

# MAINE STATE LEGISLATURE

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ONE - HUNDRETH LEGISLATURE

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Legislative Document

No. 50

S. P. 25

Office of the Clerk of the House

Filed December 21, 1960 under Joint Rule 19A by Senator Marden of Kennebec. To be printed and delivered to the Senate of the 100th Legislature.

HARVEY R. PEASE, Clerk

Presented by Senator Marden of Kennebec.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-ONE

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**AN ACT Creating a State Athletic Commission and Regulating Wrestling.**

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Be it enacted by the People of the State of Maine, as follows :

**Sec. 1. R. S., c. 88, § 1, amended.** Section 1 of chapter 88 of the Revised Statutes is amended to read as follows :

**~~Boxing~~ Athletic Commission.**

**Sec. 1. State Athletic Commission.** The Maine State ~~Boxing~~ Athletic Commission, as heretofore established and hereinafter in this chapter called the "commission," shall consist of 3 members who shall be appointed for terms of 3 years and may be for cause removed by the Governor with the advice and consent of the Council. Each member of the commission shall receive a salary of \$850 a year and his reasonable expenses, including transportation, incurred in the performance of his duties. Any vacancy shall be filled by appointment for the unexpired term. The members shall serve until their successors are appointed and qualified. So far as is practicable they shall be persons interested in and familiar with boxing and wrestling.'

**Sec. 2. R. S., c. 88, § 6, amended.** Section 6 of chapter 88 of the Revised Statutes is amended to read as follows :

**'Sec. 6. Jurisdiction.** The commission shall have the sole direction, control and jurisdiction over all boxing and wrestling contests or exhibitions and is empowered to institute and promulgate all rules and regulations necessary therefor. No boxing or wrestling contests or exhibitions, except as herein provided, shall be held or conducted within this State except under a license and permit issued by the State ~~Boxing~~ Athletic Commission in accordance with the provisions of this chapter and the rules and regulations adopted in pursuance thereof.'

**Sec. 3. R. S., c. 88, § 7, amended.** Section 7 of chapter 88 of the Revised Statutes, as amended by section 1 of chapter 40 of the public laws of 1957, is further amended to read as follows:

**‘Sec. 7. Licenses.** The commission may issue, in its discretion under the name and seal of the commission, a license in writing to extend for one year, unless revoked by the commission for cause, to any person, club, association or corporation who or which is properly qualified, which will entitle him or it to conduct boxing **or wrestling** contests and exhibitions for a period of one year from date of issuance, in accordance with ~~the provisions of this chapter and the~~ rules and regulations adopted in pursuance thereof. Such license may be revoked or suspended by the commission upon hearing and proof that the holder of such license has violated any of the provisions of this chapter or of any rule, regulation or order of the commission. The commission may in its discretion fix the fee of such license at a figure between \$10 and \$100, depending upon the probable income of the licensee to be derived from the conducting of such boxing **or wrestling** contests and exhibitions. **There shall be separate licenses for boxing contests and exhibitions and wrestling contests and exhibitions.**

All persons engaging in such boxing **or wrestling** contests and exhibitions as boxers, **wrestlers**, seconds of boxers, seconds of **wrestlers**, managers of boxers, managers of **wrestlers**, no fee timekeepers in boxing contests and exhibitions, timekeepers in wrestling contests and exhibitions, knock-down timekeepers in boxing contests and exhibitions, referees in boxing contests and exhibitions, referees in wrestling contests and exhibitions, judges in boxing contests and exhibitions and physicians must have been licensed by the commission in a like manner, such licenses to be subject to revocation or suspension for cause. ~~The yearly fee shall be as follows: Boxers, \$6; managers, \$5; seconds, \$5; referees, \$5; judges, timekeepers, knock down timekeepers and physicians, no fee.~~ The commission may in its discretion fix the fees of licenses under this paragraph at a figure between \$1 and \$15.

Upon the application for any such license as enumerated ~~above~~, the chairman of the commission shall in his discretion temporarily issue or refuse to issue the license or he may upon information of violation of ~~the provisions of this chapter~~ or the rules of the commission temporarily suspend or revoke a license for cause. Upon written request of the applicant, licensee, chairman of the commission or of any 3 citizens of the State, or of the athletic commissions or boxing commissions of any other state, or of the National Boxing Association, the commission shall, after written notice to the interested parties sent to them by registered letter mailed postpaid at least 7 days before the hearing, consider the matter at its regular meeting and rule upon the issuance, suspension, rejection or revocation of said license, but when application by a well reputed fraternal, charitable or patriotic organization for holding amateur boxing **or wrestling** contests or exhibitions is made to the commission, it may grant such license and without the requirement of the payment of the fees ~~hereinbefore enumerated~~.

Any person, club, association or corporation, or any officer of such club, association or corporation who conducts such a boxing **or wrestling** contest or exhibition, or any boxer, **wrestler**, manager of a boxer, manager of a **wrestler**, time-

keeper in a **boxing contest or exhibition**, timekeeper in a **wrestling contest or exhibition**, knock-down timekeeper in a **boxing contest or exhibition**, second of a **boxer**, second of a **wrestler**, referee in a **boxing contest or exhibition**, referee in a **wrestling contest or exhibition**, judge in a **boxing contest or exhibition** or physician who engages in or in any way takes part in such a contest or exhibition without first obtaining such a license or when such license has expired or has been suspended or revoked by the commission or temporarily suspended or revoked by the chairman, shall be guilty of a misdemeanor and shall be punished by a fine of not less than \$10 nor more than \$1,000, or by imprisonment for not more than one year, or by both.

**Sec. 4. R. S., c. 88, § 7-A, amended.** The first paragraph of section 7-A of chapter 88 of the Revised Statutes, as enacted by section 2 of chapter 40 of the public laws of 1957, is amended to read as follows:

'No foreign co-promoter, meaning a promoter who has no place of business within the State of Maine, shall directly or indirectly participate in the promotion of or receive any remuneration from or render any services in connection with any such **boxing or wrestling** contest or exhibition held within the State of Maine unless he first shall have been granted a permit by the commission. No promoter shall be associated with any foreign co-promoter in promoting any **boxing or wrestling** contest or exhibition unless the foreign co-promoter has first secured a permit. Such permit shall expire one year from date of issue and the fee therefor shall be fixed by the commission at a figure between \$10 and \$100, depending upon the probable income of the applicant for a permit to be derived from the conducting of such **boxing or wrestling** contests and exhibitions.'

**Sec. 5. R. S., c. 88, § 8, amended.** Section 8 of chapter 88 of the Revised Statutes is amended to read as follows:

'**Sec. 8. Accident insurance.** The commission shall have the authority, in its discretion, to make and promulgate rules requiring coverage by accident insurance in the event of injury or death for persons competing in properly licensed **boxing or sparring or wrestling** matches or exhibitions, as defined in this chapter. Such insurance, if required, shall comply with standards prescribed by the Insurance Commissioner.'

**Sec. 6. R. S., c. 88, § 9, amended.** The next to the last sentence of the first paragraph of section 9 of chapter 88 of the Revised Statutes is amended to read as follows:

'If any person served with a subpoena to appear and testify, or to produce books, papers, accounts or documents issued by the commission or any member thereof in the course of an inquiry or hearing conducted under ~~the provisions of this chapter~~, shall, in disobedience of such subpoena, refuse, neglect or fail to appear or to testify, or to produce such books, papers, accounts or documents, then any member of the commission may apply to a Justice of any of our Superior Courts, ~~in term time or in vacation~~ and thereupon the said justice shall issue a subpoena requiring such person to appear and to testify and to produce such books, papers, accounts or documents before the said commission.'

**Sec. 7. R. S., c. 88, § 10, amended.** Section 10 of chapter 88 of the Revised Statutes is amended to read as follows:

**'Sec. 10. Rules and regulations.** The commission shall issue to each promoter a printed form, which shall be returned to the commission by registered letter mailed within 48 hours of the completion of a boxing or wrestling contest or exhibition held under the provisions of this chapter, on which there shall be a list of the names of the contestants with the signed statement of a licensed physician stating that he examined them within 10 hours of the contest or exhibition and found them to be in good physical condition and that he weighed them and what he found their various weights to be. It shall also contain the signed statement of the promoter stating the results of each contest or exhibition, the names of the referee and judges and the gross receipts.'

**Sec. 8. R. S., c. 88, § 11, amended.** Section 11 of chapter 88 of the Revised Statutes is amended to read as follows:

**'Sec. 11. Tax.** The promoter or promoters of all boxing and wrestling contests or exhibitions held under the provisions of this chapter shall pay to the Treasurer of State, for credit to the General Fund, a tax of 3% of the gross receipts from such contest or exhibition. This tax shall have been paid to the Treasurer of State by the last day of the month following the month in which such contest or exhibition is held. Upon failure to pay such tax to the Treasurer of State, such promoter or promoters shall be liable to pay a penalty of 25% of the amount of the tax due, which penalty shall be recovered by an action on the case brought in the name of the said commission, and the said penalty if recovered shall be paid to the Treasurer of State to be credited to the General Fund. On the failure of any promoter or promoters to pay such a tax, the commission shall revoke the promoter's license.'

**Sec. 9. R. S., c. 88, § 13, additional.** Chapter 88 of the Revised Statutes, as amended, is further amended by adding a new section 13, to read as follows:

**'Sec. 13. Decisions in wrestling contests or exhibitions.** In all wrestling contests or exhibitions conducted under this chapter, there may be a decision as to the winner by the referee licensed under this chapter.'

**Sec. 10. Intent.** It is the intent of the Legislature that the members of the Maine State Boxing Commission shall continue in office until their terms have expired and that this act shall in no way affect the present tenure of office of the present members of the Maine State Boxing Commission.

**Sec. 11. Appropriation.** There is appropriated from the General Fund to the Maine State Athletic Commission to carry out the purposes of this act the sum of \$1,500 for the fiscal year ending June 30, 1962 and the sum of \$2,000 for the fiscal year ending June 30, 1963; the breakdown of which shall be as follows:

Department	1961-62	1962-63
MAINE STATE ATHLETIC COMMISSION		
All Other	1,500	2,000