

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

**This document is from the files of the Office of
the Maine Attorney General as transferred to
the Maine State Law and Legislative Reference
Library on January 19, 2022**

7
October 3, 1974

Roberta Weil, Commissioner

Business Regulation

Harrison Wetherill, Jr., Assistant

Attorney General

Licensing of closed circuit television boxing promoters

You have asked whether, in the case of a boxing contest or exhibition which actually takes place outside of Maine and which is shown in Maine over closed circuit television, the person conducting the closed circuit showing must be licensed in accordance with 8 M.R.S.A. § 107. The answer is no.

8 M.R.S.A. Chapter 5 (§ 101-112) sets up the Maine State Boxing Commission and provides for licensing, regulation, and taxation of boxing contests and exhibitions. Under 8 M.R.S.A. § 107, "the commission may issue . . . a license . . . to any person . . . which will entitle him . . . to conduct boxing contests and exhibitions . . .". It is apparent, in looking at Chapter 5 as a whole, that the legislature intended this licensing requirement to apply only to the promotion of live boxing contests and exhibitions in which the actual participants are present within the State of Maine. This intention is indicated by the following additional requirements placed by Chapter 5 on all boxing contests or exhibitions for which the promoter must be licensed under § 107:

1. Section 107 requires the licensing of boxers, seconds, managers, timekeepers, referees, judges, and physicians, in addition to promoters.
2. Foreign co-promoters must be licensed under § 108.
3. Under § 110, promoters must fill out a written form after the completion of any contest listing the names of the contestants with a statement by a physician indicating physical condition and weight. The promoter must also indicate results of the contest, names of the referee and judges and the gross receipts.
4. Under § 109 the commission may, by regulation, require insurance coverage for participants.

The above requirements, without a specific indication to the contrary by the legislature, can only reasonably be interpreted as applying to live contests in which the actual participants are present within the State of Maine.

8 M.R.S.A. § 111 requires the payment of a tax on gross receipts for all boxing contests held under Chapter 5. 1966 Public Laws, Chapter 461 added the following sentence to § 111: "this section shall apply to all boxing contests or exhibitions which are shown over closed circuit television." This sentence is expressly applicable to only § 111 and there is no indication of any intention by the addition of this sentence to broaden the licensing provisions.

The person who conducts a closed circuit showing within the State of a live boxing contest taking place outside of the State is responsible for the payment of the tax provided by § 111 and is liable for the fine provided by § 111 upon failure to pay the required tax, however, such a person is not required to be licensed under § 107.

HBW/mf