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Date: (Filing No. H-)

INLAND FISHERIES AND WILDLIFE

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
128TH LEGISLATURE
SECOND 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'Sec. 1. 12 MRSA §11110, as repealed and replaced by PL 2015, c. 301, §14, is amended to read: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 exchange 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 for consideration transfer of a moose permit prohibited. A person may not facilitate for consideration the exchange of moose permits between holders of

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1 moose permits who are exchanging those permits pursuant to subsection 1. For purposes
2 of this subsection, "facilitate for consideration" means to directly receive compensation or
3 something of value solely as part of an exchange of moose permits. A person who
4 violates this subsection commits a Class E crime.'

5 **SUMMARY**

6 This amendment, which is the majority report of the committee, replaces the bill.
7 Like the bill, the amendment repeals the prohibition on exchanging moose permits
8 between permit holders for consideration, but, unlike the bill, the amendment does not
9 direct the Department of Inland Fisheries and Wildlife to establish an online transfer
10 system for permits. The amendment clarifies that the State bears no responsibility for
11 enforcing the terms of the exchange between the permit holders. The amendment also
12 prohibits persons other than the holders of moose permits who are exchanging those
13 permits from facilitating the exchange for consideration and defines "facilitate for
14 consideration" to mean to directly receive compensation or something of value solely as
15 part of the exchange of moose permits. The amendment establishes that a person who
16 facilitates for consideration an exchange of moose permits commits a Class E crime.