

Offered: 6/20/83
For Today's Calendar

Original sponsor: Martin

1 IN THE HOUSE BY THE FINANCE COMMITTEE
2 CS FOR HOUSE BILL NO. 241 (Finance) am
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 THIRTEENTH LEGISLATURE - FIRST SESSION
5 A BILL
6 For an Act entitled: "An Act relating to the creation of the Alaska Boxing
7 Commission and the regulation of professional boxing;
8 and providing for an effective date."
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
10 * Section 1. AS 08.01.010 is amended by adding a new paragraph to read:
11 (24) Alaska Boxing Commission (AS 08.15.010).
12 * Sec. 2. AS 08 is amended by adding a new chapter to read:
13 CHAPTER 15. BOXING.
14 Sec. 08.15.010. CREATION OF BOXING COMMISSION. (a) There is
15 created in the Department of Commerce and Economic Development the
16 Alaska Boxing Commission.
17 (b) Members of the commission serve at the pleasure of the
18 governor and shall be selected on the basis of their knowledge of and
19 contribution to professional boxing in the state.
20 Sec. 08.15.020. COMPOSITION AND TERMS OF MEMBERSHIP. (a) The
21 commission consists of five members appointed by the governor for
22 staggered three year terms as follows:
23 (1) a licensed physician, preferably a specialist in sports
24 medicine;
25 (2) one member of the public not connected directly or
26 indirectly with the profession or doing business with persons in the
27 profession;
28 (3) three members from the profession, one of whom shall be
29 a contestant licensed under this chapter.

1 (b) A vacancy shall be filled for the balance of the unexpired
2 term.

3 Sec. 08.15.030. GENERAL DUTIES AND ANNUAL REPORT. (a) The
4 commission shall report annually to the governor. The report shall
5 include the recommendations of the commission for the advancement and
6 improvement of professional boxing programs and activities in the
7 state, in addition to including the commission's findings.

8 (b) The commission shall recommend to the legislature statutory
9 changes that the commission considers desirable or necessary to pro-
10 mote and maintain a high level of professional boxing activity in the
11 state.

12 Sec. 08.15.040. POWER OF COMMISSION. (a) The commission shall
13 supervise all professional contests conducted in the state.

14 (b) The commission shall adopt regulations for the safe, organ-
15 ized, sportsmanlike and honest conduct of contests, including regula-
16 tions relating to

17 (1) licensing of persons under the personal license provi-
18 sions of this chapter;

19 (2) establishing the minimum fees payable to attending
20 physicians, referees, judges, and timekeepers, and providing for
21 waiver of the fees with the consent of the promoter and the person
22 entitled to the fee;

23 (3) qualifications and duties of all persons required to be
24 licensed under this chapter;

25 (4) conduct of contests, including their format and dura-
26 tion;

27 (5) approved equipment and facilities for the safety and
28 protection of contestants;

29 (6) any other provision of this chapter.

1 (c) The commission may subpoena witnesses, administer oaths,
2 take testimony and require the production or examination of any re-
3 cords concerning matters before the commission or under its investiga-
4 tion.

5 Sec. 08.15.050. DESIGNATED REPRESENTATIVES. (a) The commission
6 shall maintain a list of designated representatives.

7 (b) A local designated representative shall be appointed to
8 substitute for a commissioner unable to supervise a contest in the
9 commissioner's area. Commissioners shall minimize travel from one
10 area of the state to another.

11 Sec. 08.15.060. ATTENDANCE AT CONTESTS. A contest may not be
12 held without the attendance and supervision of a commissioner or a
13 designated representative.

14 Sec. 08.15.070. PROVISION OF OFFICIALS. If not provided by the
15 promoter, a commissioner supervising a contest shall provide, at the
16 promoter's expense, for the attending physician, timekeepers, ref-
17 erees, and judges at all contests in the state.

18 Sec. 08.15.080. MEETINGS AND COMPENSATION. (a) The commission
19 shall meet at least once a year at the call of the chairperson, at the
20 request of a majority of the commissioners, or at a regularly sched-
21 uled time determined by the commission. Commissioners serve without
22 compensation but are entitled to per diem and travel expenses autho-
23 rized by law for boards and commissions under AS 39.20.180.

24 (b) The commissioners shall elect a chairperson and a vice-
25 chairperson from among their membership. The affirmative vote of a
26 majority of the commissioners is required to exercise the powers of
27 the commission. At least one commissioner who is not in the profes-
28 sion must be in attendance at a meeting in which official action is
29 taken.

1 (c) Meetings may be held by teleconference or other electronic
2 means. Commissioners participating in a meeting from a location out
3 of state may not vote at that meeting.

4 (d) The commission shall keep full and accurate minutes of its
5 proceedings and records of its transactions.

6 Sec. 08.15.090. LICENSES REQUIRED. (a) A person may not act as
7 a promoter, contestant, manager, attending physician, trainer, ref-
8 eree, or judge in or for a contest unless that person has been issued
9 the appropriate personal license by the commission.

10 (b) Application procedures and qualifications for the licenses
11 required under this section shall be set out in regulations adopted by
12 the commission.

13 (c) Licenses are biennial and shall expire on December 31.

14 (d) A temporary license shall be granted by the commission or a
15 commissioner if the applicant meets the qualifications for the li-
16 cense. A temporary license is valid for 90 days or until the perma-
17 nent license is issued or denied, whichever comes first.

18 Sec. 08.15.100. LICENSE FEES. The fees for licenses under this
19 chapter are as follows:

- 20 (1) promoters.....\$100;
21 (2) managers.....50;
22 (3) all other licensees except attending
23 physicians10.

24 Sec. 08.15.110. PROMOTER'S BOND. A promoter shall file a bond
25 in the amount of \$5,000 with the department upon approval of the
26 application for a license and before the license is issued. The bond
27 shall be conditioned on the faithful performance by the licensee of
28 the provisions of this chapter, the payment of the contestants, and
29 the good faith effort to conduct each contest for which tickets have

1 been sold.

2 Sec. 08.15.120. CONTESTANT RESTRICTIONS. (a) A person may not
3 participate as a contestant who

4 (1) was intoxicated or under the influence of a controlled
5 substance at the time the person agreed to participate;

6 (2) did not agree to participate in writing;

7 (3) except as provided in (b) of this section, has used
8 alcohol or a controlled substance within eight hours preceding the
9 contest or is under the influence of alcohol or a controlled substance
10 at the time of the contest; and

11 (4) is not at least 18 years of age or has not obtained a
12 waiver from the commission or a commissioner.

13 (b) A contestant may participate in a contest if

14 (1) the attending physician is aware that the contestant is
15 using a prescription drug; and

16 (2) in the opinion of the attending physician, the safety of
17 the contestant is not jeopardized and the prescription drug offers the
18 contestant no advantage over the opponent in the contest.

19 Sec. 08.15.130. EXAMINATION OF CONTESTANTS. (a) Every con-
20 testant shall be examined no more than 24 hours before the contest by
21 a practicing physician. The examining physician or other medical
22 personnel may disqualify a contestant considered physically unfit to
23 participate.

24 (b) A contestant shall obtain a CAT scan of the head, or an
25 equivalent examination, every 150 contest rounds or less and promptly
26 supply a physician's analysis of the most recent CAT scan, or its
27 equivalent, to the commission. If the contestant has been knocked out
28 since the contestant's last CAT scan or its equivalent, a physician's
29 analysis of a CAT scan or its equivalent, taken after the last

1 knockout shall be supplied to the commission before the contestant's
2 next contest.

3 (c) If an analysis under (b) of this section is supplied in
4 anticipation of a contest, the analysis may be supplied to the commis-
5 sioner in charge of the contest.

6 Sec. 08.15.140. MEDICAL PERSONNEL REQUIRED. An attending physi-
7 cian shall be on duty throughout a contest. The attending physician
8 has the authority and duty to stop a contest when it is the opinion of
9 the physician that it would be dangerous to a contestant to continue.

10 Sec. 08.15.150. NOTICE OF CANCELLATION. (a) When it has been
11 determined by means other than a physical examination that a scheduled
12 contestant will be unable to appear, the scheduled contestant's mana-
13 ger and the promoter of the contest shall notify the commissioner or
14 the designated representative supervising the contest of the can-
15 cellation of the contest. When the cancellation is the result of the
16 examination by an examining physician, the examining physician shall
17 notify the commissioner supervising the contest in writing, stating
18 the medical reason for the cancellation.

19 (b) Upon receipt of notice of the cancellation of a contest for
20 any reason, the commissioner or the designated representative super-
21 vising the contest, shall report the cancellation promptly to the
22 chairperson of the commission and immediately to the public. If the
23 commission, rather than the commissioner or the designated representa-
24 tive supervising the contest, is notified of a cancellation, the
25 commission shall notify the public immediately.

26 Sec. 08.15.160. PAYMENT OF FEES. Failure of a promoter to pay
27 the fees or compensation of the contestant, referee, attending physi-
28 cian, judges, and timekeeper is grounds for the suspension of the
29 promoter's license.

1 Sec. 08.15.170. STATEMENT OF CONTEST. (a) Before a contest, a
2 promoter shall file with the commission, commissioner or the commis-
3 sioner's designated representative, a statement setting out the name
4 of the contestants for the main event, the managers' names and other
5 information the commission may require.

6 (b) Failure to file the statement required under (a) of this
7 section is grounds for suspension of the promoter's license.

8 Sec. 08.15.180. ACTING WITHOUT A LICENSE. A person who violates
9 AS 08.15.090(a) is guilty of a class B misdemeanor.

10 Sec. 08.15.190. SHAM CONTEST. (a) A person may not conduct or
11 participate in a sham or false contest.

12 (b) A licensee who violates (a) of this section shall be penal-
13 ized by the commission as follows:

14 (1) for a first offense, a license shall be suspended for a
15 minimum of one year, beginning from the date of the suspension order;

16 (2) for a second offense, a license shall be revoked perma-
17 nently.

18 (c) The commission shall institute action to enforce (a) of this
19 section within 10 days of receipt of notice of a possible violation.

20 (d) An unlicensed person who violates (a) of this section is
21 guilty of a class B misdemeanor.

22 Sec. 08.15.200. EFFECT OF LICENSE SUSPENSION. (a) A licensee
23 may not promote or participate in a contest when the licensee's li-
24 cense is suspended.

25 (b) A licensee who violates (a) of this section forfeits the
26 license.

27 Sec. 08.15.210. EFFECT OF LICENSE FORFEITURE. A license for-
28 feited under this chapter is cancelled and void. The licensee is
29 forever ineligible for any of the licenses issued by the commission.

1 Sec. 08.15.220. GENERAL PENALTY. A person violating a provision
2 of this chapter or a regulation of the commission for which no penalty
3 is provided is guilty of a class B misdemeanor.

4 Sec. 08.15.230. INAPPLICABILITY OF CHAPTER. Nothing in this
5 chapter gives the commission jurisdiction over the athletic programs
6 of any school, college or university or any other nonprofessional
7 athletic events.

8 Sec. 08.15.240. APPLICABILITY OF THE ADMINISTRATIVE PROCEDURE
9 ACT. The Administrative Procedure Act (AS 44.62) applies to regula-
10 tions and proceedings under this chapter.

11 Sec. 08.15.900. DEFINITIONS. In this title

12 (1) "CAT scan" means a rotating three dimensional computer-
13 enhanced X-ray image;

14 (2) "commission" means the boxing commission created in
15 AS 08.15.010;

16 (3) "commissioner" means a member of the boxing commission;

17 (4) "contest" includes a professional boxing contest,
18 match, bout or fight;

19 (5) "contestant" means a person who competes in a profes-
20 sional contest;

21 (6) "designated representative" means a person knowledge-
22 able about boxing or wrestling and qualified under the regulations
23 adopted by the commission for designated representatives;

24 (7) "personal license" means the license issued to a pro-
25 moter, contestant, manager, attending physician or other medical
26 personnel, referee, judge, or trainer;

27 (8) "professional" means a person receiving money or other
28 thing of value other than a trophy, plaque, or medal for participation
29 in a contest, and also means the contest itself;

1 (9) "promoter" means the person primarily responsible for
2 the sponsorship, organization or furtherance of a contest.

3 * Sec. 3. AS 44.62.330(a) is amended by adding a new paragraph to read:
4 (52) Alaska Boxing Commission.

5 * Sec. 4. AS 44.66.010(a) is amended by adding a new paragraph to read:
6 (12) Alaska Boxing Commission (AS 08.15) -- June 30, 1986.

7 * Sec. 5. AS 05.05.010 - 05.05.040 and AS 05.10 are repealed.

8 * Sec. 6. INITIAL TERMS OF ALASKA BOXING COMMISSION MEMBERS. Initial
9 terms of the Alaska Boxing Commission shall be one year for two members,
10 two years for two members, and three years for one member. The governor
11 shall specify the initial term for each appointee.

12 * Sec. 7. REGULATIONS. The commission shall compile an initial list of
13 designated representatives and also shall adopt comprehensive regulations
14 under AS 08.15.040 within one year after the effective date of this Act.

15 * Sec. 8. This Act takes effect immediately in accordance with AS 01.-
16 10.070(c).