

CS FOR HOUSE BILL NO. 305(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

BY THE HOUSE FINANCE COMMITTEE

Offered: 3/21/14

Referred: Rules

Sponsor(s): REPRESENTATIVES CHENAULT, Holmes

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the records of metal scrappers; repealing the requirement that a**
2 **junk dealer or metal scrapper obtain a license; and providing for an effective date."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 *** Section 1.** AS 08.60 is amended by adding new sections to read:

5 **Article 3. Scrap Metal Dealer Record Requirements.**

6 **Sec. 08.60.200. Records required.** (a) A scrap metal dealer shall maintain an
7 accurate paper or electronic record of each in-person transaction in which the dealer
8 purchases scrap metal for \$100 or more from another person.

9 (b) The record of a transaction must include

10 (1) the date, time, location, and value of the scrap metal purchased;

11 (2) the name of the dealer's employee or agent handling the
12 transaction;

13 (3) the name, address, and telephone number of the person from whom
14 the dealer purchased the scrap metal;

1 (4) a description, including the license plate information, of a motor
2 vehicle used to deliver the scrap metal to the dealer;

3 (5) if the person who sells scrap metal to the dealer is an individual,
4 the number of the individual's driver's license, the number of the individual's
5 government-issued identification document that contains a picture, or a copy of the
6 individual's government-issued identification document that contains a picture;

7 (6) if the person who sells scrap metal to the dealer is an organization,
8 the number of the person's state business license issued under AS 43.70.020;

9 (7) a description, including weight and quantity, of the scrap metal
10 purchased by the dealer; the scrap metal dealer shall determine the weight by using a
11 scale that complies with the state standards of weight and measure established under
12 AS 45.75; and

13 (8) the signed statement required by AS 08.60.210.

14 **Sec. 08.60.210. Signed statement.** A scrap metal dealer shall require a person
15 from whom the dealer is purchasing scrap metal for \$100 or more to sign a written or
16 electronic statement that the scrap metal is not stolen property. The person shall date
17 the statement, and the scrap metal dealer, or the dealer's employee or agent, shall
18 witness the person signing.

19 **Sec. 08.60.220. Inspection availability.** A dealer shall make the records
20 required by AS 08.60.200 and 08.60.210 available for inspection by a law
21 enforcement officer during the dealer's regular hours of business or at reasonable times
22 if the dealer does not keep regular hours of business.

23 **Sec. 08.60.230. Retention of records.** A dealer shall maintain the records of a
24 transaction required by AS 08.60.200 and 08.60.210 for five years after the date of the
25 transaction.

26 **Sec. 08.60.240. Exemptions.** The requirements of AS 08.60.200 and
27 08.60.210 do not apply to a person's transactions with a dealer if the person maintains
28 on file with the dealer the name, address, and telephone number of the person, and a
29 taxpayer identification number issued by the federal Internal Revenue Service or a
30 valid government-issued photo identification card.

31 **Sec. 08.60.250. Criminal penalties.** A dealer who knowingly fails to comply

1 with AS 08.60.200 or 08.60.210 or a person who knowingly makes a false entry for a
2 record required under AS 08.60.200 or 08.60.210 is guilty of a class A misdemeanor.
3 In this section, "knowingly" has the meaning given in AS 11.81.900.

4 **Sec. 08.60.290. Definitions.** In AS 08.60.200 - 08.60.290, unless the context
5 requires otherwise,

6 (1) "dealer" means a scrap metal dealer;

7 (2) "record" means a record required by AS 08.60.200 or 08.60.210;

8 (3) "scrap metal" means used, discarded, or previously owned brass,
9 copper, bronze, aluminum, lead, stainless steel, catalytic converter material, or other
10 metal; in this paragraph, "metal" does not include ferrous metal, beverage containers,
11 gold, silver, or platinum;

12 (4) "scrap metal dealer" means a person who purchases scrap metal for
13 the purpose of resale or processing;

14 (5) "transaction" means the purchase of scrap metal by a scrap metal
15 dealer from another person.

16 * **Sec. 2.** AS 08.60.010 is repealed.

17 * **Sec. 3.** This Act takes effect January 1, 2015.