

Greetings:

Thank you everyone who attended the CARE Committee this past evening. We had a very good discussion and are moving forward in a positive manner.

As part of the discussion Inspector Skomra informed us that important bills relating to the record keeping measures of scrap metal dealers and their purchases (Senate File 443 – attached, and House File 0457) are stalled in the legislature. This legislation is needed to;

- Combat the significant increase in the theft of metal, especially copper piping, from vacant homes. At this time over 100 vacant homes in the city have been vandalized
- Ensure the safety of our community and avoid dangerous explosions
- Support the efforts of our police and inspections departments
- Ensure the continue livability of our neighborhoods

Please contact your legislator and others to voice your support. Also, forward this on to friends and family, asking them to contact legislators for support.

You can also to go to www.state.mn.us to find additional information on the bill status. At the site click on the following;

- Government
- State Government
- Legislature
- Legislative Main Menu
- Bill Search
- Finally go to either Senate or House Bills, enter the bill number to get to the bill and information on it.

1.1A bill for an act

1.2relating to public safety; expanding an existing law enforcement tool regarding

1.3record keeping of purchases by scrap metal dealers; requiring registration;

1.4providing penalties; appropriating money; amending Minnesota Statutes 2006,

1.5section 325E.21.

1.6BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2006, section 325E.21, is amended to read:

1.8**325E.21 DEALERS IN ~~WIRE AND CABLE~~ SCRAP METAL; RECORDS**

1.9**~~AND, REPORTS, AND REGISTRATION.~~**

1.10 Subdivision 1. **Purchase or acquisition record required.** Every ~~person, firm or~~
1.11~~corporation~~ scrap metal dealer, including an agent, employee, or representative ~~thereof of~~
1.12~~the dealer, engaging in the business of buying and selling wire and cable commonly and~~
1.13~~customarily used by communication and electric utilities~~ shall keep a record, in the English
1.14language, legibly written in ink or typewriting, at the time of each purchase or acquisition,
1.15an accurate account or description, including the weight if customarily purchased by
1.16weight, of ~~such wire and cable commonly and customarily used by communication~~
1.17~~and electric utilities~~ the scrap metal purchased or acquired, the date, time, and place
1.18of the receipt of the same, the name and address of the person selling or delivering the
1.19same ~~and, the number of the check used to purchase the scrap metal, the number of the~~
1.20~~driver's license of such the person, and the license plate number of the vehicle used by the~~
1.21~~person when delivering the scrap metal. Such~~ The record, as well as ~~such wire and cable~~
1.22~~commonly and customarily used by communication and electric utilities~~ the scrap metal
1.23purchased or received, shall at all reasonable times be open to the inspection of any ~~sheriff~~
1.24~~or deputy sheriff of the county, or of any police officer in any incorporated city or statutory~~
2.1~~city, in which such business may be carried on~~ law enforcement agency. ~~Such~~ The person
2.2shall not be required to furnish or keep such record of any property purchased from
2.3merchants, manufacturers or wholesale dealers, having an established place of business, or
2.4of any goods purchased at open sale from any bankrupt stock, but a bill of sale or other
2.5evidence of open or legitimate purchase of ~~such the~~ property shall be obtained and kept
2.6by ~~such the~~ person which must be shown upon demand to ~~the sheriff or deputy sheriff~~
2.7~~of the county, or to any police officer in any incorporated city or statutory city, in which~~
2.8~~such business may be carried on. The provisions of this subdivision and of subdivision 2~~
2.9~~shall not apply to or include any person, firm or corporation engaged exclusively in the~~
2.10~~business of buying or selling motor vehicles, new or used, paper or wood products, rags or~~
2.11~~furniture, secondhand machinery~~ any law enforcement agency.

2.12 Subd. 2. **Sheriff's copy of record required.** It shall be the duty of every ~~such~~

2.13 ~~person, firm or corporation defined in that~~ is subject to subdivision 1 ~~hereof~~, to make
2.14 out and to deliver or mail to the office of the sheriff of the county in which business is
2.15 conducted, not later than the second business day of each week, a legible and correct copy
2.16 of the record required in subdivision 1 of the entries during the preceding week. In the
2.17 event ~~such the person, firm or corporation~~ has not made any purchases or acquisitions
2.18 required to be recorded under subdivision 1 ~~hereof~~ during the preceding week, no report
2.19 need be submitted to the sheriff under this subdivision.

2.20 Subd. 3. **Retention required.** Records required to be maintained by ~~subdivision~~
2.21 ~~hereof~~ subdivisions 1 and 5 shall be retained by the person making them for a period
2.22 of three years.

2.23 Subd. 4. **Payment by check required.** A scrap metal dealer shall pay for all scrap
2.24 metal purchases only by check. For purposes of this section, "check" means a check,
2.25 draft, or other negotiable or nonnegotiable order of withdrawal which is drawn against
2.26 funds held by a financial institution.

2.27 Subd. 5. **Video security cameras required.** (a) The scrap metal dealer shall install
2.28 and maintain at each licensed location video surveillance cameras or similar devices
2.29 positioned to record (1) a frontal view showing the face of each seller or prospective
2.30 seller of scrap metal who enters the licensed location; and (2) the seller's or prospective
2.31 seller's vehicle so that an accurate and complete description of it may be obtained from the
2.32 recordings made by the cameras. The video camera must be kept in operating condition.
2.33 The camera must record and display the accurate date and time. The video camera must
2.34 be turned on at all times when the licensed location is open for business and at any other
2.35 time when scrap metal is purchased.

3.1 (b) If the scrap metal dealer does not purchase some or any scrap metal at a specific
3.2 business location, the dealer need not comply with this subdivision with respect to those
3.3 purchases.

3.4 Subd. 6. **Registration required.** (a) Every scrap metal dealer doing business in
3.5 this state, whether or not the scrap metal dealer maintains a regular place of business in
3.6 this state, shall register with the commissioner of public safety as a scrap metal dealer on
3.7 a form prescribed by that commissioner.

3.8 (b) The registration must include at least the scrap metal dealer's name, physical
3.9 location, contact information, and the types of scrap metal the dealer buys and sells.

3.10 (c) The registration is valid for three years and must be accompanied by a registration
3.11 fee of \$..... The fee must be deposited in the general fund.

3.12 Subd. 7. **Definitions.** (a) For purposes of this section, the terms defined in this
3.13 subdivision have the meanings given.

3.14 (b) "Law enforcement agency" means a duly authorized municipal, county, state, or
3.15 federal law enforcement agency.

3.16(c) "Person" means an individual, partnership, limited partnership, limited liability
3.17company, corporation, or other entity.
3.18(d) "Scrap metal" means:
3.19(1) wire and cable commonly and customarily used by communication and electric
3.20utilities; and
3.21(2) copper, aluminum, or any other metal purchased primarily for its reuse or
3.22recycling value as raw metal, including metal that is combined with other materials
3.23at the time of purchase.
3.24(e) "Scrap metal dealer" or "dealer" means a person engaged in the business of
3.25buying and selling scrap metal, but does not include a person engaged exclusively in
3.26the business of buying or selling motor vehicles, new or used; paper or wood products;
3.27rags or furniture; or secondhand machinery.
3.28**EFFECTIVE DATE.** This section is effective August 1, 2007.

3.29 Sec. 2. **APPROPRIATION.**
3.30\$..... is appropriated from the general fund to the commissioner of public safety for
3.31fiscal years 2008 to 2009 for the purpose of section 1, subdivision 6.

Please direct all comments concerning issues or legislation
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[General questions or comments.](#)

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