

REVENUE: No revenue impact

FISCAL: Minimal fiscal, no statement issued

Action:	Do Pass the A-Engrossed Measure
Vote:	5 - 0 - 0
Yeas:	Bonamici, Boquist, Dingfelder, Whitsett, Prozanski
Nays:	0
Exc.:	0
Prepared By:	Anna Braun, Counsel
Meeting Dates:	2/16

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:

- Provisions of the measure

EFFECT OF COMMITTEE AMENDMENT: No amendment.

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.

In addition to the issues listed above in “What the Measure Does” HB 3695 originally expanded the scope of SB 570 to ferrous metals and required reporting for wire insulation only if it was apparent that the coating had been burned off. At the hearing several parties voiced opposition to those issues. After the hearing, Representative Olson convened a work group and narrowed the issues of the bill removing those two items. In addition, the work group asked for the deletion of the classification codes for ease in reporting. Representative Olson is planning to work with the group in interim to work on SB 570 issues. Work group members included representatives from Schnitzer Steel, recyclers, Oregon State Police, Cities of Portland and Eugene, and others.