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LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT

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**STATE OF MAINE
SENATE
128TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 354, L.D. 1072, Bill, “An Act To Amend the Laws Regarding Dealers in Secondhand Precious Metals”

Amend the bill by striking out all of section 2 and inserting the following:

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

C. A digital photograph of each item of precious metals that is the subject of the transaction, as well as a complete description of the item purchased or acquired from the seller, including the weight of the item and any identification numbers, names, initials, serial numbers or identifying marks on the item. A dealer may satisfy the requirements of this paragraph by taking digital photographs of groups of 5 or fewer substantially similar items, as long as the quality of each digital photograph is sufficient to allow the item to be identified by the owner; and'

Amend the bill by striking out all of section 4 and inserting the following:

'Sec. 4. 30-A MRSA §3972, sub-§6, as enacted by PL 2013, c. 398, §1, is amended to read:

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

COMMITTEE AMENDMENT

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SUMMARY

This amendment, which is the unanimous report of the committee, eliminates the portion of the bill that reduces the amount of time a dealer must wait before selling or altering an item containing precious metals received by the dealer. The amendment also limits the number and type of items containing precious metals that may be grouped together in one digital photograph. The amendment also allows municipalities to continue issuing permits for dealers rather than registering dealers if they choose to do so.