

MAINE STATE LEGISLATURE

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(After Deadline)

FIRST REGULAR SESSION

ONE HUNDRED AND ELEVENTH LEGISLATURE

Legislative Document

No. 1408

H.P. 1069

House of Representatives, April 5, 1983

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.

Referred to the Committee on Legal Affairs. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative Tuttle of Sanford.

Cosponsors: Representative Jacques of Waterville, Representative Tammaro of Baileyville and Representative McGowan of Pittsfield.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-THREE

AN ACT Concerning Use of the Term
"Wrestling."

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

Sec. 1. 8 MRSA §132-A is enacted to read:

§132-A. Definitions

For purposes of this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Judge. "Judge" means a person other than a referee who has a vote in determining the winner of any wrestling match or contest.

2. Match or contest. "Match or contest" means an engagement in which the wrestlers strive earnestly in good faith to win.

1 3. Show or exhibition. "Show or exhibition"
2 means an engagement in which the wrestlers show or
3 display their skill without necessarily striving to
4 win.

5 Sec. 2. 8 MRSA §134-A is enacted to read:

6 §134-A. Exemption for schools

7 All amateur intercollegiate, interscholastic or
8 intramural wrestling matches or shows under the
9 direct auspices of schools, colleges or universities
10 in which the wrestlers are students regularly
11 enrolled in those institutions are exempt from the
12 jurisdiction of the commission.

13 Sec. 3. 8 MRSA §138-A is enacted to read:

14 §138-A. Wrestling shows and exhibitions

15 Every wrestling show or exhibition shall be
16 clearly and conspicuously advertised as a show or
17 exhibition and not as a match or contest. A licensed
18 referee but no judge as such shall officiate at each
19 show or exhibition, at the expense of the promoter.

20 Sec. 4. 8 MRSA §140, as enacted by PL 1977, c.
21 13, is amended to read:

22 §140. Decision by judge

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

27 Sec. 5. 8 MRSA §141 is enacted to read:

28 §141. Sham or collusive match prohibited

29 No licensee or other person may knowingly con-
30 duct, give, participate in or be in any way connected
31 with any sham or collusive wrestling match.

32 Any licensee who knows or has reason to suspect
33 that a wrestling match is, was or is going to be, a
34 sham or collusive contest shall have a duty to

1 promptly report this to the commission or a repre-
2 sentative thereof. The report shall be in writing
3 or, if oral, shall be promptly reduced to writing and
4 shall contain all of the reporter's reasons for the
5 conclusions set forth in his report.

6 A sham or collusive contest is one in which one
7 or both of the participants does not use his best
8 efforts and skill or does not strive earnestly in
9 good faith to win. It includes, but is not limited
10 to, any pseudo contest, the result of which has been
11 prearranged or any pseudo contest in which either
12 participant does not, is not going to, or is unable
13 to use or is prevented from using his best efforts
14 and skill as a result of coercion, bribery, duress,
15 threats, reward or promise thereof, physical incapaci-
16 ty or disability, suggestion or agreement or any
17 other improper or unlawful means.

18 A violation of this section is a Class E crime.

19 STATEMENT OF FACT

20 The purpose of this bill is to clearly distin-
21 guish between true competitive wrestling that occurs
22 in schools, colleges and the Olympics and so-called
23 professional wrestling that occurs in public audito-
24 riums and is frequently presented on television. In
25 the former case, the athletes are making good faith
26 efforts to win, while in the latter, the activity of
27 the "wrestlers" appears more aimed at entertainment
28 than competition.

29 Under this bill, a distinction is made between
30 "matches" and "shows" or "exhibitions." The former
31 are true competitive events in which the contestants
32 earnestly strive to win. A show or exhibition, on
33 the other hand, is an event in which the participants
34 display their skill but do not necessarily try to
35 win. This bill requires an event to be truthfully
36 advertised as either a match or exhibition. Further,
37 it makes the conduction of a sham or collusive match
38 a Class E crime.

1 The provisions of this bill are modeled on Penn-
2 sylvania law.

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