

CHAPTER 341

BOARD OF BOXING

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NOTE: For collection of 5 percent gross receipts from boxing and sparring exhibitions, see section 270.051.

341.01 CREATION. There is hereby created the board of boxing, to consist of seven members, citizens of this state, two of whom shall be public members as defined by section 214.02. Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements shall be as provided in sections 214.07 to 214.09. The provision of staff, administrative services and office space; the review and processing of complaints; the setting of board fees; and other provisions relating to board operations shall be as provided in chapter 214 and Laws 1976, Chapter 222, Sections 2 to 7.

[1933 c 7 s 1; 1973 c 638 s 52; 1975 c 136 s 70; 1975 c 271 s 6; 1976 c 222 s 177; 1976 c 239 s 67] (3260-1)

341.02 LIMITATIONS. No member shall directly or indirectly promote any boxing or sparring exhibition or directly or indirectly engage in the managing of any boxer or be interested in any manner in any proceeds from any boxing match.

[1933 c 7 s 2; 1973 c 638 s 53; 1975 c 136 s 71] (3260-2)

341.03 [Repealed, 1975 c 136 s 77]

341.04 EXECUTIVE SECRETARY; PERSONNEL. The board of boxing shall have power to appoint, and at its pleasure remove, an executive secretary and prescribe his powers and duties. The executive secretary shall be the executive secretary of the board, but shall not be a member of the board. The board may employ such other personnel as may be necessary in the performance of its duties.

[1933 c 7 s 4; 1965 c 832 s 2; 1969 c 815 s 2; 1975 c 236 s 1; 1975 c 271 s 6; 1976 c 2 s 171; 1976 c 222 s 178; 1976 c 239 s 93] (3260-4)

341.05 DUTIES. Subdivision 1. The board of boxing shall have charge and supervision of all boxing and sparring exhibitions held in the state and have power:

(1) To promulgate rules governing the conduct of boxing and sparring exhibitions and the time and place thereof;

(2) To issue licenses to individuals or organizations desiring to promote or conduct boxing or sparring exhibitions, and to suspend or revoke the licenses at its pleasure; every application for a license shall designate the territory in which the individual or organization intends to operate, and the license granted shall entitle the licensee to conduct the exhibitions in that territory and in no other.

The commissioner of revenue shall collect five percent of the gross receipts from admission to every boxing and sparring exhibition other than an amateur boxing and sparring exhibition held within the state, and five percent of the gross receipts from the lease or sale of radio, motion picture and television rights therein.

All complimentary tickets for a boxing and sparring exhibition other than an amateur boxing and sparring exhibition presented at any entrance gate shall likewise be assessed for the tax herein provided five percent of the value thereof. All moneys so collected shall be paid into the state treasury.

Subd. 2. The board of boxing shall issue a license to a person or organization holding, showing, or exhibiting a simultaneous telecast of any live, current, or spontaneous boxing or sparring match, exhibition, or performance on a closed circuit telecast or subscription television program viewed within the state, whether originating in this state or elsewhere, and for which a charge is made. Each such person or orga-

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nization shall apply for such a license in advance of each showing and shall within 24 hours after the termination of such showing furnish the commissioner of revenue a written report, duly verified by an authorized person, showing the number of tickets sold for such showing, the amount of the gross proceeds thereof, and such other matters as the commissioner of revenue may prescribe; and shall also, within 24 hours after the termination of such showing, pay to the commissioner of revenue five percent of the gross receipts from the sale of tickets of admission or moneys received from subscription for the showing or exhibiting of said boxing or sparring match, exhibition, or performance. If the boxing or sparring match, exhibition, or performance is wholly amateur no payment is due.

Whoever violates the provisions of this subdivision is guilty of a misdemeanor and may be punished therefor as provided by law. The penalty herein provided is in addition to any other penalty for violation of this subdivision as may be otherwise fixed in this chapter.

[1933 c 7 s 5; 1953 c 704 s 1; 1965 c 832 s 3; 1967 c 451 s 1,2; 1971 c 25 s 53,54; 1971 c 792 s 1; 1973 c 582 s 3; 1975 c 236 s 2; 1975 c 271 s 6; 1976 c 2 s 171; 1976 c 222 s 179; 1976 c 239 s 94,95] (3260-5)

341.06 MONEYS PAID INTO STATE TREASURY. The expenses of administering sections 341.01 to 341.15 shall be paid for from appropriations made to the board of boxing.

[1933 c 7 s 6; 1945 c 245 s 2; 1949 c 177 s 2; 1953 c 593 s 2; 1965 c 832 s 4; 1969 c 815 s 3; 1973 c 638 s 55; 1975 c 271 s 6; 1976 c 222 s 180; 1976 c 239 s 96] (3260-6)

341.07 LICENSES; RESTRICTIONS. Unless revoked by the board, licenses granted hereunder shall authorize the individuals or organizations receiving the same to conduct boxing or sparring exhibitions in the community designated therein for the period of time designated therein, subject to the rules of the board and to restrictions as the board may in its discretion incorporate therein. Each license shall contain a statement that boxing or sparring exhibitions may be held on any Sunday and that no boxing or sparring match shall be of more than 15 rounds, of not to exceed three minutes each.

[1933 c 7 s 7; 1974 c 80 s 1; 1976 c 222 s 181; 1976 c 239 s 97] (3260-7)

341.08 EXHIBITIONS; CONSENT REQUIRED. The provisions of this chapter are applicable to cities of the first class, but no license shall be issued for the conducting of any boxing or sparring exhibitions within the limits of any municipality, except cities of the first class, unless the governing body thereof has first consented to the holding of boxing or sparring exhibitions therein; in the event that the license is for the conducting of boxing or sparring exhibitions in any county outside the limits of a municipality, such license shall not be issued until the board of county commissioners of the county and also the governing body of the town shall have authorized the holding of boxing or sparring exhibitions in such community, and each such license shall designate the particular community in such county where such exhibitions are held. Consent by the governing body of such municipality or by the county board or by the governing board of the town shall be evidenced by a certified copy of a resolution thereof filed with the board. The governing body may revoke the consent any time, and any licenses shall expire 30 days after resolution revoking consent has been filed with the board.

[1933 c 7 s 8; 1976 c 222 s 182; 1976 c 239 s 98] (3260-8)

341.09 NUMBER OF LICENSES. Subdivision 1. Except as provided in subdivisions 2 and 3, only one license shall be in force in any municipality or community at any time.

Subd. 2. In any municipality having more than 100,000 and less than 200,000 inhabitants, the board of boxing may issue one license for amateur and one for professional boxing and sparring exhibitions, but both licenses shall not be issued to the same person.

Subd. 3. In municipalities whose population exceeds 200,000 the board of boxing may issue one franchise for every 200,000 population or fraction thereof.

[1933 c 7 s 9; 1949 c 482 s 1; 1975 c 271 s 6; 1976 c 2 s 171; 1976 c 239 s 99,100] (3260-9)

341.10 LICENSE FEES. The board shall have authority to collect and require the payment of a license fee in an amount set by the board from the owners of franchises or licenses. The board shall require the payment of the fee at the time of the issuance of the license or franchise to the owner. The moneys so derived shall be collected by the board and paid to the state treasurer. The board shall have authority to license all boxers, managers, seconds, referees and judges and may require them to pay a license fee. All moneys collected by the board from such licenses shall be paid to the state treasurer.

[1933 c 7 s 10; 1951 c 56 s 1; 1971 c 792 s 2; 1975 c 236 s 3; 1976 c 222 s 183; 1976 c 239 s 101] (3260-10)

341.11 RULES AND REGULATIONS. The board shall promulgate rules to govern the holding of amateur boxing exhibitions within the state.

The board shall not promulgate any rules which, if followed by a participant, would adversely affect his amateur status in states other than Minnesota.

[1933 c 7 s 11; 1971 c 792 s 3; 1975 c 236 s 4; 1976 c 222 s 184; 1976 c 239 s 102] (3260-11)

341.12 BONDS. Before any license other than an amateur boxing license shall be granted to any person, club, corporation, or organization to conduct, hold or give any boxing or sparring match, or exhibition, such applicant therefor shall execute and file with the chairman of the commerce commission a bond in the sum of \$2,500 in cities of the first class and \$1,000 in other communities, to be approved, as to form and sufficiency of the sureties thereof, by the chairman of the commerce commission, conditioned for the payment of the five percent of the total gross receipts and license fees herein provided. Upon the filing and approval of such bond the chairman of the commerce commission shall issue to such applicant for such license a certificate of such filing and approval, which shall be by such applicant filed in the office of the board with its application for such license; and no such license shall be issued until such certificate shall be so filed.

[1933 c 7 s 12; 1953 c 704 s 2; 1971 c 792 s 4; 1973 c 492 s 14; 1976 c 222 s 185; 1976 c 239 s 103; 1978 c 793 s 73] (3260-12)

341.13 PENALTIES FOR NON-LICENSED EXHIBITIONS. Any person or persons who shall send or cause to be sent, published, or otherwise made known, any challenge to fight what is commonly known as a prize fight, or engage in any public boxing or sparring match, exhibition, or contest, with or without gloves, for any prize, reward, or compensation, or at which any admission fee is charged directly or indirectly, or go into training preparatory for such fight, exhibition, or contest, or act as a trainer, aider, abetter, backer, umpire, second surgeon, assistant, or attendant at such fight, exhibition, or contest, or in any preparation for the same, and any owner or lessee of any grounds, buildings, or structure of any kind permitting the same to be used for such fight, exhibition, or contest, shall be deemed guilty of a misdemeanor; provided, that this section shall not apply to boxing or sparring exhibitions held or to be held under license issued by the board of boxing and in compliance with the rules issued by it.

[1933 c 7 s 13; 1975 c 271 s 6; 1976 c 2 s 171; 1976 c 222 s 186; 1976 c 239 s 104] (3260-13)

341.14 [Repealed, 1975 c 136 s 77]

341.15 FAILURE TO REPORT TO THE BOARD. When any individual or organization shall fail to make a report of receipts of any contest at the time prescribed by the board of boxing or to pay the fee herein provided, or when such report is unsatisfactory to the commissioner of finance, he may examine, or cause to be examined, the books and records of such individual or organization, and subpoena and examine, under oath, officers and other persons as witnesses for the purpose of determining the total amount of the gross receipts for any contest and the amount due pursuant to the provisions of this chapter, which amount he may, upon and as the result of such examination, fix and determine. In case of default in the payment of any amount so ascertained to be due, together with the expense incurred in making such examination, for a period of 20 days after notice to such delinquent individual or organization of the amount at which the same may be fixed by the commissioner of finance, such delinquent shall, ipso facto, forfeit and be thereby disqualified from receiving any new license or any renewal of license and, in addition, forfeit to the state of Minnesota the

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sum of \$500, which may be recovered by the attorney general, in the name of the state, in the same manner as other penalties are by law recovered.

[1933 c 7 s 15; 1973 c 492 s 14; 1975 c 271 s 6; 1976 c 2 s 171; 1976 c 222 s 187; 1976 c 239 s 105] (3260-15)