

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	10 - 0 - 0
Yeas:	Barton, Cameron, Garrett, Krieger, Olson, Smith J., Stiegler, Tomei, Whisnant, Barker
Nays:	0
Exc.:	0
Prepared By:	Anna Braun, Counsel
Meeting Dates:	2/5, 2/8

WHAT THE MEASURE DOES: Eliminates the requirement that a scrap metal business be licensed to do business in the state to comply with the metal theft law. Changes the applicable mental state to “knows or has good reason to know” throughout the measure. Allows a Post Office Box to be used in a metal property record transaction instead of a physical address if a Post Office Box is listed on a driver’s license. Provides an affirmative defense for licensed motor carriers. Removes the requirement that scrap metal reporting include a classification code from the Institute of Scrap Recycling Industries Scrap Specifications Circular. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Need for further work in the interim
- Issue of returned checks
- Restrictions in neighboring states

EFFECT OF COMMITTEE AMENDMENT: Allows a Post Office Box to be used in a metal property record transaction instead of a physical address if a Post Office Box is listed on a driver’s license. Deletes the expansion of the metal theft law to ferrous metals and the changes to the metallic wire reporting provisions from the original bill. In addition, removes the requirement from SB 570 that scrap metal reporting include a classification code from the Institute of Scrap Recycling Industries’ Scrap Specifications Circular.

BACKGROUND: In 2009 the Oregon Legislature passed SB 570 which addressed both sellers and purchasers of metal property. It provided for increased reporting requirements for persons engaged in buying and selling private metal property. Since the passage of SB 570 some issues have been raised on the effectiveness of some parts of the measure. HB 3695A is meant to clarify and streamline parts of SB 570.