS.

(a) Dates: The 1990 fall turkey season is open in three zones during the following dates:

October 17-21, 1990

Each hunter may hunt only during the five day period designated on his or her license. All dates are inclusive.

(b) Zones: Each hunter may hunt only within the zone designated on his or her license.

(1) Turkey Zone 1.

That portion of the state lying within the

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following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 26 and STH 16; thence along STH 16 to STH 44; thence along STH 44 to County State Aid Highway (CSAH) 4, Houston County; thence along CSAH 4 to the southern boundary of the state; thence along the southern boundary of the state to the eastern boundary of the state; thence along the eastern boundary of the state to STH 16; thence along STH 16 to the point of beginning.

(2) Turkey Zone 2.

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

Beginning at the intersection of State Trunk Highway (STH) 26 and STH 16; thence along STH 16 to STH 44; thence along STH 44 to County State Aid Highway (CSAH) 4, Houston County; thence along CSAH 4 to the southern boundary of the state; thence along the southern boundary of the state to CSAH 28, Fillmore County; thence along CSAH 28 to STH 43; thence along STH 43 to Interstate 90; thence along Interstate 90 to CSAH 33, Winona County; thence along CSAH 33 to U.S. Highway 14; thence along U.S. Highway 14 to CSAH 33, Winona County; thence along CSAH 33 to STH 248; thence along STH 248 to CSAH 31, Winona County; thence along CSAH 31 to CSAH 28, Winona County; thence along CSAH 28 to CSAH 25, Winona County; thence along CSAH 25 to the intersection of CSAH 25 and U.S. Highway 61; thence due east to the eastern boundary of the state; thence along the eastern boundary of the state to STH 16; thence along STH 16 to the point of beginning.

(3) Turkey Zone 3.

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

Beginning at the intersection of Interstate 90 and U.S. Highway 63; thence along Interstate 90 to State Trunk Highway (STH) 43; thence along STH 43 to County State Aid Highway (CSAH) 28, Fillmore County; thence along CSAH 28 to the southern boundary of the state;

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thence along the southern boundary of the state to U.S. Highway 63; thence along U.S. Highway 63 to the point of beginning.

(c) Hours and weapons: Legal turkeys may be taken by licensed hunters using legal shotgun or legal bow and arrow, as defined in Section 1, from one-half hour before sunrise to sunset daily during the dates and within the zones described in this section.

Sec. 6. QUOTAS.

The following quotas on hunter numbers are established for each zone and time period. These quotas may be subject to modification in order to accommodate party members if the last applicant to be drawn for a zone is a member of a party.

<u>Time Period</u>	<u>Zones and Quotas</u>		
	<u>1</u>	<u>2</u>	<u>3</u>
Oct. 17-21	200	400	400

GRAND TOTAL: 1,000

Sec. 7. SPECIAL PROVISIONS.

(a) Bag limit: No hunter shall: take more than one legal turkey; tag a turkey that he or she did not take; or tag a turkey with the tag of another hunter. All turkeys taken must be killed before being removed from the site where taken.

(b) Assisting: Only a turkey hunter licensed for the same zone and time period may assist any other licensed turkey hunter in hunting turkeys.

(c) 12-15 Year Olds: A licensed turkey hunter

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who is not age 16 or older prior to October 17, 1990 must have a valid Minnesota Firearms Safety Certificate in possession.

Licensed turkey hunters age 12 or 13 must be accompanied by a parent or guardian while turkey hunting. "Guardian" is a legal guardian or any person age 18 or older authorized by the parent or legal guardian to supervise the person age 12 or 13. Licensed turkey hunters age 14 or 15 may hunt turkeys unaccompanied by a parent or guardian.

(d) Tagging: Immediately after taking a turkey, hunters must punch date of kill, sign and attach the tag to the turkey. This tag must remain attached to the turkey during transit.

(e) Registration: Every person taking a turkey must register the turkey at a designated registration station no later than 24 hours after the time when taken. The feathers, head and feet must remain on the turkey until it is registered. No unregistered turkey shall be possessed outside the zone where taken unless it is being transported in a direct route to a registration station. Registration stations will include the following. If necessary, additions, deletions or changes to this list may be made.

1. Caledonia B & M Service Center (Mobil Gas Station)
 128 N. Kingston
2. LaCrescent Tri-State Bait and Tackle
 103 Hillview Blvd.

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| 3. Rushford | Larry's Mobil
Jct. Hwys. US 16 and STH 43 |
| 4. Chatfield | Chatfield Motor Mart
302 South Main |
| 5. Lanesboro | Root River Oil Co.
US Hwy. 16 |
| 6. Rochester | Wild Goose Sports
1117 N. Broadway |
| 7. Houston | Halverson Standard Oil
Hwy. 16 East |
| 8. Spring Valley | Fowler Standard Oil
221 North Section |
| 9. Harmony | Harmony Amoco
Hwy. 52 |
| 10. Winona | West End Bait Co.
950 West 5th Street |

Registration stations normally open at 8:00 a.m.

(f) Turkeys may not be taken with the aid of dogs. No person shall be accompanied by a dog or dogs while hunting or assisting in hunting turkeys.

(g) Turkeys may not be taken with the aid of any electronic device.

(h) Use of live decoys is prohibited.

(i) While afield hunting turkeys, no person shall have in his possession or control any firearm or bow and arrow except those defined by Section 1 of this order as legal for taking turkeys.

(j) No turkeys shall be taken in any manner in

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any area of the state except as herein expressly provided or as otherwise provided by statute or Commissioner's Order.

(k) Except as specifically provided herein, none of the provisions of this order shall be construed as modifying or superseding any order establishing legal refuges within the state nor as permitting the taking of any wild animals within such refuges or within state parks.

(i) The Lost Lake Refuge in Fillmore County is open for the taking of turkeys during the 1990 Fall Turkey Hunt.

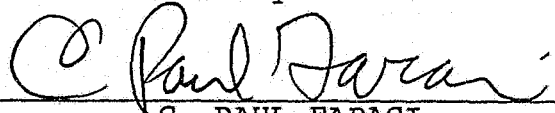
Dated at St. Paul, Minnesota this 16 day of

May, 1990.


JOSEPH N. ALEXANDER, COMMISSIONER
Department of Natural Resources

APPROVED AS TO FORM AND EXECUTION

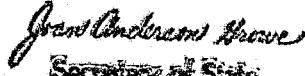
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STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

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Secretary of State

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