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STATE REPRESENTATIVE
DISTRICT 15
HOUSE OF REPRESENTATIVES

HB 2403-Metal Recycling

March 14, 2013

Chair Jeff Barker
House Committee on Judiciary
900 Court Street N
Salem, OR 97310

Chair Barker and Committee Members,

HB 2403 promotes metal recycling and helps clear up language that causes a burden on scrap metal businesses working with law enforcement to stop metal theft. It makes it easier for individuals, businesses, and non-profit organizations to be paid for the value of their scrap metal, while still maintaining the integrity of current metal recycling laws.

HB 2403 makes the following changes:

1. Provides metal recyclers a way to mail payment to a post office box

There currently is no provision to allow mailing payment to a post office box. There is a portion of the population, specifically in rural areas, that do not have mail receptacles at their street address. This change would allow a provision for them to receive their payments as long as the PO Box is listed on their current government-issued photo identification with a street address.

2. Allows (it's optional) a metal recycler to release payment directly to an individual if their check was undelivered after 10 days

Currently there is a provision that allows a recycler to request permission from law enforcement to release payment directly to an individual if their check was "returned as undeliverable," but there is no provision for payments that are undelivered or lost in the mail. This allows for the metal recycler to request permission to release payment of a lost check without having to mail the replacement.



3. Simplifies process for issuing payment to a commercial seller or non-profit.

In order for a metal recycler to issue payment to a commercial seller or non-profit, the deliverer must be on an authorized list provided by the commercial seller. This can cause issues with new employees and especially for non-profit organizations trying to receive payment for scrap metal. This change would allow anyone to deliver if payment is going to a commercial seller or non-profit. Instead of requiring commercial sellers to provide authorized deliverers, they would be required to provide a list of individuals authorized to receive payment.

For example, *Give 2 the Troops* is a nonprofit organization in Albany, Oregon. Sharon Crary is the branch director for Oregon and Washington branches. Unless Sharon provides a list of names to the recycler of those individuals donating metal for the cause, the recycler must make payment to the individual. This simple fix streamlines the process and makes it less burdensome on the business.

Last year, I met with the Sheriffs from Linn, Benton and Lincoln Counties, and I met with the District Attorneys from all three of those Counties. We discussed the nature of improving SB 570 (2009) making the bill more business friendly. As you recall, SB 570 shifted the burden of responsibility of record keeping and transaction process on the recycling industry. Many recyclers spent a significant amount of money to catch up with the mandates of SB 570. All this bill does is four simple fixes to the original bill making it a business friendly bill.

HB 2403 has safeguards in it to prevent the abuse that caused the legislature to create SB 570. Lincoln County District Attorney Rob Bovett, the chief craftsman of SB 570, helped with crafting the concepts that are before you.

Thank you for listening, and I urge your support for the bill.

Andy Olson
Albany