

I MINA 'BENTE NUEBI NA LIHESLATURAN GUÅHAN
2008 (Second) REGULAR SESSION

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Bill No. 313 (EC)

Introduced by:

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AN ACT TO REPEAL CHAPTER 41 OF TITLE 22, GUAM CODE ANNOTATED, RELATIVE TO THE GUAM BOXING AND WRESTLING COMMISSION; TO ADD A NEW CHAPTER 7 TO TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO "UNARMED COMBAT" AND ESTABLISHING THE GUAM ATHLETIC COMMISSION; AND, CITING THIS ACT AS THE "GUAM ATHLETIC COMMISSION ACT OF 2008".

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings. *I Liheslaturan Guahan* finds that the sport of mixed martial arts has grown in popularity over the past five years. Collectively, there were over fifteen (15) mixed martial arts competitions staged in Guam during 2006. Such activities should be regulated and licensed by the Boxing and Wrestling Commission as currently provided for in Chapter 41, Title 22, Guam Code Annotated. The Boxing and Wrestling Commission was enacted by the Thirteenth Guam Legislature and has not seen significant modification since its inception. Neither the existing statute nor the promulgated rules and regulations take into account the sport of mixed martial arts. In the interest of protecting contestants, *I Liheslaturan Guahan* finds that it is necessary to revamp the Boxing and Wrestling commission and establish new statues and rules and regulations to incorporate the sport of mixed martial arts, as well as update provisions related to boxing and wrestling.

Section 2. Repeal of Chapter 41 of Title 22, Guam Code Annotated. Chapter 41 of Title 22, Guam Code Annotated is repealed in its entirety.

Section 3. A new Chapter 7 is added to Title 11, Guam Code Annotated. A new Chapter 7 is added to Title 11, Guam Code Annotated to read:

- 1 **§ 7303. Inspectors: Appointment; duties; promotion or sponsoring of**
2 **professional contest or exhibition prohibited.**
- 3 **§ 7304. Compensation of members of Commission and other employees of**
4 **Commission; classification of Executive Director; certain other**
5 **employment of Executive Director allowed.**
- 6 **§ 7305. Authority to affiliate with other state or national boxing commission or**
7 **athletic authority.**

8 **Article 4**

9 **LICENSING AND CONTROL OF CONTESTS AND EXHIBITIONS OF UNARMED**
10 **COMBAT**

- 11 **§ 7400. Jurisdiction of Commission.**
- 12 **§ 7401. License for contest or exhibition where admission fee received;**
13 **application for license; fee; limited, restricted or conditional license; bond**
14 **or deposit; Athletic Commission's Agency Account; additional deposit;**
15 **exceptions.**
- 16 **§ 7402. Licenses for contestant, promoter, manager, trainer, ring official and**
17 **others; application for license; privileged statements; submission of**
18 **fingerprints; withdrawal of application; uniform scale of fees; payment of**
19 **costs of proceedings.**
- 20 **§ 7403. Confidentiality of certain information concerning applicant for license;**
21 **disclosure of information; procedure.**
- 22 **§ 7404. Payment of child support: Statement by applicant for license; grounds for**
23 **denial of license; duty of Commission.**
- 24 **§ 7405. Suspension of license for failure to pay child support or comply with**
25 **certain subpoenas or warrants; reinstatement of license.**
- 26 **§ 7406. Application for license to include social security number of applicant.**
- 27 **§ 7407. Contest or exhibition shown on closed-circuit telecast or motion picture**
28 **for fee: Fee for license; report to Commission.**

- 1 **§ 7408. Permit for promoter to present program; limited, restricted or**
2 **conditional permit; fees; exceptions.**
- 3 **§ 7409. Additional fees for license of promoter; exemption; regulations.**
- 4 **§ 7410. Additional fee for each ticket sold for admission to live professional**
5 **boxing or wrestling contest, match or exhibition; money collected to be**
6 **used for amateur boxing contests or exhibitions; application for grant;**
7 **regulations.**
- 8 **§ 7411. Time for report to Commission and payment of additional fees by**
9 **promoter.**
- 10 **§ 7412. Suspension, revocation and other disciplining of contestant and other**
11 **participants; grounds for refusal to issue license.**
- 12 **§ 7413. Hearing by member of Commission; notice of disciplinary hearing;**
13 **approval of adjudication and order by majority of Commission;**
14 **distribution of written report.**
- 15 **§ 7414. Commission may issue subpoenas, administer oaths, appoint hearing**
16 **examiners and pay certain expenses; penalty for making false oath before**
17 **Commission.**
- 18 **§ 7415. Suspension of license or permit by member or Executive Director of**
19 **Commission pending final determination by Commission; continuation of**
20 **suspension by Commission; procedure.**
- 21 **§ 7416. Contract between contestant and licensee: Copy provided to contestant**
22 **and Executive Director; impounding gate receipts.**
- 23 **§ 7417. Insurance for licensed contestants.**
- 24 **§ 7418. Advance against purse by promoter to licensee prohibited; permission of**
25 **member of Commission for advance to contestant for necessary expenses.**
- 26 **§ 7419. Order to promoter to withhold part of purse or other money due certain**
27 **contestants or manager or second; hearing; disposition of money.**
- 28 **§ 7420. Registration of sanctioning organization or television network; fees, costs**
29 **and deposit; regulations.**

- 1 § 7421. Promoter and network to file copy of contracts for television rights;
2 records of accounts and other documents; assessment of fee for license;
3 confidentiality of contract.
4 § 7422. Attendance of representative or member of Commission at weigh-ins,
5 medical examinations, contests and exhibitions.
6 § 7423. Promoter to control seating arrangements; member of Commission
7 furnished ringside seat.
8 § 7424. Length of boxing contests and rounds; rest between rounds.
9 § 7425. Weighing-in of participants in boxing contests.
10 § 7426. Revocation of license.
11 § 7427. Penalties in lieu of or in addition to other disciplinary action; payment of
12 costs of proceedings.
13 § 7428. Reinstatement of revoked license: Payment of penalty prescribed by
14 Commission; payment of costs of proceedings.
15

16 Article 5

17 APPLICABILITY OF CHAPTER; PENALTIES

- 18 § 7500. Amateur contest or exhibition of school, college or university exempted
19 from provisions of chapter.
20 § 7501. Certain exhibitions of Oriental unarmed self-defense exempted from
21 provisions of chapter.
22 § 7502. Penalty.

23 Article 1

24 DEFINITIONS

- 25 § 7100. **Definitions.** As used in this chapter, unless the context otherwise requires,
26 the words and terms defined in §7101 to §7108 inclusive, have the meanings ascribed to them in
27 those sections.
28 § 7101. **“Board” defined.** “Board” means the Medical Advisory Board.

1 **§ 7102. “Commission” defined.** “Commission” means the Guam Athletic
2 Commission.

3 **§ 7103. “Contestant” defined.** “Contestant” means any person who engages in
4 unarmed combat for remuneration.

5 **§ 7104. “Manager” defined. (a)** “Manager” means a person who:

6 (1) Undertakes to represent the interests of another person, by contract, agreement or
7 other arrangement, in procuring, arranging or conducting a professional contest or exhibition in
8 which that person will participate as a contestant;

9 (2) Directs or controls the activities of an unarmed combatant relating to the
10 participation of the unarmed combatant in professional contests or exhibitions;

11 (3) Receives or is entitled to receive at least 10 percent of the gross purse or gross
12 income of any professional unarmed combatant for services relating to the participation of the
13 unarmed combatant in a professional contest or exhibition; or

14 (4) Receives compensation for services as an agent or representative of an unarmed
15 combatant.

16 **(b)** The term does not include an attorney who is licensed to practice law in this state if his
17 participation in any of the activities described in subsection 1 is limited solely to his legal
18 representation of a client who is an unarmed combatant.

19 **§ 7105. “Promoter” defined.** “Promoter” means any person who produces or stages
20 any professional contest or exhibition of unarmed combat.

21 **§ 7106. “Purse” defined.** “Purse” means the financial guarantee or any other
22 remuneration for which contestants are participating in a contest or exhibition and includes the
23 contestant’s share of any payment received for radio broadcasting, television or motion picture
24 rights.

25 **§ 7107. “Ring official” defined.** “Ring official” means any person who performs an
26 official function during the progress of a contest or exhibition of unarmed combat.

27 **§ 7108. “Sanctioning organization” defined.** “Sanctioning organization” means an
28 organization that sanctions professional contests of unarmed combat in this state.

29 **§ 7109. “Unarmed combat” defined.** “Unarmed combat” means boxing, wrestling
30 or any form of competition in which a blow is usually struck which may reasonably be expected to
31 inflict injury.

1 **§ 7110 “Unarmed combatant” defined.** (a) “Unarmed combatant” means any
2 person who engages in unarmed combat in a contest or exhibition, whether or not the person
3 receives remuneration.

4 (b) The term includes, without limitation:

5 (1) A contestant; and

6 (2) An amateur boxer who:

7 (i) Is registered with United States Amateur Boxing, Inc., or any other
8 amateur organization recognized by the Commission; and

9 (ii) Participates in an amateur boxing contest or exhibition in this state that is
10 registered and sanctioned by United States Amateur Boxing, Inc., or Golden Gloves
11 of America.

12 (c) The term does not include a person who participates in a contest or exhibition that is
13 exempt from the provisions of this chapter.

14 **Article 2**

15 **MEDICAL ADVISORY BOARD**

16 **§ 7200. Creation; Chairman; terms.** (a) The Medical Advisory Board consisting of
17 three (3) members to be appointed by the Governor is hereby created.

18 (b) The Governor shall designate one of the members of the Board as its Chairman.

19 (c) The Governor shall appoint each member to a term of 4 years. If the position of a member
20 is vacated, the Governor shall appoint a qualified person to replace the member for the remainder of
21 the unexpired term.

22 **§ 7201. Qualifications of members.** Each member of the Board must: (a) Be
23 licensed to practice medicine pursuant to Article 2 of Chapter 12, Title 10, Guam Code Annotated.

24 (b) Have at least 5 years of experience in the practice of medicine at the time of his
25 appointment.

26 **§ 7202. Duties.** The Board shall: (a) Prepare and submit to the Commission
27 appropriate standards for the physical and mental examination of contestants. No standard is
28 effective until it is approved by the Commission. The Commission shall ensure that applicable tests
29 for HIV/AIDS, TB, and other communicable diseases, and the mandatory requirement of a CT scan,
30 are included in the standards to be promulgated and approved.

1 (b) Recommend to the Commission for licensing, physicians who are qualified to examine
2 contestants.

3 (c) Advise the Commission as to the physical or mental fitness of a contestant, if it so
4 requests.

5 (d) Prepare and submit to the Legislature and the Commission reports containing any
6 recommendations for revisions in the law which it deems necessary to protect the health of
7 contestants in this state.

8 GUAM ATHLETIC COMMISSION

9 § 7300. **Creation; number and appointment of members; quorum; prohibitions**
10 **concerning contests and exhibitions.** (a) The Guam Athletic Commission, consisting of five (5)
11 members appointed by the Governor and subject to confirmation by *I Liheslaturan Guåhan*, is
12 hereby created within the Department of Revenue and Taxation. Commission members shall serve
13 for a term of four (4) years. If the position of a member is vacated, the Governor shall appoint a
14 qualified person to replace the member for the remainder of the unexpired term.

15 (b) Three (3) members of the Commission constitute a quorum for the exercise of the
16 authority conferred upon the Commission, and a concurrence of at least three (3) of the members is
17 necessary to render a choice or a decision by the Commission.

18 (c) A member shall not at any time during his service as a member of the Commission
19 promote or sponsor any contest or exhibition of unarmed combat, or combination of those events, or
20 have any financial interest in the promotion or sponsorship of those contests or exhibitions.

21 § 7301. **Chairman; seal; regulations; form of contracts.** (a) The members of the
22 Commission shall elect one of their number as Chairman of the Commission.

23 (b) The Commission may purchase and use a seal.

24 (c) The Commission may adopt regulations for the administration of this chapter. The
25 regulations must include:

26 (1) Number and qualifications of ring officials required at any exhibition or contest.

27 (2) Procedures for obtaining fingerprints pursuant to §7402 to investigate the criminal history
28 of all ring officials and employees of the Commission and any other applicant the Commission
29 wishes to investigate.

30 (3) Powers, duties and compensation of ring officials.

1 (4) Qualifications of licensees.

2 (d) The Commission shall prepare all forms of contracts between sponsors, licensees,
3 promoters and contestants.

4 **§ 7302. Employment of Executive Director; deposit of money in General Fund;**
5 **exceptions. (a)** The Commission may employ an Executive Director, who must not be a member of
6 the Commission.

7 (b) Except as provided in §7401 and §7419, all money received by the Executive Director or
8 the Commission pursuant to the provisions of this chapter must be deposited with the Treasurer of
9 Guam for credit to the Guam Athletic Commission Fund.

10 **§ 7303. Inspectors: Appointment; duties; promotion or sponsoring of**
11 **professional contest or exhibition prohibited. (a)** The Commission may appoint one or more
12 official representatives to be designated as inspectors, and may appoint one chief inspector. The
13 chief inspector shall supervise the work of all other inspectors appointed by the Commission. Each
14 inspector must receive from the Commission a card authorizing him to act as an inspector. He holds
15 office as an inspector at the pleasure of the Commission.

16 (b) An inspector shall not at any time during his service as an inspector promote or sponsor
17 any professional contest or exhibition of unarmed combat, or combination of those events.

18 **§ 7304. Compensation of members of Commission and other employees of**
19 **Commission; classification of Executive Director; certain other employment of Executive**
20 **Director allowed. (a)** Members of the Commission, if authorized by the Chairman, are entitled to
21 receive a stipend of not more than Fifty Dollars (\$50) for each meeting of the Commission.

22 (b) While engaged in the business of the Commission, each member and employee of the
23 Commission is, upon the authorization of the Chairman, entitled to receive the per diem allowance
24 and travel expenses provided by the Government Travel Law, Chapter 23, Title 5, Guam Code
25 Annotated.

26 (c) The Executive Director of the Commission shall be a member of the unclassified service,
27 as defined by §4102(a) of Chapter 4, Title 4, Guam Code Annotated. He may pursue any other
28 business or occupation not inconsistent or in conflict with his duties as Executive Director.

29 (d) Each inspector for the Commission is entitled to receive for the performance of his duties
30 a fee approved by the Commission.

1 upon the faithful performance by the applicant of the provisions of this chapter. In lieu of a bond, the
2 applicant may deposit with the Commission a like amount of lawful money of the United States or
3 any other form of security, including, but not limited to: bonds of the United States or of the
4 Territory of Guam of an actual market value of not less than the amount of the required cash
5 payment or surety bond; a letter of credit from a bank, savings bank, credit union or savings and loan
6 association situated in Guam, which meets the requirements set for that purpose by the Treasurer of
7 Guam; or, a savings certificate, certificate of deposit or investment certificate of a bank, savings
8 bank, credit union or savings and loan association situated in Guam, which must indicate an account
9 of an amount not less than the amount of the required cash payment or surety bond and, except as
10 otherwise provided by specific statute, that the amount is not available for withdrawal except by
11 direct order of the Treasurer of Guam. If security is provided in the form of a savings certificate,
12 certificate of deposit or investment certificate, the certificate must state that the amount is not
13 available for withdrawal except upon order of the Commission. All money which the Commission
14 receives pursuant to this subsection must be deposited with the Treasurer of Guam for credit to the
15 Guam Athletic Commission Fund, which shall be established by enactment of this statute.

16 (e) If the Commission believes the requirement for a bond is inadequate, the Commission
17 may require the promoter to make a deposit of money in an amount fixed by the Commission. The
18 deposit must be made not less than five (5) days before the contest or exhibition. It may be used to
19 satisfy any obligation incurred by the promoter during the staging of the contest or exhibition upon
20 order of the Commission. After satisfaction of all such obligations, the Commission shall release the
21 remainder to the promoter.

22 (f) The provisions of subsections (d) and (e) do not apply to amateur athletic clubs.

23 **§ 7402. Licenses for contestant, promoter, manager, trainer, ring official and**
24 **others; application for license; privileged statements; submission of fingerprints; withdrawal**
25 **of application; uniform scale of fees; payment of costs of proceedings. (a)** All contestants,
26 promoters, managers, seconds, trainers and ring officials must be licensed by the Commission. No
27 person may participate, directly or indirectly, in any professional contest or exhibition of unarmed
28 combat unless he has first procured a license from the Commission.

29 (b) The Commission may deny an application for a license or grant a limited, restricted or
30 conditional license for any cause deemed sufficient by the Commission.

1 **(c)** An application for a license constitutes a request for a determination of the applicant's
2 general suitability, character, integrity, and ability to participate or engage in, or be associated with
3 contests or exhibitions of unarmed combat. The burden of proof is on the applicant to establish to the
4 satisfaction of the Commission that the applicant is qualified to receive a license. By filing an
5 application with the Commission, an applicant accepts the risk of adverse public notice,
6 embarrassment, criticism, financial loss or other action with respect to his application, and expressly
7 waives any claim for damages as a result thereof. Any written or oral statement that is made by any
8 member of the Commission or any witness testifying under oath which is relevant to the application
9 and investigation of the applicant is absolutely privileged and does not impose liability for
10 defamation or constitute a ground for recovery in a civil action.

11 **(d)** The Commission shall require:

12 (1) Each ring official and employee of the Commission; and

13 (2) Any other applicant the Commission wishes to investigate, shall submit to the
14 Commission with the application a complete set of his fingerprints which the Commission may
15 forward to the Guam Police Department for submission to the Federal Bureau of Investigation for its
16 report.

17 **(e)** After an application has been submitted to the Commission, the application may not be
18 withdrawn unless the Commission consents to the withdrawal.

19 **(f)** The Commission shall fix a uniform scale of license fees.

20 **(g)** In addition to the license fees required by subsection (f), the Commission may require an
21 applicant for a license to:

22 (1) Pay the costs of the proceedings associated with the issuance of the license, including,
23 without limitation, investigative costs and attorney's fees; and

24 (2) Deposit with the Commission such an amount of money as the Commission deems
25 necessary to pay for those costs. If any amount required to be deposited pursuant to this paragraph
26 exceeds the actual cost of the proceedings, including, without limitation, investigative costs and
27 attorney's fees, the Commission shall refund the excess amount to the applicant upon the completion
28 of the proceedings.

29 **(h)** It is a violation of this chapter for any person to participate, directly or indirectly, as
30 stated in subsection (a), unless he has been granted a license therefor.

1 **§ 7403. Confidentiality of certain information concerning applicant for license;**
2 **disclosure of information; procedure. (a)** Except as otherwise provided in subsection (b), the
3 Commission shall keep confidential:

4 (1) Any information that it receives concerning an applicant for the issuance of a license
5 pursuant to this chapter which is declared confidential by law and that is provided to the
6 Commission by another governmental entity or the Association of Boxing Commissions;

7 (2) Any information contained in a medical record of such an applicant, if the information is
8 not relevant to the Commission in determining whether to grant a license to the applicant;

9 (3) Any information relating to the financial records of an applicant or licensee; and

10 (4) Any information required to be disclosed to the Commission and kept confidential
11 pursuant to federal law.

12 **(b)** The Commission shall reveal the information set forth in subsection (a):

13 (1) Upon the lawful order of a court of competent jurisdiction;

14 (2) To any person upon the request of the person who is the subject of the information; and

15 (3) In the course of the necessary administration of this chapter.

16 **(c)** A person seeking an order of a court of competent jurisdiction for the disclosure of
17 information described in subsection (a) must submit a motion in writing to the court requesting the
18 information. At least 10 days before submitting the motion, the person must provide notice to the
19 Commission, the Attorney General and all persons who may be affected by the disclosure of the
20 information. The notice must:

21 (1) Include, without limitation, a copy of the motion and all documents in support of the
22 motion that are to be filed with the court; and

23 (2) Be delivered in person or by certified mail to the last known address of each person to
24 whom notice must be provided.

25 **§7404. Payment of child support: Statement by applicant for license; grounds for denial**
26 **of license; duty of Commission. (a)** An applicant for the issuance or renewal of a license issued
27 pursuant to §7402 shall submit to the Commission a statement from the Child Support Enforcement
28 Agency indicating whether the applicant is subject to an existing court order for child support.

29 **(b)** The Commission shall include the statement required pursuant to subsection (a) in:

30 (1) The application or any other forms that must be submitted for the issuance or
31 renewal of the license; or

1 (2) A separate form prescribed by the Commission.

2 (c) A license may not be issued or renewed by the Commission pursuant to §7402 if the
3 applicant:

4 (1) Fails to submit the statement required pursuant to subsection (a); or

5 (2) Indicates on the statement submitted pursuant to subsection (a) that he is subject
6 to a court order for the support of a child and is not in compliance with the order or a plan approved
7 by the district attorney or other public agency enforcing the order for the repayment of the amount
8 owed pursuant to the order.

9 (d) If an applicant indicates on the statement submitted pursuant to subsection (a) that he is
10 subject to a court order for the support of a child and is not in compliance with the order or a plan
11 approved by the district attorney or other public agency enforcing the order for the repayment of the
12 amount owed pursuant to the order, the Commission shall advise the applicant to contact the district
13 attorney or other public agency enforcing the order to determine the actions that the applicant may
14 take to satisfy the arrearage.

15 **§7406. Application for license to include social security number of applicant.** An
16 application for a license issued pursuant to §7402 must include the social security number of the
17 applicant.

18 **§ 7407. Contest or exhibition shown on closed-circuit telecast or motion picture**
19 **for fee: Fee for license; report to Commission.** (a) Any person who charges and receives an
20 admission fee for exhibiting any live contest or exhibition of unarmed combat on a closed-circuit
21 telecast, or motion picture, shall, within 10 days after the event, furnish to the Commission a verified
22 written report on a form which is supplied by the Commission, showing the number of tickets sold
23 and issued or sold or issued, and the gross receipts therefor without any deductions.

24 (b) That person shall also, not later than twenty (20) days after the exhibition, pay to the
25 Commission a license fee, exclusive of federal taxes thereon, of 4 cents for each \$1 or fraction
26 thereof received for admission at the exhibition. The license fee applies uniformly at the same rate to
27 all persons subject to it. The license fee must be based on the face value of all tickets sold and
28 complimentary tickets issued.

1 **§ 7408. Permit for promoter to present program; limited, restricted or conditional**
2 **permit; fees; exceptions. (a)** Every promoter, in order to present a program of contests or
3 exhibitions of unarmed combat, must obtain a permit from the Commission for each program.

4 **(b)** The Commission may deny an application for such a permit or grant a limited, restricted
5 or conditional permit for any cause deemed sufficient by the Commission.

6 **(c)** The Commission shall charge and collect the following fees for a permit to present a
7 program of contests or exhibitions:

8 Permit for a promoter who has no place of business in this state..... \$100

9 Permit for a promoter who has a place of business in this state.....\$100

10 The provisions of this subsection do not apply to the presentation of a program of amateur contests
11 or exhibitions of unarmed combat.

12 **§ 7409. Additional fees for license of promoter; exemption; regulations. (a)** In
13 addition to the payment of any other fees and money due under this chapter, every promoter, except
14 as provided in subsection (2), shall pay a license fee of:

15 (1) Four percent of the total gross receipts from admission fees to the live contest or
16 exhibition of unarmed combat, exclusive of any federal tax or tax imposed by any political
17 subdivision of this state; and

18 (2) Three percent of the first \$1,000,000, and 1 percent of the next \$2,000,000, of the total
19 gross receipts from the sale, lease or other exploitation of broadcasting, television and motion picture
20 rights for that contest or exhibition, without any deductions for commissions, brokerage fees,
21 distribution fees, advertising, contestants' purses or any other expenses or charges.

22 **(b)** A corporation organized pursuant to Part 2 of Chapter 10, Title 18, Guam Code
23 Annotated, which promotes an amateur contest or exhibition of unarmed combat whose net proceeds
24 are to be spent entirely in this territory, for the purposes for which the corporation is organized, is
25 exempt from the fees payable under this section. The corporation must retain the services of a
26 promoter licensed pursuant to this chapter.

27 **(c)** The Commission shall adopt regulations:

28 (1) Requiring that the number and face value of all complimentary tickets be reported.

29 (2) Governing the treatment of complimentary tickets for the purposes of computing gross
30 receipts from admission fees under subsection **(a)(1)**.

1 **§ 7410. Additional fee for each ticket sold for admission to live professional**
2 **boxing or wrestling contest, match or exhibition; money collected to be used for amateur**
3 **boxing contests or exhibitions; application for grant; regulations. (a)** Except as otherwise
4 provided in subsection (b), in addition to the payment of any other fees or taxes required by this
5 chapter, a promoter shall pay to the Commission a fee of \$1.00 for each ticket sold for admission to
6 a live professional boxing or wrestling contest, match or exhibition which is held in this state.

7 **(b)** In lieu of the fee imposed pursuant to subsection (a), the Executive Director of the
8 Commission may require a promoter to pay to the Commission a fee of \$0.50 for each ticket sold for
9 admission to a live professional boxing or wrestling contest, match or exhibition which is held in this
10 state if the gross receipts from admission fees to the contest, match or exhibition are less than
11 \$500,000.

12 **(c)** The money collected pursuant to subsections (a) and (b) must be used by the Commission
13 to award grants to organizations which promote amateur boxing contests or exhibitions in this state.

14 **(d)** The Commission shall adopt by regulation the manner in which:

15 (1) The fees required by subsections (1) and (2) must be paid.

16 (2) Applications for grants may be submitted to the Commission and the standards to be used
17 to award grants to organizations which promote amateur boxing contests or exhibitions in this state.

18 **§ 7411. Time for report to Commission and payment of additional fees by**
19 **promoter. (a)** Every promoter shall, within 10 days after the completion of any contest, match or
20 exhibition for which an admission fee is charged and received, furnish to the Commission a verified
21 written report showing:

22 (1) The number of tickets sold and issued or sold or issued for the contest, match or
23 exhibition;

24 (2) The amount of the:

25 (i) Gross receipts from admission fees; and

26 (ii) Gross receipts derived from the sale, lease or other exploitation of broadcasting,
27 motion picture and television rights of such contest, match or exhibition, without any
28 deductions for commissions, brokerage fees, distribution fees, advertising, contestants'
29 purses or any other expenses or charges; and

30 (iii) Such other matters as the Commission may prescribe.

1 (b) The promoter shall, not later than twenty (20) days after the contest, match or exhibition,
2 pay to the Commission the license fee described in §7407.

3 § 7412. Suspension, revocation and other disciplining of contestant and other
4 participants; grounds for refusal to issue license. (a) The Commission may suspend or revoke the
5 license of, otherwise discipline, or take any combination of such actions against any contestant,
6 promoter, ring official or other participant who, in the judgment of the Commission:

7 (1) Enters into a contract for a contest or exhibition of unarmed combat in bad faith;

8 (2) Participates in any sham or fake contest or exhibition of unarmed combat;

9 (3) Participates in a contest or exhibition of unarmed combat pursuant to a collusive
10 understanding or agreement in which the contestant competes in or terminates the contest or
11 exhibition in a manner that is not based upon honest competition or the honest exhibition of the skill
12 of the contestant;

13 (4) Is guilty of a failure to give his best efforts, a failure to compete honestly or a failure to
14 give an honest exhibition of his skills in a contest or exhibition of unarmed combat;

15 (5) Is guilty of an act or conduct that is detrimental to a contest or exhibition of unarmed
16 combat, including, but not limited to, any foul or unsportsmanlike conduct in connection with a
17 contest or exhibition of unarmed combat; or

18 (6) Fails to comply with any limitation, restriction or condition placed on his license.

19 (b) The Commission may refuse to issue a license to an applicant who has committed any of
20 the acts described in subsection (a).

21 § 7413. Hearing by member of Commission; notice of disciplinary hearing;
22 approval of adjudication and order by majority of Commission; distribution of written report.

23 (a) Any member of the Commission may conduct hearings.

24 (b) All disciplinary hearings conducted under the provisions of this chapter must be preceded
25 by a written notice to be served upon the accused at least 10 days before the hearing.

26 (c) Before any adjudication is rendered, a majority of the members of the Commission shall
27 examine the record and approve the adjudication and order.

28 (d) The Commission shall file a written report of its findings, adjudication and order in the
29 record of the proceedings and send a copy to the accused.

1 **§ 7414. Commission may issue subpoenas, administer oaths, appoint hearing**
2 **examiners and pay certain expenses; penalty for making false oath before Commission. (a)** The
3 Commission, or a quorum of three members thereof, may:

4 (1) Issue subpoenas to require the attendance and testimony of a licensee or other person
5 whom the Commission believes to have information of importance to the Commission;

6 (2) Issue subpoenas duces tecum to require the production of books and papers by a licensee
7 or other person whom the Commission believes to have books or papers of importance to the
8 Commission;

9 (3) Administer oaths and require testimony under oath;

10 (4) Appoint hearing examiners who may administer oaths and receive evidence and
11 testimony under oath; and

12 (5) Pay such transportation and other expenses of witnesses as it may deem reasonable and
13 proper.

14 **(b)** Service of process or notice required pursuant to this section must be served in the
15 manner provided for service of process and notices in civil actions.

16 **(c)** A person making false oath in a matter before the Commission or a hearing examiner is
17 guilty of perjury which is a felony of the third degree and shall be punished as provided in **§80.30(c)**
18 of Chapter 80, Title 9, Guam Code Annotated.

19 **§ 7415. Suspension of license or permit by member or Executive Director of**
20 **Commission pending final determination by Commission; continuation of suspension by**
21 **Commission; procedure. (a)** Each member of the Commission or the Executive Director of the
22 Commission may, upon his own motion or upon the verified written charge of any person charging a
23 licensee or the holder of a permit with violating any provision of this chapter or the regulations
24 adopted pursuant thereto, suspend for a period not exceeding ten (10) days any license or permit
25 until final determination by the Commission if, in his opinion, the action is necessary to protect the
26 public welfare and the best interests of the sports regulated pursuant to this chapter.

27 **(b)** If a license or permit is suspended pursuant to subsection **(a)**, the Commission may, upon
28 written notice to the licensee or holder of the permit and after a hearing, continue the suspension
29 until it makes a final determination of any disciplinary action to be taken against the licensee or
30 holder of the permit.

1 **§ 7416. Contract between contestant and licensee: Copy provided to contestant**
2 **and Executive Director; impounding gate receipts. (a)** Every contestant competing under the
3 terms of this chapter or regulation of the Commission is entitled to receive a copy of a written
4 contract or agreement approved as to form by the Commission binding the licensee to pay the
5 contestant a certain fixed fee or percentage of the gate receipts.

6 **(b)** One copy of the agreement must be filed with the Executive Director of the Commission
7 and one copy must be retained by the licensee or sponsor of the contest.

8 **(c)** The inspector or member of the Commission in attendance at the contest shall determine
9 whether such an agreement has been delivered to each contestant and may require that a sufficient
10 amount of the gate receipts be impounded to pay the contestants according to those agreements.

11 **§ 7417. Insurance for licensed contestants.** The Commission may, by regulation,
12 require insurance coverage for each licensed contestant to provide for medical, surgical and hospital
13 care for injuries sustained while engaged in contests or exhibitions of unarmed combat, in an amount
14 of \$50,000 or more payable to the physician or hospital which treated the contestant for his injuries
15 or, if he has paid for that care, directly to him or his beneficiary.

16 **§ 7418. Advance against purse by promoter to licensee prohibited; permission of**
17 **member of Commission for advance to contestant for necessary expenses.** No promoter may
18 pay or give any money to a licensee before any contest or exhibition of unarmed combat as an
19 advance against a contestant's purse or for a similar purpose, except that the promoter may, with the
20 prior written permission of a member of the Commission, pay or advance to a contestant necessary
21 expenses for transportation and maintenance in preparation for a contest or exhibition.

22 **§ 7419. Order to promoter to withhold part of purse or other money due certain**
23 **contestants or manager or second; hearing; disposition of money. (a)** The Commission, its
24 Executive Director or any other employee authorized by the Commission may order the promoter to
25 withhold any part of a purse or other money belonging or payable to any contestant, manager or
26 second if, in the judgment of the Commission, Executive Director or other employee:

27 (1) The contestant is not competing honestly or to the best of his skill and ability or the
28 contestant otherwise violates any regulations adopted by the Commission or any of the provisions of
29 this chapter, including, but not limited to, the provisions of subsection (a) of §7412; or

30 (2) The manager or seconds violate any regulations adopted by the Commission or any of the
31 provisions of this chapter, including, but not limited to, the provisions of subsection (a) of §7412.

1 **(b)** This section does not apply to any contestant in a wrestling exhibition who appears not to
2 be competing honestly or to the best of his skill and ability.

3 **(c)** Upon the withholding of any part of a purse or other money pursuant to this section, the
4 Commission shall immediately schedule a hearing on the matter, provide adequate notice to all
5 interested parties and dispose of the matter as promptly as possible.

6 **(d)** If it is determined that a contestant, manager or second is not entitled to any part of his
7 share of the purse or other money, the promoter shall pay the money over to the Commission.
8 Subject to the provisions of subsection **(e)**, the money must be deposited with the Treasurer of Guam
9 for credit to the Guam Athletic Commission Fund.

10 **(e)** Money turned over to the Commission pending final action in any matter must be
11 credited to the Guam Athletic Commission Fund and must remain in that Account until the
12 Commission orders its disposition in accordance with the final action taken.

13 **§ 7420. Registration of sanctioning organization or television network; fees, costs**
14 **and deposit; regulations.** **(a)** The Commission may require a sanctioning organization or a
15 broadcasting network for television that televises professional contests of unarmed combat in this
16 territory to register with the Commission before it participates, directly or indirectly, in any
17 professional contest or exhibition of unarmed combat.

18 **(b)** If such registration is required, the Commission shall adopt regulations that prescribe,
19 without limitation, the requirements for registration and any fees for registration.

20 **(c)** The Commission may require a sanctioning organization or broadcasting network that
21 applies for registration to:

22 (1) Pay the costs of the proceedings relating to the issuance of the registration, including,
23 without limitation, investigative costs and attorney's fees; and

24 (2) Deposit with the Commission such an amount of money as the Commission deems
25 necessary to pay for those costs. If any amount required to be deposited pursuant to this paragraph
26 exceeds the actual cost of the proceedings, including, without limitation, investigative costs and
27 attorney's fees, the Commission shall refund the excess amount to the sanctioning organization or
28 broadcasting network upon the completion of the proceedings.

29 **§ 7421. Promoter and network to file copy of contracts for television rights;**
30 **records of accounts and other documents; assessment of fee for license; confidentiality of**
31 **contract.** **(a)** A promoter and a broadcasting network for television shall each, at least seventy-two

1 (72) hours before a contest or exhibition of unarmed combat, or combination of those events is to be
2 held, file with the Commission's Executive Director a copy of all contracts entered into for the sale,
3 lease or other exploitation of television rights for the contest or exhibition.

4 (b) The promoter shall keep detailed records of the accounts and other documents related to
5 his receipts from the sale, lease or other exploitation on the television rights for a contest or
6 exhibition. The Commission, at any time, may inspect these accounts and documents to determine
7 the amount of the total gross receipts received by the promoter from the television rights.

8 (c) If a promoter or a network fails to comply with the requirements of this section, the
9 Commission may determine the amount of the total gross receipts from the sale, lease or other
10 exploitation of television rights for the contest or exhibition and assess the appropriate license fee
11 pursuant to §7409(a).

12 (d) Each contract filed with the Commission pursuant to this section is confidential and is not
13 a public record.

14 **§ 7422. Attendance of representative or member of Commission at weigh-ins,**
15 **medical examinations, contests and exhibitions.** The Executive Director of the Commission, a
16 chief inspector or a member of the staff of the Commission must be present at all weigh-ins, medical
17 examinations, contests, exhibitions or matches, and shall ensure that the rules are strictly enforced.

18 **§ 7423. Promoter to control seating arrangements; member of Commission**
19 **furnished ringside seat.** Each promoter of a contest or exhibition of unarmed combat has charge of
20 all seating arrangements but shall furnish to each member of the Commission who is present one
21 ringside seat.

22 **§ 7424. Length of boxing and mixed martial arts contests and rounds; rest**
23 **between rounds. (a)** No boxing contest, sparring match or exhibition may be more than 12 rounds
24 in length. Rounds must be not more than 3 minutes. There must be a rest period of 60 seconds
25 between successive rounds.

26 (b) No mixed martial arts contest may be longer than three (3) rounds in length. Rounds
27 must be not more than five (5) minutes. There must be a rest period of sixty (60) seconds between
28 successive rounds.

29 (c) No mixed martial arts championship contest may be longer than five (5) rounds in
30 length. Rounds must not be more than five (5) minutes. There must be a rest period of sixty (60)
31 seconds between successive rounds.

1 **§ 7425. Weighing-in of participants in boxing contests.** Every participant in a
2 boxing contest shall be present and weighed in no later than 7 p.m. on the day before to the contest.

3 **§ 7426. Revocation of license.** Any license issued under this chapter may be revoked
4 for cause deemed sufficient by the Commission upon a hearing as provided for in §7413.

5 **§ 7427. Penalties in lieu of or in addition to other disciplinary action; payment of**
6 **costs of proceedings. (a)** If disciplinary action is taken against a person pursuant to this chapter and
7 the disciplinary action does not relate to a contest or exhibition of unarmed combat as provided in
8 subsection **(b)**, the Commission may, in lieu of revoking a license, prescribe a penalty not to exceed
9 \$250,000.

10 **(b)** If disciplinary action is taken against a person pursuant to this chapter, including, but not
11 limited to, a hearing for the revocation of a license, and the disciplinary action relates to:

12 (1) The preparation for a contest or an exhibition of unarmed combat;

13 (2) The occurrence of a contest or an exhibition of unarmed combat; or

14 (3) Any other action taken in conjunction with a contest or an exhibition of unarmed combat,
15 the Commission may prescribe a penalty pursuant to subsection **(c)**.

16 **(c)** A penalty prescribed by the Commission pursuant to subsection **(b)**:

17 (1) Must not exceed \$250,000 or one hundred percent (100%) of the share of the purse to
18 which the holder of the license is entitled for the contest or exhibition, whichever amount is greater;
19 and

20 (2) May be imposed in addition to or in lieu of any other disciplinary action that is taken
21 against the person by the Commission.

22 **(d)** If disciplinary action is taken against a person pursuant to this chapter, the Commission
23 may require the person against whom such action is taken to pay the costs of the proceeding,
24 including investigative costs and attorney's fees.

25 **§ 7428. Reinstatement of revoked license: Payment of penalty prescribed by**
26 **Commission; payment of costs of proceedings. (a)** Except as otherwise provided in §7427, upon
27 receipt of an application and the payment of a penalty prescribed by the Commission, not to exceed
28 \$250,000, the Commission may reinstate a revoked license.

29 **(b)** In addition to the penalty required by subsection **(a)**, the Commission may require the
30 applicant to:

1 (1) Pay the costs of the proceedings associated with the reinstatement of the license,
2 including investigative costs and attorney's fees; and

3 (2) Deposit with the Commission such an amount of money as the Commission deems
4 necessary to pay for those costs. If any amount required to be deposited pursuant to this paragraph
5 exceeds the actual cost of the proceedings, including investigative costs and attorney's fees, the
6 Commission shall refund the excess amount to the applicant upon the completion of the proceedings.

7 Article 5

8 APPLICABILITY OF CHAPTER; PENALTIES

9 § 7500. **Amateur contest or exhibition of school, college or university exempted**
10 **from provisions of chapter.** The provisions of this chapter do not apply to any amateur contests or
11 exhibitions of unarmed combat or any combination thereof conducted by or participated in
12 exclusively by any school, college or university or by any association or organization of a school,
13 college or university, when each participant in the contests or exhibitions is a bona fide student in the
14 school, college or university.

15 § 7501. **Certain exhibitions of Oriental unarmed self-defense exempted from**
16 **provisions of chapter.** The provisions of this chapter do not apply to exhibitions of Oriental
17 unarmed self-defense in which no dangerous blow is intended to be struck.

18 § 7502. **Penalty.** Any person who shall, directly or indirectly, violate any of the
19 provisions of this chapter, or the rules or regulations of the Commission, shall be guilty of a
20 misdemeanor.”

21 **Section 4. Commission Members to Remain.** Upon enactment into law of this Act, the
22 current members of the Boxing and Wrestling Commission shall continue as members of the Guam
23 Athletic Commission, subject to the conditions set in §7300.