

TITLE 4: ECONOMIC RESOURCES
DIVISION 5: BUSINESS REGULATION

§ 51408. Waiting Period.

No recycled product as defined in Section 51401(c) and (e) shall be removed from the Commonwealth before forty-five days after the date of purchase by the recycler, unless cleared by Department of Public Safety (DPS) and the Division of Customs. The Department of Public Safety and the Division of Customs shall investigate shipments of recycled product for compliance with this Act and other Commonwealth law prior to clearing the removal of the recycled product. The date of purchase is the date upon which a transaction satisfying Sections 51402 and 51403 of this Act occurs.

Source: PL 15-55, § 2 (51308), modified.

Commission Comment: The Commission designated a different section number to the above section and changed the references to “Section 51301(c) and (e)” to “51401(c) and (e)” and “Sections 51302 and 51303” to “Sections 51402 and 51403” to agree with renumbered sections, and removed figures that were a mere repetition of words in the above section pursuant to its authority by 1 CMC § 3806. PL 15-55 was enacted on April 24, 2007, and contained the following findings and purpose in addition to severability and savings provisions:

Section 1. Findings and Purpose. The Commonwealth Legislature finds that the theft of copper and other wire has become a serious problem for residents and businesses in the CNMI. The theft not only costs business owners and taxpayers financial loss but also interferes with the provision of electricity to homes, stores, and other critical infrastructure. Too often, this wire is stolen, stripped down, and resold as after-market wire. The Legislature finds that this practice must be stopped, except in the legitimate recycling of wire by licensed and reputable recyclers. The Legislature finds that it is necessary to implement a 45-day waiting period prior to sale of after-market copper wire to prevent the further destruction and theft of property in the Commonwealth.