

# MAINE STATE LEGISLATURE

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EIGHTY-FIFTH LEGISLATURE

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Legislative Document

No. 83

H. P. 118

House of Representatives, Jan. 22, 1931.

Referred to Committee on Legal Affairs and 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Robie of Westbrook.

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STATE OF MAINE

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

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• AN ACT to Establish a Boxing Commission.

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

Section 1. Chapter thirty-seven of the revised statutes is hereby amended by adding thereto the following sections, to be numbered as designated:

'Sect. 26. State boxing commission; appointment; terms. There shall be and hereby is created a state boxing commission to consist of a chairman and two other members. The governor with the advice and consent of the council shall appoint suitable persons as the members of this commission to serve for the following terms: one for the period of three years; one for the period of two years; and one for the period of one year, and on the expiration of the term of any member, shall appoint a successor to serve for a term of three years, and in case of a vacancy occurring because of resignation or any other cause in the said commission, shall appoint a successor to serve for the balance of the original term.

'Sect. 27. Expenses and records of commission; deputies. The members shall receive their traveling expenses necessarily incurred in the performance of their duties, and the commission shall be allowed such sums for clerical assistance as the governor and council may approve. The commission shall keep full and true records of all its proceedings. The com-

mission may deputize one or more persons to represent it and to be present at any match or exhibition authorized to be held under the provisions of sections twenty-six to forty-three, inclusive. Such persons shall receive their traveling expenses necessarily incurred in the discharge of their duties.

Sect. 28. Unlicensed boxing matches forbidden. No boxing or sparring match or exhibition for a prize or a purse, or at which an admission fee is charged, either directly or indirectly, in the form of dues or otherwise, shall take place or be conducted in this state except in pursuance of a license granted as hereinafter provided by the state boxing commission, hereinafter called the commission, in sections twenty-eight to forty-three, inclusive. In no case shall any boxing or sparring match or exhibition occur on Sunday. Applications for the license shall be accompanied by such fee, not less than twenty-five nor more than eight hundred dollars, as the commission may establish on the basis of the population of the city or town in which the match or exhibition is to be held. Any persons holding, conducting, participating in or attending a match or exhibition held without a license, as provided in the following section, shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than three months, or by both such fine and imprisonment. In the case of exhibitions or bouts held in accordance with the rules and regulations of such amateur organizations as may be approved by the commission, the commission may issue special licenses without the requirement of a bond as provided in section thirty or without the payment of the annual fee.

'Sect. 29. Licenses for boxing matches. The commission may, subject to the provisions of sections twenty-eight to forty-three, inclusive, issue licenses to conduct boxing or sparring matches and exhibitions, which shall expire on December thirty-first of the year of issue.

'Sect. 30. Bond must be filed; conditions. No license as aforesaid shall be granted unless the licensee has executed and filed with the commission a bond in a penal sum of five thousand dollars, with such surety or sureties as shall be satisfactory to the commission, running to the commission, conditioned upon the payment to the state of the sums mentioned in section thirty-six and upon faithful compliance by the licensee with the provisions of sections twenty-eight to forty-

three, inclusive, the rules and regulations of the commission, and with such other laws of the state as may be applicable to anything done by the licensee in pursuance of the license. The bond shall also provide for a forfeiture to the state, recoverable at the suit of the attorney general, of such sum, not exceeding one thousand dollars, as may be stipulated in the bond for each case of non-compliance.

'Sect. 31. Licenses for officials. No person shall act, except at a purely amateur match or exhibition, directly or indirectly, as physician, referee, judge, time-keeper, professional boxer or as manager, trainer or second of such a boxer, at a boxing or sparring match or exhibition unless licensed by the commission upon receipt of such classified fee, not exceeding twenty-five dollars, as the commission may fix. For the purposes of sections twenty-eight to forty-three, inclusive, a professional boxer is one who competes for a money prize or teaches or pursues or assists in the practice of boxing as a means of obtaining a livelihood or pecuniary gain. Physicians who desire to officiate without charge at amateur boxing or sparring matches or exhibitions shall be licensed without charge.

'Sect. 32. Referees and judges; powers and fees. At every boxing or sparring match or exhibition there shall be in attendance a referee, duly licensed under the provisions of sections twenty-eight to forty-three, inclusive, who shall direct and control the same. The referee shall have full power to stop the match whenever he deems it advisable because of the physical condition of the contestants or one of them, or when one of the contestants is clearly outclassed by his opponent, or for other sufficient reason. The referee shall have power in his discretion to declare forfeited any prize, remuneration or purse or any part thereof belonging to the contestants or one of them if, in his judgment, such contestant or contestants are not or were not competing in good faith. There shall also be in attendance two duly licensed judges who shall, at the termination of every such boxing or sparring match or exhibition, render their decision. If they are unable to agree, the decision shall be rendered by the referee. The fees of the referee and other licensed officials shall be fixed by the said commission, and shall be paid by the licensed organization prior to the exhibition.

'Sect. 33. Physician must be present; license; duties; fee. At any boxing or sparring match or exhibition there shall be in attendance a duly licensed physician, whose duty it shall be to observe the physical condition of the boxers and advise the referee or judges with regard thereto. Any competent physician who has had not less than three years' experience as a medical practitioner may be licensed. No boxer shall be permitted to enter the ring unless, not more than three hours before, a physician licensed under the provisions of sections twenty-eight to forty-three, inclusive, shall certify in writing that the boxer is physically fit to engage in the proposed contest. The physician's fee, as fixed by the commission, shall be paid by the licensee conducting the match or exhibition.

'Sect. 34. Number of rounds and weight of gloves regulated. Boxing or sparring matches or exhibitions shall not exceed ten rounds in length, and no round shall exceed three minutes. The contestants shall wear during the contest gloves weighing at least six ounces each. No contestant shall participate in more than ten such rounds during any period of twenty-four hours.

'Sect. 35. Age of contestants and spectators. No contestant under eighteen shall be permitted to engage in any boxing or sparring match or exhibition. No person under sixteen shall be admitted to or be present at any boxing or sparring match or exhibition unless accompanied by parent or guardian.

'Sect. 36. Excise tax. Every licensee holding or conducting any such boxing or sparring match or exhibition shall, within seventy-two hours after its conclusion, pay to the treasurer of state a sum equal to five per cent of the total gross receipts from the sale of tickets or from admission fees; provided, that if such match or exhibition is conducted as an incidental feature in an event or entertainment of a different character, such portion of the total receipts shall be paid to the state as the commission may determine or as may be fixed by rule adopted under section forty-two. Within said time the licensee shall furnish to the commission a report, duly verified by the treasurer and secretary of the organization, or by the persons carrying out the duties of such officers, showing the exact number of tickets sold and admission fees collected for the contest, and the gross receipts thereof, and such other data as the commission may require.

'Sect. 37. Tickets not to be sold beyond capacity of hall. No licensee under section twenty-nine shall sell or cause to be sold or issued more tickets or invitations purporting to admit to any such match or exhibition, or otherwise admit to the same, more persons than are admissible according to the authorized capacity of the building, or part thereof actually used therefor.

'Sect. 38. Revocation or suspension of license. Any license may be revoked or suspended by the commission for a violation of any provision of sections twenty-eight to forty-three, inclusive, or of any other law of the state or of any rule or regulation adopted by the commission or whenever the licensee has, in the judgment of the commission, been guilty of any act or offence detrimental to the public interest.

'Sect. 39. Licensee not to have financial interest in boxer. No licensee under section twenty-nine shall have, directly or indirectly, any financial interest in a boxer competing on premises owned or leased by the licensee, or in which the licensee is otherwise interested. No contestant in such a match or exhibition shall be paid for services before the same are rendered, and should it be determined by the judges and referee that a contestant did not give an honest exhibition of his skill, his services shall not be remunerated.

'Sect. 40. Summons of witnesses. The commission shall have the same authority to summon and require the attendance and testimony of witnesses as to all matters within its jurisdiction as is conferred upon the secretary of state by section thirty-one of chapter twenty-nine.

'Sect. 41. Unlicensed match may be enjoined. The superior court shall have jurisdiction in equity upon any information filed by the commission, the attorney general, the county attorney for the county, the police authorities of the city or town where the boxing or sparring match or exhibition is held or is announced to be held, or by any five legal voters of the state stating that a certain building, tenement or place is used for boxing or sparring matches or exhibitions by an individual, group, partnership, club, corporation or association not licensed under sections twenty-eight to forty-three, inclusive, or contrary to any provision of said sections or that a boxing or sparring match or exhibition is being advertised or announced, or has been advertised or announced, to take place

in a certain building or place, or that a certain individual, club, corporation or association is selling, exchanging or giving away tickets, tokens or symbols purporting to entitle the holder to the right or privilege of attending a certain boxing or sparring match or exhibition not licensed by the commission and contrary to the provisions of sections twenty-eight to forty-three, inclusive, to enjoin and abate the same as a common nuisance.

'Sect. 42. Rules and regulations; reports. The commission may make such rules and regulations for the administration and enforcement of sections twenty-eight to forty-three, inclusive, as it may deem necessary, subject to the approval of the governor and council. Such rules and regulations may provide for and regulate the granting of a special permit for exhibitions where no decision is to be rendered and where a skilled boxer or boxers merely demonstrate the science of boxing. The commission shall make an annual report to the governor and council on or before the first day of January of its acts, together with any recommendations for legislation which it may deem desirable.

'Sect. 43. Distribution of funds received. The remainder of the sums received under section thirty-six after paying the expense to the state of administering sections twenty-eight to forty-three, inclusive, shall, annually on or before November first, be distributed by the treasurer of state to the several towns in proportion to the amounts collected from licensees acting therein under said sections.

'Sect. 44. Section 4 of chapter 134 not applicable. The provisions of section four of chapter one hundred thirty-four shall not apply to any acts done under the authority of sections twenty-six to forty-three, inclusive.'

Sect. 2. Section 5 of chapter 134 amended. Section five of chapter one hundred thirty-four of the revised statutes is hereby amended by striking out all of said section after the word "to" in the second line of said section and inserting in place thereof the following words: 'contests conducted under the provisions of sections twenty-six to forty-four of chapter thirty-seven,' so that said section as amended shall read as follows:

'Sect. 5. Application of § 4 limited. Section four shall not apply to contests conducted under the provisions of sections twenty-six to forty-four of chapter thirty-seven.'