

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWELFTH LEGISLATURE

SECOND REGULAR SESSION
January 8, 1986 to April 16, 1986

SECOND SPECIAL SESSION
May 28, 1986 to May 30, 1986

AND AT THE

THIRD SPECIAL SESSION
October 17, 1986

PUBLISHED BY THE DIRECTOR OF REVISOR OF STATUTES IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Co., Inc.
Augusta, Maine

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION
of the
ONE HUNDRED AND TWELFTH LEGISLATURE
1985

section 3311, shall not be required to act in accordance with that section, but shall be subject to the Maine Revised Statutes, Title 35, section 73, subsection 5, paragraph E.

Effective July 16, 1986.

CHAPTER 633

H.P. 1552 - L.D. 2190

AN ACT Relating to Penobscot Nation Game Wardens.

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

12 MRSA §7055, as amended by PL 1985, c. 304, §2, is further amended by adding at the end a new paragraph to read:

The commissioner shall grant the powers of game wardens outside the Penobscot Indian Territory to wardens of the Penobscot Indian Nation who have qualified under the written code prepared by the commissioner and approved by the Commissioner of Personnel, as specified in section 7051. The commissioner may revoke these powers for good cause shown and shall provide a subsequent hearing on the revocation under Title 5, chapter 375, subchapter IV, if requested.

Effective July 16, 1986.

CHAPTER 634

H.P. 1573 - L.D. 2212

AN ACT Regulating Kick-boxing.

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

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

The Maine Athletic Commission, established by Title 5, section 12004, subsection 1, and in this chapter called "the commission," shall consist of 5 mem-

bers appointed by the Commissioner of Business, Occupational and Professional Regulation, with the advice and consent of the Governor. No member may receive any compensation or remuneration for promoting, competing or otherwise engaging in boxing ~~or~~, wrestling or kick-boxing. Each member of the commission shall be compensated as provided in Title 5, chapter 379.

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

§142. Declaration of policy

It is declared to be the policy of the State, that professional and amateur boxing ~~and~~, professional and exhibition wrestling and professional and amateur kick-boxing in this State shall be supervised by the commission in a manner designed to promote these sports in accordance with the public interest, insure the safety of all participants and spectators and achieve uniformity in the rules governing participation in these sports within the State.

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

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

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

B. This subsection shall not apply with respect to kick-boxing exhibitions, events, performances or contests in which school pupils or instructors are the only participants, except that this exemption shall apply only to a performance or exhibition conducted under the direct supervision and control of the board of directors of a school district, or the person in authority of a teachers' training school or other institution under the control of the Commissioner of Educational and Cultural Services and the State Board of Education or the board, bodies or persons in authority of duly constituted private or parochial

schools, colleges or universities, or schools for kick-boxing.

C. No kick-boxing contest, exhibition or performance, except as provided in this chapter, may be held or conducted within the State, unless the contest, exhibition or performance is properly licensed by the commission and conducted in accordance with this chapter and the rules adopted pursuant to this chapter, nor may any closed circuit television showing of such a contest or exhibition be conducted except under a license issued by the commission.

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

B-1. In the exercise of its jurisdiction over kick-boxing, as set forth in section 146, subsection 3, the commission may adopt rules governing, among others, referees, judges, kick-boxers, seconds, promoters, managers, physicians, timekeepers and knockdown timekeepers. These rules may include, but not be limited to, licensing requirements, age limits and physical condition of participants, lengths of contests and rounds, specifications of the facilities and equipment used in contests and uniforms of contestants and referees, scoring of decisions, standards of weight and weighing of contestants, and the manner of presentation of closed circuit events. Rules governing amateur kick-boxing contests shall conform to tournament regulations of the Amateur Athletic Union or its successor in interest.

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

C. The commission may adopt rules requiring health and accident insurance providing coverage in the event of injury or death for persons competing in boxing events or, wrestling events or kick-boxing events subject to this chapter, or for both any combination of those events. This insurance, if required, shall comply with standards prescribed by the Superintendent of Insurance.

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

2. Officials. The officials at all boxing or kick-boxing contests or exhibitions shall be selected

or approved by the commission. For purposes of this subsection, the term "officials" includes referees, judges, physicians, timekeepers and knockdown timekeepers.

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

§148. Boxing and kick-boxing licenses

1. Persons to whom licenses may be issued. The commission may issue, in its discretion, a license for a term of one year from date of issuance to any person, club, association or corporation, who or which is properly qualified, to promote and conduct boxing or kick-boxing contests and exhibitions in accordance with this chapter and the rules adopted pursuant to this chapter. All persons engaged in such boxing contests and exhibitions as boxers, kick-boxers, seconds, managers, timekeepers, knockdown timekeepers, referees, judges and physicians shall be licensed by the commission in a like manner. A closed circuit boxing license may be issued by the commission to any person who is properly qualified therefor, which will entitle him to engage in the showing of boxing or kick-boxing contests or exhibitions by closed circuit television.

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

3. Fee for license. The commission may, in its discretion, fix the fee for each promoter's license at a figure between \$25 and \$50 for a license to promote amateur events and a figure between \$50 and \$100 for a license to promote professional events, depending upon the probable income of the licensee to be derived from the conducting of the boxing contests and exhibitions. The fee for a license for closed circuit events shall be \$50. The commission may, by rule, fix the fees for all other licenses issued under this section at a figure between \$5 and \$25. When application by a fraternal, charitable or patriotic organization for a license to promote and conduct amateur boxing or kick-boxing contests or exhibitions is made to the commission, it may grant the

license without the requirement of the payment of a license fee.

4. Temporary license. Upon application being made for any license under this section, any member of the commission may, in his discretion, temporarily issue or temporarily refuse to issue the license. In the event that such a temporary license is issued, the temporary license shall be valid only until the next meeting of the commission at which a quorum is present. No license, except such a temporary license, may be issued under this section, except by a majority vote taken at a commission meeting at which a quorum is present. All license applications shall be considered in the first meeting of the commission following the receipt of the application, at which a quorum is present.

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

§151. Promoter's reports

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

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

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

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

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

The promoter or promoters of all boxing or kick-boxing contests or exhibitions and all professional wrestling matches, shows or exhibitions held

under this chapter shall pay to the Treasurer of State, for credit to the Athletic Commission Fund, a tax of 5% of the gross receipts from the contest or exhibition up to a maximum tax of \$2,500. This section shall apply to all boxing, kick-boxing and wrestling contests or exhibitions which are shown over closed circuit television.

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

1. Boxing or kick-boxing. In all boxing or kick-boxing contests or exhibitions conducted under this chapter, there may be a decision as to the winner by 2 judges and the referee, or by 3 judges, licensed under this chapter.

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

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

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

1986-87

BUSINESS, OCCUPATIONAL AND
PROFESSIONAL REGULATION,
DEPARTMENT OF

Maine Athletic Commission	
All Other	\$7,500

Effective July 16, 1986.

CHAPTER 635

S.P. 717 - L.D. 1840

AN ACT to Clarify the Rate Design Stability
Responsibilities of the Public
Utilities Commission.