

MAINE STATE LEGISLATURE

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N I N E T Y - S E V E N T H L E G I S L A T U R E

Legislative Document

No. 12

H. P. 13

House of Representatives, January 12, 1955.

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Jacobs of Auburn.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-FIVE

AN ACT Creating a State Athletic Commission and Regulating Wrestling.

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

Sec. 1. R. S., c. 88, § 1, amended. Section 1 of chapter 88 of the revised statutes is hereby amended to read as follows:

~~Boxing~~ **Athletic Commission.**

Sec. 1. State Athletic Commission. The Maine State ~~boxing~~ **Athletic Commission**, as heretofore established and hereinafter in this chapter called the "Commission," shall consist of 3 members who shall be appointed for terms of 3 years and may be for cause removed by the Governor with the advice and consent of the Council. Each member of the Commission shall receive a salary of \$850 a year and his reasonable expenses, including transportation, incurred in the performance of his duties. Any vacancy shall be filled by appointment for the unexpired term. The members shall serve until their successors are appointed and qualified. So far as is practicable they shall be persons interested in and familiar with boxing **and wrestling.**

Sec. 2. R. S., c. 88, § 6, amended. Section 6 of chapter 88 of the revised statutes is hereby amended to read as follows:

Sec. 6. Jurisdiction. The Commission shall have the sole direction, control and jurisdiction over all boxing **and wrestling** contests or exhibitions and is empowered to institute and promulgate all rules and regulations necessary therefor. No boxing **or wrestling** contests or exhibitions, except as herein provided, shall be held or conducted within this State except under a license and permit issued by the State ~~boxing~~ **Athletic Commission** in accordance with

the provisions of this chapter and the rules and regulations adopted in pursuance thereof.'

Sec. 3. R. S., c. 88, § 7, amended. Section 7 of chapter 88 of the revised statutes is hereby amended to read as follows :

'Sec. 7. Licenses. The Commission may issue in its discretion under the name and seal of the Commission, a license in writing to extend for 1 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 boxing **or wrestling** contests and exhibitions for a period of 1 year from date of issuance, in accordance with the provisions of this chapter and the rules and regulations adopted in pursuance thereof. Such license may be revoked or suspended by the Commission upon hearing and proof that the holder of such 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 such license at a figure between \$10 and \$100, depending upon the probable income of the licensee to be derived from the conducting of such boxing **or wrestling** contests and exhibitions. **There shall be separate licenses for boxing contests and exhibitions and wrestling contests and exhibitions.**

All persons engaging in such boxing **or wrestling** contests and exhibitions as boxers, **wrestlers**, seconds of boxers, seconds of **wrestlers**, managers of boxers, managers of **wrestlers**, timekeepers in boxing contests and exhibitions, timekeepers in **wrestling** contests and exhibitions, knock-down timekeepers in **boxing** contests and exhibitions, referees in **boxing** contests and exhibitions, referees in **wrestling** contests and exhibitions, judges in **boxing** contests and **exhibitions** and physicians must have been licensed by the Commission in a like manner, such licenses to be subject to revocation or suspension for cause. The yearly fees shall be as follows: boxers, \$6; **wrestlers**, \$6; managers of boxers, \$5; managers of **wrestlers**, \$5; seconds of boxers, \$5; seconds of **wrestlers**, \$5; referees of **boxing** contests and exhibitions, \$5; referees of **wrestling** contests and exhibitions, \$5; judges, timekeepers, knock-down timekeepers and physicians, no fee.

Upon the application for any such license as enumerated above, 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 the provisions of this chapter or the rules of the Commission temporarily suspend or revoke a license for cause. Upon written request of the applicant, licensee, chairman of the commission or of any 3 citizens of the State, or of the athletic commissions or boxing commissions of any other state, or of the national boxing association, the Commission shall, after written notice to the interested parties sent to them by registered letter mailed postpaid at least 7 days before the hearing, consider the matter at its regular meeting and rule upon the issuance, suspension, rejection or revocation of said license, but when application by a well reputed fraternal, charitable or patriotic organization for holding amateur boxing **or wrestling** contests or exhibitions is made to the Commission, it may grant such license and without the requirement of the payment of the fees hereinbefore enumerated.

Any person, club, association or corporation, or any officer of such club, association or corporation who conducts such a boxing **or wrestling** contest, or any boxer, **wrestler**, manager of a boxer, **manager of a wrestler**, timekeeper in a **boxing contest or exhibition**, timekeeper in a **wrestling contest or exhibition**, knock-down timekeeper in a **boxing contest or exhibition**, second of a boxer, **second of a wrestler**, referee in a **boxing contest or exhibition**, **referee in a wrestling contest or exhibition**, judge in a **boxing contest or exhibition** or physician who engages in or in any way takes part in such a contest without first obtaining such a license, or when such 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 misdemeanor and shall be punished by a fine of not less than \$10 nor more than \$1,000.'

Sec. 4. R. S., c. 83, § 8, amended. Section 8 of chapter 88 of the revised statutes is hereby amended to read as follows:

'**Sec. 8 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 boxing or sparring **or wrestling** matches or exhibitions, as defined in this chapter. Such insurance, if required, shall comply with standards prescribed by the Insurance Commissioner.'

Sec. 5 R. S., c. 88, § 10, amended. Section 10 of chapter 88 of the revised statutes is hereby amended to read as follows:

'**Sec. 10. 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 boxing **or wrestling** contest or exhibition held under the provisions of this chapter, on which there shall be a list of the names of the contestants with the signed statement of a licensed physician stating that he examined them within 10 hours of the contest or exhibition and found them to be in good physical condition and that he weighed them and what he found their various weights to be. It shall also contain the signed statement of the promoter stating the results of each contest or exhibition, the names of the referee and judges and the gross receipts.'

Sec. 6. R. S., c. 88, § 11, amended. Section 11 of chapter 88 of the revised statutes is hereby amended to read as follows:

'**Sec. 11. Tax.** The promoter or promoters of all boxing **and wrestling** contests or exhibitions held under the provisions of this chapter shall pay to the Treasurer of State, for credit to the general fund, a tax of 3% of the gross receipts from such contest or exhibition. This tax shall have been paid to the Treasurer of State by the last day of the month following the month in which such contest or exhibition is held. Upon failure to pay such tax to the Treasurer of State, such 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 an action on the case brought in the name of the said Commission, and the said 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 such a tax, the Commission shall revoke the promoter's license.'

Sec. 7. R. S., c. 88, § 12, amended. Section 12 of chapter 88 of the revised statutes is hereby amended to read as follows:

'Sec. 12. Decisions in boxing contests or exhibitions. In all boxing contests or exhibitions conducted under the provisions of this chapter, there ~~may~~ **shall** be a decision as to the winner by 2 judges and the referee, **or by 3 judges**, licensed under the provisions of this chapter.'

Sec. 8. R. S., c. 88, § 13, additional. Chapter 88 of the revised statutes is hereby amended by adding thereto a new section to be numbered 13, to read as follows:

'Sec. 13. Decisions in wrestling contests or exhibitions. In all wrestling contests or exhibitions conducted under the provisions of this chapter, there shall be a decision as to the winner by the referee, licensed under the provisions of this chapter.'

Sec. 9. Intent. It is the intent of the Legislature that the members of the Maine State Boxing Commission shall continue in office until their terms have expired and that this act shall in no way affect the present tenure of office of the present members of the Maine State Boxing Commission.