

MAINE STATE LEGISLATURE

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1 (New Draft of H.P. 1355, L.D. 1899)
2 (New Title)
3 SECOND REGULAR SESSION
4

5 ONE HUNDRED AND TWELFTH LEGISLATURE
6

7 Legislative Document

No. 2212

8
9 H.P. 1573 House of Representatives, March 18, 1986
10 Reported by Representative Stevens from the Committee on Business and
11 Commerce and printed under Joint Rule 2. Original bill sponsored by
12 Representative Brannigan of Portland. Cosponsored by Representative Murray
of Bangor, Senator Kerry of York and Senator Bustin of Kennebec.

EDWIN H. PERT, Clerk

13
14 STATE OF MAINE
15

16 IN THE YEAR OF OUR LORD
17 NINETEEN HUNDRED AND EIGHTY-SIX
18

19 AN ACT Regulating Kick-boxing.
20

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

23 Sec. 1. 8 MRSA §141, first ¶, as amended by PL
24 1983, c. 812, §54, is further amended to read:

25 The Maine Athletic Commission, established by Ti-
26 tle 5, section 12004, subsection 1, and in this chap-
27 ter called "the commission," shall consist of 5 mem-
28 bers appointed by the Commissioner of Business, Occu-
29 pational and Professional Regulation, with the ad-
30 vice and consent of the Governor. No member may re-
31 ceive any compensation or remuneration for promoting,
32 competing or otherwise engaging in boxing ~~or~~,
33 wrestling or kick-boxing. Each member of the commis-
34 sion shall be compensated as provided in Title 5,
35 chapter 379.

1 Sec. 2. 8 MRSA §142, as enacted by PL 1983, c.
2 413, §2, is amended to read:

3 §142. Declaration of policy

4 It is declared to be the policy of the State,
5 that professional and amateur boxing ~~and~~, profession-
6 al and exhibition wrestling and professional and ama-
7 teur kick-boxing in this State shall be supervised by
8 the commission in a manner designed to promote these
9 sports in accordance with the public interest, insure
10 the safety of all participants and spectators and
11 achieve uniformity in the rules governing participa-
12 tion in these sports within the State.

13 Sec. 3. 8 MRSA §146, sub-§3 is enacted to read:

14 3. Kick-boxing. The commission shall have the
15 sole direction, control and jurisdiction over all
16 kick-boxing contests, exhibitions or performances.
17 For purposes of this chapter, kick-boxing means the
18 following.

19 A. "Kick-boxing" means any form of boxing in
20 which blows are delivered with the hand and any
21 part of the leg below the hip, including the
22 foot, with the intent to disable or cause injury
23 to an opponent in a contest, exhibition or per-
24 formance.

25 B. This subsection shall not apply with respect
26 to kick-boxing exhibitions, events, performances
27 or contests in which school pupils or instructors
28 are the only participants, except that this ex-
29 emption shall apply only to a performance or ex-
30 hibition conducted under the direct supervision
31 and control of the board of directors of a school
32 district, or the person in authority of a teach-
33 ers' training school or other institution under
34 the control of the Commissioner of Educational
35 and Cultural Services and the State Board of Edu-
36 cation or the board, bodies or persons in author-
37 ity of duly constituted private or parochial
38 schools, colleges or universities, or schools for
39 kick-boxing.

1 C. No kick-boxing contest, exhibition or per-
2 formance, except as provided in this chapter, may
3 be held or conducted within the State, unless the
4 contest, exhibition or performance is properly
5 licensed by the commission and conducted in ac-
6 cordance with this chapter and the rules adopted
7 pursuant to this chapter, nor may any closed cir-
8 cuit television showing of such a contest or ex-
9 hibition be conducted except under a license is-
10 ssued by the commission.

11 Sec. 4. 8 MRSA §147, sub-§1, ¶B-1 is enacted to
12 read:

13 B-1. In the exercise of its jurisdiction over
14 kick-boxing, as set forth in section 146, subsec-
15 tion 3, the commission may adopt rules governing,
16 among others, referees, judges, kick-boxers, sec-
17 onds, promoters, managers, physicians,
18 timekeepers and knockdown timekeepers. These
19 rules may include, but not be limited to, licens-
20 ing requirements, age limits and physical condi-
21 tion of participants, lengths of contests and
22 rounds, specifications of the facilities and
23 equipment used in contests and uniforms of con-
24 testants and referees, scoring of decisions,
25 standards of weight and weighing of contestants,
26 and the manner of presentation of closed circuit
27 events. Rules governing amateur kick-boxing con-
28 tests shall conform to tournament regulations of
29 the Amateur Athletic Union or its successor in
30 interest.

31 Sec. 5. 8 MRSA §147, sub-§1, ¶C, as amended by
32 PL 1985, c. 303, §2, is further amended to read:

33 C. The commission may adopt rules requiring
34 health and accident insurance providing coverage
35 in the event of injury or death for persons com-
36 peting in boxing events ~~or~~, wrestling events or
37 kick-boxing events subject to this chapter, or
38 for ~~both~~ any combination of those events. This
39 insurance, if required, shall comply with stan-
40 dards prescribed by the Superintendent of Insur-
41 ance.

42 Sec. 6. 8 MRSA §147, sub-§2, as enacted by PL
43 1983, c. 413, §2, is amended to read:

1 2. Officials. The officials at all boxing or
2 kick-boxing contests or exhibitions shall be selected
3 or approved by the commission. For purposes of this
4 subsection, the term "officials" includes referees,
5 judges, physicians, timekeepers and knockdown
6 timekeepers.

7 Sec. 7. 8 MRSA §148, as amended by PL 1983, c.
8 553, §5, is further amended to read:

9 §148. Boxing and kick-boxing licenses

10 1. Persons to whom licenses may be issued. The
11 commission may issue, in its discretion, a license
12 for a term of one year from date of issuance to any
13 person, club, association or corporation, who or
14 which is properly qualified, to promote and conduct
15 boxing or kick-boxing contests and exhibitions in
16 accordance with this chapter and the rules adopted
17 pursuant to this chapter. All persons engaged in
18 such boxing contests and exhibitions as boxers,
19 kick-boxers, seconds, managers, timekeepers,
20 knockdown timekeepers, referees, judges and physi-
21 cians shall be licensed by the commission in a like
22 manner. A closed circuit boxing license may be issued
23 by the commission to any person who is properly qual-
24 ified therefor, which will entitle him to engage in
25 the showing of boxing or kick-boxing contests or ex-
26 hibitions by closed circuit television.

27 2. Application for license. Each applicant for
28 a promoter's license or a closed circuit boxing,
29 kick-boxing or wrestling license shall specify the
30 location for which the license is desired, and each
31 promoter's license, when issued, shall be limited to
32 that specified location. No license issued under
33 this section, other than a promoter's license or a
34 closed circuit event license, may be limited to a
35 specified location.

36 3. Fee for license. The commission may, in its
37 discretion, fix the fee for each promoter's license
38 at a figure between \$25 and \$50 for a license to pro-
39 mote amateur events and a figure between \$50 and \$100
40 for a license to promote professional events, depend-
41 ing upon the probable income of the licensee to be
42 derived from the conducting of the boxing contests

1 and exhibitions. The fee for a license for closed
2 circuit events shall be \$50. The commission may, by
3 rule, fix the fees for all other licenses issued un-
4 der this section at a figure between \$5 and \$25.
5 When application by a fraternal, charitable or patri-
6 otic organization for a license to promote and con-
7 duct amateur boxing or kick-boxing contests or exhi-
8 bitions is made to the commission, it may grant the
9 license without the requirement of the payment of a
10 license fee.

11 4. Temporary license. Upon application being
12 made for any license under this section, any member
13 of the commission may, in his discretion, temporarily
14 issue or temporarily refuse to issue the license. In
15 the event that such a temporary license is issued,
16 the temporary license shall be valid only until the
17 next meeting of the commission at which a quorum is
18 present. No license, except such a temporary li-
19 cense, may be issued under this section, except by a
20 majority vote taken at a commission meeting at which
21 a quorum is present. All license applications shall
22 be considered in the first meeting of the commission
23 following the receipt of the application, at which a
24 quorum is present.

25 Sec. 8. 8 MRSA §151, as enacted by PL 1983, c.
26 413, §2, is amended to read:

27 §151. Promoter's reports

28 The commission shall provide to each promoter a
29 printed report form, which shall be completed and re-
30 turned to the commission by registered letter mailed
31 within 48 hours of the conclusion of any boxing or
32 kick-boxing contest or exhibition or any wrestling
33 match, show or exhibition held under this chapter.
34 The completed form shall contain the following:

35 1. Names of contestants. A list of the names of
36 the contestants;

37 2. Physician's statement. The signed statement
38 of a physician that he examined each of the contes-
39 tants within 10 hours of the contest and found them
40 to be in good physical condition, and, in the case of
41 any boxing or kick-boxing contest, further stating
42 what he found each contestant's weight to be; and

1 3. Promoter's statement. The signed statement
2 of the promoter setting forth the results of the con-
3 test, the name of the referee, the names of the
4 judges in the case of a boxing or kick-boxing contest
5 or exhibition and the amount of the gross receipts.

6 Sec. 9. 8 MRSA §152, first ¶, as amended by PL
7 1985, c. 389, §2, is further amended to read:

8 The promoter or promoters of all boxing or
9 kick-boxing contests or exhibitions and all profes-
10 sional wrestling matches, shows or exhibitions held
11 under this chapter shall pay to the Treasurer of
12 State, for credit to the Athletic Commission Fund, a
13 tax of 5% of the gross receipts from the contest or
14 exhibition up to a maximum tax of \$2,500. This sec-
15 tion shall apply to all boxing, kick-boxing and
16 wrestling contests or exhibitions which are shown
17 over closed circuit television.

18 Sec. 10. 8 MRSA §153, sub-§1, as enacted by PL
19 1983, c. 413, §2, is amended to read:

20 1. Boxing or kick-boxing. In all boxing or
21 kick-boxing contests or exhibitions conducted under
22 this chapter, there may be a decision as to the win-
23 ner by 2 judges and the referee, or by 3 judges, li-
24 censed under this chapter.

25 Sec. 11. 8 MRSA §155, sub-§1, as enacted by PL
26 1983, c. 413, §2, is amended to read:

27 1. Penalties. Any person, club, association or
28 corporation, or any member or officer of a club, as-
29 sociation or corporation who promotes, competes or
30 otherwise engages in a boxing or kick-boxing contest
31 or exhibition or wrestling match, show or exhibition
32 without first obtaining a license as required by this
33 chapter, or after the license has expired or has been
34 suspended, revoked or temporarily suspended or re-
35 voked, is guilty of a Class E crime.

36 Sec. 12. Allocation. There is allocated from
37 the Athletic Commission Fund for fiscal year ending
38 June 30, 1987, as follows:

39 1986-87

1 BUSINESS, OCCUPATIONAL AND
2 PROFESSIONAL REGULATION,
3 DEPARTMENT OF

4 Maine Athletic Commission
5 All Other \$7,500

6 FISCAL NOTE

7 This new draft will increase dedicated revenues
8 to the Maine Athletic Commission by approximately
9 \$7,500 in fiscal year 1987. This is as a result of
10 the various kick-boxing license fees and 5% gate tax.
11 Section 12 allocates \$7,500 to the Maine Athletic
12 Commission in fiscal year 1987 to cover the commis-
13 sion's administrative costs.

14 STATEMENT OF FACT

15 This new draft is to clarify exactly what is to
16 be regulated by the Maine Athletic Commission. The
17 intent of the bill and the new draft of L.D. 1899 is
18 to regulate the sport of kick-boxing only. There is
19 no intent to regulate martial arts. The intent of
20 the competitors in martial arts is not to injure or
21 disable an opponent in a contest. The intent of the
22 competitors in kick-boxing is to disable or cause in-
23 jury to an opponent. Therefore, only kick-boxing
24 needs regulation.

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