

MAINE STATE LEGISLATURE

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EIGHTY-SECOND LEGISLATURE

S. P. No. 347

S. D. No. 125

In Senate, February 26, 1925.

Referred to Committee on Judiciary and 500 copies ordered printed. Sent down for concurrence.

ROYDEN V. BROWN, Secretary.

Presented by Senator Lane of Androscoggin.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND TWENTY-FIVE

AN ACT to Create a State Athletic Commission for the Super-
vision and Regulation of Boxing and Wrestling.

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

Section 1. The governor shall, with the advice and con-
2 sent of the council, appoint three persons who shall con-
3 stitute the State Athletic Commission. No two members
4 of this commission shall be residents of the same city or
5 town. The commission member first appointed shall serve
6 for one year, the second for two years and the third for
7 three years, all such terms beginning January 1, 1926. Their
8 successors shall be appointed for three years each.

Sect. 2. The commission, when appointed, shall meet for

2 the purpose of selecting a chairman, for the adoption of a
3 seal, and to make and adopt such rules for the adminis-
4 tration of their office, not inconsistent with this act, as they
5 may deem expedient, and they may thereafter amend or
6 abrogate such rules. Two members of the commission shall
7 constitute a quorum and the concurrence of at least two
8 members of the commission shall be necessary to render
9 a decision by the commission.

Sect. 3. The commission may appoint, and at pleasure
2 remove, a secretary to the commission, whose duty it shall
3 be to keep a full and true record of all its proceedings,
4 preserve all its books, documents and papers, prepare for
5 service such notices and other papers as may be required
6 of him by the commission, and perform such other duties
7 as the commission may prescribe.

Sect. 4. The commission shall appoint deputy commis-
2 sioners to the number of three in each city and town in
3 which boxing or wrestling clubs have been licensed in ac-
4 cordance with this act, and it shall be the duty of one mem-
5 ber of the commission or of one deputy to attend any box-
6 ing or wrestling match conducted according to the pro-
7 visions of this act. Such deputy shall ascertain the exact
8 conditions surrounding such match and make a written re-
9 port of the same in the manner and form prescribed by the
10 commission.

Sect. 5. All moneys received from license fees and taxes
2 as hereinafter provided shall be paid monthly by the sec-

3 retary of the commission to the state treasurer, who shall
4 keep the moneys thus collected as a fund separate and apart
5 for the payment, under the supervision of the commission
6 of the salary of the deputies, and of the salary and expenses
7 of the commissioners and the secretary of the commission.

Sect. 6. Each member of the commission shall receive
2 an annual salary of an amount to be determined by the
3 governor and council, not to exceed one thousand dollars.
4 The secretary of the commission shall receive an annual
5 salary to be fixed by the commission, not to exceed one
6 thousand dollars. Members of the commission and the sec-
7 retary of the commission shall be entitled to their travel-
8 ing expenses and other necessary expenses. For each con-
9 test which he attends, the deputy commissioner designated
10 by the commission to so attend, shall receive the sum of
11 five dollars. The salaries of the commissioners, and of
12 their deputies and secretary, and the expenses of the com-
13 missioners and their secretary, shall be paid monthly by
14 the state treasurer from the fund provided in section six
15 of this act. No moneys shall be paid for salaries or ex-
16 penses of the commissioners, or of the deputies or secre-
17 tary except from the moneys raised by this act.

Sect. 7. Boxing, sparring or wrestling matches or ex-
2 hibitions for purses or where an admission fee is received
3 are hereby allowed, except on Sunday. The commission
4 shall have, and hereby is vested with, the sole direction,
5 management, control and jurisdiction over all such boxing.

6 sparring and wrestling matches or exhibitions to be con-
7 ducted, held or given within this state, and it is hereby au-
8 thorized to issue licenses therefor. No such boxing, spar-
9 ring or wrestling match or exhibition shall be conducted,
10 held or given within the state except in accordance with the
11 provisions of this act. The commission is hereby given
12 the sole control, authority and jurisdiction over all licenses
13 to hold boxing, sparring or wrestling matches or exhibitions
14 for purses or where any admission fee is received, and over
15 all licenses to any and all persons who participate therein,
16 as hereinafter provided. No license shall be issued for any
17 such match or exhibition in any city or town where such
18 match or exhibition is prohibited by bylaw or by ordinance.

19 Sect. 8. The commission may issue a yearly license to
20 corporations, firms, partnerships or individuals to conduct
21 boxing, sparring or wrestling matches or exhibitions in ac-
22 cordance with this act, in the city or town designated and
23 no such corporation, firm, partnership or individual shall
24 be permitted to conduct such a match or exhibition unless
25 they shall have first procured a license from the commis-
26 sion. Any corporation, firm, partnership or individual may
27 obtain separate licenses, at the discretion of the commis-
28 sion, to conduct boxing, sparring, or wrestling matches or
29 exhibitions in other cities or towns than that in which the
30 applicant is a resident. Before a license shall be granted
31 as provided in this section, the applicant for said license
32 shall execute and file with the commission a bond in the

15 sum of one thousand dollars to be approved as to form
16 and sufficiency of sureties thereon by said commission, con-
17 ditioned for the faithful performance by said corporation,
18 firm, partnership or individual of the provisions of this act
19 and the rules and regulations of the commission. No such
20 license shall be issued until such bond is approved, and
21 filed. In case of default in the performance of any of the
22 conditions prescribed by this act or by the rules and reg-
23 ulations of the commission, the commission shall impose
24 upon the delinquent a penalty in the sum of not more than
25 one thousand dollars for each offense, which shall be re-
26 covered by the attorney general, in the name of the state
27 in the same manner as other penalties are recovered by
28 law. Any amount so recovered shall be paid to the state
29 treasurer, for the use of the state, and shall be credited
30 to the fund provided in section five of this act.

Sect. 9. Any person or persons directly or indirectly hold-
2 ing any boxing, sparring or wrestling match or exhibition,
3 except where all the contestants are amateurs, without hav-
4 ing first procured a license, shall be guilty of a misde-
5 meanor, and, on conviction, shall be sentenced to pay a
6 fine of not exceeding one thousand dollars for each offense.

Sect. 10. The commission may issue licenses to physi-
2 cians, referees, judges, timekeepers, professional boxers,
3 professional wrestlers, their managers, trainers and seconds,
4 and no such person shall be permitted to participate, either
5 directly or indirectly, in any such boxing, sparring or wres-

6 tling match or exhibition, or the holding thereof, unless ne
7 shall have first procured a license from the commission.
8 For the purposes of this act a “professional boxer” or a
9 “professional wrestler” is deemed to be one who competes
10 for money, or teaches or pursues or assists in the practice
11 of boxing or wrestling as a means of obtaining a livelihood
12 or pecuniary gain.

Sect. 11. No person under the age of eighteen years shall
2 participate in any boxing, sparring or wrestling match or
3 exhibition; and no children under sixteen years of age shall
4 be permitted to attend as spectators.

Sect. 12. No corporation, firm, partnership or individual
2 shall have, either directly or indirectly, any financial inter-
3 est in any boxer or wrestler competing on premises owned,
4 leased or rented by such corporation, firm, partnership or
5 individual, or in which such corporation, firm, partnership
6 or individual is otherwise interested.

Sect. 13. Every corporation, and the officers thereof, and
2 any person or persons, physician, referee, judge, timekeeper,
3 professional boxer, professional wrestler, manager, trainer
4 or second, who shall conduct, give, or participate in any
5 sham or delusive boxing, sparring or wrestling match or
6 exhibition, shall be deprived of his license by the commis-
7 sion.

Sect 14. Any licenses provided for in this act may be
2 revoked or suspended by the commission for the reason,
3 therein stated, that the licensee has, in the judgment of the

4 said commission, been guilty of an act detrimental to the
5 interests of boxing or wrestling.

Sect. 15. No contestant shall be paid for services before
2 the contest and should it be determined by the judges and
3 referee that such contestant did not give an honest exhibition
4 of his skill, such services shall not be paid for.

Sect. 16. No boxing or sparring match or exhibition shall
2 be of more than ten rounds in length, nor shall such rounds
3 be more than three minutes each. No boxer shall be al-
4 lowed to participate in more than ten rounds within twenty-
5 four consecutive hours. The commission may, in respect
6 to any bout, or in respect to any class of contestants, limit
7 the number of rounds of a bout within the maximum of
8 ten rounds. At each boxing or sparring match or exhibi-
9 tion there shall be in attendance at the expense of the cor-
10 poration, firm, partnership or individual holding a license
11 for such match or exhibition, a duly licensed referee, who
12 shall direct and control the same. Before starting such
13 contest the referee shall determine from each contestant
14 the name of his chief second and shall hold such chief sec-
15 ond responsible for the conduct of his assistant seconds
16 during the progress of the contest. The referee shall have
17 power, in his discretion, to declare forfeited any remunera-
18 tion or purse, or any part thereof, belonging to the con-
19 testants, or one of them, if, in his judgment, such con-
20 testant or contestants are not honestly competing. Any
21 remuneration or purse, or part thereof, so forfeited shall

22 be paid into the state treasury for the use of the state, and
23 shall be credited to the fund provided in section five of
23 this act. There also shall be in attendance at the expense
24 of the licensee, two duly licensed judges, who shall, at the
25 termination of each such boxing or sparring match or ex-
26 hibition, render their decision in writing separately and with-
27 out consultation and transmit it to the referee. If they
28 are unable to agree, the decision shall be rendered by the
29 referee. Each referee shall be paid, prior to the match
30 or exhibition at which he officiates, not less than ten dol-
31 lars, by the licensee; and each judge, prior to the match
32 or exhibition at which he officiates, not less than five dol-
33 lars, by the licensee. Each contestant shall wear during
34 such contest gloves weighing not less than five ounces, if
35 such contestant is a lightweight or in a class of less weight;
36 and six ounces if such contestant is in a class heavier than
37 the lightweight class.

Sect. 17. Every application for license shall be in writing,
2 shall be addressed to the commission, shall be verified by
3 the applicant, and shall set forth such facts as the pro-
4 visions of this act and the rules and regulations of the com-
5 mission may require. The commission shall keep proper
6 records, with the names and addresses, of all persons, firms,
7 partnerships or corporations receiving licenses under this
8 act.

Sect. 18. The following annual license fees, payable to
2 the state treasurer to be credited to the fund provided in

3 section five of this act, shall be assessed: For corporation,
4 firm, partnership or individual, to conduct boxing, sparring
5 or wrestling matches or exhibitions, one dollar and fifty
6 cents for each thousand of population in the city or town
7 where such license is granted, based on the last previous
8 decennial United States census. For the purposes of this
9 act the following cities and towns are, in the specified groups
10 of two, to be considered as one city or town: Lewiston and
11 Auburn; Bangor and Brewer; Biddeford and Saco; Water-
12 ville and Winslow; Rumford and Mexico; Norway and
13 South Paris; and such others as the commission may rule.

Referee—Twelve dollars and fifty cents.

Judge—Five dollars.

Timekeeper—Five dollars.

Physician—Five dollars, provided however, that a physi-
2 cian who wishes to make examinations without charge shall
3 be licensed without charge.

Manager—Twelve dollars and fifty cents.

Boxer or wrestler—Five dollars.

Seconds—Five dollars.

Non-resident boxer in feature bout, for one appearance,
2 five dollars.

• Non-resident boxer in all start exhibition, for one appear-
2 ance, five dollars.

Non-resident boxer in semi-final bout, for one appearance,
2 two dollars.

Non-resident boxer in preliminary bout, for one appearance, one dollar.

Non-resident manager for one appearance, five dollars.

Non-resident second for one appearance, one dollar.

Sect. 19. The weights and classes of boxers and the rules and regulations of boxing shall be determined by the commission. No contest shall be allowed in which the difference in weight of the respective contestants shall exceed ten pounds, but this provision shall not apply to boxers in the heavyweight and light heavyweight classes as determined by the commission. No boxer shall enter the ring unless, not more than five hours before, a physician duly licensed under this act shall certify in writing that the boxer is physically fit to engage in the proposed contest, and such certificate shall state the exact weight of the contestant examined.

Sect. 20. Whoever shall bet or wager any money or valuable thing, or sell pools, on the result of any such boxing, sparring, or wrestling match or exhibition shall be guilty of a misdemeanor, and on conviction thereof, shall be fined not exceeding five hundred dollars, or imprisoned in the jail of the proper county for a term not exceeding six months, or both, at the discretion of the court.

Sect. 21. Every corporation, firm, partnership or individual holding any boxing, sparring or wrestling match or exhibition under this act for which an admission is charged and received shall pay to the state treasurer five per centum of the total gross receipts, prior to the deduction of any

6 federal tax. Such payment shall be made within seventy-
7 two hours after the holding of such contest. All moneys
8 received from such taxes shall be set aside in a separate
9 fund as provided in section five of this act.

Sect. 22. The provisions of this act shall not prohibit
2 any duly constituted organization or association, organized
3 for a lawful purpose, from having boxing, sparring or wres-
4 tling matches or exhibitions in connection with entertain-
5 ments, when such matches or exhibitions are conducted not
6 for profit.

Section five of chapter one hundred and twenty-five of the
2 revised statutes is hereby repealed.