

ASSEMBLY, No. 409

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblywoman HECK

1 AN ACT regulating the purchase of certain metals and supplementing
2 Title 51 of the Revised Statutes.

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4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

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7 1. A person who buys, attempts to buy or offers to buy any
8 commodity composed in whole or in part of aluminum, bronze, copper
9 or brass on the basis of bulk value from any person shall:

10 a. Clearly and prominently display at the point of purchase:

11 (1) His name and street address;

12 (2) The price being offered or paid by the buyer expressed as the
13 price per standard measure of weight prescribed by the State
14 Superintendent of Weights and Measures; and

15 (3) Weigh the commodity in plain view of the seller on a scale
16 which has been tested and sealed by a weights and measures officer.

17 b. Issue to the seller and keep for his own records, for not less than
18 one year, a serialized receipt for each purchase of a commodity,
19 containing the following:

20 (1) The name and street address of the buyer;

21 (2) Date of the transaction;

22 (3) A description of the commodity purchased;

23 (4) The identity of the metal or metals of which the commodity is
24 composed;

25 (5) The weight of the commodity purchased;

26 (6) The price paid for the commodity at the standard measure of
27 weight prescribed by the State Superintendent of Weights and
28 Measures;

29 (7) The name, street address and signature of the seller of the
30 commodity.

31 c. Obtain proof of identity from each person who sells a
32 commodity to him and record the same on the serialized receipt.

33 d. Retain the commodity in the form in which it was purchased for
34 a period of not less than five business days.

35 e. Upon reasonable request, allow the inspection of the serialized

1 receipts, or the commodity, as provided in subsections a. and d.
2 respectively of this section, by any law enforcement officer or weights
3 and measures officer.

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5 2. A buyer of a commodity composed of metal as provided for in
6 this act shall, before buying, attempting to buy or offering to buy such
7 a commodity, register with the police of the municipality in which he
8 intends to conduct his business and give his name and street address.
9 A transient buyer of such commodities shall also provide the address
10 at which he intends to do business in the municipality and shall
11 reregister if he changes his location of doing business in the
12 municipality or if he discontinues doing business for more than 20 days
13 in the municipality and subsequently resumes doing business therein.

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15 3. Any person who violates any provision of this act shall be liable
16 to a mandatory penalty of not less than \$500 nor more than \$1,000
17 recoverable by a weights and measures officer pursuant to "the penalty
18 enforcement law" (N.J.S.2A:58-1 et seq.). An action for the recovery
19 of a civil penalty for violation of this act shall be within the jurisdiction
20 of and may be brought before the Superior Court or municipal court
21 in the municipality where the offense is committed or where the
22 defendant resides or where the defendant may be apprehended.

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24 4. This act shall take effect immediately.

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STATEMENT

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29 This bill requires purchasers of commodities composed of
30 aluminum, bronze, copper or brass to provide certain information to
31 sellers of such commodities prior to purchase and to maintain
32 serialized receipts and records regarding the transaction for one year.
33 The bill also requires purchasers to retain any commodity in the form
34 in which it was purchased for a period of not less than five business
35 days. Purchasers must allow for the inspection of the receipts or the
36 commodity by law enforcement or weights and measures officers.

37 Under the bill, buyers of such objects or metals must register with
38 the police department in the municipality in which they intend to do
39 business and transient buyers must also provide the address at which
40 they intend to do business. Violators of the bill's other provisions
41 would be subject to a penalty of not less than \$500 nor more than
42 \$1,000, enforceable by the weights and measures officials.

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- 2
- 3 Regulates purchases of certain metal commodities.