

Original sponsor: Martin

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 241 (Finance)

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 or other medical personnel, referees, judges, and time-
21 keepers, and providing for waiver of the fees with the consent of the
22 promoter and the person 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 or other medical
17 personnel, timekeepers, referees, and judges at all contests in the
18 state.

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

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

1 taken.

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

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

7 Sec. 08.15.090. LICENSES REQUIRED. (a) A person may not act as
8 a promoter, contestant, manager, attending physician or other medical
9 personnel, trainer, referee, or judge in or for a contest unless that
10 person has been issued the appropriate personal license by the commis-
11 sion.

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

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

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

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

- 22 (1) promoters.....\$100;
23 (2) managers.....50;
24 (3) all other licensees except attending physicians and
25 other medical personnel.....10.

26 Sec. 08.15.110. PROMOTER'S BOND. A promoter shall file a bond
27 in the amount of \$5,000 with the department upon approval of the
28 application for a license and before the license is issued. The bond
29 shall be conditioned on the faithful performance by the licensee of

1 the provisions of this chapter, the payment of the contestants, and
2 the good faith effort to conduct each contest for which tickets have
3 been sold.

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

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

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

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

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

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

16 (1) the attending physician or other medical personnel is
17 aware that the contestant is using a prescription drug; and

18 (2) in the opinion of the attending physician or other
19 medical personnel, the safety of the contestant is not jeopardized and
20 the prescription drug offers the contestant no advantage over the
21 opponent in the contest.

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

27 (b) A contestant shall obtain a CAT scan of the head, or an
28 equivalent examination, every 150 contest rounds or less and promptly
29 supply a physician's analysis of the most recent CAT scan, or its

1 equivalent, to the commission. If the contestant has been knocked out
2 since the contestant's last CAT scan or its equivalent, a physician's
3 analysis of a CAT scan or its equivalent, taken after the last knock-
4 out shall be supplied to the commission before the contestant's next
5 contest.

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

9 Sec. 08.15.140. MEDICAL PERSONNEL REQUIRED. An attending physi-
10 cian or other medical personnel shall be on duty throughout a contest.
11 The attending physician or other medical personnel has the authority
12 and duty to stop a contest when it is the opinion of the physician or
13 other medical personnel that it would be dangerous to a contestant to
14 continue.

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

25 (b) Upon receipt of notice of the cancellation of a contest for
26 any reason, the commissioner or the designated representative super-
27 vising the contest, shall report the cancellation promptly to the
28 chairperson of the commission and immediately to the public. If the
29 commission, rather than the commissioner or the designated

1 representative supervising the contest, is notified of a cancellation,
2 the commission shall notify the public immediately.

3 Sec. 08.15.160. PAYMENT OF FEES. Failure of a promoter to pay
4 the fees or compensation of the contestant, referee, attending physi-
5 cian or other medical personnel, judges, and timekeeper is grounds for
6 the suspension of the promoter's license.

7 Sec. 08.15.170. STATEMENT OF CONTEST. (a) Before a contest, a
8 promoter shall file with the commission, commissioner or the commis-
9 sioner's designated representative, a statement setting out the name
10 of each contestant, the managers' names and other information the
11 commission may require.

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

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

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

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

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

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

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

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

28 Sec. 08.15.200. EFFECT OF LICENSE SUSPENSION. (a) A licensee
29 may not promote or participate in a contest when the licensee's

1 license is suspended.

2 (b) A licensee who violates (a) of this section forfeits the
3 license.

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

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

10 Sec. 08.15.230. INAPPLICABILITY OF CHAPTER. Nothing in this
11 chapter gives the commission jurisdiction over the athletic programs
12 of any school, college or university or any other nonprofessional
13 athletic events.

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

17 Sec. 08.15.900. DEFINITIONS. In this title

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

20 (2) "commission" means the boxing commission created in
21 AS 08.15.010;

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

23 (4) "contest" includes a professional boxing contest,
24 match, bout or fight;

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

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

1 (7) "other medical personnel" includes a physician assis-
2 tant, registered nurse, paramedic, and emergency medical technician
3 while performing duties under this chapter and within the scope of the
4 person's occupational license;

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

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

11 (10) "promoter" means the person primarily responsible for
12 the sponsorship, organization or furtherance of a contest.

13 * Sec. 3. AS 44.62.330(a) is amended by adding a new paragraph to read:

14 (52) Alaska Boxing Commission.

15 * Sec. 4. AS 44.66.010(a) is amended by adding a new paragraph to read:

16 (12) Alaska Boxing Commission (AS 08.15) -- June 30, 1986.

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

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

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

25 * Sec. 8. This Act takes effect immediately in accordance with AS 01.-
26 10.070(c).

The following individuals may testify on HB 241:

Representative Terry Martin, sponsor

A representative of Occupational Licensing

STATE OF ALASKA
FISCAL NOTE

Revision Date May 26, 1983

(Page 1 of 4)

I. REQUEST Bill/Resolution No.: CSHB NO. 241 (I.&C) Title: "Alaska Boxing Commission" Sponsor: Labor & Commerce Committee Requestor: _____

II. FISCAL DETAIL Agency Affected: Commerce and Economic Development Program Category Affected: Public Prot. BRU, Program of Subprogram(s) Affected: Occupational Licensing

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES		30.5	32.6	34.9	37.4	40.0
200 TRAVEL		13.3	14.0	15.2	16.3	17.4
300 CONTRACTUAL		10.0	10.7	11.4	12.2	13.1
400 COMMODITIES		.4	.4	.5	.5	.5
500 EQUIPMENT		3.4	-0-	-0-	-0-	-0-
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING		57.6	57.9	62.0	66.4	71.0
CAPITAL						
REVENUE		1.1	1.1	1.1	1.1	1.1

FUNDING: (Thousands of Dollars)

GENERAL FUND		57.6	57.9	62.0	66.4	71.0
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

FULL-TIME		1	1	1	1	1
PART-TIME						
TEMPORARY						

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

Not identified by the sponsor

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: Darrell Miller Phone: 465-2535
 Division: Occupational Licensing Date: May 26, 1983
 Approved by Commissioner: _____ Date: _____
 Department: _____

Distribution:

Original to Legislative Finance
 Copy to Office of Management and Budget (for Legislature introduced bills)
 Copy to Department (for Governor introduced bills)
 Copy to Sponsor
 Copy to Requestor (if different from Sponsor)

CSHB NO. 241(L&C) (Page 2 & 4)

Fiscal Impact: " An Act relating to the creation of the Alaska Boxing Commission and the regulation of professional boxing."

100 PERSONAL SERVICES: - FY-83 salary schedule
(7% inflation factor projected for subsequent fiscal years.)

1 Licensing Examiner, Range 12, GGU, 12 months, to be located in Juneau. \$30,452.00

200 TRAVEL

4 board meetings annually (2 days each @80.00 per day per diem for 5 board members and 1 administrative staff; \$80.00 X 2 = \$160.00 X 6 = \$960.00 X 4 = \$3,890.00. 2 board meetings for one administrative staff = 2 X \$80.00 = \$160.00 X 2 = \$320.00. \$ 4,160.00

Transportation: 4 board meetings annually (\$350.00 each X board members and one administrative staff = \$2,100.00 X 4 = \$8,400.00. 2 board meetings for one administrative staff = 2 X \$350.00 = \$700.00 \$ 9,100.00

300 CONTRACTURAL

Portage, telephone, development of licensing forms, licenses, printing, contracting for licensed physician at boxing events, computer terminal use (pro-rated share) publications and other operating costs. \$10,000.00

400 COMMODITIES

Stationery, typewriter ribbons, pens, pencils and all misc. desk top supplies. \$ 400.00

500 EQUIPMENT (One time cost - FY-84 only)

1 desk, double pedestal, 60 x 30" \$ 427.00
1 chair, swivel with arms 202.00
1 typewriter, IBM Selectric II 1,129.00
1 typewriter table 94.00
1 chair, side without arms 104.00
1 desk calculator 332.00
1 recorder, lanier 705.00
1 book case 138.00
1 file cabinet, 4 drawer, legal size with lock 306.00
\$ 3,437.00

TOTAL FISCAL IMPACT: \$57,549.00

REVENUE:

The last three fiscal years, 81, 82 and 83, shows a total revenue of \$3,180.00 for licensing. This averages \$1,060.00 per year, however the trend for licensing shows declining revenue. FY-81 revenue shows \$1,700.00, 82 \$930.00 and 83 \$550.00.

CSHB NO.241 (L&C) (Page 3 of 4)

Fiscal Note continued:

This fiscal note has not been prepared as an official fiscal note for the Commissioner of Commerce and Economic Development signature as the fiscal note covers a work draft copy of the House Labor and Commerce Committee substitute for HB 241.

1.	POSITION TITLE Licensing Examiner				RANGE/STEP 12A	DARG. UNIT GGU	FORM 12 PAGE/LINE	COV.	APPRDV.	DISAPP.	
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION AWA	ELECTION DISTRICT A11	LEC.			
3.	CONTINUATION LEVEL				JUSTIFICATION						
4.	TYPE OF EXPENDITURE			AMOUNT							
	1		2		3						
	PERSONAL SERVICES										
5.	Salary		22.7								
6.	Benefits		3.5								
7.	Supplemental Benefits		1.4								
8.	Fixed Benefits		2.9								
9.	TOTAL PERSONAL SERVICES		01		30.5						
10.	Travel		02		-0-						
11.	Contractual		03		-0-						
12.	Commodities		04		.4						
13.	Equipment		05		3.4						
14.	Other										
15.	TOTAL COST				34.3						
	RECEIPT CODE	FUNDING SOURCE									
16.		Federal Receipts 1002									
17.		G.F. Match 1003									
18.		General Funds 1004		34.3							
19.		I-A Receipts 1005									
20.		Program Receipts 1028									
21.		Other									
FOR B&M USE ONLY 4A KEY NUMBER _____											

This position would be required to implement the provisions of CSHB NO. 241.

13 REQUEST FOR
NEW POSITION

AGENCY COMMERCE & ECONOMIC DEVELOPMENT
PROGRAM CONSUMER PROTECTION
BRU OCCUPATIONAL LICENSING
COMPONENT ADMINISTRATION

CSHB 241(L&C)
Page 4 of 4
Revised Date May 26, 1983

FY 84

Alaska Statutes

Title 5. Amusements and Sports.

Chapter

- 05. Athletic Commission (§§ 05.05.010 — 05.05.040)
- 10. Boxing and Wrestling (§§ 05.10.010 — 05.10.170)
- 12. Artic Winter Games (§ 05.12.010)
- 15. Games of Chance and Contests of Skill (§§ 05.15.010 — 05.15.210)
- 20. Recreational Devices (§§ 05.20.010 — 05.20.120)
- 25. Watercraft (§§ 05.25.010 — 05.25.100)
- 30. Snow Vehicles (§§ 05.30.010 — 05.30.120)
- 90. Miscellaneous Provisions (§ 05.90.001)

Chapter 05. Athletic Commission.

Section

- 10. Creation and duties of athletic commission
- 20. Commissioner of athletics
- 30. Professional and semi-professional athletic programs

Section

- 40. Meetings and compensation of athletic commission

Sec. 05.05.010. Creation and duties of athletic commission. (a) There is created an athletic commission within the Office of the Governor. The commission consists of four members appointed by the governor. One member of the commission shall be appointed from each of the four major senate districts described in § 2, art. XIV of the state constitution. The commissioners shall be appointed for overlapping two year terms. Members of the commission serve at the pleasure of the governor and shall be selected on the basis of their known interest in and knowledge of athletics in the state.

(b) The commission shall act in an advisory capacity to the commissioner of athletics and shall perform other duties assigned to it by the commissioner. (§ 1 ch 147 SLA 1959)

Collateral references. — 81A C.J.S. States §§ 120, 141, 142.
Bribery in athletic contests. 49 ALR2d 1234.

Application of state antitrust laws to athletic leagues or associations. 85 ALR3d 970.

Sec. 05.05.020. Commissioner of athletics. (a) The governor shall appoint the commissioner of athletics to serve at his pleasure. The commissioner shall be selected on the basis of his knowledge of and contribution to athletics in the state. The commissioner serves for a period of five years.

(b) The commissioner shall, with the aid and counsel of the commission, adopt regulations governing athletics and athletic programs and contests as he considers necessary, expedient and appropriate. The rules and regulations shall have the force and effect of law. (§ 2 ch 147 SLA 1959)

Revisor's notes. — The word "adopt" was substituted for "promulgate the rules and" in the first sentence of subsection (b) by the revisor of statutes under AS 01.05.031(b).

Sec. 05.05.030. Professional and semi-professional athletic programs. (a) The commission shall study the semi-professional and professional athletic programs of the state, and report annually to the governor. The report shall include the recommendations of the commission for the advancement and improvement of athletic programs and activities in the state.

(b) Nothing in this chapter gives the commissioner or the commission jurisdiction over the athletes or the athletic programs of any elementary or high school or a college or university.

(c) Each commissioner shall attend and supervise all boxing and wrestling events in his area, and other athletic events in his area which he considers necessary and may provide for the attendance of a physician whose fees shall be paid for by the promoter or manager of the program. (§ 3 ch 147 SLA 1959)

Sec. 05.05.040. Meetings and compensation of athletic commission. The commission may meet at least once a year at the call of the governor, and when called the members of the commission may, at the election of the governor, receive travel expenses incurred in carrying out the purposes of this chapter, and may receive the per diem allowance for time spent at meetings allowed by law or by executive order. (§ 4 ch 147 SLA 1959)

Collateral references. — 81A C.J.S. States § 107.

Chapter 10. Boxing and Wrestling.

Section	Section
10. Licenses for boxing and wrestling matches	90. Licensee bond
20. Power of commission	100. Statement and report of contest
30. License for contest at which admission is charged	110. Inspectors
40. Examination of participants in nonlicensed contests	120. Annual licenses to participants
50. Regulations applicable to educational institutions	130. Participation in purse or conducting sham contest
60. License required	140. Participation in sham contest
70. Application for license	150. Failure to make reports
80. Duration of license	160. Penalty for conducting contests without license
	170. General penalty

Sec. 05.10.010. Licenses for boxing and wrestling matches. The athletic commission may issue, and for cause, revoke a license to conduct boxing contests, sparring or wrestling matches, or exhibitions as provided in this chapter under terms and conditions and at times and places as the commission may determine. The holder of a license may conduct boxing contests, sparring and wrestling matches, and exhibitions under terms and conditions and at times and places as the commission may determine. If the commission refuses to grant a license to an applicant, or cancels a license, the applicant, or the holder of the cancelled license may, upon application, have a hearing under the provisions of the Administrative Procedure Act (AS 44.62). (§ 1 ch 157 SLA 1960)

Collateral references. — 4 Am. Jur. 2d Amusements and Exhibitions §§ 26, 27, 29-34, 44.

53 C.J.S. Licenses §§ 4-11, 26, 27, 30; 72 C.J.S. Prize Fighting §§ 1-6; 86 C.J.S. Theaters and Shows §§ 3, 4, 10, 17, 23-29.

Constitutionality and construction of statutes subjecting pugilistic and

wrestling contests to regulation by commissioner or otherwise. 83 ALR 696.

Liability for injury for one attending wrestling or boxing match or exhibition. 14 ALR3d 993.

Validity of state or local regulation dealing with resale of tickets to theatrical or sporting events. 81 ALR3d 655.

Sec. 05.10.020. Power of commission. The commission shall direct, supervise, and control all boxing contests, or sparring and wrestling matches or exhibitions conducted inside the state and no boxing contest, sparring or wrestling match or exhibition may be held inside the state except in accordance with the provisions of this chapter. (§ 2 ch 157 SLA 1960)

Sec. 05.10.030. License for contest at which admission is charged. The commission may issue and, for cause, revoke a license to conduct, hold, or give boxing, sparring and wrestling contests, matches, and exhibitions where an admission fee is charged by a club, corporation, organization, association, or fraternal society. However, boxing contests, sparring or wrestling matches or exhibitions conducted by an elementary school, high school, college, or university, whether public or private, or by the official student association thereof, whether on or off the school, college, or university grounds, where all the participating contestants are bona fide students enrolled in an elementary school, high school, college, or university, inside the state, are not subject to this chapter. (§ 2 ch 157 SLA 1960)

Revisor's notes. — The word "all" was deleted following "However" in the second

sentence by the revisor of statutes pursuant to AS 01.05.031(b).

Sec. 05.10.040. Examination of participants in nonlicensed contests. Every contestant in a boxing contest, sparring or wrestling

match not conducted under this chapter shall be examined within eight hours before the contest by a practicing physician. The examining physician may disqualify any contestant he considers physically unfit to participate. (§ 2 ch 157 SLA 1960)

Sec. 05.10.050. Regulations applicable to educational institutions. The scholastic organizations exempted from the provisions of this chapter shall comply with the rules of the commission applicable to boxing contests, sparring or wrestling matches, or exhibitions conducted by it. (§ 2 ch 157 SLA 1960)

Sec. 05.10.060. License required. Except as provided in this chapter no boxing contest, sparring or wrestling match or exhibition shall be conducted inside the state except under a license issued in accordance with this chapter and the rules and regulations of the commission. (§ 2 ch 157 SLA 1960)

Sec. 05.10.070. Application for license. A club, corporation, organization, association or fraternal society affected by this chapter may apply to the commission for a license. An application shall be in writing and upon a form prescribed by the commission and shall be verified in the manner the commission requires and accompanied by an annual license fee of \$100. (§ 3 ch 157 SLA 1960)

Sec. 05.10.080. Duration of license. The licenses provided for in AS 05.10.070 and 05.10.120 shall be issued for a six-month or 12-month period and shall expire on June 30 and December 31 of each year. (§ 4 ch 157 SLA 1960)

Sec. 05.10.090. Licensee bond. Every licensee shall file a good and sufficient bond in the sum of \$1,000 with the commission in cities of less than 10,000 inhabitants and a good and sufficient bond in the sum of \$2,500 in cities of more than 10,000 inhabitants. The bond shall be conditioned for the faithful performance by the licensee of the provisions of this chapter, the payment of the taxes as provided for in this chapter and the obeying of all rules and regulations of the commission, which bond shall be subject to the approval of the attorney general. (§ 5 ch 157 SLA 1960)

Sec. 05.10.100. Statement and report of contest. A licensee shall, within three days before the holding of a boxing contest, sparring or wrestling match, or exhibition, file with the commission a statement setting forth the name of each contestant, his manager and other information the commission requires. One week after the completion of the contest, the licensee shall file with the Department of Revenue and the commission a written verified report, showing the number of tickets sold for the contest, the price charged for them and the gross proceeds from the sale, and other information the commission requires. (§ 6 ch 157 SLA 1960)

Sec. 05.10.110. Inspectors. The commission may appoint official inspectors. In the absence of a member of the commission, at least one inspector shall be present at any boxing contest, sparring or wrestling match, or exhibition held under this chapter. An inspector shall carry a card signed by the chairman of the commission evidencing his authority. He shall see that all rules and regulations of the commission and the provisions of this chapter are strictly complied with and shall be present at the accounting of the gross receipts of the contest. An inspector may receive from the licensee the statement of receipts provided for in this chapter and shall immediately transmit the statement to the commission and to the Department of Revenue. An inspector is entitled to a fee not exceeding \$7.50 for each contest officially attended. (§ 7 ch 157 SLA 1960)

Sec. 05.10.120. Annual licenses to participants. (a) The commission may grant annual licenses upon application in compliance with the rules and regulations prescribed by the commission and the payment of the fees prescribed for managers, referees, examining physicians, boxers, wrestlers, seconds, and trainers.

(b) The following is the schedule of annual fees:

- (1) examining physicians, \$10;
- (2) managers, \$50;
- (3) referees, \$10;
- (4) seconds, \$10;
- (5) trainers, \$10;
- (6) boxers, \$10;
- (7) wrestlers, \$10.

(c) This section does not apply to contestants or participants in strictly amateur contests or fraternal organizations or veterans' organizations chartered by congress or a federal department or a bona fide athletic club holding and promoting athletic contests or smokers where all funds are used primarily for the benefit of their members.

(d) The annual license may be revoked by the commission for cause under the Administrative Procedure Act (AS 44.62).

(e) The commission shall designate the referee for the contest from among licensed referees.

(f) No person may participate or serve in any of the above capacities unless licensed as provided in this chapter. (§ 8 ch 157 SLA 1960)

Sec. 05.10.130. Participation in purse or conducting sham contest. A person or a member of any group of persons or corporation promoting wrestling or boxing exhibitions or contests who participates directly or indirectly in the purse or fee of a manager of a boxer or wrestler or a boxer or a wrestler, and a licensee who conducts or participates in any sham or fake boxing contest or sparring match or exhibition, forfeits his license and the commission shall declare the license cancelled and void and the licensee may not thereafter receive another license. (§ 9 ch 157 SLA 1960)

Sec. 05.10.140. Participation in sham contest. A contestant who participates in a sham or fake boxing contest or sparring match or exhibition or who violates a rule or regulation of the commission shall be penalized as follows:

(1) for the first offense he shall be restrained by order of the commission for a period of not less than three months from participating in a contest held under the provisions of this chapter, with the suspension taking effect immediately after the occurrence of the offense;

(2) for a second offense the contestant shall be permanently suspended from participation in a contest held under the provisions of this chapter. (§ 10 ch 157 SLA 1960)

Sec. 05.10.150. Failure to make reports. Whenever a licensee fails to make a report of a contest within the time prescribed by this chapter or when the report is unsatisfactory to the commission or to the Department of Revenue, the secretary shall examine the books and records of the licensee. The secretary may subpoena and examine under oath the licensee and any other person he considers necessary to a determination of the total gross receipts from a contest and the amount of tax thereon. If, upon the completion of the examination, it is determined that an additional tax is due, notice shall be served upon the licensee, and if he fails to pay the additional tax within 20 days after service of the notice he forfeits his license and is permanently disqualified from receiving a new license. In addition the licensee and the members thereof are jointly and severally liable to the state in the penal sum of \$1,000. (§ 11 ch 157 SLA 1960)

Sec. 05.10.160. Penalty for conducting contests without license. A person, club, corporation, organization, association or fraternal society conducting boxing, sparring or wrestling contests or exhibitions without a license is guilty of a misdemeanor. (§ 12 ch 157 SLA 1960)

Cross references. — As to sentences for misdemeanors, see AS 12.55.135. Licenses §§ 59-61, 66-71; 86 C.J.S. Theaters and Shows §§ 29, 58, 59.
Collateral References. — 53 C.J.S.

Sec. 05.10.170. General penalty. A person violating a provision of this chapter for which no penalty is provided in this chapter is guilty of a misdemeanor. (§ 13 ch 157 SLA 1960)

Cross references. — As to sentences for misdemeanors, see AS 12.55.135.

STATE OF ALASKA
THE LEGISLATURE
LEGISLATIVE AFFAIRS AGENCY

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800


MEMORANDUM

June 11, 1983

SUBJECT: Boxing
(CSHB 241 (Finance))

TO: Representative Albert P. Adams
Chair, House Finance Committee

Attn: Representative Terry Martin

FROM:  Russ Josephson
Legislative Counsel

A few questions arose during the drafting of the enclosed committee substitute for HB 241. In drafting the bill, I have made a few adjustments according to what I understood the intent of the bill to be. In the event that I may have misinterpreted your request, I wanted to point out these areas in the bill.

First, by eliminating the references to "other medical personnel" in a few places, it was only logical to remove all the other references, including the definition. It appears that the role envisioned by the Labor and Commerce Committee version of the bill for the "other medical personnel" involves activities either beyond the scope of the activities of the "other medical personnel" or beyond the scope of their occupational licenses. Therefore, I think that you have a better bill, legally speaking, without the references.

Secondly, I had a little difficulty with the changes in Sec. 08.15.050 (page 3 of the draft). As subsection (b) now reads, a local designated representative "shall" be appointed to replace a commissioner unable to supervise a contest in the commissioner's area. Logically, then, a designated representative from one area would not be able to substitute for a commissioner in another area.

The second sentence of the subsection said that

CHANGES FROM CS HB 241(LTC)

Josephson
6-16-83 ✓

KEY: — NEW LANGUAGE
[...] DELETED LANGUAGE

Original sponsor: Martin

1 IN THE HOUSE BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 241 (Finance)

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 box-
8 ing; 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, ^{OR OTHER MEDICAL PERSONNEL} 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) ^(WHENEVER POSSIBLE) 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 ^[AND DESIGNATED REPRESENTATIVES] 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 ~~for the~~
 16 ~~member's expense~~ ^[OR OTHER MED. PERSONNEL] 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, ^{OR OTHER MEDICAL PERSONNEL} 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 DESIGNATED REPRESENTATIVE} 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 physicians.....10. ^{OR OTHER MED. PERSONNEL}

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

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

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

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

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

10 (4) is not at least 18 years of age or has not obtained a
11 waiver from the commission ~~or~~ a commissioner. ^{OR A DESIGNATED REPRESENTATIVE}

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

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

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

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

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

1 [REDACTED] If an analysis under (b) of this section is supplied in
 2 an information of a contest, the analysis may be supplied to the commis-
 3 sioner in charge of the contest.

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

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

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

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

29 Sec. 08.15.170. STATEMENT OF CONTEST. (a) [REDACTED] 30 days

1 before a contest, a promoter shall file with the commission, commis-
2 sioner or the commissioner's designated representative, a statement
3 setting out the name of each contestant, the managers' names and other
4 information the commission may require.

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

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

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

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

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

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

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

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

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

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

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

29 Sec. 08.15.220. GENERAL PENALTY. A person violating a provision

1 of this chapter or a regulation of the commission for which no penalty
2 is provided is guilty of a class B misdemeanor.

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

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

10 Sec. 08.15.900. DEFINITIONS. In this title

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

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

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

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

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

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

23 ~~REMOVES DEFINITION OF "OTHER MEDICAL PERSONNEL"~~
24 (7) "personal license" means the license issued to a pro-
25 moter, contestant, manager, attending physician, ~~referee, judge,~~ ^{OR... PERSONNEL} or
26 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;

(9) "promoter" means the person primarily responsible for

1 the sponsorship, organization or furtherance of a contest.

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

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

6 * Sec. 5. AS 05.05.010 - 05.05.040 and AS 05.10 are repealed. ^{OLD STATS.}
^{ON BOXING /}
^{ATHLETIC COMM.}

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

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

14 * Sec. 8. This Act takes effect immediately in accordance with
15 AS 01.10.070(c).
16

Introduced: 3/9/83
Referred: Labor & Commerce
and Finance

1 IN THE HOUSE

BY MARTIN

2

HOUSE BILL NO. 241

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 Athletic Commission and the regulation of combative sports."

7

8

9

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

10

* Section 1. AS 05.05 is amended by adding new sections to read:

11

Sec. 05.05.050. CREATION OF ATHLETIC COMMISSION. (a) There is created in the Office of the Governor the Athletic Commission.

12

13

(b) Members of the commission serve at the pleasure of the governor and shall be selected on the basis of their knowledge of and contribution to athletics in the state.

14

15

16

Sec. 05.05.060. COMPOSITION AND TERMS OF MEMBERSHIP. (a) The commission consists of seven members appointed by the governor for staggered three year terms as follows:

17

18

19

(1) a lay person concerned with the public's interest;

20

(2) a licensed physician, preferably a specialist in sports medicine;

21

22

(3) a representative of boxing managers;

23

(4) a representative of amateur boxing interests; and

24

(5) three members-at-large, one each from the southcentral, interior, and southeastern regions of Alaska.

25

26

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

27

28

Sec. 05.05.070. GENERAL DUTIES AND ANNUAL REPORT. The commission shall study the semiprofessional and professional athletic

29

1 programs of the state and shall report annually to the governor. The
2 report shall include the recommendations of the commission for the
3 advancement and improvement of athletic programs and activities in the
4 state, in addition to including the commission's findings.

5 Sec. 05.05.080. POWER OF COMMISSION. (a) The commission shall
6 supervise all semiprofessional and professional combative sports
7 activities conducted in the state.

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

11 (1) licensing of persons under the contest, telecast and
12 personal license provisions of this chapter;

13 (2) establishing the fees to be charged for licenses re-
14 quired under this chapter;

15 (3) establishing the fees payable to examining physicians,
16 attending physicians, inspectors, and referees;

17 (4) qualifications and duties of all persons required to be
18 licensed under this chapter;

19 (5) conduct of combative sports contests, including their
20 format and duration;

21 (6) approved equipment and facilities for the safety and
22 protection of contestants;

23 (7) any other provision of this chapter.

24 Sec. 05.05.090. ATTENDANCE AT CONTESTS. (a) Except as provided
25 in (c) of this section, a commissioner shall attend and supervise all
26 semiprofessional and professional combative sports contests in the
27 commissioner's area.

28 (b) A commissioner shall provide for the attending physician and
29 the referee at all contests in the commissioner's area of the state.

1 (c) In the event that a commissioner is unable to attend and
2 supervise a professional contest in that commissioner's area, arrange-
3 ment shall be made with another commissioner to attend the contest. A
4 professional contest may not be held without the attendance and super-
5 vision of at least one commissioner. If a local commissioner cannot
6 attend and supervise a semiprofessional contest, the contest shall be
7 attended and supervised by an inspector licensed under this chapter
8 and appointed by the member-at-large of the commission for the region
9 in which the contest is to be held.

10 (d) When a commissioner from one region of the state attends a
11 contest in another area as a substitute for the commissioner from that
12 area, the substitute commissioner is entitled to receive reasonable
13 travel expense compensation authorized by law.

14 Sec. 05.05.100. COMMISSIONERS' BONDS. Before entering the
15 duties of office, a commissioner shall enter into a surety bond,
16 executed by a surety company authorized to do business in the state,
17 payable to the state, and approved by the attorney general. The bond
18 shall be in the penal sum of \$2,000, conditioned on the faithful
19 performance of the commissioner's duties. The bond shall be filed
20 with the governor. A commissioner shall be reimbursed for the cost of
21 the bond.

22 Sec. 05.05.110. MEETINGS AND COMPENSATION. (a) The commission
23 shall meet at least once a year at the call of the governor or the
24 chairperson, at the request of a majority of the commissioners, or at
25 a regularly scheduled time determined by the commission. Commis-
26 sioners serve without compensation but are entitled to per diem and
27 travel expenses authorized by law for boards and commissions under
28 AS 39.20.180.

29 (b) The commissioners shall elect a chairperson and a vice-

1 chairperson from among their membership. A majority of the commis-
2 sioners constitute a quorum to convene a meeting, but the affirmative
3 vote of a majority of the commissioners is required to exercise the
4 powers of the commission.

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

8 (d) The commission shall keep full and accurate minutes of its
9 proceedings and records of its transactions. A copy of each financial
10 report, the minutes of all meetings, and a copy of each report filed
11 with the commission under this chapter shall be sent to the governor's
12 office within 10 days after the record or report is completed or
13 received.

14 Sec. 05.05.120. LICENSES REQUIRED. (a) A person may not act as
15 a promoter for a semiprofessional or professional contest unless that
16 person has been issued a contest license by the commission.

17 (b) A person may not telecast a combative sports contest unless
18 that person has been issued a telecast license by the commission.

19 (c) A person may not act as a manager, examining or attending
20 physician, referee, inspector, second, trainer, or contestant unless
21 that person has been issued a personal license by the commission.

22 (d) Application procedures, qualifications, and fees for the
23 licenses required under this section shall be set out in regulations
24 adopted by the commission.

25 (e) Licenses are annual and shall expire on December 31 of each
26 year.

27 Sec. 05.05.130. CONTEST LICENSEE BOND. Every contest licensee
28 shall file a bond in the amount of \$1,000 with the commission for each
29 contest held in a city of less than 10,000 inhabitants and a bond in

1 the amount of \$3,000 for each contest held in a city of more than
2 10,000 inhabitants. The bond shall be conditioned on the faithful
3 performance by the licensee of the provisions of this chapter, the
4 payment of the taxes under this chapter and the compliance with all
5 regulations of the commission. The bond shall be subject to the
6 approval of the attorney general.

7 Sec. 05.05.140. CONTESTANT RESTRICTIONS. (a) A person may not
8 participate as a contestant who

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

11 (2) did not agree in writing to participate at least 24
12 hours before a semiprofessional contest or at least two weeks before a
13 professional contest;

14 (3) except as provided in (b) of this section, has used
15 alcohol or a controlled substance within three hours preceding the
16 contest or is under the influence of alcohol or a controlled substance
17 at the time of the contest; and

18 (4) is not at least 18 years of age if the contest is at
19 the semiprofessional or professional level.

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

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

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

26 Sec. 05.05.150. EXAMINATION OF CONTESTANTS. (a) Every profes-
27 sional contestant shall be examined at least 24 hours, but no less
28 than eight hours, before the contest by a practicing physician. The
29 examining physician may disqualify a contestant considered physically

1 unfit to participate.

2 (b) The pre-contest examination shall include the review of a
3 CAT scan of the contestant's head taken within the previous two years
4 and supplied to the examining physician by the contestant. If the
5 contestant has been knocked out within the previous two years, a CAT
6 scan taken after the last knockout shall be supplied to the examining
7 physician for review.

8 Sec. 05.05.160. ATTENDING PHYSICIAN REQUIRED. An attending
9 physician must be on duty throughout a semiprofessional or profes-
10 sional contest. The attending physician has the authority and duty to
11 stop a contest when it is the physician's opinion that it would be
12 dangerous to a contestant to continue.

13 Sec. 05.05.170. WEIGHT OF GLOVES; REQUIRED HEADGEAR. (a) A
14 professional contestant may not wear gloves weighing less than 10
15 ounces each. Semiprofessional contestants shall wear protective
16 headgear and may not wear gloves weighing less than 16 ounces each.

17 (b) Contestants in combative sports in which no punching is
18 involved are not required to wear gloves, but must wear the protective
19 headgear required in (a) of this section.

20 Sec. 05.05.180. ROUNDS AND CONTESTS LIMITED. (a) Except as
21 provided in (c) and (d) of this section, no contest may be for more
22 than 10 rounds and no round may be for a period longer than three
23 minutes.

24 (b) There shall be not less than a one-minute intermission
25 between each two rounds.

26 (c) In a contest involving a state or regional championship, the
27 commission may grant an extension of no more than two additional
28 rounds, for a total of 12 rounds.

29 (d) In a contest involving a national championship, the

1 commission may grant an extension of no more than five additional
2 rounds, for a total of 15 rounds.

3 (e) The length and format of wrestling matches and other comba-
4 tive sports shall be determined by regulations adopted by the commis-
5 sion.

6 Sec. 05.05.190. NOTICE OF CANCELLATION. (a) When it has been
7 determined by means other than a physician's examination that a
8 scheduled contestant will be unable to appear, the scheduled contes-
9 tant's manager and the promoter of the contest shall notify the com-
10 missioner supervising the contest of the cancellation of the contest.
11 When the cancellation is the result of an examining physician's exami-
12 nation, the examining physician shall notify the commissioner super-
13 vising the contest.

14 (b) Upon receipt of notice of the cancellation of a contest for
15 any reason, the commissioner supervising the contest shall report the
16 cancellation promptly to the chairperson of the commission and immedi-
17 ately to the public. If the commission, rather than the commissioner
18 supervising the contest, is notified of a cancellation, the commission
19 shall notify the public immediately.

20 Sec. 05.05.200. PAYMENT OF FEES. (a) At least 14 days before a
21 contest, the contest licensee shall pay to the commission an amount
22 sufficient to pay the fees of the referee, the inspector and the
23 examining physician.

24 (b) The commission shall pay the fees in (a) of this section to
25 the persons entitled to them and furnish the governor with a record of
26 the receipt of the amount paid under (a) of this section and of the
27 payment of the fees.

28 (c) Failure of a contest licensee to pay the amount in (a) of
29 this section is grounds for the suspension of the contest license.

1 Sec. 05.05.210. STATEMENT AND REPORT OF CONTEST. (a) A contest
2 licensee shall, at least 30 days before a contest, file with the
3 commission a statement setting forth the name of each contestant, the
4 managers' names and other information the commission may require.

5 (b) Within 72 hours after a contest, the contest licensee shall
6 file with the Department of Revenue and the commission a written
7 report showing the number of tickets sold for the contest, the price
8 charged for them, the gross proceeds from the sale, and other informa-
9 tion the commission may require.

10 (c) Failure to file the statement or report required under this
11 section is grounds for suspension of a contest license.

12 Sec. 05.05.220. REPORT OF TELECAST. (a) A telecast licensee
13 shall, within 72 hours after the telecast, file with the commission a
14 written report showing the number of tickets issued or sold and the
15 amount of the gross receipts.

16 (b) Failure to file the report required by this section is
17 grounds for suspension of a telecast license.

18 Sec. 05.05.230. FAILURE TO PAY GROSS RECEIPTS TAX. (a) In
19 addition to any other penalty provided by law, a licensee who fails to
20 pay the gross receipts taxes under AS 43.77 shall be penalized by the
21 commission as follows:

22 (1) for a first offense, a license shall be suspended for a
23 minimum of three months, beginning from the date of the suspension
24 order;

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

27 (b) The commission shall institute action to enforce (a) of this
28 section within 10 days of receipt of notice of a possible violation.

29 Sec. 05.05.240. PARTICIPATION IN PURSE. (a) A person who acts

1 as a promoter for a semiprofessional or professional contest may not
2 participate directly or indirectly in the purse or fee of a contestant
3 or a contestant's manager.

4 (b) A person who violates (a) of this section forfeits any
5 license held under this chapter.

6 (c) An unlicensed person who violates (a) of this section is
7 guilty of a class B misdemeanor.

8 Sec. 05.05.250. ACTING WITHOUT A LICENSE. (a) A person who
9 violates AS 05.05.120(a) is guilty of a class A misdemeanor.

10 (b) A person who violates AS 05.05.120(b) - (c) is guilty of a
11 class B misdemeanor.

12 Sec. 05.05.260. ENJOINING UNLICENSED CONTEST. The attorney
13 general, the commission, a commissioner, or a concerned person may
14 seek an injunction to prevent the conduct of a contest for which the
15 necessary license has not been obtained.

16 Sec. 05.05.270. SHAM CONTEST. (a) A person may not conduct or
17 participate in a sham or false contest.

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

20 (1) for a first offense, a license shall be suspended for a
21 minimum of three months, beginning from the date of the suspension
22 order;

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

25 (c) An unlicensed person who violates (a) of this section is
26 guilty of a class B misdemeanor.

27 (d) The commission shall institute action to enforce (a) of this
28 section within 10 days of receipt of notice of a possible violation.

29 Sec. 05.05.280. EFFECT OF LICENSE SUSPENSION. (a) A licensee

1 may not promote or participate in a contest when the licensee's li-
2 cense is suspended.

3 (b) A licensee who violates (a) of this section forfeits the
4 license.

5 Sec. 05.05.290. EFFECT OF LICENSE FORFEITURE. A license for-
6 feited under this chapter is cancelled and void. The licensee is
7 forever ineligible for any of the licenses issued by the commission.

8 Sec. 05.05.300. GENERAL PENALTY. A person violating a provision
9 of this chapter or a regulation of the commission for which no penalty
10 is provided is guilty of a class B misdemeanor.

11 Sec. 05.05.310. INAPPLICABILITY OF CHAPTER. Nothing in this
12 chapter gives the commission jurisdiction over the athletic programs
13 of any school, college or university.

14 Sec. 05.05.320. APPLICABILITY OF THE ADMINISTRATIVE PROCEDURE
15 ACT. The Administrative Procedure Act (AS 44.62) applies to regula-
16 tions and proceedings under this chapter.

17 Sec. 05.05.900. DEFINITIONS. In this title

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

20 (2) "combative sports" includes boxing, wrestling (inclu-
21 ding mud wrestling), kickboxing, and the martial arts;

22 (3) "commission" means the athletic commission created in
23 AS 05.05.050;

24 (4) "commissioner" means a member of the athletic commis-
25 sion;

26 (5) "contest" includes exhibition, sparring match or con-
27 test or fight, match, bout or fight of combative sports;

28 (6) "contestant" means a person who competes in a contest;

29 (7) "contest license" means the license issued to a

1 promoter or other person to carry on contests under this chapter;

2 (8) "inspector" means a person knowledgeable about comba-
3 tive sports and qualified under the regulations adopted by the commis-
4 sion for inspectors;

5 (9) "personal license" means the license issued to a con-
6 testant, a manager, examining physician, attending physician, referee,
7 inspector, second, or trainer;

8 (10) "professional" means a person receiving money or other
9 thing of value exceeding \$499 for participation in a contest, and also
10 means the contest itself;

11 (11) "promoter" means the person primarily responsible for
12 the sponsorship, organization or furtherance of a contest;

13 (12) "semiprofessional" means a person receiving money or
14 other thing of value not exceeding \$499 for participation in a bout or
15 contest, and also means the contest itself;

16 (13) "telecast" means the television broadcast of a live or
17 current contest on a closed circuit, whether originating in this state
18 or not, for admission fees;

19 (14) "telecast license" means the license issued under this
20 chapter for a telecast.

21 * Sec. 2. AS 43 is amended by adding a new chapter to read:

22 CHAPTER 77. SPORTS TAX.

23 Sec. 43.77.010. CONTEST AND TELECAST GROSS RECEIPTS TAX. (a) A
24 tax of five percent is imposed upon the gross receipts from a com-
25 bative sports contest and from the telecast of a contest.

26 (b) The minimum tax obligation under (a) of this section is
27 \$25.00 for each contest or telecast.

28 Sec. 43.77.020. DEPARTMENT OF REVENUE AUTHORITY. The Department
29 of Revenue shall:

- 1 (1) collect the tax in this chapter;
2 (2) adopt regulations necessary to carry out the purposes
3 of this chapter.

4 Sec. 43.77.030. PAYMENT OF TAX. (a) Within 72 hours after a
5 combative sports contest or telecast, the licensee under AS 05.05.120
6 or the person conducting the contest or telecast shall

7 (1) file with the Department of Revenue the written report
8 required by AS 05.05.210 or AS 05.05.220 showing the number of tickets
9 sold for the contest or telecast, as appropriate, the price charged,
10 the gross proceeds from the sale, and other information the Department
11 of Revenue may require;

12 (2) pay to the Department of Revenue the tax under AS 43.-
13 77.010.

14 Sec. 43.77.040. FAILURE TO MAKE REPORT AND TAX PAYMENT. (a)
15 The commissioner of revenue shall examine the books and records of the
16 licensee when

17 (1) a contest licensee or a telecast licensee fails to make
18 a report under AS 43.77.030;

19 (2) the report is unsatisfactory to the commission or to
20 the Department of Revenue; or

21 (3) a contest licensee or a telecast licensee fails to pay
22 the full amount of the taxes due with the report.

23 (b) The commissioner of revenue may subpoena and examine under
24 oath a licensee and any other person considered necessary to determine
25 the total gross receipts of a contest or telecast and the amount of
26 tax due.

27 (c) If, upon the completion of the examination, it is determined
28 that some or all of the tax owed to the state is unpaid, notice shall
29 be served upon the contest or telecast licensee stating the amount of

1 the tax owed. The taxes shall be paid within 20 days of receipt of
2 the notice.

3 Sec. 43.77.050. PENALTY. A person who violates AS 43.77.030 or
4 AS 43.77.040 is guilty of a class B misdemeanor.

5 Sec. 43.77.060. DEFINITIONS. For purposes of this chapter, the
6 terms "combative sports", "commission", "contest", "contest licensee",
7 "telecast", and "telecast licensee" have the meanings set out in
8 AS 05.05.900.

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

11 * Sec. 4. AS 44.66.010(a) is amended by adding a new paragraph to read:
12 (12) Alaska Athletic Commission (AS 05.10) -- June 30, 1986.

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

14 * Sec. 6. INITIAL TERMS OF ALASKA ATHLETIC COMMISSION MEMBERS. Initial
15 terms of the Alaska Athletic Commission shall be one year for two members,
16 two years for two members, and three years for three members. The governor
17 shall specify the initial term for each appointee.

18 * Sec. 7. FIRST MEETING. The governor shall call the first meeting of
19 the Alaska Athletic Commission within 15 days after appointment of the
20 members.

Offered: 6/11/83
Referred: Finance

Original sponsor: Martin

BY THE LABOR AND
COMMERCE COMMITTEE

1 IN THE HOUSE

2 CS FOR HOUSE BILL NO. 241 (L&C)

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 box-
8 ing."

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;

26 (3) three members from the profession, one of whom shall be
27 a contestant licensed under this chapter.

28 (b) A vacancy shall be filled for the balance of the unexpired
29 term.

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

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

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

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

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

17 (2) establishing the minimum fees payable to attending
18 physicians or other medical personnel, referees, judges, and time-
19 keepers, and providing for waiver of the fees with the consent of the
20 promoter and the person entitled to the fee;

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

23 (4) conduct of contests, including their format and dura-
24 tion;

25 (5) approved equipment and facilities for the safety and
26 protection of contestants;

27 (6) any other provision of this chapter.

28 (c) The commission may subpoena witnesses, administer oaths,
29 take testimony and require the production or examination of any

1 records concerning matters before the commission or under its investi-
2 gation.

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

5 (b) Whenever possible, a local designated representative shall
6 substitute for a commissioner unable to supervise a contest in the
7 commissioner's area. Commissioners and designated representatives
8 shall minimize travel from one area of the state to another.

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

12 Sec. 08.15.070. PROVISION OF OFFICIALS. If not provided by the
13 promoter, a commissioner supervising a contest shall provide for the
14 attending physician or other medical personnel, timekeepers, referees,
15 and judges at all contests in the state.

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

22 (b) The commissioners shall elect a chairperson and a vice-
23 chairperson from among their membership. The affirmative vote of a
24 majority of the commissioners is required to exercise the powers of
25 the commission.

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

29 (d) The commission shall keep full and accurate minutes of its

1 proceedings and records of its transactions.

2 Sec. 08.15.090. LICENSES REQUIRED. (a) A person may not act as
3 a promoter, contestant, manager, attending physician or other medical
4 personnel, trainer, referee, or judge in or for a contest unless that
5 person has been issued the appropriate personal license by the commis-
6 sion.

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

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

11 (d) A temporary license shall be granted by the commission, a
12 commissioner, or a designated representative if the applicant meets
13 the qualifications for the license. A temporary license is valid
14 until the permanent license is issued or denied.

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

- 17 (1) promoters.....\$100;
18 (2) managers.....50;
19 (3) all other licensees except attending physicians or
20 other medical personnel.....10.

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

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

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

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

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

8 (4) is not at least 18 years of age or has not obtained a
9 waiver from the commission, a commissioner, or a designated repre-
10 sentative.

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

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

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

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

21 (b) A contestant shall obtain a CAT scan of the head, or an
22 equivalent examination, every 150 contest rounds or less and promptly
23 supply a physician's analysis of the most recent CAT scan, or its
24 equivalent, to the commission. If the contestant has been knocked out
25 since the contestant's last CAT scan, a physician's analysis of a CAT
26 scan, or its equivalent, taken after the last knockout shall be sup-
27 plied to the commission, a commissioner, or a designated representa-
28 tive before the contestant's next contest.

29 Sec. 08.15.140. ATTENDING PHYSICIAN REQUIRED. An attending

1 physician or other medical personnel must be on duty throughout a
2 contest. The attending physician or other medical personnel has the
3 authority and duty to stop a contest when it is the opinion of the
4 physician or other medical personnel that it would be dangerous to a
5 contestant to continue.

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

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

23 Sec. 08.15.160. PAYMENT OF FEES. Failure of a promoter to pay
24 the fees or compensation of the contestant, referee, attending physi-
25 cian or other medical personnel, judges, and timekeeper is grounds for
26 the suspension of the promoter's license.

27 Sec. 08.15.170. STATEMENT OF CONTEST. (a) Before a contest, a
28 promoter shall file with the commission, commissioner or the commis-
29 sioner's designated representative, a statement setting out the name

1 of each contestant, the managers' names and other information the
2 commission may require.

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

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

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

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

11 (1) for a first offense, a license shall be suspended for a
12 minimum of three months, beginning from the date of the suspension
13 order;

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

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

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

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

23 (b) A licensee who violates (a) of this section forfeits the
24 license.

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

28 Sec. 08.15.220. GENERAL PENALTY. A person violating a provision
29 of this chapter or a regulation of the commission for which no penalty

1 is provided is guilty of a class B misdemeanor.

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

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

9 Sec. 08.15.900. DEFINITIONS. In this title

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

12 (2) "commission" means the athletic commission created in
13 AS 08.15.010;

14 (3) "commissioner" means a member of the athletic commis-
15 sion;

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

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

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

23 (7) "other medical personnel" includes a physician assis-
24 tant, registered nurse, paramedic, and emergency medical technician
25 while performing duties under this chapter and within the scope of the
26 person's occupational license;

27 (8) "personal license" means the license issued to a pro-
28 moter, contestant, manager, attending physician or other medical
29 personnel, referee, judge, or trainer;

1 (9) "professional" means a person receiving money or other
2 thing of value other than a trophy, plaque, or medal for participation
3 in a contest, and also means the contest itself;

4 (10) "promoter" means the person primarily responsible for
5 the sponsorship, organization or furtherance of a contest.

6 * Sec. 3. AS 44.62.330(a) is amended by adding a new paragraph to read:

7 (52) Alaska Boxing Commission.

8 * Sec. 4. AS 44.66.010(a) is amended by adding a new paragraph to read:

9 (12) Alaska Boxing Commission (AS 08.15) -- June 30, 1986.

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

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

15 * Sec. 7. REGULATIONS. The commission shall compile an initial list of
16 designated representatives and also shall adopt comprehensive regulations
17 under AS 03.15.040 within one year after the effective date of this Act.