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Legislative Document

No. 889

H.P. 656

House of Representatives, March 7, 2011

An Act To Regulate Boxing and Prizefighting in Maine

Reference to the Committee on Labor, Commerce, Research and Economic Development suggested and ordered printed.

A handwritten signature in cursive script, reading "Heather J.R. Priest".

HEATHER J.R. PRIEST
Clerk

Presented by Representative PETERSON of Rumford.
Cosponsored by Senator MASON of Androscoggin and
Representatives: BICKFORD of Auburn, CRAFTS of Lisbon, DOW of Waldoboro, GILBERT
of Jay, HUNT of Buxton, PRESCOTT of Topsham, TUTTLE of Sanford, Senator: CRAVEN
of Androscoggin.

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

2 **Sec. 1. 5 MRSA §12004-G, sub-§4-D**, as enacted by PL 2009, c. 352, §1, is
3 amended to read:

4 **4-D.**

5 Amusements and ~~Mixed Martial Arts~~ Legislative Per 8 MRSA c. 20
6 Sports Combat Sports Diem and Expenses
7 Authority of Maine ~~only~~ Only

8 **Sec. 2. 8 MRSA §521, sub-§1**, as enacted by PL 2009, c. 352, §2, is amended to
9 read:

10 **1. Authority.** "Authority" means the ~~Mixed Martial Arts~~ Combat Sports Authority
11 of Maine created under section 522.

12 **Sec. 3. 8 MRSA §521, sub-§3-A** is enacted to read:

13 **3-A. Boxing.** "Boxing" means a combative sport for compensation that features the
14 use of gloved fists in attack and defense.

15 **Sec. 4. 8 MRSA §522**, as amended by PL 2009, c. 582, §1, is further amended to
16 read:

17 **§522. Combat Sports Authority of Maine**

18 **1. Establishment.** The ~~Mixed Martial Arts~~ Combat Sports Authority of Maine, as
19 established in Title 5, section 12004-G, subsection 4-D, is a body corporate and politic
20 and a public instrumentality of the State. The exercise by the authority of the powers
21 conferred by this chapter constitutes the performance of essential governmental functions.

22 **2. Purpose.** The authority is established to regulate and promote mixed martial arts
23 and boxing competitions, exhibitions and events in the State as set forth in this chapter.
24 A mixed martial arts or boxing competition, exhibition or event may not be held in the
25 State prior to the adoption of rules pursuant to this chapter.

26 **3. Board of directors.** The authority is governed and its powers exercised by a board
27 of directors. The board consists of 5 7 voting members appointed by the Governor.
28 Immediately after their appointments, the members of the authority shall assume their
29 duties. All board members serve as agents of the authority for purposes of service of
30 process.

31 **4. Officers.** The board shall elect a chair, a secretary and a treasurer from among its
32 members.

33 **5. Terms; vacancy.** Members of the authority are appointed to 3-year terms. A
34 vacancy in the authority does not impair the right of a quorum of the members to exercise
35 all the rights and perform all the duties of the authority. In the event of vacancy
36 occurring in the membership, the Governor shall appoint a replacement member for the

1 remainder of that term. Each member of the authority serves until that member's
2 successor is appointed and qualified. A member of the authority is eligible for
3 reappointment.

4 **6. Bylaws and business plan.** The board shall adopt bylaws for the governance of
5 the authority and the conduct of its affairs and may amend and revoke the bylaws as
6 necessary. The board shall adopt a business plan setting forth goals, desired outcomes and
7 performance expectations for the authority and shall update the business plan on an
8 annual basis.

9 **7. Revenue and expenditures.** The board may receive revenue from mixed martial
10 arts and boxing competitions, exhibitions and events, as well as from the sale of goods
11 and merchandise, in accordance with rules adopted pursuant to sections 523 and 524.
12 The authority may apply for, solicit and receive grants, donations and gifts and may
13 receive appropriations from the State and funds from other governmental authorities. All
14 funds received must be spent solely to assist with operational expenses in furtherance of
15 the purpose of the authority. The board may enter into contracts to obtain the assistance
16 of staff sufficient to support operations of the board.

17 **8. Annual report.** By March 15th of each year, beginning in 2010, the authority
18 shall provide an annual report on its activities to the joint standing committee of the
19 Legislature having jurisdiction over business, research and economic development
20 matters. The report must include an evaluation of the authority's success in meeting the
21 goals, outcomes and performance expectations contained in its business plan, as well as a
22 summary of the revenue and expenditures of the authority pursuant to subsection 7 and
23 section 525.

24 **Sec. 5. 8 MRSA §523, sub-§1,** as amended by PL 2009, c. 582, §2 and affected
25 by §9, is further amended to read:

26 **1. Rules.** Adopt rules to protect the health and safety of authorized participants and
27 the integrity of competition, as well as to establish a certification process authorizing
28 participation in a mixed martial arts or boxing competition, exhibition or event and set the
29 fee schedules for all authorized participants. A certificate authorizing participation in a
30 mixed martial arts or boxing competition, exhibition or event may be issued for one year
31 or such other time period as may be fixed by rule under this chapter. The board may
32 establish requirements to ensure that a mixed martial arts or boxing competition,
33 exhibition or event is not conducted unless a promoter's fee has been paid and that each
34 competitor has been examined by a physician who has certified the competitor's fitness to
35 participate in the mixed martial arts or boxing competition, exhibition or event. Rules
36 adopted pursuant to this subsection are routine technical rules, as defined in Title 5,
37 chapter 375, subchapter 2-A. The authority's rules must include, but are not limited to,
38 the following:

- 39 A. Rules of competition, weighing of participants and scoring of decisions;
40 B. Length of contests and rounds;
41 C. Availability of medical services, including a requirement that a physician be
42 present during a mixed martial arts or boxing competition, exhibition or event;

- 1 D. Age limits, which must include a minimum age of not less than 18 years;
- 2 E. Weight limits and classification of participants;
- 3 F. Physical condition of participants;
- 4 G. Qualifications of referees and other authorized participants;
- 5 H. Uniforms, attire, safety gear and equipment of authorized participants;
- 6 I. Specifications of facilities and equipment; and
- 7 J. Requirements for health and accident insurance providing coverage in the event of
- 8 injury or death to authorized participants. This coverage must comply with standards
- 9 prescribed by the Superintendent of Insurance.

10 **Sec. 6. 8 MRSA §524**, as enacted by PL 2009, c. 352, §2, is amended to read:

11 **§524. Promotion fees**

12 In addition to the requirements set by rule pursuant to section 523, a promoter of a
13 mixed martial arts or boxing competition, exhibition or event authorized under this
14 chapter must pay a fee set by the authority in advance of the mixed martial arts or boxing
15 competition, exhibition or event. A promoter who fails to pay the fee required pursuant
16 to this section is prohibited from promoting the competition as well as any further
17 competitions, exhibitions or events held under this chapter until the fee and any penalties
18 are paid in full or satisfactory arrangements are made with the authority.

19 **Sec. 7. 8 MRSA §525**, as enacted by PL 2009, c. 352, §2, is amended to read:

20 **§525. Fund established; excess revenue to be deposited into General Fund**

21 The authority shall establish and maintain a reserve fund called the "~~Mixed Martial~~
22 ~~Arts~~ Combat Sports Reserve Fund" and shall deposit in the fund all money received
23 pursuant to section 522, as well as any other money or funds from any other sources. At
24 the close of each fiscal year, the State Controller shall transfer from the fund any revenue
25 in excess of operating expenses to the General Fund.

26 **Sec. 8. 8 MRSA §526**, as enacted by PL 2009, c. 352, §2, is amended to read:

27 **§526. Prohibited interests of officers, directors and employees**

28 A director of the authority or a spouse, domestic partner or dependent child of a
29 director of the authority may not receive any direct personal benefit from the activities or
30 undertakings of the authority. This section does not prohibit corporations or other entities
31 with which a director is associated by reason of ownership or employment from
32 participating in mixed martial arts or boxing activities if ownership or employment is
33 made known to the authority and the director abstains from voting on matters relating to
34 that participation.

35 **Sec. 9. 8 MRSA §529**, as enacted by PL 2009, c. 582, §4, is amended to read:

1 **§529. Powers of board**

2 **1. Inspections and investigations.** The board may enter and inspect the premises
3 where a mixed martial arts or boxing competition, exhibition or event is to be conducted
4 and question persons present and review documents to the extent it considers necessary to
5 determine whether the event is in accordance with this chapter and rules adopted under
6 this chapter.

7 **2. Other action.** The board may take all reasonable steps to ensure that a mixed
8 martial arts or boxing competition, exhibition or event is conducted in accordance with
9 this chapter and rules adopted under this chapter and take all other lawful action
10 necessary and incidental to its purposes.

11 **Sec. 10. 8 MRSA §532**, as enacted by PL 2009, c. 582, §7, is amended to read:

12 **§532. Fines; enforcement**

13 The board may, after a hearing under Title 5, chapter 375, subchapter 4, impose a fine
14 of not more than \$500 for each violation against a person who violates this chapter or
15 rules adopted pursuant to this chapter or who participates in a mixed martial arts or
16 boxing competition, exhibition or event without the certificate described under section
17 523, subsection 1. The Attorney General may bring an action in Superior Court to enjoin
18 a mixed martial arts competition, exhibition or event from occurring for which the
19 promoter's fee has not been paid or a participant who does not meet the qualifications of
20 this chapter from participating in the competition, exhibition or event.

21 **Sec. 11. 17-A MRSA §515, sub-§2, ¶A**, as enacted by PL 1975, c. 499, §1, is
22 repealed.

23 **Sec. 12. 17-A MRSA §515, sub-§2-A**, as amended by PL 2009, c. 582, §8, is
24 further amended to read:

25 **2-A.** This section does not apply to any mixed martial arts or boxing competition,
26 exhibition or event authorized pursuant to Title 8, chapter 20 as long as rules have been
27 adopted by the ~~Mixed Martial Arts~~ Combat Sports Authority of Maine pursuant to Title 8,
28 chapter 20.

29 **Sec. 13. Staggered terms.** Notwithstanding the Maine Revised Statutes, Title 8,
30 section 522, subsection 5, in making the original appointments to the board of directors of
31 the Combat Sports Authority of Maine after September 1, 2011, the Governor shall
32 appoint members to terms of less than 3 years in order to stagger the terms. A successor's
33 term is 3 years from the date of the expiration of the original term, regardless of the date
34 of appointment.

35 **Sec. 14. Maine Revised Statutes headnote amended; revision clause.** In
36 the Maine Revised Statutes, Title 8, chapter 20, in the chapter headnote, the words
37 "mixed martial arts" are amended to read "mixed martial arts and boxing" and the Revisor
38 of Statutes shall implement this revision when updating, publishing or republishing the
39 statutes.

SUMMARY

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This bill amends the law that creates the Mixed Martial Arts Authority of Maine to include boxing and renames the authority the Combat Sports Authority of Maine.