

04 DEPARTMENT OF CONSERVATION

059 BUREAU OF PARKS AND LANDS

Chapter 54: BEAR BAITING ON PUBLIC LANDS

---

#### Sec. 1 PREAMBLE

In accordance with 5 MRSA § 8054 and 12 MRSA § 1802 the Department of Conservation, Bureau of Parks and Lands adopted rules to regulate bear baiting on Public Lands in 1991. These rules were amended in 1993.

#### Sec. 2 SUMMARY

These rules clarify procedures which allow bear baiting on Public Reserved Lands and nonreserved lands in a manner that will not conflict with land management activities, will insure safety to all users of these lands and will streamline administration of the bear baiting permit process.

#### Sec. 3 FINDINGS

The Bureau finds that this rule is necessary based on the following:

1. 12 MRSA Ch. 709 allows bait to be placed for the purpose of hunting bear.
2. Other major landowners in Maine have adopted fees and regulations for bear baiting on their lands.
3. The fees and regulations imposed by these landowners will influence bear hunters to locate bear baits on lands where there are no regulations.
4. A disproportionately large number of hunters competing for limited baiting stations on Public Lands, will result in land management conflicts and could endanger public safety in certain high-use recreation areas.

#### Sec. 4 DEFINITIONS

Public Lands - Shall include only the Public Reserved lands and nonreserved lands of the State under the jurisdiction and control of the Bureau of Parks and Lands.

State parks, historic sites, memorials and the Allagash Wilderness Waterway are not covered by this rule.

Bureau - shall mean the Bureau of Parks and Lands within the Department of Conservation.

Personal Bear Bait Sites - Bait sites intended solely for the non-commercial use of no more than 2 individuals.

Commercial Bear Bait Sites - Bait sites permitted to licensed guides for commercial use.

Bait Sites - Any location where substances are placed to attract bear for the purpose of hunting them, regardless of the hunting or baiting method used.

## Sec. 5 STANDARDS

1. A permit from the Bureau of Parks and Lands is required before placing bait for bear on public reserved and nonreserved lands within the jurisdiction of the Bureau of Parks and Lands that is not managed jointly with another entity.
2. Beginning in 2006 permit fees for personal bait sites are \$30 per bait site and permit fees for commercial bait sites are \$65 per bait site.
3. All applicants for bait site permits must provide proof of a valid, current hunting license and /or guides license at the time they submit an application, as such license(s) are required for such activities. All applicants must list the name of any guide, sporting camp or other hunting related business with which they have a business or financial relationship that pertains to the sites listed on the application form. Applicants possessing guides licenses with a hunting endorsement are eligible for commercial bait sites only.
4. All applicants for commercial sites must provide proof of liability insurance in the amount of no less than \$300,000 per occurrence. Applicants shall also list the name and phone number of anyone authorized to place bait at permitted site (s) if other than the applicant.
5. Applications for permits shall include a bait site map and a GPS location for each site applied for. A bait site is considered to have a radius no greater than 100 feet within which all bait must be placed
6. Except as provided in sections 8 and 9 applications will be accepted between June 1 and June 30 of each calendar year. Permits will be issued by August 1.

7. The Bureau will attempt to accommodate all requests for bait sites in an equitable manner. Available bait sites will be allocated to applicants as described below.

8. One-half of the available bear bait sites will be reserved for personal use. All bait sites not applied for by June 30 will become available in accordance with standards 4.5( 9,10,11,) below.

9. Personal and commercial bait sites may be renewed annually for up to 2 years provided application is made prior to June 30 each year and provided that the applicant has a record of previous compliance with all rules/laws. Beginning in 2003 applications for site renewals must be made by May 31 or renewal privileges are forfeited. Renewals of sites in 2002 will be for 2003 only and no sites may be renewed in 2003. In 2004 all sites will be reallocated and a fixed 3 year renewal period will begin.

10. After June 30, late applications will only be accepted if bait sites are still available. Late permits will be issued on a first-come, first-served basis within 5 working days of receipt of the application by the Bureau. Permits for all sites applied for after June 30 will be valid for the current year only and are not automatically renewable.

11. When applications for bait sites exceed the number of available sites the available sites will be divided equally among the applicants. If the available sites cannot be divided equally among the applicants the sites will be awarded by lottery.

12. If a permittee loses the required hunting or guides license(s) all bait sites for the remainder of the current season are automatically forfeited with no refund of fees paid.

13. Bait sites are NOT assignable or transferable.

14. Bait site signs provided by the bureau must be placed at a distance no greater than 100 feet from the bait when bait is present or when the site is being used. Bait site signs must be placed in such a manner that the signs are conspicuous when approaching the bait site.

15. Permits shall be valid only for the bear hunting season for which they are issued and for the specific bait site locations approved by the Bureau.

16. The Bureau may refuse to issue a permit for any site that is considered unsafe or that is inconsistent with other management activities or objectives.

17. Personal bear bait sites may be used only by no more than two individuals named in the permit application for that specific bait site.

18. Permittees must abide by all applicable state laws, rules and regulations governing bear baiting, tree stands and other hunting and guiding activities.

#### Sec. 6 PENALTY

A. Revocation of the permit. Any violation of these rules will result in revocation of all bear baiting permits issued to the permittee. When revoked, permits must be surrendered to the Director on demand.

---

EFFECTIVE DATE (as 04-063, Bureau of Public Lands, Chapter 4):  
February 12, 1991

AMENDED:  
March 21, 1993

EFFECTIVE DATE (ELECTRONIC CONVERSION):  
May 4, 1996

NON-SUBSTANTIVE CORRECTIONS:  
January 21, 1997

AMENDED:  
November 6, 1999; also converted to MS Word.

RENUMBERED (to 04-059, Bureau of Parks and Lands, Chapter 54):  
December 28, 1999