

# MAINE STATE LEGISLATURE

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# 123rd MAINE LEGISLATURE

## SECOND REGULAR SESSION-2008

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Legislative Document

No. 2120

H.P. 1500

House of Representatives, December 31, 2007

### **An Act To Require That Sellers of Scrap Metal Provide Identification**

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Reference to the Committee on Business, Research and Economic Development suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative McFADDEN of Dennysville.  
Cosponsored by Representative KOFFMAN of Bar Harbor, Senator RAYE of Washington and Representatives: BROWNE of Vassalboro, CRAY of Palmyra, EDGECOMB of Caribou, McDONOUGH of Scarborough, SCHATZ of Blue Hill, SUTHERLAND of Chapman, Senator: SHERMAN of Aroostook.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 30-A MRSA §3901**, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C,  
3 §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further  
4 amended to read:

5 **§3901. Records; definitions**

6 Every dealer in junk shall keep a record of the name of every person selling junk to  
7 that dealer and the registration number of the motor vehicle used by that seller to deliver  
8 the junk. Every dealer in junk shall require a person selling old iron, chains, brass,  
9 stainless steel, copper, tin, lead or other base metals to provide to that dealer written  
10 documentation of the seller's identity. A dealer in junk may provide payment to a person  
11 selling old iron, chains, brass, stainless steel, copper, tin, lead or other base metals only in  
12 the form of a check for which the dealer maintains a record of the payee, check number  
13 and name of the financial institution upon which the check is drawn. These records shall  
14 must be open for the inspection of any officer of the law. Whoever fails to make a record  
15 as provided by this section commits a civil violation for which a fine of not more than  
16 \$100 may be adjudged.

17 As used in this section, the word "junk" means old iron, chains, brass, stainless steel,  
18 copper, tin, lead or other base metals, old rope, old bags, rags, waste paper, paper  
19 clippings, scraps of woolens, clips, bagging, rubber and glass, and empty bottles of  
20 different kinds when less than one gross, and all articles discarded or no longer used as a  
21 manufactured article composed of any one or more of the materials mentioned.

22 **SUMMARY**

23 This bill requires sellers of scrap metal to provide written documentation of their  
24 identity to junk dealers. It requires a junk dealer to provide payment to a seller of scrap  
25 metal in the form of a check for which the dealer maintains a record of the payee, check  
26 number and name of the financial institution upon which the check is drawn.