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INLAND FISHERIES AND WILDLIFE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
128TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT " " to H.P. 446, L.D. 630, Bill, "An Act To Expand Opportunities for Moose Permit Winners To Swap Their Permits"

Amend the bill by striking out the title and substituting the following:

'An Act To Prohibit Third Parties from Facilitating Transfers of Moose Permits for Consideration'

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 12 MRSA §11110, as repealed and replaced by PL 2015, c. 301, §14, is amended to read:

§11110. Transfer of hunting areas or zones

1. Transfer permitted. A person who has been assigned a designated hunting area, zone or season by the department for purposes of hunting a game animal may exchange that designated zone, area or season with another person assigned a different hunting zone, area or season for the same game animal for purposes of hunting that same game animal. The department may assist in the transfer to ensure that the permit holders meet the requirements of section 10756, but the State bears no responsibility for enforcing the terms of the exchange between the permit holders. The commissioner may adopt rules to implement this section. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

2. Transfer of moose permit for consideration prohibited. Notwithstanding subsection 1, the holder of a moose permit who has been assigned a designated hunting area, zone or season by the department may not exchange that designated zone, area or season with another person assigned a different hunting zone, area or season for any consideration other than the other person's different hunting zone, area or season. A person who violates this subsection commits a Class D crime.

3. Facilitating transfer of a moose permit for consideration prohibited. A person may not facilitate the exchange of moose permits between holders of moose permits who

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1 are exchanging those permits pursuant to subsection 1. A person who violates this  
2 subsection commits a Class E crime.'

3 **SUMMARY**

4 This amendment replaces the bill. The bill repeals the prohibition on transferring a  
5 moose permit for consideration and directs the Department of Inland Fisheries and  
6 Wildlife to establish an online transfer system for permits. The amendment removes the  
7 provision of the bill that directs the department to establish an online transfer system for  
8 permits, but, like the bill, the amendment repeals the prohibition on transferring moose  
9 permits for consideration. This amendment prohibits persons other than the holders of  
10 moose permits who are exchanging hunting zones, areas or seasons to facilitate the  
11 exchange for any consideration. The amendment establishes that a person who facilitates  
12 an exchange of moose permits commits a Class E crime. The amendment clarifies that the  
13 State bears no responsibility for enforcing the terms of an exchange between the permit  
14 holders.

15 **FISCAL NOTE REQUIRED**

16 **(See attached)**