

TITLE 4: ECONOMIC RESOURCES
DIVISION 5: BUSINESS REGULATION

§ 51401. Definitions.

- (a) “Department” means the Department of Commerce.
- (b) “Person” means any individual, corporation, partnership, association, business trust, company, joint venture company, or limited liability company.
- (c) “Recycled product” means all types of scrap metal and excludes aluminum cans, glass bottles, and paper products.
- (d) “Recycler” means a person engaged in the business of purchasing or acquiring recycled products for the purpose of reselling, rebuilding, or repairing the recycled products.
- (e) “Scrap metal” means all types of metals including iron, steel, stainless steel, copper, aluminum, lead, zinc.
- (f) “Secretary” means the Secretary of the Department of Commerce.

Source: PL 15-36, § 3 (51301), modified.

Commission Comment: The Commission changed the numbering designations in the above and subsequent sections from the original text of PL 15-36 pursuant to its authority by 1 CMC § 3806. PL 15-26 was enacted on November 6, 2006, and contained the following title and findings provisions in addition to severability and savings clauses:

Section 1. Short Title. This Act may be cited as the “Recycling Reporting Act of 2006.”

Section 2. Findings. The Legislature finds that recycling scrap metal is a necessity in the Commonwealth due to its growing population and environmental impact. A growing population means more metal for buildings, houses, automobiles, appliances, and consequently, more scrap metal from such products. However, there is limited land mass to accommodate all of the Commonwealth’s growing population.

Common recycled scrap metal products include (1) aluminum siding, sliding and window frames; (2) household and industrial appliances; (3) automobiles; (4) bed frames and mattress springs; (5) bridges; (6) cast iron sinks and bathtubs; (7) computers; (8) cooking pots and pans; (9) electrical wire; (10) elevator; (11) eyeglass frames; (12) farm equipment; (13) food and beverage containers; (14) hospital equipment; (15) industrial cuttings; (16) locks and doorknobs; (17) office equipment and furniture; (18) park and playground equipment; (19) pipe; (20) roadbed reinforcing bars; (21) roofing; (22) ships; (23) structural steel reinforcing frames; (24) telephone wire; (25) tools; (26) toys; and (27) metal commodities such as copper, magnesium, lead, etc.

The Legislature further finds that there has been a proliferation of crimes involving theft of metal products and materials. Some of these incidents involve taking metal from fully functioning products such as an air conditioner rather than taking the entire air conditioning unit. It appears that the intent is to sell the metal product for cash. Accordingly, the practice of recycling scrap metal must be encouraged but regulated, to prevent abuse and the commission or concealment of a crime. The pur-

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pose of this Act is to regulate recycling business by imposing a duty to record and report purchases of recycling products such as scrap metal.