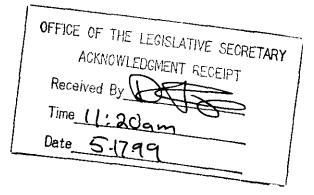


CARL T.C. GUTIERREZ GOVERNOR OF GUAM

Refer to Legislative Secretary

MAY 1 4 1999

The Honorable Antonio R. Unpingco Speaker I Mina'Bente Singko na Liheslaturan Guåhan Twenty-Fifth Guam Legislature Guam Legislature Temporary Building 155 Hesler Street Hagåtña, Guam 96910



Dear Speaker Unpingco:

Enclosed please find Bill No. 76 (COR), "AN ACT TO AMEND §49106 OF CHAPTER 49. DIVISION 3 OF TITLE 22 OF THE GUAM CODE ANNOTATED, **RELATIVE TO INSPECTION OF PAWNBROKERS' REGISTERS BY GUAM POLICE** OFFICERS", which I have signed into law today as Public Law No. 25 - 16.

This legislation provides that a court order or a warrant is to be obtained before records of pawnbrokers are be examined.

This legislation will not be a major factor, either assisting or hindering, in the ongoing solving of crimes.

Very truly yours,

Carl T. C. Gutierrez I Maga'Lahen Guåhan Governor of Guam

Attachment:		copy attached for signed bill or original attached for vetoed bill	overridden bill
cc:		original attached for vetoed bill able Joanne M. S. Brown e Secretary	ANTONIO R. UNPINGCO Date: Time: Rec'd by:
			Print Name: Charles

Print Name:

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUAHAN

This is to certify that Bill No. 76 (COR), "AN ACT TO AMEND §49106 OF CHAPTER 49, DIVISION 3 OF TITLE 22 OF THE GUAM CODE ANNOTATED, RELATIVE TO INSPECTION OF PAWNBROKERS' REGISTERS BY GUAM POLICE OFFICERS," was on the 3rd day of May, 1999, duly and regularly passed.

NIO R. UNPINGCO Speaker

Attested: JOANNE M.S. BROWN

Senator and Legislative Secretary

This Act was received by I Maga'lahen Guahan this ______ day of ______

at <u>4:05</u> o'clock <u>P</u>.M.

, 1999,

Assistant Staff Officer Maga'lahi's Office

APPROVED:

CARL T. C. GUTIERREZ

CARL T. C. GUTIERREZ I Maga'lahen Guahan

Date: 5-14-99

Public Law No. 25-16

Bill No. 76 (COR)

As amended on the Floor.

Introduced by:

J. C. Salas K. S. Moylan <u>A. R. Unpingco</u> F. B. Aguon, Jr. E. C. Bermudes A. C. Blaz J. M.S. Brown E. B. Calvo M. G. Camacho Mark Forbes L. F. Kasperbauer A.C. Lamorena, V C. A. Leon Guerrero V. C. Pangelinan S. A. Sanchez, II

AN ACT TO AMEND §49106 OF CHAPTER 49, DIVISION 3 OF TITLE 22 OF THE GUAM CODE ANNOTATED, RELATIVE TO INSPECTION OF PAWNBROKERS' REGISTERS BY GUAM POLICE OFFICERS.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

- 2 Section 1. Section 49106 of Chapter 49, Division 3 of Title 22 of the
- 3 Guam Code Annotated is hereby *amended* to read as follows:

1

"Section 49106. Inspection of Register by Officer. pawnbroker or person who purchases gold bullion, gold bars, or gold quartz or mineral containing gold, who fails, refuses or neglects to produce for inspection his register, or to exhibit all articles received by

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him in pledge, or his account of sales, to any officer holding a warrant authorizing him to search for personal property, or an order of a committing judge directing such officer to inspect such register, or examine such articles or account of sales, is guilty of a misdemeanor."

Every



MINA' BENTE SINGKO NA LIHESLATURAN GUÅHAN TWENTY-FIFTH GUAM LEGISLATURE 155 Hesler Street, Hagåtña, Guam 96910

May 5, 1999



The Honorable Carl T.C. Gutierrez I Maga'lahen Guåhan Ufisinan I Maga'lahi Hagåtña, Guam 96910

Dear Maga'lahi Gutierrez:

Transmitted herewith are Substitute Bill Nos. 46 (COR) and 185 (COR) and Bill Nos. 64 (COR), 67 (COR), **76 (COR)** and 91 (COR) which were passed by *I Mina'Bente Singko Na Liheslaturan Guåhan* on May 3, 1999.

Sincerely,

JOANNE M.S. BROWN Senator and Legislative Secretary

Enclosure (6)

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUAHAN

This is to certify that Bill No. 76 (COR), "AN ACT TO *AMEND* §49106 OF CHAPTER 49, DIVISION 3 OF TITLE 22 OF THE GUAM CODE ANNOTATED, RELATIVE TO INSPECTION OF PAWNBROKERS' REGISTERS BY GUAM POLICE OFFICERS," was on the 3rd day of May, 1999, duly and regularly passed.

NIO R. UNPINGCO Speaker

Attested:

JOANNE M.S. BROWN

Senator and Legislative Secretary

....

This Act was received by I Maga'lahen Guahan this	64h day of May	, 1999,
at <u>4:05</u> o'clock P.M.		
<i>V</i>	nivintlese	

Assistant Staff Officer Maga'lahi's Office

APPROVED:

CARL T. C. GUTIERREZ I Maga'lahen Guahan

Date: _____

Public Law No. _____

1 "Section 49106. Inspection of Register by Officer. Every pawnbroker or person who purchases gold bullion, gold bars, or gold 2 3 quartz or mineral containing gold, who fails, refuses or neglects to produce for inspection his register, or to exhibit all articles received by 4 5 him in pledge, or his account of sales, to any officer holding a warrant authorizing him to search for personal property, or an order of a 6 7 committing judge directing such officer to inspect such register, or 8 examine such articles or account of sales, is guilty of a misdemeanor."

I MINA' BENTE SINGKO NA LIHESLATURAN GUÅHAN

1999 (FIRST) Regular Session

Date: 5/3/99

VOTING SHEET

Bill No. 76 (CCR)

Resolution No.

Question:

NAME	YEAS	<u>NAYS</u>	<u>NOT</u> <u>VOTING/</u> <u>ABSTAINED</u>	OUT DURING ROLL CALL	ABSENT <u>ROLL</u> CALL
AGUON, Frank B., Jr.					
BLAZ, Anthony C.					
BERMUDES, Eulogio C.	\checkmark				
BROWN, Joanne M. S.				a se e se e se	
CALVO, Eddie B.					
CAMACHO, Marcel G.					
FORBES, Mark	L				
KASPERBAUER, Lawrence F.					
LAMORENA, Alberto C., V	V				
LEON GUERRERO, Carlotta A.			·		
MOYLAN, Kaleo Scott					
PANGELINAN, Vicente C.	V				
SALAS, John C.					
SANCHEZ, Simon A., II					
UNPINGCO, Antonio R.					
		ما پر خصی کے جاتے ہے	البيدين ويستعد فتصنعت والمستعد		· · · · · · · · · · · · · · · · · · ·

TOTAL

15 -0- -0- -0-

CERTIFIED TRUE AND CORRECT:

Clerk of the Legislature

* 3 Passes = No vote EA = Excused Absence



MINA' BENTE SINGKO NA LIHESLATURAN GUÅHAN TWENTY-FIFTH GUAM LEGISLATURE 155 Hesler Street, Hagåtiña, Guam 96910

April 21, 1999 (DATE)

Memorandum

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FILE

To: Senator J.S. SALAS

From: Clerk of the Legislature

Subject: Report on Bill No. <u>76 (COR)</u>

Pursuant to §7.04 of Rule VII of the 25th Standing Rules, transmitted herewith is a copy of the Committee Report on Bill No. <u>76 (COR)</u> for which you are the prime sponsor.

Should you have any questions or need further information, please call the undersigned at 472-3464/5.

ne B**le**nnan-**B**adle

S ucelary 1 mer Date:

Attachment



COMMITTEE ON JUDICIARY, PUBLIC SAFETY, CONSUMER PROTECTION, AND HUMAN RESOURCES DEVELOPMENT I MINA'BENTE SINGKO NA LIHESLATURAN GUÅHAN

JOHN CAMACHO SALAS, CHAIRMAN

April 20, 1998 🕜

The Honorable Antonio R. Unpingco Speaker Mina' Bente Kuattro na Liheslaturan Guahan 155 Hesler Street Hagatna, Guam 96910

Dear Mr. Speaker:

The Committee on Judiciary, Public Safety, Consumer Protection & Human Resources Development to which was referred Bill No.76, has had the same under consideration and now wishes to report back the same with the recommendation **TO DO PASS**.

The Committee votes are as follows:

To Do Pass	S
Not To Pass	0
Abstain	0
Other (Off-Island)	0

A copy of the Committee's report and other pertinent documents are attached for your reference and information.

Sincerely,

Senator John Camacho Salas Chairman



Seinator John Camacho Salas chairman

COMMITTEE ON JUDICIARY, PUBLIC SAFETY, CONSUMER PROTECTION AND HUMAN RESOURCES DEVELOPMENT

VOTING SHEET

BILL NUMBER 76

TITLE AN ACT TO AMEND 22 GCA §49106, RELATIVE TO INSPECTION OF PAWNBROKER'S REGISTER BY POLICE OFFICERS.

	TO DO PASS	NOT TO PASS	ABSTAIN	INACTIVE FILE
John C. Solu	<u> </u>			
John Camacho Salas, Chairman				
Kaleo S. Moylan, Vice-Chairman	<u> </u>			
A 4/20/29	V			
Frank B Aguon, Jr., Member				
Joanne M.S. Brown, Member	V			
Mark Forbes, Member				
Alberto C. Lamorena V, Member				
Carlotta A. Leon Guerrero, Member				
Antonio R. Unpingco, Ex-Officio	·			

Committee on Judiciary, Public Safety, Consumer Protection, and Human Resources Development Committee Report on Bill 76 Publicly Heard Friday, February 26, 1999

Bill 76: An act to amend 22 GCA §49106, relative to inspection of pawnbroker's register by police officers.

I. ATTENDANCE

- Senator John C. Salas, Chairman
- Senator Kaleo S. Moylan, Co-Chairmain
- Senator Frank B. Aguon, Jr., Committee Member
- Senator Vicente C. Pangelinan

II. MAIN SPONSORS

Senator John Camacho Salas Senator Kaleo S. Moylan Speaker Antonio R. Unpingco

III. SYNOPSIS

Existing law allows any person appointed by the Chief of Police to demand disclosure of a pawnbroker's register. This act seeks to protect pawnbrokers and eliminate such inspection without proper warrant.

IV. TESTIMONY

Chairman Salas, sponsor of the bill, provided an overview, explaining that current law allows Guam Police Department to search without warrant if the investigation of records is ordered by a judge.

Jim Adkins, a pawnbroker, testified in favor of the bill. He stated he is very much opposed to existing law which gives too much power to the Chief of Police.

Acting Attorney General Michael Stern said he would reserve his judgment for now because he was not aware of a previous court ruling in favor of Mr. Adkins' protection from such inspection. Mr. Stern said he is willing to submit written testimony should he find any opposition to the bill, but otherwise he will stand in favor.

V. COMMITTEE FINDINGS & RECOMMENDATION

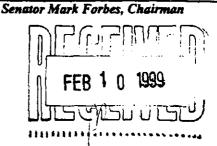
Current statute allows the Chief of Police to assign anyone to comandeer a pawnbroker's records without a warrant, whereas a uniformed police officer does require a warrant for the same purpose. The Committee finds that this bill satisfies a need to extend fair protection to pawnbrokers. Therefore, the Committee recommends **TO DO PASS Bill 76**.



TO:

MINA' BENTE SINGKO NA LIHESLATURAN GUÅHAN

Kumitean Areklamento, Refotman Gubetnamento Siha, Inetnon di Nuebu, yan Asunton Fidirat



FEB 1 0 1999

MEMORANDUM

Chairman Committee on Judiciary, Public Safety, Consumer Protection and Human Resources Development

FROM: Chairman Committee on Rules, Government Reform, Reorganization and Federal Affairs

SUBJECT: Principal Referral - Bill No. 76

The above bill is referred to your Committee as the Principal Committee. In accordance with Section 6.04.05. of the Standing Rules, your Committee "shall be the Committee to perform the public hearing and have the authority to amend or substitute the bill, as well as report the bill out to the Body." It is recommended that you schedule a public hearing at your earliest convenience.

Thank you for your attention to this matter.

MARK FORBES

Attachment

Bill No. 76 (4R)

Introduced by:

J.C. Salas A.R. Unpingco

1

AN ACT TO AMEND 22 GCA §49106, RELATIVE TO INSPECTION OF PAWNBROKER'S REGISTER BY POLICE OFFICERS.

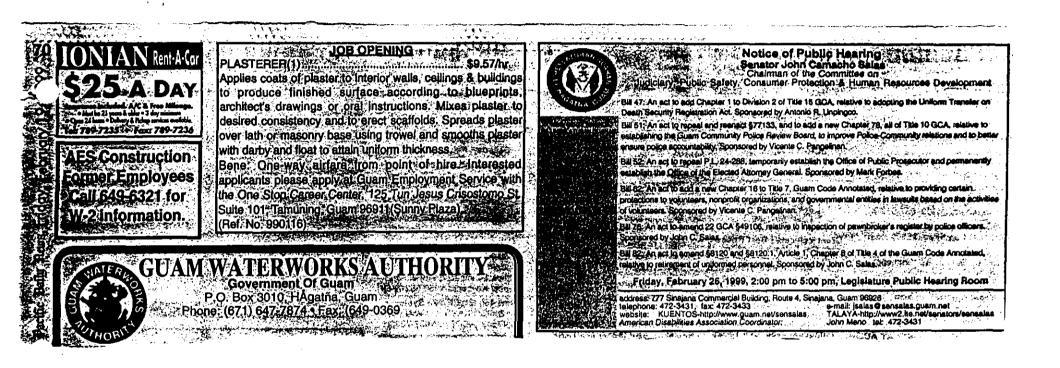
BE IT ENACTED BY THE PEOPLE OF GUAM: 1

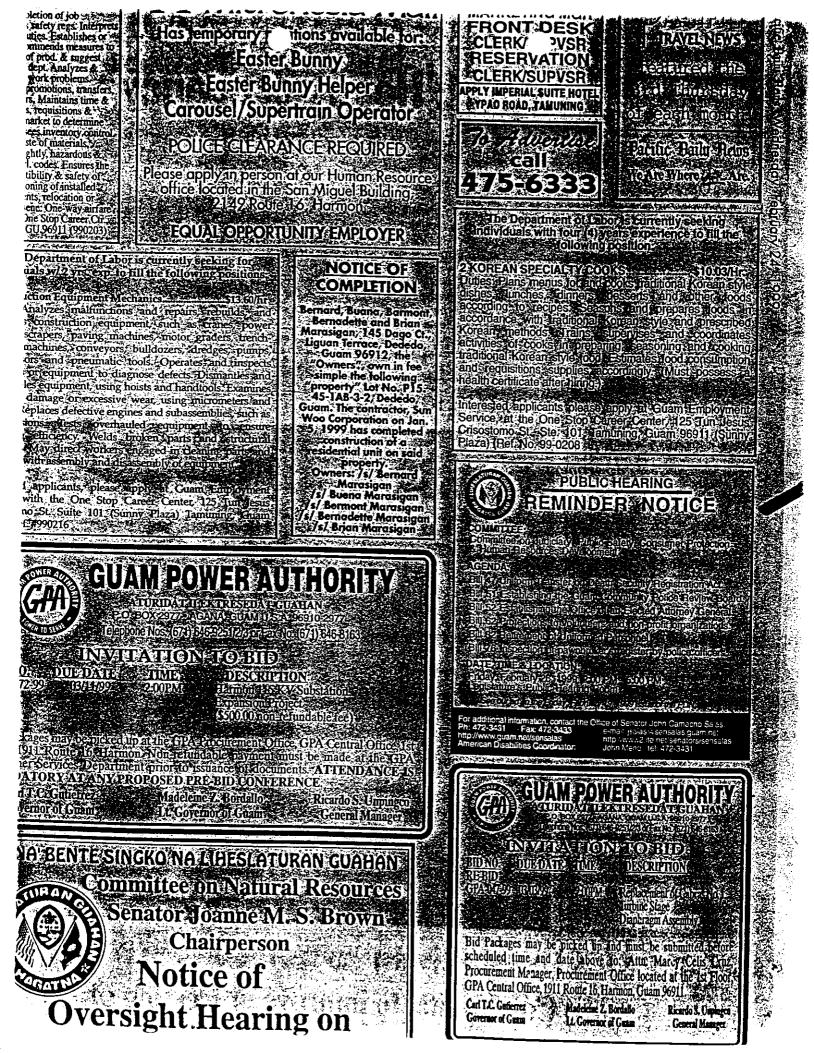
Section 1. 22 GCA §49106 is hereby amended to read:

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§49106. Inspection of Register by Officer. Every pawnbroker or person who purchases gold bullion, gold bars, or gold quartz or mineral 4 containing gold, who fails, refuses or neglects to produce for inspection his 5 register, or to exhibit all articles received by him in pledge, or his account of 6 sales, to any officer holding a warrant authorizing him to search for personal 7 property [or to any person appointed by the Chief of Police], or an order of a 8 committing judge directing such officer to inspect such register, or examine 9 10 such articles or account of sales, is guilty of a misdemeanor." 1







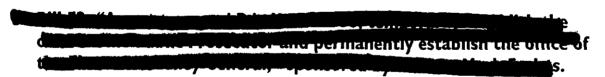
COMMITTEE ON JUDICIARY, PUBLIC SAFETY, CONSUMER PROTECTION, AND HUMAN RESOURCES DEVELOPMENT I MINA'BENTE SINGKO NA LIHESLATURAN GUÅHAN

JOHN CAMACHO SALAS, CHAIRMAN

AGENDA PUBLIC HEARING

FRIDAY, FEBRUARY 26, 1999 Legislature Public Hearing Room 2:00 P.M. - 5:00 P.M.

- 1. Bill 47, "An act to add Chapter I to Division 2 of Title 15 GCA, relative to adopting the Uniform Death Security Registration Act," sponsored by Speaker Antonio R. Unpingco.
- 2. Bill 51, "An act to repeal and reenact §77133, and to add a new Chapter 78, all of Title 10 GCA, relative to establishing the Guam Community Police Review Board," sponsored by Senator Vicente C. Pangelinan.



- 4. Bill 62, "An act to add a new Chapter 16 to Title 7 GCA, relative to providing certain protections to volunteers, nonprofit organizations, and governmental entities in lawsuits based on the activities of volunteers," sponsored by Senator Vicente C. Pangelinan.
- 5. Bill 76, "An act to amend 22 GCA §49106, relative to inspection of pawnbroker's register by police officers," sponsored by Senator John Camacho Salas.
- 6. Bill 82, "An act to amend §8120 and §8120.1, Article 1, Chapter 8 of Title 4 GCA, relative to retirement of uniformed personnel," sponsored by Senator John Camacho Salas.



SENATOR JOHN CALACHO SALAS

COMMITTEE ON JUDICIARY, PUBLIC SAFETY, CONSUMER PROTECTION AND HUMAN RESOURCES DEVELOPMENT

TESTIMONY SIGN IN SHEET

Friday, February 26, 1999

Bill Number 76

Title

AN ACT TO AMEND 22 GCA §49106, RELATIVE TO INSPECTION OF PAWNBROKER'S REGISTER BY POLICE OFFICERS.

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COMMITTEE ON JUDICIA Y, PUBLIC SAFETY, CONSUMER PROTECTION, AND HUMAN RESOURCES DEVELOPMENT I MINA'BENTE SINGKO NA LIHESLATURAN GUAHAN

JOHN CAMACHO SALAS, CHAIRMAN D

February 17, 1999

Memorandum



To: Director, Bureau of Budget Management Resea

From: Senator John Camacho Salas

Subject: Request for Fiscal Notes

Please find attached Committee Bills 47, 51, 62, and 76, for which I respectfully request issuance of Fiscal Notes.

1. Bill 47, "AN ACT TO ADD CHAPTER 1 TO DIVISION 2 OF TITLE 15 OF THE GUAM CODE ANNOTATED, RELATIVE TO ADOPTING THE UNIFORM TRANSFER ON DEATH SECURITY REGISTRATION ACT."

2. Bill 51, "AN ACT TO REPEAL AND REENACT §77133, AND TO ADD A NEW CHAPTER 78, ALL OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE GUAM COMMUNITY POLICE REVIEW BOARD, TO IMPROVE POLICE-COMMUNITY RELATIONS AND TO BETTER ENSURE POLICE ACCOUNTABILITY."

3. Bill 62, "AN ACT TO ADD A NEW CHAPTER 16 TO TITLE 7, GUAM CODE ANNOTATED, RELATIVE TO PROVIDING CERTAIN PROTECTIONS TO VOLUNTEERS, NONPROFIT ORGANIZATIONS, AND GOVERNMENTAL ENTITIES IN LAWSUITS BASED ON THE ACTIVITIES OF VOLUNTEERS."

4. Bill 76, "AN ACT TO AMEND 22 GCA §49106, RELATIVE TO INSPECTION OF PAWNBROKER'S REGISTER BY POLICE OFFICERS."

These bills are scheduled to be heard on February 26, 1999. Your issuance of these fiscal notes will be greatly appreciated.

John C. A

Senator John Camacho Salas, Chairman

Attachments

777 Sinajaña Commercial Building • Route 4, Suite 5 • Sinajaña, Guam USA 96926 Telephone: (671) 472-3431/9826 • Facsimile: (671) 472-3433 • E-mail: jsalas@sensalas.guam.net