

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 47

H. P. 30

House of Representatives, January 11, 1977

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-SEVEN

**AN ACT Placing Professional Wrestling Matches, Shows and Exhibitions
under the Jurisdiction of the Maine Boxing Commission.**

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

8 MRSA c. 6 is enacted to read:

CHAPTER 6
PROFESSIONAL WRESTLING MATCHES,
SHOWS AND EXHIBITIONS

§ 131. Commission

Professional wrestling and exhibition matches shall be regulated by the same commission members who presently regulate boxing in this State.

§ 132. Declaration of policy

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

§ 133. Reports

The commission shall make an annual report to the Commissioner of the Department of Business Regulation, including therein an account of its actions, receipts derived under this chapter, the practical effects of the appli-

cation of this chapter and any recommendation for legislation which the commission deems advisable.

§ 134. Jurisdiction

The commission shall have the sole direction, control and jurisdiction over all professional wrestling matches, shows or exhibitions and, following a public hearing, is empowered to promulgate and adopt all rules and regulations necessary therefor. No professional wrestling matches, shows or exhibitions, except as provided, shall be held or conducted within this State except under a license issued by the commission in accordance with this chapter and rules and regulations adopted in pursuance thereof.

§ 135. Licenses

The commission may issue, in its discretion and 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 professional wrestling matches, shows or exhibitions for a period of one year from date of issuance, in accordance with this chapter and the rules and regulations adopted in pursuance thereof. The license may be revoked or suspended by the Administrative Court Judge as designated in Title 5, chapters 301 and 307 upon hearing and proof that the holder of the 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 the license at a figure between \$10 and \$100, depending upon the probable income of the licensee to be derived from the conducting of professional wrestling matches, shows or exhibitions.

All persons engaging in professional wrestling matches, shows or exhibitions as wrestlers shall be licensed by the commission in a like manner, the licenses to be subject to revocation or suspension for cause. The fee for a license is \$5. Upon the application for a license as enumerated, 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 this chapter or the rules of the commission temporarily suspend or revoke a license for cause. The commission shall consider the matter at its regular meeting and rule upon the issuance, suspension, rejection or revocation of the license.

Any person, club, association or corporation, or any official of a club, association or corporation who conducts a professional wrestling match, show or exhibition or who engages in or in any way takes part in a match, show or exhibition without first obtaining a license, or when the 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 Class D crime.

§ 136. Licenses for foreign copromoters

No foreign copromoter, meaning a promoter who has no place of business within the State, shall directly or indirectly participate in the promotion of or receive any remuneration from or render any services in connection with any professional wrestling match, show or exhibition held within the State unless

he has first been granted a license by the commission. No promoter shall be associated with any foreign copromoter in promoting any professional wrestling match, show or exhibition unless the foreign copromoter has first secured a license. A license 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 license to be derived from the conducting of a professional wrestling match, show or exhibition.

A foreign copromoter by accepting a license agrees to be subject to all the provisions of this chapter and the rules and regulations promulgated thereunder.

Any foreign copromoter who violates any provision of this chapter or any rule and regulation promulgated thereunder shall be guilty of a Class D crime.

§ 137. 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 professional wrestling matches, shows or exhibitions, as defined in this chapter. Insurance, if required, shall comply with standards prescribed by the Superintendent of Insurance.

§ 138. 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 professional wrestling match, show 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 physician stating that he examined them within 10 hours of the match, show or exhibition and found them to be in good physical condition. It shall contain the signed statement of the promoter stating the results of each match, show or exhibition, the name of the referee and the gross receipts.

§ 139. Taxes

The promoter or promoters of all professional wrestling matches, shows or exhibitions held under this chapter shall pay to the Treasurer of State, for credit to the General Fund, a tax of 3% of the gross receipts from professional matches, shows or exhibitions. This tax shall have been paid to the Treasurer of State by the last day of the month following the month in which a match, show or exhibition is held. Upon failure to pay the tax to the Treasurer of State, the 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 a civil action brought in the name of the commission, and the 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 a tax, the commission shall revoke the promoter's license.

§ 140. Decisions

In all professional wrestling matches, shows or exhibitions conducted under this chapter, there may be a decision as to the winner by the referee.

FISCAL NOTE

Figures for calendar year 1975, a recession year, indicate that from just 2 cities there would have been income on a 3% gate tax of \$7,035. Projections done for earlier years were for income on a 3% gate tax of \$10,000 to \$11,000. These figures do not include licensing fees which would further add to the coffers. We would project at least another \$1,000 in licensing fees. As this would be administered by the Boxing Commission, there would be no additional people employed and very little, if any, expense involved for applications and licenses.

STATEMENT OF FACT

New York and 3 New England states currently license and regulate professional wrestling in their jurisdictions. This would not only generate more income for the State of Maine, but would also give protection to the people participating in wrestling and to the people attending these matches, shows and exhibitions. There is no reason evident why wrestling should not be regulated as other professions or businesses such as insurance, real estate, banking, boxing, etc.