

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 480

H. P. 388

House of Representatives, January 30, 1975

Referred to the Committee on Business Legislation. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mrs. Boudreau of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT to Clarify Certain Laws Relating to Boxing.

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

Sec. 1. 8 MRSA, § 101, 1st sentence is amended to read:

The Maine State Boxing 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~~ by the Commissioner of Business Regulation, with the advice and consent of the Governor. The members may be removed by the Governor for cause.

Sec. 2. 8 MRSA, § 101-A is enacted to read:

§ 101-A. Declaration of policy

It is declared to be the policy of the State of Maine that professional and amateur boxing in the State shall be supervised by this commission in a manner to promote the sport of boxing consistent with the public interest, to insure the safety of all participants and spectators, and to achieve uniformity in the rules governing boxing contests and exhibitions within the State of Maine.

Sec. 3. 8 MRSA, § 105 is amended to read:

§ 105. Reports

The commission shall make an annual report to the ~~Governor on or before the first day of December in each year~~ Commissioner of Business Regulation, including therein an account of its actions, receipts derived under this

chapter, the practical effects of the application of this chapter and any recommendation for legislation which the commission deems advisable.

Sec. 4. 8 MRSA, § 106, as amended by PL 1973, c. 684, is further amended to read:

§ 106. Jurisdiction

The commission shall have the sole direction, control and jurisdiction over all boxing contests or exhibitions and, following a public hearing, is empowered to promulgate ~~and~~, adopt ~~and amend~~ all rules and regulations ~~necessary therefor~~ as follows.

1. **Authority.** The commission shall have authority to promulgate and amend all rules and regulations deemed necessary to insure compliance with the licensing requirements of this chapter. The commission shall further have authority to promulgate and amend rules and regulations consistent with the declaration of policy set forth in section 101-A. Such rules and regulations may cover, among others, referees, judges, boxers, promoters, managers and seconds, physicians, timekeepers, and knockdown timekeepers and may include but shall not be limited to:

A. Keeping the rules governing amateur boxing contests in conformity with AAU tournament regulations; age limits of participants in boxing contests; physical condition of participants; lengths of contests and of rounds; specifications of the facilities and equipment used in boxing contests and the uniforms of contestants and referees; scoring and decisions; standards of weight and weighing of contestants.

No boxing contests or exhibitions, except as provided, shall be held or conducted within this State, except ~~under a license and permit issued~~ such contests and exhibitions as are properly licensed by the commission in accordance with this chapter and the rules and regulations adopted in pursuance thereof.

The officials at all contests shall be selected or approved by the commission. For the purpose of this paragraph, the term "officials" shall include referees, judges, physicians, timekeepers and knockdown timekeepers.

Sec. 5. 8 MRSA, § 107, as amended by PL 1973, c. 303, § 3, is repealed and the following enacted in place thereof:

§ 107. Licenses

1. Persons to whom licenses may be issued. The commission may issue, in its discretion, a license in writing to extend for one year from date of issuance to any person, club, association or corporation, who or which is properly qualified, which will entitle him, or it, to promote and conduct boxing contests and exhibitions in accordance with this chapter and the rules and regulations adopted in pursuance thereof. All persons engaged in such boxing contests and exhibitions as boxers, seconds, managers, timekeepers, knockdown timekeepers, referees, judges and physicians must be licensed by the commission in a like manner.

2. **Application for license.** Each application for a promoter's license shall specify the location for which the license is desired, and each promoter's

license, when issued, shall be limited to such specified location. No license issued under this section, other than a promoter's license, shall be so limited to a specified location.

3. Fee for license. The commission may, in its discretion, fix the fee for each promoter's 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 contests and exhibitions. The commission may, in its discretion, fix the fees of all other licenses issued under this section at a figure between \$5 and \$15. When application by a fraternal, charitable or patriotic organization for a license to promote and conduct amateur boxing contests or exhibitions is made to the commission, it may grant such license without the requirement of the payment of a license fee.

4. Revocation of license. Any license issued under this section may be revoked or suspended by the Administrative Court Judge as designated in Title 5, chapters 301 to 307, or by the commission after notice, 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 promulgate, adopt and amend, following a public hearing, such rules and regulations as it deems necessary to insure that no license shall be revoked or suspended by the commission without due process of law.

5. Temporary license. Upon application being made for any license under this section, any member of the commission may, in his discretion, temporarily issue or temporarily refuse to issue the license. In the event that such a temporary license is issued, such temporary license shall be valid only until the next meeting of the commission at which a quorum is present. No license, except such a temporary license, shall be issued under this section, except by a majority vote taken at a commission meeting at which a quorum is present. All license applications shall be considered in the first meeting of the commission following the receipt of the application, at which a quorum is present. If the commission at such a meeting votes to deny any license, notice of such denial and the reasons therefor shall be forwarded immediately to the applicant. Upon request by the applicant, a public hearing shall be held to reconsider the application, at which hearing the applicant may be present and may present evidence.

Sec. 6. 8 MRSA, § 110 is amended to read:

§ 110. 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 contest or exhibition held under 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 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.

STATEMENT OF FACT

This legislation clarifies the commission's responsibility in several areas. It provides for due process in insuring the rights of all licensees and provides for hearings in any case of denial, suspension or revocation of a license by the commission.