

1 IN THE

BY THE RULES COMMITTEE
AT THE REQUEST OF THE GOVERNOR

2 SENATE BILL NO. 230

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIRST LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act authorizing the regulation of box-
7 ing, sparring, and wrestling contests or
8 exhibitions; authorizing the Athletic Com-
9 mission created by Ch. 147, SLA 1959, to
10 issue and revoke licenses in accordance with
11 rules set out in this Act; providing that
12 licensees be bonded; setting license fees;
13 providing penalties; and setting an effec-
14 tive date."

15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

16 Section 1. LICENSES FOR BOXING AND WRESTLING MATCHES: RE-
17 VOCATION. The Athletic Commission created by virtue of Ch. 147,
18 SLA 1959, shall have the power to issue and for cause to revoke a
19 license to conduct boxing contests, sparring or wrestling matches,
20 or exhibitions as provided in this Act under such terms and con-
21 ditions and at such times and places as the commission may deter-
22 mine. The holder of such licenses shall be entitled to conduct
23 boxing contests, sparring and wrestling matches, and exhibitions
24 under such terms and conditions and at such times and places as
25 the commission may determine. In case the commission shall refuse
26 to grant a license to any applicant, or shall cancel any license,
27 such applicant, or the holder of such cancelled license shall be
28 entitled upon application, to a hearing to be held not less than
29 sixty days after the filing of such order at such place as the

1 commission may designate; provided, however, that if it has been
2 found by a valid finding and such finding is fully set forth in
3 such order, that the applicant or licensee has been guilty of dis-
4 obeying any provision of this Act, such hearing shall be denied.

5 Sec. 2. DUTIES OF COMMISSION: LICENSING: EXEMPTION AS TO
6 SCHOLASTIC ORGANIZATIONS: COMPLIANCE REQUIRED. The commission
7 shall have power and it shall be its duty to direct, supervise,
8 and control all boxing contests, or sparring and wrestling matches
9 or exhibitions conducted within the state and no such boxing con-
10 test, sparring or wrestling match or exhibition shall be held or
11 given within this state except in accordance with the provisions
12 of this Act. The commission may, in its discretion, issue and for
13 cause revoke a license to conduct, hold, or give boxing, sparring
14 and wrestling contests, matches, and exhibitions where an admis-
15 sion fee is charged by any club, corporation, organization, asso-
16 ciation, or fraternal society: provided, however, that all boxing
17 contests, sparring or wrestling matches or exhibitions which are
18 conducted by any elementary school, high school, college, or uni-
19 versity, whether public or private, or by the official student
20 association thereof, whether on or off the school, college, or
21 university grounds, where all the participating contestants are
22 bona fide students enrolled in any elementary school, high school,
23 college, or university, within this state, shall not be subject to
24 the provisions of this Act: provided, further, that every contest-
25 ant in any boxing contest, sparring or wrestling match not con-
26 ducted under the provisions of this Act shall be examined within
27 eight hours prior to the contest by a practicing physician and
28 that the scholastic organizations exempted from the provisions of
29 this chapter shall be governed by the rules of the commission as

1 those rules apply to boxing contests, sparring or wrestling
2 matches, or exhibitions conducted by any scholastic organizations
3 exempted by this section from the general provisions of this Act.
4 No boxing contest, sparring or wrestling match or exhibition shall
5 be conducted within the state except pursuant to a license issued
6 in accordance with the provisions of this Act and the rules and
7 regulations of the commission except as above provided.

8 Sec. 3. APPLICATION FOR LICENSE: FEE: VERIFICATION. Any
9 club, corporation, organization, association or fraternal society
10 affected by this Act may apply to the commission for a license.
11 Such application shall be in writing and upon forms prescribed by
12 the commission and shall be verified in such manner as the commis-
13 sion may require and shall be accompanied by an annual license fee
14 of \$100.00.

15 Sec. 4. DURATION OF LICENSE: EXPIRATION DATES. The li-
16 censes provided for in Secs. 3 and 8 of this Act shall be issued
17 for a six months or twelve months period and shall expire on
18 June 30 and December 31 of each year.

19 Sec. 5. LICENSEE'S BOND. Every licensee receiving a license
20 as provided for in this Act shall file a good and sufficient bond
21 in the sum of \$1,000.00 with the commission in cities of less than
22 10,000 inhabitants and of \$2,500.00 in cities of more than 10,000
23 inhabitants conditioned for the faithful performance of such li-
24 censee of the provisions of this Act, the payment of the taxes as
25 provided for in this Act and the abeyance of all rules and regula-
26 tions of the commission, which bond shall be subject to the approv-
27 al of the attorney general.

28 Sec. 6. STATEMENT AND REPORT OF CONTEST. Any licensee as
29 provided for in this Act shall, within three days prior to the

1 holding of any boxing contest, sparring or wrestling match, or
2 exhibition, file with the commission a statement setting forth the
3 name of each contestant, his manager or managers and such other
4 information as the commission may require, and shall, within one
5 week after the termination of any contest file with the Department
6 of Revenue and with the commission a written report, duly verified
7 as the commission may require showing the number of tickets sold
8 for such contest, the price charged for such tickets and the gross
9 proceeds thereof, and such other information as the commission may
10 require.

11 Sec. 7. INSPECTORS: DUTIES: FEE FOR ATTENDING CONTESTS.

12 The commission may appoint official inspectors at least one of
13 which, in the absence of a member of the commission, shall be pres-
14 ent at any boxing contest, sparring or wrestling match, or exhibi-
15 tion held under the provisions of this Act. Such inspectors shall
16 carry a card signed by the chairman of the commission evidencing
17 their authority. It shall be their duty to see that all rules and
18 regulations of the commission and the provisions of this Act are
19 strictly complied with and to be present at the accounting of the
20 gross receipts of any contest, and such inspector is authorized to
21 receive from the licensee conducting the contest the statement of
22 receipts provided for in this Act and to immediately transmit such
23 reports to the commission and to the Department of Revenue. Each
24 inspector shall receive a fee of not to exceed \$7.50 for each con-
25 test officially attended.

26 Sec. 8. ANNUAL LICENSES TO PARTICIPANTS: FEES: REVOCATION.

27 The commission may grant annual licenses upon application in com-
28 pliance with the rules and regulations prescribed by the commission
29 and the payment of the fees prescribed for managers, referees,

1 examining physicians, boxers, wrestlers, seconds, and trainers.
2 The following is the schedule of annual fees: examining physicians,
3 \$10.00; managers, \$50.00; referees, \$10.00; seconds, \$10.00;
4 trainers, \$10.00; boxers, \$10.00; wrestlers, \$10.00: provided,
5 that the provisions of this section do not apply to contestants
6 or participants in strictly amateur contests or fraternal organi-
7 zations or veterans' organizations chartered by congress or the
8 war department or any bona fide athletic club which is holding and
9 promoting athletic contests or smokers and where all funds are
10 used primarily for the benefit of their members. Any such license
11 may be revoked by the commission for any cause which it shall deem
12 sufficient. No person shall participate or serve in any of the
13 above capacities unless licensed as provided in this Act. The
14 referee for any contest shall be designated by the commission from
15 among such licensed referees.

16 Sec. 9. PARTICIPATION IN PURSE: CONDUCTING SHAM CONTESTS:
17 FORFEITURE OF LICENSE. Any person or any member of any group of
18 persons or corporation promoting wrestling or boxing exhibitions
19 or contests who participates directly or indirectly in the purse
20 or fee of any manager of any boxers or wrestlers or any boxer or
21 any wrestler and any licensee who conducts or participates in any
22 sham or fake boxing contest or sparring or wrestling match or ex-
23 hibition thereby forfeits its license and the commission shall
24 declare such license canceled and void and such licensee shall not
25 thereafter be entitled to receive another such, or any license
26 issued pursuant to the provisions of this Act.

27 Sec. 10. PARTICIPATION IN SHAM CONTEST: PENALTY AGAINST
28 CONTESTANT. Any contestant who shall participate in any sham or
29 fake boxing contest or sparring or wrestling match or exhibition

1 or violate any rule or regulation of the commission shall be penal-
2 ized in the following manner: for the first offense he shall be
3 restrained by order of the commission for a period of not less
4 than three months from participating in any contest held under the
5 provisions of this Act, such suspension to take effect immediately
6 after the occurrence of the offense; for any second offense such
7 contestant shall be forever suspended from participation in any
8 contest held under the provisions of this Act.

9 Sec. 11. FAILURE TO MAKE REPORTS: ADDITIONAL TAX: NOTICE:
10 PENALTY FOR DELINQUENCY. Whenever any licensee shall fail to
11 make a report of any contest within the time prescribed by this
12 Act or when such report is unsatisfactory to the commission or to
13 the Department of Revenue, the secretary shall examine the books
14 and records of such licensee; he may subpoena and examine under
15 oath any officer of such licensee and such other person or persons
16 as he may deem necessary to a determination of the total gross
17 receipts from any contest and the amount of tax thereon. If, upon
18 the completion of such examination, it shall be determined that an
19 additional tax is due, notice thereof shall be served upon the
20 licensee, and if such licensee shall fail to pay such additional
21 tax within twenty days after service of such notice such delinq-
22 uent licensee shall forfeit its license and shall forever be dis-
23 qualified from receiving any new license and in addition thereto
24 such licensee and the members thereof shall be jointly and sev-
25 erally liable to this state in the penal sum of \$1,000.00 to be
26 collected by the attorney general by civil action in the name of
27 the state in the manner provided by law.

28 Sec. 12. PENALTY FOR CONDUCTING CONTESTS WITHOUT LICENSE.
29 Any person, club, corporation, organization, association or fra-

1 ternal society conducting within this state boxing, sparring or
2 wrestling contests or exhibitions without having first obtained
3 a license therefor in the manner provided by this Act shall be
4 guilty of a misdemeanor.

5 Sec. 13. GENERAL PENALTY. Any person, firm or corporation
6 violating any of the provisions of this Act for which no penalty
7 is provided in this Act shall be guilty of a misdemeanor.

8 Sec. 14. EFFECTIVE DATE. This Act takes effect on the day
9 after its passage and approval or on the day it becomes law with-
10 out such approval.

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