

April 12th, 2015

Senator Richard Cohen, Chairman
Senate Finance Committee
75 Rev. Dr. Martin Luther King Jr. Blvd.
301 Capitol
St. Paul, MN 55155 - 1606

Dear Legislative Members;

I address you today with hopes of offering some insight to the proposed bear feeding ban you are considering. As noted, I am a New Jersey resident and back in 2002 the State of New Jersey adopted a “ No Feeding Ban “ for the intentional feeding of the black bear population, with a warning issued for the first offense, and a fine of \$1,000.00 for subsequent occurrences. In 2003, the Division of Fish and Wildlife conducted a 5 county residential sweep advising residents on property management and bear coexistence procedures. This so called sweep, reached approximately 10 % of the population of the 5 counties. In the 12 years since only about 12 warnings / fines have been issued and a few of them have been challenged in the courts. A lack of manpower to fully implement this law has been claimed as a result of its failure. Local police departments are reluctant to issue warnings stating it’s not their job to enforce wildlife issues, and also a lack of personnel to do so.

Some have also questioned the constitutionality of the amendment of permitting hunters to continue to bait wildlife, particularly bears. As a Superior Court judge, right in my own county, declared when hearing a case of bear feeding, a legislative law is intended to address all citizens and should contain no amendments for selective groups or organizations. The case was dismissed. Another such case was also dismissed with the judge declaring that the burden of proof of an “ intentional “ feeding of bears lies with the Division of Fish and Wildlife. Whereas this law and its content does not prohibit the feeding of other wildlife species such as deer, birds etc., proving an intentional feeding of bears versus an unintentional feeding of deer or other wildlife species, is almost impossible.

The contentions of your DNR, as well as those of New Jersey, Nevada, Florida, Connecticut and others, is that this bill / law is needed for “ public

safety “ but all have failed to prove that a “ No Feeding Ban “ would have any impact on public safety at all. At present in the New Jersey legislature, is a bill to prohibit baiting. Pro hunting organizations have vehemently opposed this bill with hunters claiming that banning baiting would severely hinder their ability of harvesting a bear or deer.

Animal rights organizations contend that baiting violates the ethics of hunting making it a bait and shoot contest. Many prominent attorneys have stated, permitting baiting violates the very purpose of this law as it is written. The wording clearly states: Any person (s) who places foodstuffs upon the ground with the purpose of attracting bears, shall be guilty of “ intentional Feeding “ of same. Therefore, the inclusion of the amendment permitting baiting by hunter’s, negates the very substance of this law.

In a state probably 6 times the size of New Jersey with a bear population 10 times that of ours, unless you plan on using the National Guard to enforce this law, it will end up being just another worthless law on the books. In the vastness of Minnesota compared to the over crowdedness of New Jersey, hunters and other residents will just continue doing as they have done for over half a century.

As a friend and member of the North American Bear Center, the Wildlife Research Institute, and Minnesota’s wildlife in general, I ask you to consider if this proposal is in fact a measure to insure public safety or another vendetta of the DNR towards a world renowned bear researcher.

Thank you for allowing me to voice my opinions.

Respectfully,