

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

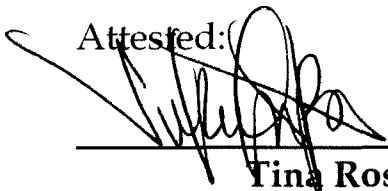
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that **Substitute Bill No. 23 (LS)**, "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 UNARMED COMBAT COMMISSION; AND TO CITE THIS ACT AS THE "*GUAM UNARMED COMBAT COMMISSION ACT OF 2009*"," was on the 2nd day of July 2009, duly and regularly passed.



Judith T. Won Pat, Ed. D.
Speaker

Attested:



Tina Rose Muña Barnes
Senator and Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 2 day of JULY, 2009, at 4:30 o'clock P.M.



Assistant Staff Officer
Maga'lahaen's Office

APPROVED:

FELIX P. CAMACHO
I Maga'lahaen Guåhan

Date: _____

Public Law No. _____

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

Bill No. 23 (LS)

As substituted by the Committee
on Municipal Affairs, Aviation,
Housing and Recreation, and further
substituted and amended on the Floor.

Introduced by:

J. V. Espaldon
T. R. Muña Barnes
Adolpho B. Palacios, Sr.
T. C. Ada
F. B. Aguon, Jr.
F. F. Blas, Jr.
E. J.B. Calvo
B. J.F. Cruz
Judith P. Guthertz, DPA
v. c. pangelinan
M. J. Rector
R. J. Respicio
Telo Taitague
Ray Tenorio
Judith T. Won Pat, Ed.D.

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 UNARMED COMBAT COMMISSION; AND TO CITE THIS ACT AS THE “*GUAM UNARMED COMBAT COMMISSION ACT OF 2009*”.

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Legislative Findings.** *I Liheslaturan Guåhan* finds that the
3 sport of mixed martial arts has grown in popularity over the past five (5) years.
4 Collectively, there were over fifteen (15) mixed martial arts competitions staged in
5 Guam during 2006. Such activities should be regulated and licensed by the Boxing
6 and Wrestling Commission, as currently provided for in Chapter 41, Title 22,
7 Guam Code Annotated. The Boxing and Wrestling Commission was enacted by
8 the Thirteenth (13th) Guam Legislature and has *not* seen significant modification
9 since its inception. Neither the existing statute nor the promulgated rules and
10 regulations take into account the sport of mixed martial arts. In the interest of
11 protecting contestants, *I Liheslaturan Guåhan* finds that it is necessary to revamp
12 the Boxing and Wrestling Commission, and establish new statutes and rules and
13 regulations to incorporate the sport of mixed martial arts, as well as update
14 provisions related to boxing and wrestling.

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

17 **Section 3.** A new Chapter 7 of Division 1 is *added* to Title 11, Guam Code
18 Annotated, to read:

19 **“CHAPTER 7**

20 **UNARMED COMBAT**

21 **Article 1**

22 **DEFINITIONS**

- 23 §7100. Definitions.
24 §7101. *Board* defined.
25 §7102. *Commission* defined.
26 §7103. *Contestant* defined.
27 §7104. *Manager* defined.

- 1 §7105. *Promoter* defined.
- 2 §7106. *Purse* defined.
- 3 §7107. *Ring Official* defined.
- 4 §7108. *Sanctioning Organization* defined.
- 5 §7109. *Unarmed Combat* defined.
- 6 §7110. *Unarmed Combatant* defined.

7 **Article 2**

8 **MEDICAL ADVISORY BOARD**

- 9 §7200. Creation; Chairman; Terms.
- 10 §7201. Qualifications of Members.
- 11 §7202. Duties.

12 **Article 3**

13 **GUAM UNARMED COMBAT COMMISSION**

- 14 §7300. Creation; Number, Composition and Appointment of Members;
15 Quorum; Prohibitions Concerning Contests and Exhibitions.
- 16 §7301. Chairman; Seal; Rules and Regulations; Form of Contracts.
- 17 §7302. Employment of Executive Secretary; Deposit of Money in
18 Guam Unarmed Combat Commission Fund.
- 19 §7303. Inspectors: Appointment; Duties; Promotion or Sponsoring of
20 Professional Contest *or* Exhibition Prohibited.
- 21 §7304. Compensation of Members of Commission and other
22 Employees of Commission; Classification of Executive
23 Secretary.
- 24 §7305. Authority to Affiliate with Other State *or* National Boxing
25 Commission or Athletic Authority.

1 **Article 4**

2 **LICENSING AND CONTROL OF CONTESTS AND EXHIBITIONS OF**
3 **UNARMED COMBAT**

4 §7400. Jurisdiction of Commission.

5 §7401. License for Contest *or* Exhibition Where Admission Fee
6 Received; Application for License; Fee; Limited, Restricted *or*
7 Conditional License; Bond *or* Deposit; Unarmed Combat
8 Commission's Agency Account; Additional Deposit;
9 Exceptions.

10 §7402. Licenses for Contestant, Promoter, Manager, Trainer, Ring
11 Official and Others; Application for License; Submission of
12 Clearances; Withdrawal of Application; Uniform Scale of Fees;
13 Payment of Costs of Proceedings.

14 §7403. Confidentiality of Certain Information Concerning Applicant
15 for License; Disclosure of Information; Procedure.

16 §7404. Application for License to Include Social Security Number of
17 Applicant.

18 §7405. Permit for Promoter to Present Program; Limited, Restricted *or*
19 Conditional Permit; Fees; Exceptions.

20 §7406. Additional Fees for License of Promoter; Exemption;
21 Regulations.

22 §7407. Time for Report to Commission and Payment of Additional
23 Fees by Promoter.

24 §7408. Suspension, Revocation and Other Disciplining of Contestant
25 and Other Participants; Grounds for Refusal to Issue License.

- 1 §7409. Hearing by Member of Commission; Notice of Disciplinary
2 Hearing; Approval of Adjudication and Order by Majority of
3 Commission; Distribution of Written Report.
- 4 §7410. Commission May Issue Subpoenas, Administer Oaths, Appoint
5 Hearing Examiners and Pay Certain Expenses; Penalty for
6 Making False Oath before Commission.
- 7 §7411. Suspension of License *or* Permit by Member or Executive
8 Secretary of Commission Pending Final Determination by
9 Commission; Continuation of Suspension by Commission;
10 Procedure.
- 11 §7412. Contract Between Contestant and Licensee: Copy Provided to
12 Contestant and Executive Secretary; Impounding Gate
13 Receipts.
- 14 §7413. Insurance for Licensed Contestants.
- 15 §7414. Advance against Purse by Promoter to Licensee Prohibited;
16 Permission of Commission for Advance to Contestant for
17 Necessary Expenses.
- 18 §7415. Order to Promoter to Withhold Part of Purse *or* Other Money
19 Due Certain Contestants *or* Manager *or* Second; Hearing;
20 Disposition of Money.
- 21 §7416. Registration of Sanctioning Organization *or* Television
22 Network; Fees, Costs and Deposit; Regulations.
- 23 §7417. Promoter and Network to File Copy of Contracts for Television
24 Rights; Records of Accounts and Other Documents;
25 Assessment of Fee for License; Confidentiality of Contract.
- 26 §7418. Attendance of Representative or Member of Commission at
27 Weigh-Ins, Medical Examinations, Contests and Exhibitions.

- 1 §7419. Promoter to Control Seating Arrangements; Member of
2 Commission Furnished Ringside Seat.
- 3 §7420. Length of Boxing Contests and Rounds; Rest Between Rounds.
- 4 §7421. Weighing-in of Participants in Boxing Contests.
- 5 §7422. Revocation of License.
- 6 §7423. Penalties in Lieu of *or* in Addition to Other Disciplinary
7 Action; Payment of Costs of Proceedings.
- 8 §7424. Reinstatement of Revoked License: Payment of Penalty
9 Prescribed by Commission; Payment of Costs of Proceedings.
- 10 **Article 5**
- 11 **APPLICABILITY OF CHAPTER; PENALTIES**
- 12 §7500. Amateur Contest *or* Exhibition of School, College *or*
13 University *or* Non-Profit Unarmed Combat Organization
14 *Exempted* from Provisions of Chapter.
- 15 §7501. Certain Exhibitions of Unarmed Self-Defense Exempted from
16 Provisions of Chapter.
- 17 §7502. Penalty.

1 **Article 1**

2 **DEFINITIONS**

3 **§7100. Definitions.** As used in this Chapter, unless the context
4 otherwise requires, the words and terms defined in §§7101 to 7108 inclusive,
5 have the meanings ascribed to them in those Sections.

6 **§7101.** *Board* means the Medical Advisory Board.

7 **§7102.** *Commission* means the Guam Unarmed Combat
8 Commission.

9 **§7103.** *Contestant* means any person who engages in unarmed
10 combat for remuneration.

11 **§7104.** (a) *Manager* means a person who:

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

16 (2) Directs *or* controls the activities of an unarmed
17 combatant relating to the participation of the unarmed combatant in
18 professional contests or exhibitions;

19 (3) Receives *or* is entitled to receive at *least* ten percent
20 (10%) of the gross purse *or* gross income of any professional unarmed
21 combatant for services relating to the participation of the unarmed
22 combatant in a professional contest *or* exhibition; *or*

23 (4) Receives compensation for services as an agent *or*
24 representative of an unarmed combatant.

25 (b) The term *does not* include an attorney who is licensed to
26 practice law in Guam *if* his participation in any of the activities described in

1 subsection (1) is limited *solely* to his legal representation of a client who is
2 an unarmed combatant.

3 **§7105.** *Promoter* means any person who produces *or* stages any
4 professional contest *or* exhibition of unarmed combat.

5 **§7106.** *Purse* means the financial guarantee *or* any other
6 remuneration for which contestants are participating in a contest *or*
7 exhibition and includes the contestant's share of any payment received for
8 radio broadcasting, television *or* motion picture rights.

9 **§7107.** *Ring official* means any person who performs an official
10 function during the progress of a contest or exhibition of unarmed combat.

11 **§7108.** *Sanctioning organization* means an organization that
12 sanctions professional contests of unarmed combat in Guam.

13 **§7109.** *Unarmed combat* means boxing, wrestling, mixed martial
14 arts, kickboxing, *or* any form of competition in which a blow is usually
15 struck which may reasonably be expected to inflict injury.

16 **§7110.** (a) *Unarmed combatant* means any person who engages
17 in unarmed combat in a contest *or* exhibition, whether *or not* the person
18 receives remuneration.

19 (b) The term includes, without limitation:

20 (1) A contestant; and

21 (2) An amateur boxer who:

22 (A) Is registered with the Guam Amateur Boxing organization
23 recognized by the Guam National Olympic Committee and the
24 International Boxing Association (AIBA); and

25 (B) Any contestant who has participated in a competition
26 promoted as a professional event *or* competes against a professional

1 contestant regardless of remuneration *or not, shall not* be allowed to
2 compete in amateur unarmed competitions.

3 (c) The term *does not* include a person who participates in a contest *or*
4 exhibition that is *exempt* from the provisions of this Chapter.

5 **Article 2**

6 **MEDICAL ADVISORY BOARD**

7 **§7200. Creation; Chairman; Terms.** (a) The Medical
8 Advisory Board consisting of three (3) members to be appointed by *I*
9 *Maga'lahi* is hereby created.

10 (b) A Chairman *shall* be elected from among the members.

11 (c) *I Maga'lahi shall* appoint each member to a term of four (4)
12 years. *If* the position of a member is vacated, *I Maga'lahi shall* appoint a
13 qualified person to replace the member for the remainder of the unexpired
14 term.

15 **§7201. Qualifications of Members.** Each member of the Board
16 must: (a) be licensed to practice medicine pursuant to Article 2 of
17 Chapter 12, Title 10, Guam Code Annotated; and

18 (b) have at least five (5) years of experience in the practice of
19 medicine at the time of his appointment.

20 **§7202. Duties.** The Board *shall*: (a) Prepare and submit to the
21 Commission appropriate standards for the physical and mental examination
22 of contestants. *No* standard is effective until it is approved by the
23 Commission. The Commission *shall* ensure that applicable tests for
24 HIV/AIDS, TB, and other communicable diseases, and the mandatory
25 requirement of a CT scan, are included in the standards to be promulgated
26 and approved.

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

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

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

8 Article 3

9 GUAM UNARMED COMBAT COMMISSION

10 §7300. Creation; Number, Composition and Appointment of 11 Members; Quorum; Prohibitions Concerning Contests and Exhibitions.

12 (a) The Guam Unarmed Combat Commission, consisting of seven (7)
13 members appointed by *I Maga'lahi* and subject to confirmation by *I*
14 *Liheslaturan Guåhan*, is hereby created within the Department of Revenue
15 and Taxation. Commission members *shall* serve for a term of four (4) years.
16 The seven (7) member Commission, at least two (2) being female, *shall* be
17 constituted as follows: two (2) members of the general public, two (2)
18 members with a background in the sport of boxing, two (2) members with a
19 background in the sport of mixed martial arts, and one (1) member with a
20 background in the visitor industry in the area of sports tourism. The
21 Director of the Department of Revenue and Taxation, the Director of the
22 Department of Parks and Recreation and the Chairman of the Medical
23 Advisory Board, as provided in §7200, *shall* serve as Ex-Officio Members.
24 *If* the position of a member is vacated, *I Maga'lahi shall* appoint a qualified
25 person to replace the member for the remainder of the unexpired term.

26 (b) Four (4) members of the Commission constitute a
27 quorum for the exercise of the authority conferred upon the Commission,

1 and a concurrence of at least four (4) of the members is necessary to render
2 a choice *or* a decision by the Commission.

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

7 (d) The Commission *shall* meet at least quarterly but *may* meet as
8 often as the duties of such Commission require.

9 **§7301. Chairman; Seal; Rules and Regulations; Form of**
10 **Contracts.** (a) A Chairman *shall* be elected from among the members who
11 *shall* serve in such capacity for a term of one (1) year, whereupon another
12 member *shall* be elected as provided herein.

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

14 (c) The Commission shall adopt rules and regulations for the
15 administration of this Chapter. The rules and regulations must include:

16 (1) number and qualifications of ring officials required at
17 any exhibition *or* contest;

18 (2) procedures for obtaining police and court clearances
19 pursuant to §7402 to investigate the criminal history of all ring
20 officials and employees of the Commission and any other applicant
21 the Commission wishes to investigate;

22 (3) powers, duties and compensation of ring officials; and

23 (4) qualifications of licensees.

24 (5) rules of competition, weighing of contestants and scoring
25 of decisions.

26 (6) age limits, weight limits, physical conditions and
27 classification of contestants.

1 (d) The Commission *shall* review and approve all forms of
2 contracts between sponsors, licensees, promoters and contestants.

3 **§7302. Employment of Executive Secretary; Deposit of**
4 **Money in Guam Unarmed Combat Commission Fund.** (a) The
5 Commission may employ an Executive Secretary, who must *not* be a
6 member of the Commission.

7 (b) *Except* as provided in §7401 and §7416, all money received by
8 the Executive Secretary *or* the Commission pursuant to the provisions of this
9 Chapter must be deposited with the Treasurer of Guam for credit to the
10 Guam Unarmed Combat Commission Fund.

11 **§7303. Inspectors: Appointment; Duties; Promotion *or***
12 **Sponsoring of Professional Contest *or* Exhibition Prohibited.** (a) The
13 Commission may appoint one (1) *or* more official representatives to be
14 designated as inspectors, and may appoint one (1) Chief Inspector. The
15 Chief Inspector *shall* supervise the work of all other inspectors appointed by
16 the Commission. Each inspector must receive from the Commission a card
17 authorizing him to act as an Inspector. He holds office as an Inspector at the
18 pleasure of the Commission.

19 (b) An Inspector *shall not* at any time during his service as an
20 Inspector promote *or* sponsor any professional contest *or* exhibition of
21 unarmed combat, *or* combination of those events.

22 **§7304. Compensation of Members of Commission and Other**
23 **Employees of Commission; Classification of Executive Secretary.** (a)
24 Members of the Commission, *if* authorized by the Chairman, are entitled to
25 receive a stipend of *not more than* Fifty Dollars (\$50) for each meeting of
26 the Commission.

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

6 (c) The Executive Secretary of the Commission *shall* be a member
7 of the unclassified service, as defined by §4102(a) of Chapter 4, Title 4,
8 Guam Code Annotated.

9 (d) Each Inspector for the Commission is entitled to receive for the
10 performance of his duties a fee approved by the Commission.

11 **§7305. Authority to Affiliate with Other State *or* National**
12 **Boxing Commission *or* Athletic Authority.** The Commission *shall* have
13 the authority to affiliate with any other State *or* National Boxing
14 Commission *or* Athletic Authority.

15 **Article 4**

16 **LICENSING AND CONTROL OF CONTESTS AND EXHIBITIONS OF** 17 **UNARMED COMBAT**

18 **§7400. Jurisdiction of Commission.** (a) The Commission has
19 and is vested with the *sole* direction, management, control and jurisdiction
20 over all contests *or* exhibitions of unarmed combat to be conducted, held *or*
21 given within Guam, and *no* contest *or* exhibition may be conducted, held *or*
22 given within Guam *except* in accordance with the provisions of this Chapter.

23 (b) Any boxing *or* sparring contest conforming to the requirements
24 of this Chapter and to the regulations of the Commission *shall* be deemed to
25 be a boxing contest and *not* a prize fight.

1 (c) Any contest involving a form of unarmed self-defense must be
2 conducted pursuant to rules for that form which are approved by the
3 Commission before the contest is conducted, held *or* given.

4 **§7401. License for Contest or Exhibition Where Admission**
5 **Fee Received; Application for License; Fee; Limited, Restricted *or***
6 **Conditional License; Bond *or* Deposit; Guam Athletic Commission**
7 **Fund; Additional Deposit; Exceptions.** (a) The Commission may issue
8 and revoke licenses to conduct, hold *or* give contests *or* exhibitions of
9 unarmed combat where an admission fee is received in accordance with such
10 terms and provisions as the Commission prescribes.

11 (b) Any application for such a license must be in writing and
12 correctly show and define the applicant. The application must be
13 accompanied by an annual fee to be fixed by the Commission, on a uniform
14 scale.

15 (c) The Commission may deny an application for such a license *or*
16 grant a limited, restricted *or* conditional license for any cause deemed
17 sufficient by the Commission.

18 (d) Before any license is granted, the applicant must file a bond in
19 an amount fixed by the Commission but *not less than* Ten Thousand Dollars
20 (\$10,000), executed by the applicant as principal, and by a corporation
21 qualified under the laws of Guam as surety, payable to the Treasurer of
22 Guam, and conditioned upon the faithful performance by the applicant of the
23 provisions of this Chapter. In lieu of a bond, the applicant may deposit with
24 the Commission a like amount of lawful money of the United States *or* any
25 other form of security, including, but *not limited to*: bonds of the United
26 States *or* of Guam of an actual market value of *not less than* the amount of
27 the required cash payment *or* surety bond; a letter of credit from a bank,

1 savings bank, credit union *or* savings and loan association situated in Guam,
2 which meets the requirements set for that purpose by the Treasurer of Guam;
3 *or* a savings certificate, certificate of deposit *or* investment certificate of a
4 bank, savings bank, credit union *or* savings and loan association situated in
5 Guam, which must indicate an account of an amount *not less than* the
6 amount of the required cash payment *or* surety bond and, *except* as
7 otherwise provided by specific statute, that the amount is *not* available for
8 withdrawal *except* by direct order of the Treasurer of Guam. *If* security is
9 provided in the form of a savings certificate, certificate of deposit *or*
10 investment certificate, the certificate must state that the amount is *not*
11 available for withdrawal except upon order of the Commission. All money
12 which the Commission receives pursuant to this subsection must be
13 deposited with the Treasurer of Guam for credit to the Guam Unarmed
14 Combat Commission Fund, which *shall* be established by enactment of this
15 Act.

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

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

26 **§7402. Licenses for Contestant, Promoter, Manager, Trainer,**
27 **Ring Official and Others; Application for License; Submission of**

1 **Clearances; Withdrawal of Application; Uniform Scale of Fees;**
2 **Payment of Costs of Proceedings.** (a) All contestants, promoters,
3 managers, seconds, trainers and ring officials must be licensed by the
4 Commission. *No* person may participate, directly *or* indirectly, in any
5 professional contest *or* exhibition of unarmed combat unless he has first
6 procured a license from the Commission.

7 (b) The Commission may deny an application for a license or grant
8 a limited or license or grant a limited, restricted or controlled license for any
9 cause deemed sufficient by the Commission.

10 (c) The Commission *shall* require:

11 (1) each ring official and employee of the Commission; and

12 (2) any other applicant the Commission wishes to
13 investigate, to submit to the Commission, with the application, a
14 police and court clearance.

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

18 (e) The Commission *shall* fix a uniform scale of license fees.

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

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

24 (2) deposit with the Commission such an amount of money
25 as the Commission deems necessary to pay for those costs. *If* any
26 amount required to be deposited pursuant to this subsection exceeds
27 the actual cost of the proceedings, including, without limitation,

1 investigative costs and attorney’s fees, the Commission *shall* refund
2 the excess amount to the applicant upon the completion of the
3 proceedings.

4 (g) It is a violation of this Chapter for any person to participate,
5 directly *or* indirectly, as stated in subsection (a), *unless* he has been granted
6 a license therefor.

7 **§7403. Confidentiality of Certain Information Concerning**
8 **Applicant for License; Disclosure of Information; Procedure.** (a) *Except*
9 as otherwise provided in subsection (b), the Commission *shall* keep
10 confidential:

11 (1) any information that it receives concerning an applicant
12 for the issuance of a license pursuant to this Chapter which is declared
13 confidential by law and that is provided to the Commission by another
14 governmental entity *or* the Association of Boxing Commissions;

15 (2) any information contained in a medical record of such an
16 applicant, *if* the information is *not* relevant to the Commission in
17 determining whether to grant a license to the applicant;

18 (3) any information relating to the financial records of an
19 applicant *or* licensee; and

20 (4) any information required to be disclosed to the
21 Commission and kept confidential pursuant to federal law.

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

24 (1) upon the lawful order of a court of competent
25 jurisdiction;

26 (2) to any person upon the request of the person who is the
27 subject of the information; and

1 (3) in the course of the necessary administration of this
2 Chapter.

3 (c) A person seeking an order of a court of competent jurisdiction for
4 the disclosure of information described in subsection (a) must submit a
5 motion in writing to the court requesting the information. At least ten (10)
6 days before submitting the motion, the person must provide notice to the
7 Commission, the Attorney General and all persons who may be affected by
8 the disclosure of the information. The notice must:

9 (1) include, without limitation, a copy of the motion and all
10 documents in support of the motion that are to be filed with the court;
11 and

12 (2) be delivered in person *or* by certified mail to the last
13 known address of each person to whom notice must be provided.

14 **§7404. Application for License to Include Social Security**
15 **Number of Applicant.** An application for a license issued pursuant to
16 §7402 must include the social security number of the applicant.

17 **§7405. Permit for Promoter to Present Program; Limited,**
18 **Restricted *or* Conditional Permit; Fees; Exceptions.** (a) Every promoter,
19 in order to present a program of contests *or* exhibitions of unarmed combat,
20 must obtain a permit from the Commission for each program.

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

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

1 Permit for a promoter who has *no* place of business in Guam-One
2 Thousand Dollars (\$1,000); and Permit for a promoter who has a place of
3 business in Guam-Two Hundred Fifty Dollars (\$250).

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

6 **§7406. Additional Fees for License of Promoter; Exemption;**
7 **Regulations.** (a) In addition to the payment of any other fees and money due
8 under this Chapter, every promoter, *except* as provided in subsection (2),
9 *shall* pay a license fee of:

10 (1) four percent (4%) of the total gross receipts from
11 admission fees to the live contest *or* exhibition of unarmed combat,
12 exclusive of any federal tax *or* tax imposed by the government of
13 Guam; and

14 (2) three percent (3%) of the first One Million Dollars
15 (\$1,000,000), and one percent (1%) of the next Two Million Dollars
16 (\$2,000,000), of the total gross receipts from the sale, lease *or* other
17 exploitation of broadcasting, television and motion picture rights for
18 that contest *or* exhibition, without any deductions for commissions,
19 brokerage fees, distribution fees, advertising, contestants' purses *or*
20 any other expenses *or* charges.

21 (b) A corporation organized pursuant to Part 2 of Chapter 10, Title
22 18, Guam Code Annotated, which promotes an amateur contest *or* exhibition
23 of unarmed combat whose net proceeds are to be spent entirely in Guam, for
24 the purposes for which the corporation is organized, is *exempt* from the fees
25 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:

1 (1) requiring that the number and face value of all
2 complimentary tickets be reported; and

3 (2) governing the treatment of complimentary tickets for the
4 purposes of computing gross receipts from admission fees under
5 subsection (a)(1).

6 **§7407. Time for Report to Commission and Payment of**
7 **Additional Fees by Promoter.** (a) Every promoter *shall*, within ten (10)
8 days after the completion of any contest, match *or* exhibition for which an
9 admission fee is charged and received, furnish to the Commission a verified
10 written report showing:

11 (1) the number of tickets sold and issued *or* sold *or* issued
12 for the contest, match *or* exhibition; and

13 (2) the amount of the:

14 (A) gross receipts from admission fees;

15 (B) gross receipts derived from the sale, lease *or* other
16 exploitation of broadcasting, motion picture and television
17 rights of such contest, match *or* exhibition, without any
18 deductions for commissions, brokerage fees, distribution fees,
19 advertising, contestants' purses *or* any other expenses *or*
20 charges; and

21 (C) such other matters as the Commission may
22 prescribe.

23 (b) The promoter *shall, not later than* twenty (20) days after the
24 contest, match *or* exhibition, pay to the Commission the license and permit
25 fee described in §7406.

26 **§7408. Suspension, Revocation and Other Disciplining of**
27 **Contestant and Other Participants; Grounds for Refusal to Issue**

1 **License.** (a) The Commission may suspend *or* revoke the license of,
2 otherwise discipline, *or* take any combination of such actions against any
3 contestant, promoter, ring official *or* other participant who, in the judgment
4 of the Commission:

5 (1) enters into a contract for a contest *or* exhibition of
6 unarmed combat in bad faith;

7 (2) participates in any sham *or* fake contest *or* exhibition of
8 unarmed combat;

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

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

18 (5) fails to comply with any limitation, restriction *or*
19 condition placed on his license.

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

22 **§7409. Hearing by Member of Commission; Notice of**
23 **Disciplinary Hearing; Approval of Adjudication and Order by Majority**
24 **of Commission; Distribution of Written Report.** (a) Any member of the
25 Commission may conduct hearings.

1 (b) All disciplinary hearings conducted under the provisions of this
2 Chapter must be preceded by a written notice to be served upon the accused
3 at least ten (10) days before the hearing.

4 (c) Before any adjudication is rendered, a majority of the members
5 of the Commission *shall* examine the record and approve the adjudication
6 and order.

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

10 **§7410. Commission May Issue Subpoenas, Administer Oaths,**
11 **Appoint Hearing Examiners and Pay Certain Expenses; Penalty for**
12 **Making False Oath Before Commission.** (a) The Commission, *or* a
13 quorum of four (4) members thereof, may:

14 (1) issue subpoenas to require the attendance and testimony
15 of a licensee *or* other person whom the Commission believes to have
16 information of importance to the Commission;

17 (2) issue subpoenas *duces tecum* to require the production of
18 books and papers by a licensee *or* other person whom the Commission
19 believes to have books *or* papers of importance to the Commission;

20 (3) administer oaths and require testimony under oath;

21 (4) appoint hearing examiners who may administer oaths and
22 receive evidence and testimony under oath; and

23 (5) pay for such transportation and other expenses of
24 witnesses, as it may deem reasonable and proper.

25 (b) Service of process *or* notice required pursuant to this Section
26 must be served in the manner provided for service of process and notices in
27 civil actions.

1 (c) A person making a false oath in a matter before the
2 Commission *or* a hearing examiner is guilty of perjury, which is a felony of
3 the third degree and *shall* be punished as provided in §80.30(c) of Chapter
4 80, Title 9, Guam Code Annotated.

5 **§7411. Suspension of License *or* Permit by Member *or***
6 **Executive Secretary of Commission Pending Final Determination by**
7 **Commission; Continuation of Suspension by Commission; Procedure.**

8 (a) Each member of the Commission *or* the Executive Secretary of
9 the Commission may, upon his own motion *or* upon the verified written
10 charge of any person charging a licensee *or* the holder of a permit with
11 violating any provision of this Chapter *or* the regulations adopted pursuant
12 thereto, suspend for a period *not exceeding* ten (10) days any license *or*
13 permit until final determination by the Commission *if*, in his opinion, the
14 action is necessary to protect the public welfare and the best interests of the
15 sports regulated pursuant to this Chapter.

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

21 **§7412. Contract Between Contestant and Licensee: Copy**
22 **Provided to Contestant and Executive Secretary; Impounding Gate**
23 **Receipts.** (a) Every contestant competing under the terms of this
24 Chapter, *or* regulation of the Commission, is entitled to receive a copy of a
25 written contract *or* agreement, approved as to form by the Commission,
26 binding the licensee to pay the contestant a certain fixed fee *or* percentage of
27 the gate receipts.

1 (b) One (1) copy of the agreement must be filed with the Executive
2 Secretary of the Commission and one (1) copy must be retained by the
3 licensee *or* sponsor of the contest.

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

8 **§7413. Insurance for Licensed Contestants.** The Commission
9 *shall* adopt by regulation, and rules requirements for insurance providing
10 coverage in the event of injury or death for persons competing in unarmed
11 combat competitions, exhibitions and events subject to this Chapter. This
12 insurance must comply with standards prescribed by the local insurance
13 commissioner. The minimum coverage for insurance *shall* be in an amount
14 *no less than* Ten Thousand Dollars (\$10,000). Said insurance coverage may
15 be covered by a Bond. The cost of such insurance premium *shall* be covered
16 by the promoter.

17 **§7414. Advance Against Purse by Promoter to Licensee**
18 **Prohibited; Permission of Commission for Advance to Contestant for**
19 **Necessary Expenses.** *No* promoter may pay *or* give any money to a
20 licensee before any contest *or* exhibition of unarmed combat as an advance
21 against a contestant's purse *or* for a similar purpose, *except* that the promoter
22 may, with the prior written permission by a majority of the Commission
23 members, pay *or* advance to a contestant necessary expenses for
24 transportation and maintenance in preparation for a contest *or* exhibition.

25 **§7415. Order to Promoter to Withhold Part of Purse *or***
26 **Other Money Due Certain Contestants or Manager *or* Second; Hearing;**
27 **Disposition of Money.** (a) The Commission, its Executive Secretary, *or* any

1 other employee authorized by the Commission, may order the promoter to
2 withhold any part of a purse *or* other money belonging *or* payable to any
3 contestant, manager *or* second *if*, in the judgment of the Commission,
4 Executive Secretary, *or* other employee:

5 (1) the contestant is *not* competing honestly *or* to the best of
6 his skill and ability *or* the contestant otherwise violates any
7 regulations adopted by the Commission *or* any of the provisions of
8 this Chapter, including, but *not limited to*, the provisions of subsection
9 (a) of §7408; *or*

10 (2) the manager *or* second violate any regulations adopted by
11 the Commission *or* any of the provisions of this Chapter, including,
12 but *not limited to*, the provisions of subsection (a) of §7408.

13 (b) Upon the withholding of any part of a purse *or* other money
14 pursuant to this Section, the Commission *shall* immediately schedule a
15 hearing on the matter, provide adequate notice to all interested parties and
16 dispose of the matter as promptly as possible.

17 (c) *If* it is determined that a contestant, manager *or* second is *not*
18 entitled to any part of his share of the purse *or* other money, the promoter
19 *shall* pay the money over to the Commission. Subject to the provisions of
20 subsection (d), the money must be deposited with the Treasurer of Guam for
21 credit to the Guam Unarmed Combat Commission Fund.

22 (d) Money turned over to the Commission, pending final action in
23 any matter, must be credited to the Guam Unarmed Combat Commission
24 Fund and must remain in that Account until the Commission orders its
25 disposition in accordance with the final action taken.

26 **§7416. Registration of Sanctioning Organization *or***
27 **Television Network; Fees, Costs and Deposit; Regulations.** (a) The

1 Commission may require a sanctioning organization *or* a broadcasting
2 network for television that televises professional contests of unarmed
3 combat in Guam to register with the Commission before it participates,
4 directly *or* indirectly, in any professional contest *or* exhibition of unarmed
5 combat.

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

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

11 (1) pay the costs of the proceedings relating to the issuance
12 of the registration, including, without limitation, investigative costs
13 and attorney's fees; and

14 (2) deposit with the Commission such an amount of money
15 as the Commission deems necessary to pay for those costs. *If* any
16 amount required to be deposited pursuant to this subsection exceeds
17 the actual cost of the proceedings, including, without limitation,
18 investigative costs and attorney's fees, the Commission *shall* refund
19 the excess amount to the sanctioning organization *or* broadcasting
20 network upon the completion of the proceedings.

21 **§7417. Promoter and Network to File Copy of Contracts for**
22 **Television Rights; Records of Accounts and Other Documents;**
23 **Assessment of Fee for License; Confidentiality of Contract.** (a) A
24 promoter and a broadcasting network for television *shall* each, at least
25 seventy-two (72) hours before a contest *or* exhibition of unarmed combat, *or*
26 combination of those events is to be held, file with the Commission's

1 Executive Secretary a copy of all contracts entered into for the sale, lease *or*
2 other exploitation of television rights for the contest *or* exhibition.

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

9 (c) *If* a promoter *or* a network fails to comply with the
10 requirements of this Section, the Commission may determine the amount of
11 the total gross receipts from the sale, lease *or* other exploitation of television
12 rights for the contest *or* exhibition and assess the appropriate license fee
13 pursuant to §7406(a).

14 (d) Each contract filed with the Commission pursuant to this
15 Section is confidential and is *not* a public record.

16 **§7418. Attendance of Representative or Member of**
17 **Commission at Weigh-Ins, Medical Examinations, Contests and**
18 **Exhibitions.** A member of the Commission, the Executive Secretary of the
19 Commission, a Chief Inspector *or* a member of the staff of the Commission
20 must be present at all weigh-ins, medical examinations, contests, exhibitions
21 *or* matches, and *shall* ensure that the rules are strictly enforced.

22 **§7419. Promoter to Control Seating Arrangements; Member**
23 **of Commission Furnished Ringside Seat.** Each promoter of a contest *or*
24 exhibition of unarmed combat has charge of all seating arrangements but
25 *shall* furnish to each member of the Commission who is present one (1)
26 ringside seat.

1 **§7420. Length of Boxing and Mixed Martial Arts Contests**
2 **and Rounds; Rest Between Rounds.** (a) *No* boxing contest, sparring
3 match *or* exhibition may be *more than* twelve (12) rounds in length. Rounds
4 must be *not more than* three (3) minutes. There must be a rest period of sixty
5 (60) seconds between successive rounds.

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

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

12 **§7421. Weighing-in of Participants in Boxing Contests.**
13 Every participant in a boxing contest *shall* be present and weighed in *no*
14 *later than* 7:00 p.m. on the day before the contest.

15 **§7422. Revocation of License.** Any license issued under this
16 Chapter may be revoked for cause deemed sufficient by the Commission
17 upon a hearing as provided for in §7409.

18 **§7423. Penalties in Lieu of *or* in Addition to other**
19 **Disciplinary Action; Payment of Costs of Proceedings.** (a) *If* disciplinary
20 action is taken against a person pursuant to this Chapter and the disciplinary
21 action *does not* relate to a contest *or* exhibition of unarmed combat as
22 provided in subsection (b), the Commission may, in lieu of revoking a
23 license, prescribe a penalty *not to exceed* Fifty Thousand Dollars (\$50,000).

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

1 (1) the preparation for a contest *or* an exhibition of unarmed
2 combat;

3 (2) the occurrence of a contest *or* an exhibition of unarmed
4 combat; *or*

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

8 (c) A penalty prescribed by the Commission pursuant to subsection
9 (b):

10 (1) must *not exceed* Fifty Thousand Dollars (\$50,000) *or* one
11 hundred percent (100%) of the share of the purse to which the holder
12 of the license is entitled for the contest *or* exhibition, whichever
13 amount is greater; and

14 (2) may be imposed in addition to *or* in lieu of any other
15 disciplinary action that is taken against the person by the Commission.

16 (d) *If* disciplinary action is taken against a person pursuant to this
17 Chapter, the Commission may require the person against whom such action
18 is taken to pay the costs of the proceeding, including investigative costs and
19 attorney's fees.

20 **§7424. Reinstatement of Revoked License: Payment of Penalty**
21 **Prescribed by Commission; Payment of Costs of Proceedings.** (a) *Except*
22 *as otherwise provided in §7423, upon receipt of an application and the*
23 *payment of a penalty prescribed by the Commission, not to exceed Fifty*
24 *Thousand Dollars (\$50,000), the Commission may reinstate a revoked*
25 *license.*

26 (b) In addition to the penalty required by subsection (a), the
27 Commission may require the applicant to:

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

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

10 Article 5

11 APPLICABILITY OF CHAPTER; PENALTIES

12 **§7500. Amateur Contest *or* Exhibition of School, College *or***
13 **University *or* Non-Profit Unarmed Combat Organization *Exempted***
14 **from Provisions of Chapter.** The provisions of this Chapter *do not* apply
15 to any amateur contests *or* exhibitions of unarmed combat *or* any
16 combination thereof conducted by *or* participated in exclusively by any
17 unarmed combat organization who conducts contests as a non-profit
18 organization and is in good status with the Department of Revenue and
19 Taxation, any school, college *or* university *or* by any association *or*
20 organization of a school, college *or* university, when each participant in the
21 contests *or* exhibitions is a bona fide student in the school, college *or*
22 university.

23 **§7501. Certain Exhibitions of Unarmed Self-Defense**
24 **Exempted from Provisions of Chapter.** The provisions of this Chapter *do*
25 *not* apply to exhibitions of unarmed self-defense in which *no* dangerous
26 blow is intended to be struck.

1 **§7502. Penalty.** Any person who *shall*, directly *or* indirectly,
2 violate any of the provisions of this Chapter, *or* the rules *or* regulations of
3 the Commission, *shall* be guilty of a misdemeanor.”

4 **Section 4. Commission Members to Remain.** Upon enactment into law
5 of this Act, the current members of the Boxing and Wrestling Commission *shall*
6 continue as members of the Guam Unarmed Combat Commission, subject to the
7 conditions set forth in §7300.