

MAINE STATE LEGISLATURE

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127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 250

S.P. 88

In Senate, February 3, 2015

An Act To Amend the Laws Regarding Dealers in Secondhand Precious Metals

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

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator SAVIELLO of Franklin.
Cosponsored by Senators: BURNS of Washington, DAVIS of Piscataquis, KATZ of
Kennebec, WHITEMORE of Somerset, Representative: BUCKLAND of Farmington.

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

2 **Sec. 1. 30-A MRSA §3972, sub-§1, ¶B**, as enacted by PL 2013, c. 398, §1, is
3 amended to read:

4 B. "Precious metals" means any item composed in whole or in part of gold,
5 palladium, platinum or silver, but does not include dental gold, unrefined metal ore,
6 an electronic product, any part of a mechanical system on a motor vehicle or gold or
7 silver coins or bullion.

8 **Sec. 2. 30-A MRSA §3972, sub-§2, ¶C**, as enacted by PL 2013, c. 398, §1, is
9 amended to read:

10 C. A digital photograph of ~~each~~ the item of precious metals that is the subject of the
11 transaction, ~~as well as a complete description of the item purchased or acquired from~~
12 ~~the seller, including the weight of the item and any identification numbers, names,~~
13 ~~initials, serial numbers or identifying marks on the item.~~ If there is more than one
14 item, one digital photograph of all the items is sufficient to meet the requirements of
15 this paragraph; and

16 **Sec. 3. 30-A MRSA §3972, sub-§2, ¶D**, as enacted by PL 2013, c. 398, §1, is
17 repealed.

18 **Sec. 4. 30-A MRSA §3972, sub-§§5 and 6**, as enacted by PL 2013, c. 398, §1,
19 are amended to read:

20 **5. Holding period.** A dealer may not sell or alter any precious metals until the
21 precious metals have remained in the dealer's possession for ~~15~~ 5 business days after the
22 date of acquisition by the dealer, ~~except that a dealer who determines that the precious~~
23 ~~metals are not listed in an electronic database designed to catalog stolen property may sell~~
24 ~~or alter the precious metals 5 business days after the date of acquisition.~~

25 **6. Municipal registration.** A person may not act as a dealer without ~~a permit issued~~
26 ~~by the~~ registering as a dealer in secondhand precious metals with the municipal officers
27 of the municipality in which the person intends to maintain a permanent place or places
28 of business. A dealer shall provide the address of the permanent place of business at
29 which the dealer will do business to the municipality and shall notify the municipality if
30 the location changes. ~~The municipal officers may require other reasonable information as~~
31 ~~to the identity of the persons managing, supervising or conducting the business as~~
32 ~~necessary in order to fulfill the purposes of this section. The municipal officers may not~~
33 ~~issue a permit to act as a dealer to a person if they find that issuance of the permit would~~
34 ~~be detrimental to the public health, safety or welfare. Without a municipal permit, a~~
35 ~~person may not engage in the business of dealing in secondhand precious metals.~~

36 SUMMARY

37 This bill amends the laws regarding dealers in secondhand precious metals by:

38 1. Including palladium and platinum as precious metals subject to regulation;

- 1 2. Allowing a dealer to take one digital photograph of all the items in a transaction,
2 instead of one digital photograph for each item;
- 3 3. Eliminating certain types of information that must be recorded by a dealer about
4 each item;
- 5 4. Reducing from 15 days to 5 business days the amount of time a dealer must wait
6 before selling or altering an item of precious metal received by the dealer;
- 7 5. Removing a reference to an electronic database designed to catalog stolen
8 property; and
- 9 6. Requiring a dealer to register as a precious metals dealer with the municipality in
10 which the dealer will conduct business, instead of requiring the dealer to obtain a permit
11 issued by the municipality.