

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

Bill No. 89(LS)

Introduced by:

Adolpho B. Palacios, Sr. 

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2009 APR - 2 AM 9:50



**AN ACT TO ADD A NEW CHAPTER 42 TO TITLE 22, GUAM  
CODE ANNOTATED RELATIVE TO "UNARMED COMBAT"  
AND ESTABLISHING THE GUAM UNARMED COMBAT  
COMMISSION; AND CITING THIS ACT AS THE "GUAM  
UNARMED COMBAT ACT OF 2009."**

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

**Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that the sports of mixed martial arts involving unarmed combatants have grown in popularity over the past several years. In 2006 alone, it is estimated that more than fifteen (15) competitions were promoted and staged in Guam. The mixed martial arts sports are not regulated at all. The Boxing and Wrestling Commission (BWC) was enacted by the Thirteenth Guam Legislature principally for the purpose of regulating boxing and wrestling. *I Liheslaturan Guåhan* finds that the BWC has no jurisdiction over the mixed martial arts sports. Neither the existing statutes nor the rules and regulations under the Boxing and Wrestling Commission are applicable to the sport of mixed martial arts.

*I Liheslaturan Guåhan* finds that the sports of mixed martial arts involved a much greater risk of personal injury than the sports of boxing, wrestling and judo. In fact, some of the mixed martial arts competitions promoted in Guam were titled: *Geran Haga* (War of Blood), *Todu Bale* (No Rule); and similar titles that depict violence.

*I Liheslaturan Guåhan* finds that the sport of mixed martial arts, if regulated, can grow and can be recognized internationally as a professional sport in the same standing as the sports of boxing, wrestling, and judo. As such, the sport may be promoted internationally; Guam may host an international competition. It is therefore the intent of *I Liheslaturan Guåhan* to recognize the sport of mixed martial arts as a professional sport by adding a new Chapter Forty-Two (42) to Title Twenty-Two (22) Guam Code Annotated relative to establishing the "Guam Unarmed Combat Act of 2009."

Section 2. A new Chapter 42 is added to Title 22, Guam Code Annotated. A new Chapter 42 is added to Title 22, Guam Code Annotated to read:

## **CHAPTER 42 – UNARMED COMBAT**

### **Article 1**

#### **DEFINITIONS**

**§42100** Definitions

**§42101** "Board" defined.

**§42102** "Commission" defined.

**§42103** "Contestant" defined.

**§42104** "Manager" defined.

**§42105** "Promoter" defined.

**§42106** "Purse" defined.

**§42107** "Ring official" defined.

**§42108** "Sanctioning organization" defined.

**§42109** "Unarmed combat" defined.

**§42110** "Unarmed combatant" defined.

### **Article 2**

#### **MEDICAL ADVISORY BOARD**

**§42200.** Creation; Chairman; terms.

**§42201.** Qualifications of members.

**§42202.** Duties.

### **Article 3**

#### **GUAM UNARMED COMBAT COMMISSION**

**§42300.** Creation; number and appointment of members; quorum; prohibitions concerning contests and exhibitions.

**§42301.** Chairman; seal; regulations; form of contracts.

**§42302.** Employment of Executive Secretary; deposit of money in General Fund; exceptions.

**§42303.** Inspectors: Appointment; duties; promotion or sponsoring of professional contest or exhibition prohibited.

- 1           **§42304.        Compensation of members of Commission and other**  
2                           **employees of Commission; classification of Executive**  
3                           **Secretary; certain other employment of Executive Secretary allowed.**  
4           **§42305.        Authority to affiliate with other state or national Mix Martial Arts**  
5                           **commission or athletic authority.**

6   **Article 4**

7       **LICENSING AND CONTROL OF CONTESTS AND EXHIBITIONS OF**  
8   **UNARMED COMBAT**

- 9           **§ 42400.        Jurisdiction of Commission.**  
10          **§ 42401.        License for contest or exhibition where admission fee received;**  
11                           **application for license; fee; limited, restricted or conditional**  
12                           **license; bond or deposit; Unarmed Combat Commission's**  
13                           **Agency Account; additional deposit; exceptions.**  
14          **§42401.1        Guam Unarmed Combat Commission Fund**  
15          **§42402.        Licenses for contestant, promoter, manager, trainer, ring**  
16                           **official and others; application for license; privileged**  
17                           **statements; submission of fingerprints; withdrawal of**  
18                           **application; uniform scale of fees; payment of costs of**  
19                           **proceedings.**  
20          **§42403.        Confidentiality of certain information concerning applicant for**  
21                           **license; disclosure of information; procedure.**  
22          **§42404.        Payment of child support: Statement by applicant for license;**  
23                           **grounds for denial of license; duty of Commission.**  
24          **§42405.        Suspension of license for failure to pay child support or comply**  
25                           **with certain subpoenas or warrants; reinstatement of license.**  
26          **§42406.        Application for license to include social security number of**  
27                           **applicant.**  
28          **§42407.        Contest or exhibition shown on closed-circuit telecast or**  
29                           **motion picture for fee: Fee for license; report to Commission.**  
30          **§42408.        Permit for promoter to present program; limited, restricted or**  
31                           **conditional permit; fees; exceptions.**

- 1       **§42409.       Additional fees for license of promoter; exemption;**  
2       **regulations.**
- 3       **§42410.       Additional fee for each ticket sold for admission to live**  
4       **professional contest, match or exhibition; money collected to be used**  
5       **for amateur contests or exhibitions; application for grant;**  
6       **regulations.**
- 7       **§42411.       Time for report to Commission and payment of additional fees**  
8       **by promoter.**
- 9       **§42412.       Suspension, revocation and other disciplining of contestant and**  
10      **other participants; grounds for refusal to issue license.**
- 11      **§42413.       Hearing by member of Commission; notice of disciplinary**  
12      **hearing; approval of adjudication and order by majority of**  
13      **Commission; distribution of written report.**
- 14      **§42414.       Commission may issue subpoenas, administer oaths, appoint**  
15      **hearing examiners and pay certain expenses; penalty for**  
16      **making false oath before Commission.**
- 17      **§42415.       Suspension of license or permit by member or Executive**  
18      **Secretary of Commission pending final determination by**  
19      **Commission; continuation of suspension by Commission;**  
20      **procedure.**
- 21      **§42416.       Contract between contestant and licensee: Copy provided to**  
22      **contestant and Executive Secretary; impounding gate receipts.**
- 23      **§42417.       Insurance for licensed contestants.**
- 24      **§42418.       Advance against purse by promoter to licensee prohibited;**  
25      **permission of member of Commission for advance to**  
26      **contestant for necessary expenses.**
- 27      **§42419.       Order to promoter to withhold part of purse or other money**  
28      **due certain contestants or manager or second; hearing;**  
29      **disposition of money.**
- 30      **§42420.       Registration of sanctioning organization or television network;**  
31      **fees, costs and deposit; regulations.**

- 1           **§42421.       Promoter and network to file copy of contracts for television**  
2                               **rights; records of accounts and other documents; assessment of**  
3                               **fee for license; confidentiality of contract.**
- 4           **§42422.       Attendance of representative or member of Commission at**  
5                               **weigh-ins, medical examinations, contests and exhibitions.**
- 6           **§42423.       Promoter to control seating arrangements; member of**  
7                               **Commission furnished ringside seat.**
- 8           **§42424.       Length of contests and rounds; rest between rounds.**
- 9           **§42425.       Weighing-in of participants in contests.**
- 10          **§42426.       Revocation of license.**
- 11          **§42427.       Penalties in lieu of or in addition to other disciplinary action;**  
12                               **payment of costs of proceedings.**
- 13          **§42428.       Reinstatement of revoked license: Payment of penalty**  
14                               **prescribed by Commission; payment of costs of proceedings.**

## 15                               **Article 5**

### 16                   **APPLICABILITY OF CHAPTER; PENALTIES**

- 17          **§42500.       Amateur contest or exhibition of school, college or university**  
18                               **exempted from provisions of chapter.**
- 19          **§42501.       Certain exhibitions of Oriental unarmed self-defense exempted**  
20                               **from provisions of chapter.**
- 21          **§42502.       Penalty.**

## 22                               **Article 1**

- 23          **§42100.       Definitions.** As used in this Chapter, unless the context otherwise  
24 requires, the words and terms defined in §42101 to §42108 inclusive, have the meanings ascribed  
25 to them in those sections.
- 26          **§42101.       "Board" defined.** "Board" means the Medical Advisory Board.
- 27          **§42102.       "Commission" defined.** "Commission" means the Guam Unarmed  
28 Combat Commission.
- 29          **§42103.       "Contestant" defined.** "Contestant" means any person who engages in  
30 unarmed combat for remuneration.

1           **§42104. "Manager" defined.** (a) "Manager" means a person who: (1) Undertakes  
2 to represent the interests of another person, by contract, agreement or other arrangement, in  
3 procuring, arranging or conducting a professional contest or exhibition in which that person will  
4 participate as a contestant; (2) Directs or controls the activities of an unarmed combatant relating  
5 to the participation of the unarmed combatant in professional contests or exhibitions; (3)  
6 Receives or is entitled to receive at least 10 percent of the gross purse or gross income of any  
7 professional unarmed combatant for services relating to the participation of the unarmed  
8 combatant in a professional contest or exhibition; or (4) Receives compensation for *services* as  
9 an agent or representative of an unarmed combatant.

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

13           **§42105. "Promoter" defined.** "Promoter" means any person who produces or  
14 stages any professional contest or exhibition of unarmed combat.

15           **§42106. "Purse" defined.** "Purse" means the financial guarantee or any other  
16 remuneration for which contestants are participating in a contest or exhibition and includes the  
17 contestant's share of any payment received for radio broadcasting, television or motion picture  
18 rights.

19           **§42107. "Ring official" defined.** "Ring official" means any person who performs  
20 an official function during the progress of a contest or exhibition of unarmed combat.

21           **§42108. "Sanctioning organization" defined.** "Sanctioning organization" means  
22 an organization that sanctions professional contests of unarmed combat in this state.

23           **§42109. "Unarmed combat" defined.** "Unarmed combat" means mixed martial  
24 arts or any other form of competition, other than boxing and wrestling, in which a blow is  
25 usually struck which may reasonably be expected to inflict injury.

26           **§42110. "Unarmed combatant" defined.** (a) "Unarmed combatant" means any  
27 person who engages in unarmed combat in a contest or exhibition, whether or not the person  
28 receives remuneration.

29           (b) The term includes any contestant who has participated in a competition promoted as a  
30 professional event or competes against a professional contestant regardless of remuneration or  
31 not, shall not be allowed to compete in amateur unarmed competition.

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

## 3 Article 2

### 4 MEDICAL ADVISORY BOARD

5 §42200. Creation; Chairman; terms. (a) The Medical Advisory Board consisting  
6 of three (3) members to be appointed by the Governor is hereby created.

7 (b) A chairman shall be elected from among the members.

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

11 §42201. Qualifications of members. Each member of the Board must:

12 (a) Be licensed to practice medicine pursuant to Article 2 of Chapter 12, Title 10, Guam  
13 Code Annotated.

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

16 §42202. Duties. The Board shall:

17 (a) Prepare and submit to the Commission appropriate standards for the physical and  
18 mental examination of contestants. No standard is effective until it is approved by the  
19 Commission. The Commission shall ensure that applicable tests for HIV/AIDS, TB, and other  
20 communicable diseases, and the mandatory requirement of a CT scan, are included in the  
21 standards to be promulgated and approved.

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

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

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

### 29 GUAM UNARMED COMBAT COMMISSION

30 §42300. Creation; number and appointment of members; quorum;  
31 prohibitions concerning contests and exhibitions. (a) The Guam Unarmed Combat

Commission, consisting five (5) members appointed by the Governor and subject to confirmation by *I Liheslaturan Guåhan*, is hereby created within the Department of Revenue and Taxation. Commission members shall serve for a term of four (4) years. The five (5) member Commission, at least one (1) being female, shall be constituted as follows: two (2) member of the general public; two (2) members with a background in the sport of mixed martial arts, and one (1) member with a background in the visitor industry in the area of sports tourism. The Director of the Department of Revenue and Taxation, the Director of the Department of Parks and Recreation, and the Chairman of the Medical Advisory Board, as provided in §42200, shall serve as an ex-officio members. If the position of a member is vacated, the Governor shall appoint a qualified person to replace the member for the remainder of the unexpired term.

(b) Three (3) members of the Commission constitute a quorum for the exercise of the authority conferred upon the Commission, and a concurrence of at least four (4) of the members is necessary to render a choice or a decision by the Commission.

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

**§ 42301. Chairman; seal; regulations; form of contracts.** (a) A chairman shall be elected from among the members who shall serve in such capacity for a term of one (1) year, whereupon another member shall be elected as provided herein.

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

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

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

(2) Procedures for obtaining fingerprints pursuant to §42402 to investigate the criminal history of all ring officials and employees of the Commission and any other applicant the Commission wishes to investigate.

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

(4) Qualifications of licensees.



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

3           **§42302.       Employment of Executive Secretary; deposit of money in**  
4 **General Fund; exceptions. (a)** The Commission may employ an Executive Secretary, who must  
5 not be a member of the Commission.

6           (b) Except as provided in §42401 and §42419, all money received by the Executive  
7 Secretary or the Commission pursuant to the provisions of this Chapter must be deposited with  
8 the Treasurer of Guam for credit to the Guam Unarmed Combat Commission Fund.

9           **§42303. Inspectors: Appointment; duties; promotion or sponsoring of professional**  
10 **contest or exhibition prohibited. (a)** The Commission may appoint one (1) or more official  
11 representatives to be designated as inspectors, and may appoint one (1) chief inspector. The chief  
12 inspector shall supervise the work of all other inspectors appointed by the Commission. Each  
13 inspector must receive from the Commission a card authorizing him to act as an inspector. He  
14 holds office as an inspector at the pleasure of the Commission.

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

18           **§42304. Compensation of members of Commission and other employees of**  
19 **Commission; classification of Executive Secretary; certain other employment of Executive**  
20 **Director allowed. (a)** Members of the Commission, if authorized by the Chairman, are entitled  
21 to 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  
24 allowance and travel expenses provided by the Government Travel Law, Chapter 23, Title 5,  
25 Guam Code Annotated.

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

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

**§42305. Authority to affiliate with other state or national Mixed Martial Arts commission or athletic authority.** The Commission shall have the authority to affiliate with any other state or national mixed martial arts commission or athletic authority.

## Article 4

## LICENSING AND CONTROL OF CONTESTS AND EXHIBITIONS OF UNARMED COMBAT

**§42400. Jurisdiction of Commission. (a)** The Commission has and is vested with the sole direction, management, control and jurisdiction over all contests or exhibitions of unarmed combat or mixed martial arts to be conducted, held or given within the territory of Guam, and no contest or exhibition may be conducted, held or given within this territory except in accordance with the provisions of this chapter.

**§42401. License for contest or exhibition where admission fee received; application for license; fee; limited, restricted or conditional license; bond or deposit; Guam Athletic Commission Fund; additional deposit; exceptions. (a)** The Commission, in conjunction with the Department of Revenue and Taxation, may issue and revoke licenses to conduct, hold or give contests or exhibitions of unarmed combat where an admission fee is received in accordance with such terms and provisions as the Commission prescribes.

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

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

**(d)** Before any license is granted, the applicant must file a bond in an amount fixed by the Commission but not less than ten thousand dollars (\$10,000), executed by the applicant as principal, and by a corporation qualified under the laws of the territory as surety, payable to the Treasurer of Guam, and conditioned upon the faithful performance by the applicant of the provisions of this Chapter. In lieu of a bond, the applicant may deposit with the Commission a like amount of lawful money of the United States or any other form of security, including, but not limited to: bonds of the United States or of the Territory of Guam of an actual market value of not less than the amount of the required cash payment or surety bond; a letter of credit from a bank, savings bank, credit union or savings and loan association situated in Guam, which meets

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

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

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

18 **§42401.1 Guam Unarmed Combat Commission Fund.** There is hereby created  
19 the Guam Unarmed Combat Commission Fund which is administered solely by the Guam  
20 Unarmed Combat Commission in conjunction with the Department of Revenue and Taxation.  
21 All monies deposited into this account will be administered by the Commission and reported  
22 annually to the Department of Revenue and Taxation. The purpose of this fund is to procure  
23 supplies, services, insurances, equipment and other essentials as deemed necessary by the  
24 Commission. This Fund shall be separate and independent from the General Fund and not  
25 subject to the transfer authority of the Governor.

26 **§42402. Licenses for contestant, promoter, manager, trainer, ring official and**  
27 **others; application for license; privileged statements; submission of fingerprints;**  
28 **withdrawal of application; uniform scale of fees; payment of costs of proceedings. (a)** All  
29 contestants, promoters, managers, seconds, trainers and ring officials must be licensed by the  
30 Commission. No person may participate, directly or indirectly, in any professional contest or  
31 exhibition of unarmed combat unless he has first procured a license from the Commission.

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

3           (c) The Commission shall require:

4                 (1) Each ring official and each employee of the Commission a police and court  
5 clearance; and

6                 (2) Any other applicant the Commission wishes to investigate, shall submit to the  
7 Commission with the application a police and court clearance.

8           (d) After an application has been submitted to the Commission, the application may not  
9 be withdrawn unless the Commission consents to the withdrawal.

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

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

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

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

20          (g) It is a violation of this chapter for any person to participate, directly or indirectly, as  
21 stated in subsection (a), unless he has been granted a license therefore.

22          **§44203. Confidentiality of certain information concerning applicant for license;**  
23 **disclosure of information; procedure. (a)** Except as otherwise provided in subsection (b), the  
24 Commission shall keep confidential:

25                 (1) Any information that it receives concerning an applicant for the issuance of a  
26 license pursuant to this chapter which is declared confidential by law and that is  
27 provided to the Commission by another governmental entity;

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

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

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

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

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

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

(3) In the course of the necessary administration of this Chapter.

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

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

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

**§42404. Application for license to include social security number of applicant.**

An application for a license issued pursuant to §42402 must include the social security number  
of the applicant.

**§42405. Permit for promoter to present program; limited, restricted or  
conditional permit; fees; exceptions. (a)** Every promoter, in order to present a program of  
contests or exhibitions of unarmed combat, must obtain a permit from the Commission for each  
program.

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

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

Permit for a promoter who has no place of business in this state ..... \$1,000

Permit for a promoter who has a place of business in this state. .... \$250

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

3 **§42406. Additional fees for license of promoter; exemption; regulations. (a)** In  
4 addition to the payment of any other fees and money due under this Chapter, every promoter  
5 except as provided in subsection two (2), shall pay a license fee of:

6 (1) Four percent (4%) of the total gross receipts from admission fees to the live contest or  
7 exhibition of unarmed combat, exclusive of any federal tax or tax imposed by the  
8 government of Guam; and

9 (2) Three percent (3%) of the first one million dollars (\$1,000,000), and one percent (1%)  
10 of the next two million dollars (\$2,000,000), of the total gross receipts from the sale,  
11 lease or other exploitation of broadcasting, television and motion picture rights for that  
12 contest or exhibition, without any deductions for commissions, brokerage fees,  
13 distribution fees, advertising, contestants' purses or any other expenses or charges.

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

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

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

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

24 **§42407. Additional fee for each ticket sold for admission to live professional**  
25 **contest, match or exhibition; money collected to be used for amateur contests or**  
26 **exhibitions; application for grant; regulations. (a)** In addition to the payment of any other fees  
27 or taxes required by this Chapter, a promoter shall pay to the Commission a fee of one dollar  
28 (\$1.00) for each ticket sold for admission to a live professional contest, match or exhibition  
29 which is held in this territory.

30 **(b)** The Commission shall adopt by regulation the manner in which:

31 (1) The fees required by subsection (a) must be paid.

1 (2) Applications for grants may be submitted to the Commission and the standards  
2 to be used to award grants to organizations which promote amateur contests or  
3 exhibitions in this territory.

4 **§42408. Time for report to Commission and payment of additional fees by**  
5 **promoter. (a)** Every promoter shall, within 10 days after the completion of any contest, match or  
6 exhibition for which an admission fee is charged and received, furnish to the Commission a  
7 verified written report showing:

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

10 (2) The amount of the:

11 (i) Gross receipts from admission fees; and

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

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

17 **(b)** The promoter shall, not later than twenty (20) days after the contest, match or  
18 exhibition, pay to the Commission the license fee described in §42405.

19 **§42409. Suspension, revocation and other disciplining of contestant and other**  
20 **participants; grounds for refusal to issue license. (a)** The Commission may suspend or revoke  
21 the license of, otherwise discipline, or take any combination of such actions against any  
22 contestant, promoter, ring official or other participant who, in the judgment of the Commission:

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

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

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

(4) Is guilty of an act or conduct that is detrimental to a contest or exhibition of unarmed combat, including, but not limited to, any foul or unsportsmanlike conduct in connection with a contest or exhibition of unarmed combat; or  
(5) Fails to comply with any limitation, restriction or condition placed on his license.

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

**§42410. Hearing by member of Commission; notice of disciplinary hearing; approval of adjudication and order by majority of Commission; distribution of written report.** (a) Any member of the Commission may conduct hearings.

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

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

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

**§42411. Commission may issue subpoenas, administer oaths, appoint hearing examiners and pay certain expenses; penalty for making false oath before Commission.**

(a) The Commission, or a quorum of three members thereof, may:

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

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

(3) Administer oaths and require testimony under oath;

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

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



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

3           **(c)** A person making false oath in a matter before the Commission or a hearing examiner  
4 is guilty of perjury which is a felony of the third degree and shall be punished as provided in  
5 §80.30(c) of Chapter 80, Title 9, Guam Code Annotated.

6           **§42412.       Suspension of license or permit by member or Executive Secretary of**  
7 **Commission pending final determination by Commission; continuation of suspension by**  
8 **Commission; procedure. (a)** Each member of the Commission or the Executive Secretary of the  
9 Commission may, upon his own motion or upon the verified written charge of any person  
10 charging a licensee or the holder of a permit with violating any provision of this Chapter or the  
11 regulations adopted pursuant thereto, suspend for a period not exceeding thirty (30) days any  
12 license or permit until final determination by the Commission if, in his opinion, the action is  
13 necessary to protect the public welfare and the best interests of the sports regulated pursuant to  
14 this Chapter.

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

19           **§42413.       Contract between contestant and licensee: Copy provided to**  
20 **contestant and Executive Secretary; impounding gate receipts. (a)** Every contestant  
21 competing under the terms of this chapter or regulation of the Commission is entitled to receive a  
22 copy of a written contract or agreement approved as to form by the Commission binding the  
23 licensee to pay the contestant a certain fixed fee or percentage of the gate receipts.

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

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

30           **§42414.       Insurance for licensed contestants.** The Commission shall, by  
31 regulation:

1           (a) require the promoter to provide medical insurance coverage for each licensed  
2 contestant to provide for medical, surgical and hospital care for injuries sustained while engaged  
3 in contests or exhibitions of unarmed combat, in an amount of not less than fifty thousand dollars  
4 (\$50,000) or more payable to the physician or hospital which treated the contestant for his  
5 injuries or, if he has paid for that care, directly to him or his beneficiary;

6           (b) require the promoter to provide for accidental death and disability plan for each  
7 licensed contestant in an amount of not less than one hundred fifty thousand dollars  
8 (\$150,000.00) to be paid to the contestant or his beneficiary within thirty (30) calendar days from  
9 the time of the incident.

10           **§42415. Advance against purse by promoter to licensee prohibited; permission**  
11 **of member of Commission for advance to contestant for necessary expenses.** No promoter  
12 may pay or give any money to a licensee before any contest or exhibition of unarmed combat as  
13 an advance against a contestant's purse or for a similar purpose, except that the promoter may,  
14 with the prior written permission by a majority of the Commission members, pay or advance to a  
15 contestant necessary expenses for transportation and maintenance in preparation for a contest or  
16 exhibition.

17           **§42416. Order to promoter to withhold part of purse or other money due**  
18 **certain contestants or manager or second; hearing; disposition of money.** (a) The  
19 Commission, its Executive Secretary or any other employee authorized by the Commission may  
20 order the promoter to withhold any part of a purse or other money belonging or payable to any  
21 contestant, manager or second if, in the judgment of the Commission, Executive Secretary or  
22 other employee:

23                   (1) The contestant is not competing honestly or to the best of his skill and ability  
24 or the contestant otherwise violates any regulations adopted by the Commission  
25 or any of the provisions of  
26 this chapter, including, but not limited to, the provisions of subsection (a)  
27 of §42409; or

28                   (2) The manager or seconds violate any regulations adopted by the Commission  
29 or any of the provisions of this chapter, including, but not limited to, the  
30 provisions of subsection (a) of §7409.

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

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

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

11           **§42411.       Registration of sanctioning organization or television network; fees,**  
12 **costs and deposit; regulations.** (a) The Commission may require a sanctioning organization or a  
13 broadcasting network for television that televises professional contests of unarmed combat in this  
14 territory to register with the Commission before it participates, directly or indirectly, in any  
15 professional contest or exhibition of unarmed combat.

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

18           (c) The Commission may require a sanctioning organization or broadcasting network that  
19 applies for registration to:

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

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

28           **§42418.       Promoter and network to file copy of contracts for television rights;**  
29 **records of accounts and other documents; assessment of fee for license; confidentiality of**  
30 **contract.** (a) A promoter and a broadcasting network for television shall each, at least seventy-  
31 two (72) hours before a contest or exhibition of unarmed combat, or combination of those events

1 is to be held, file with the Commission's Executive Secretary a copy of all contracts entered into  
2 for the sale, lease or other exploitation of television rights for the contest or exhibition.

3 (b) The promoter shall keep detailed records of the accounts and other documents related  
4 to his receipts from the sale, lease or other exploitation on the television rights for a contest or  
5 exhibition. The Commission, at any time, may inspect these accounts and documents to  
6 determine the amount of the total gross receipts received by the promoter from the television  
7 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  
11 fee pursuant to §42406(a).

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

14 §42419. Attendance of representative or member of Commission at weigh-ins,  
15 medical examinations, contests and exhibitions. The Executive Secretary of the Commission,  
16 a chief inspector or a member of the staff of the Commission must be present at all weigh-ins,  
17 medical examinations, contests, exhibitions or matches, and shall ensure that the rules are strictly  
18 enforced.

19 §42420. Promoter to control seating arrangements; member of Commission  
20 furnished ringside seat. Each promoter of a contest or exhibition of unarmed combat has charge  
21 of all seating arrangements but shall furnish to each member of the Commission who is present  
22 one ringside seat.

23 §42421. Length of mixed martial arts contests and rounds; rest between  
24 rounds. (a) No contest, sparring match or exhibition may be more than 12 rounds in length.  
25 Rounds must be not more than 3 minutes. There must be a rest period of 60 seconds between  
26 successive rounds.

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

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

4 **§42422. Weighing-in of participants in contests.** Every participant in a contest  
5 shall be present and weighed in no later than 7 p.m. on the day before to the contest.

6 **§42423. Revocation of license.** Any license issued under this Chapter may be  
7 revoked for cause deemed sufficient by the Commission upon a hearing as provided for in  
8 §42410.

9 **§42424. Penalties in lieu of or in addition to other disciplinary action; payment**  
10 **of costs of proceedings.** (a) If disciplinary action is taken against a person pursuant to this  
11 chapter and the disciplinary action does not relate to a contest or exhibition of unarmed combat  
12 as provided in subsection (b), the Commission may, in lieu of revoking a license, prescribe a  
13 penalty not to exceed \$50,000.

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

- 16 (1) The preparation for a contest or an exhibition of unarmed combat;  
17 (2) The occurrence of a contest or an exhibition of unarmed combat; or  
18 (3) Any other action taken in conjunction with a contest or an exhibition of  
19 unarmed combat, the Commission may prescribe a penalty pursuant to subsection  
20 (c).

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

- 22 (1) Must not exceed fifty thousand dollars (\$50,000) or one hundred percent  
23 (100%) of the share of the purse to which the holder of the license is entitled for  
24 the contest or exhibition, whichever amount is greater; and  
25 (2) May be imposed in addition to or in lieu of any other disciplinary action that is  
26 taken against the person by the Commission.

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

30 **§42427. Reinstatement of revoked license: Payment of penalty prescribed by**

1 **Commission; payment of costs of proceedings. (a)** Except as otherwise provided in §42424,  
2 upon receipt of an application and the payment of a penalty prescribed by the Commission, not  
3 to exceed fifty thousand dollars (\$50,000), the Commission may reinstate a revoked license.

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

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

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

## 13 **Article 5**

### 14 **APPLICABILITY OF CHAPTER; PENALTIES**

15 **§42500. Amateur contest or exhibition of school, college or university or non-**  
16 **profit unarmed combat organization exempted from provisions of chapter.** The provisions  
17 of this chapter do not apply to any amateur contests or exhibitions of unarmed combat or any  
18 combination thereof conducted by or participated in exclusively by any unarmed combat  
19 organization who conduct contests as a non-profit organization and is in good status with the  
20 Department of Revenue and Taxation any school, college or university or by any association or  
21 organization of a school, college or university, when each participant in the contests or  
22 exhibitions is a bona fide student in the school, college or university.

23 **§42501. Certain exhibitions of Oriental unarmed self-defense exempted from**  
24 **provisions of chapter.** The provisions of this Chapter do not apply to exhibitions of Oriental  
25 unarmed self-defense in which no dangerous blow is intended to be struck.

26 **§42502. Penalty.** Any person, who shall directly or indirectly, violate any of the  
27 provisions of this Chapter, or the rules or regulations of the Commission, shall be guilty of a  
28 misdemeanor.