

MAINE STATE LEGISLATURE

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R.O.S.

L.D. 1715

DATE: 3.1.04

(Filing No. S-407

BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT

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**STATE OF MAINE
SENATE
121ST LEGISLATURE
SECOND SPECIAL SESSION**

COMMITTEE AMENDMENT "A" to S.P. 647, L.D. 1715, Bill, "An Act To Facilitate the Recovery of Stolen Property"

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

'Sec. 1. 15 MRSA §456, as repealed and replaced by PL 1981, c. 232, is repealed.

Sec. 2. 30-A MRSA c. 183, sub-c. 7 is enacted to read:

SUBCHAPTER 7

DEALERS IN USED PERSONAL PROPERTY

§3971. Records of sales of used merchandise

1. Records required. Every dealer in used personal property shall record the following information before completing the purchase of any used personal property:

A. The date of the purchase;

B. The seller's name and address; and

C. A brief description of the property, including any identification numbers.

Before recording the information required by this subsection, a dealer shall require reasonable written proof of the seller's

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2 identification in the form of a motor vehicle operator's license,
3 military identification card, adult liquor identification card or
4 similar item.

6 2. Form of records. The records required under subsection 1
7 must be kept for the purpose of complying with this section,
8 maintained in order by date of purchase and contained either in a
9 bound volume or ledger or in a binder in which pages can be
10 affixed.

12 3. Availability for inspection. Upon request by any law
13 enforcement officer or prosecuting attorney, a dealer in used
14 personal property shall promptly make available for inspection at
15 the dealer's principal place of business the records required
16 under subsection 1.

18 4. Violations. A dealer in used personal property who
19 violates any of the requirements of this section or a seller who
20 provides false identification to a dealer is guilty of a Class E
21 crime.

22 Sec. 3. 32 MRSA §291, sub-§1, ¶C, as enacted by PL 1999, c.
23 146, §5, is amended to read:

24 C. Failure to comply with or properly maintain records
25 required by Title 15 30-A, section 456 3971;'

28 SUMMARY

30 This amendment, which replaces the bill, is the majority
31 report of the committee. The amendment leaves intact existing
32 statutory requirements for recording information concerning the
33 purchase of used goods and making those records available for
34 inspection by law enforcement officers or prosecuting attorneys.
35 The amendment moves these requirements out of the Maine Revised
36 Statutes, Title 15 and into Title 30-A.