

RESOLUTION NO. 864 -2010, ADOPTING LOCAL LAW NO. 50 -2010, A LOCAL LAW TO SAFEGUARD THE INTEGRITY OF SALES MADE AT PRECIOUS METAL AND GEM EXCHANGES

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on August 3, 2010, a proposed local law entitled, "**A LOCAL LAW TO SAFEGUARD THE INTEGRITY OF SALES MADE AT PRECIOUS METAL AND GEM EXCHANGES**"; now, therefore be it

RESOLVED, that said local law be enacted in form as follows:

LOCAL LAW NO. 50 -2010, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO SAFEGUARD THE INTEGRITY OF SALES MADE AT PRECIOUS METAL AND GEM EXCHANGES

BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK, as follows:

Section 1. Legislative Intent.

This Legislature hereby finds and determines that heroin addiction is rising in Suffolk County, particularly among the County's high school and college-aged residents.

This Legislature also finds and determines that persons addicted to drugs often go to extraordinary lengths in search of their next fix.

This Legislature further finds and determines that some drug addicts go so far as to steal valuable items from family members, including gold, silver and gemstone jewelry, to obtain money to purchase drugs.

This Legislature finds that young drug addicts often lack sufficient income to support their addiction and, as a result, are likely to resort to stealing valuables from relatives to pay for drugs.

This Legislature determines that increasing the age at which an individual may sell goods to precious metal and gemstone exchanges in Suffolk County would make it more difficult for young people suffering from addiction to get cash to purchase drugs.

Therefore, the purpose of this law is to increase the age at which an individual may sell personal property to a precious metal and gemstone exchange without parental consent from 18 to 21.

Section 2. Amendments.

Article IV of Chapter 345 is hereby amended as follows:

Chapter 345, LICENSED OCCUPATIONS

ARTICLE IV, Precious Metal and Gem Exchanges

§345-43. Prohibited Acts.

- A. No object containing precious metal or gems shall be purchased by a precious metal and gem exchange establishment from a:
- (1) Person who appears to be intoxicated or of unsound mind.
 - (2) Person under the age of [18] 21 without the written consent of his parents or guardian. If a seller under the age of 21 is not accompanied at the time of sale by a parent or guardian, written consent must be provided by notarized statement.
 - (3) Person who is unable to produce proper identification.
 - (4) Person presenting merchandise that possesses an altered or obliterated serial number or any item that has had its serial number removed.

Section 3. Applicability.

This law shall apply to all transactions occurring on or after the effective date of this law.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 5. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration,

management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

Section 6. Effective Date.

This law shall take effect immediately upon filing in the Office of the Secretary of State.

[] Brackets denote deletion of existing language
___ Underlining denotes addition of new language

DATED: September 16, 2010

APPROVED BY:

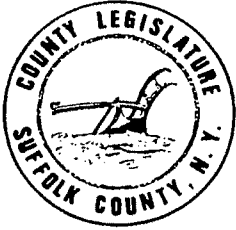


County Executive of Suffolk County

Date: OCT 14 2010

After a public hearing duly held on October 4, 2010
Filed with the Secretary of State on October 28, 2010

SUFFOLK COUNTY
County Legislature
RIVERHEAD, NY



This is to Certify That I, TIM LAUBE, Clerk of the County Legislature of the County of Suffolk, have compared the foregoing copy of resolution with the original resolution now on file in this office, and which was duly adopted by the County Legislature of said County on September 16, 2010 and that the same is a true and correct transcript of said resolution and of the whole thereof.

In Witness Whereof, I have hereunto set my hand and the official seal of the County Legislature of the County of Suffolk.

A handwritten signature in cursive script that reads "Tim Laube".

Clerk of the Legislature

Intro. Res. 1753 Res. No. 864

September 16, 2010

Motion:
 Romaine, Schneiderman, Browning, Muratore, Losquadro
 Eddington, Montano, Cilmi, Lindsay, Vilorio-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Co-Sponsors:
 Romaine, Schneiderman, Browning, Muratore, Losquadro
 Eddington, Montano, Cilmi, Lindsay, Vilorio-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Second:
 Romaine, Schneiderman, Browning, Muratore, Losquadro
 Eddington, Montano, Cilmi, Lindsay, Vilorio-Fisher, BARRAGA
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

LD	Legislator	Yes	No	Abs	NP	R
1	Edward P. ROMAINE	/				
2	Jay H. SCHNEIDERMAN	/				
3	Kate M. BROWNING	/				
4	Thomas MURATORE	/				
6	Daniel P. LOSQUADRO	/				
7	Jack EDDINGTON		/			
9	Ricardo MONTANO		/			
10	Thomas CILMI	/				
11	Thomas F. BARRAGA	/				
12	John M. KENNEDY, JR.	/				
13	Lynne C. NOWICK	/				
14	Wayne R. HORSLEY	/				
15	DuWayne GREGORY	/				
16	Steven H. STERN	/				
17	Lou D'AMARO	/				
18	Jon COOPER	/				
5	Vivian VILORIA-FISHER, D.P.O.	/				
8	William J. LINDSAY, P.O.	/				
	Totals	16	2			

MOTION	
<input checked="" type="checkbox"/>	Approve
<input type="checkbox"/>	Table?
<input type="checkbox"/>	Send To Committee
<input type="checkbox"/>	Table Subject To Call
<input type="checkbox"/>	Lay On The Table
<input type="checkbox"/>	Discharge
<input type="checkbox"/>	Take Out of Order
<input type="checkbox"/>	Reconsider
<input type="checkbox"/>	Waive Rule
<input type="checkbox"/>	Override Veto
<input type="checkbox"/>	Close
<input type="checkbox"/>	Recess
APPROVED <input checked="" type="checkbox"/>	FAILED <input type="checkbox"/>
No Motion <input type="checkbox"/>	No Second <input type="checkbox"/>

RESOLUTION DECLARED
<input checked="" type="checkbox"/> ADOPTED
<input type="checkbox"/> NOT ADOPTED

Tim Laube

Tim Laube, Clerk of the Legislature

Roll Call Voice Vote