

State of Kansas

**Attorney General Notice of Public Hearing
On Proposed Permanent Regulations for
Scrap Metal Theft Reduction Act**

Thursday, July 27, 2017

The Attorney General's Office will conduct a public hearing from 1:00pm until 2:00pm on Friday, September 29, 2017, in Memorial Hall auditorium, 120 SW Tenth Ave., Topeka, Kansas, 66612, to consider revoking K.A.R. 16-14-1 through K.A.R. 16-14-11.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to the Office of the Attorney General Derek Schmidt, Scrap Metal Unit, 120 SW Tenth Ave. 2nd Floor, Topeka, Kansas 66612 or by email to cprotect@ag.ks.gov. All interested parties will be given a reasonable opportunity during the public hearing to present their views orally regarding the regulations proposed for revocation. In order to provide all parties an opportunity to present their views, it may be necessary to require that each participant limit any oral presentation to an appropriate timeframe.

Any individual with a disability may request an accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statement in an accessible format. Requests for accommodation to participate in the hearing should be made at least five working days in advance of the hearing by contacting the Office of Attorney General Special Agent Randy Slater at randy.slater@ag.ks.gov or 800-432-2310.

Copies of the proposed regulations and their estimated economic impact follow. Copies of the proposed regulations and the economic impact statement may be obtained by contacting Special Agent Randy Slater at randy.slater@ag.ks.gov or phone number listed above.

Copies of the proposed regulations and the Economic Impact Statement for the proposed regulations can be viewed at the following website:

<http://ag.ks.gov/licensing/scrap-metal-dealers>

K.A.R. 16-14-1 through K.A.R. 16-14-11 are proposed for revocation following the enactment of 2017 Senate Bill 149 (SB 149), which became effective on June 1, 2017. SB 149 delayed enforcement of most parts of the Scrap Metal Theft Reduction Act until January 1, 2019, thereby eliminating the need for these regulations.

Economic Impact. SB 149 prohibits the Attorney General's Office from charging a fee for scrap metal dealer registration until January 1, 2019. The proposed revocation of K.A.R. 16-14-1 implements this change in the law. In State Fiscal Year 2017 the Attorney General's Office collected \$92,750 in scrap metal dealer registration fees, and it is estimated that at least the same amount would have been collected in State Fiscal Year 2018. In the absence of that funding stream, the Attorney General's Office will use existing resources to cover costs associated with investigating verified complaints about scrap metal dealers received by the office. The attorney

general's office does not anticipate an economic impact on other government agencies. Scrap metal dealers will not be required to pay registration fees until January 1, 2019.