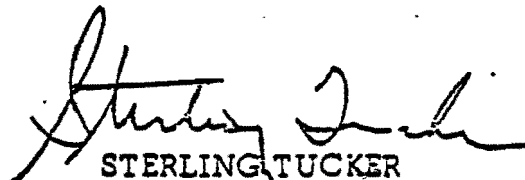


COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act PL 93-198)(the Act), the Council of the District of Columbia adopted Bill No. 1-26 on first and second readings June 3, 1975, and June 17, 1975, respectively. Following the signature of the Mayor on July 11, 1975, this legislation was assigned Act No. 1-31, published in the July 28, 1975, edition of the D. C. Register, and transmitted to both Houses of Congress for a 30-day review, in accordance with Section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has expired and, therefore, cites the following legislation as D. C. Law No. 1-20, effective October 8, 1975.


STERLING TUCKER
Chairman of the Council

D.C. LAW 1-20

In the Council of the District of Columbia

October 8, 1975

To establish a District of Columbia Boxing and Wrestling Commission to govern boxing, wrestling and martial arts in the District of Columbia, and for other purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,
That this act may be cited as the "District of Columbia Boxing and Wrestling Commission Act".

Statement of Purpose

Sec. 2. It is the purpose of this act to create a Boxing and Wrestling Commission for the District of Columbia with the authority to promulgate rules and regulations and to regulate boxing, wrestling, and martial arts events within its jurisdiction.

Definitions

Sec. 3. For purposes of this act, the term or terms

(a) "person" means an individual, partnership, corporation, association, or club.

(b) "Mayor" and "Council" have the meanings given in Section 103 of the District of Columbia Self-Government and Governmental Reorganization Act.

(c) "Commission" means the District of Columbia Boxing and Wrestling Commission.

(d) "School, college, or university" means every school, college, or university supported in whole or in part from public funds and every other school, college or university supported in whole or in part by a religious, charitable, scientific, literary, educational or fraternal organization which is not operated for profit and no part of the net earnings of which inures to the benefit of any private shareholder or individual.

(e) "Participants" means all boxers, wrestlers, performers of martial arts, seconds, managers, matchmakers, promoters, referees, judges, timekeepers, announcers, ushers, ticket sellers, advertising and public relations personnel, and other persons that the Commission may designate who are involved or connected with, other than as a spectator, boxing, wrestling or martial arts contests, matches, exhibitions, or showings, professional as well as amateur, to be held, given, or shown within the District of Columbia.

(f) "Contestants" means boxers or wrestlers or practitioners of the martial arts.

(g) "Martial Arts" means Karate, Judo, Kung Fu, Jujitsu, Tae Kwon Do, Aikido, and other such forms of self-defense, sport, or weaponry.

Statement of Authority

Sec. 4. The authority of the Council to establish a Boxing and Wrestling Commission is granted in sections 404(a) and

(h) of the District of Columbia Self-Government and Governmental Reorganization Act, Pub. L. 93-198, 87 Stat. 787.

Establishment of Commission

Sec. 5(a). There is hereby created a District of Columbia Boxing and Wrestling Commission to consist of three members nominated by the Mayor and approved by the Council.

(b) Other than as provided in subsection (g) of this section, the term of office of a member of the Commission shall be three years.

(c) Whenever a vacancy on the Commission occurs before the end of a term, the Mayor, with the consent of the Council, may appoint a person to complete the remaining period of that term.

(d) A Commission member may be removed by resolution of the Council -

(i) for good cause shown, or

(ii) upon the written recommendation of the Mayor.

(e) The members of the Commission shall be residents of the District of Columbia for the duration of their term.

(f) The members of the Commission shall receive remuneration for their services in an amount to be determined by the Mayor at such time as the Commission is deemed established in accordance with subsection (g) of this section, provided that no such member shall receive remuneration in excess of \$75 per diem.

(g) The Mayor shall, within 30 days of the effective date of this act, nominate an individual to serve as Chairperson of the

Commission for three years, and two more individuals to serve as members for two years and one year respectively. The Council shall confirm or reject these nominees within 30 days of their nomination, or, in the absence of such action within 30 days, such nominees shall be deemed confirmed. When at least two members have been confirmed, the Commission shall be deemed established.

Jurisdiction of Commission

Sec. 6(a). The Commission shall have and hereby is vested with the sole direction, management, control and jurisdiction over all boxing, wrestling, and martial arts contests, matches, exhibitions, and showings, professional as well as amateur, to be conducted, held, given, or shown, within the District of Columbia. The Commission is hereby given control, authority and jurisdiction over all licenses and permits to hold boxing, wrestling and martial arts contests, matches, and exhibitions for prizes or purses or in which a fee or price in money or value is charged or for which revenue of any type is received; and over all licenses or permits to participants in boxing, wrestling, or martial arts contests, matches or exhibitions; this section shall not be construed, however, to preclude the Commission from differentiating between professional and amateur contests, matches, and exhibitions and charitable and profitseeking ventures on a reasonable basis. The Commission shall establish the criteria and procedures for the granting of licenses and

permits under its jurisdiction and shall promulgate such criteria in accordance with the District of Columbia Administrative Procedure Act (D.C. Code, sec. 1-1501 et seq.)

(b) The Commission may exempt schools, colleges, or universities and similar amateur events from any and all of its rules upon proper application by such school, college, or university or by the manager or promoter of such amateur event.

Powers of Commission

Sec. 7(a). The Commission shall have the power to make, amend, carry out, and enforce such rules as it deems necessary for and likely to be effective in governing the events and procedures within its jurisdiction as well as all participants in such events and procedures. The Commission shall conduct its rulemaking and enforcement and other functions under the provisions of the District of Columbia Administrative Procedures Act (D.C. Code, sec. 1-1501, et seq.) where appropriate, and shall promulgate rules within 60 days of its establishment.

(b) (1) The Commission shall have the power to issue permits and licenses to all participants, and for all events covered by this act. If the Commission, by rule, regulation, or order requires a license for a person or event covered by this act, no person shall hold, conduct, or be a participant in any such boxing, wrestling, or martial arts contest, match, or exhibition without a permit or

those with proper permits, dates on which boxing, wrestling, and martial arts contests, matches, and exhibitions may be held, and no person shall hold any boxing, wrestling or martial arts contest, match or exhibition on any dates unless specifically authorized to do so by the Commission. No permit as described in this section shall be issued to any person unless such person agrees to accord to the Commission the right to examine the books of account and other records of such person relative to the boxing, wrestling, or martial arts contest, match or exhibition for which such permit is issued, and such permit shall so state on its face. Licenses and permits may be revoked or suspended by the Commission for violation of any rule, regulation, or order of the Commission or for violation of any rule, regulation, or order of the District of Columbia or for other cause. The contested case provisions of the District of Columbia Administrative Procedure Act (D.C. Code, secs. 1-1509, 1-1510) shall be followed in revocation and suspension proceedings.

(2) Paragraph 44A(d)(3) of section 7 of the Act entitled "An Act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and three, and for other purposes", approved July 1, 1902 (D.C. Code, sec. 47-2344a(d)(3)), is amended -

- (1) by inserting "(A)" immediately after "(3)"; and
- (2) by adding at the end thereof the following:

"(B) To issue a license without examination to any person who (i) has been licensed for more than 5 years by a State or Territory which does not have a reciprocity agreement with the District of Columbia (including any agreement, commonly referred to as a courtesy card agreement, under which a person licensed as an undertaker by such State or Territory is permitted to discharge the duties of an undertaker in the District of Columbia on an occasional or other temporary basis), (ii) has more than 5 years of practical experience as an undertaker, (iii) is found qualified on the basis of such experience to discharge the duties of an undertaker in the District of Columbia, and (iv) otherwise meets the requirements of subparagraph (b) of this paragraph."

(c) The Commission shall have the power to collect fees for permits and licensure in an amount and in a manner that is reasonable in light of costs of administration and like charges imposed by other jurisdictions for similar licenses and that it shall determine with the approval of the Mayor.

(d) The Commission shall have the power to require all licensees and permittees to execute and file with the Commission a bond in an amount to be determined by the Commission before such license or permit may be granted. Said bond shall be approved as to form and sufficiency of sureties by the Mayor, or by such official as he may designate.

performance, recovery may be had on such bond in the same manner as other penalties are recovered by law.

(c) The Commission shall have the power to establish standards for, and the permitted circumstances of, rental or ownership of the premises where events within the jurisdiction of the Commission will or may occur. The Commission may also establish standards for all equipment of the Commission. The Commission may also provide for the inspection of such premises and equipment.

(f) The Commission shall have the power to assess nonlicense fees and fines payable to the Commission under this act or the Commission rules, and to require reports and manifests to be furnished the Commission relating to nonlicense fees.

(g) The Commission shall have the power to employ clerical and administrative personnel as it deems necessary and at rates of compensation that this Commission shall fix provided that such rate shall not exceed \$20,000 per person per annum. The Commission may also employ inspectors, examining physicians, and other personnel, whose compensation shall be fixed by the Commission as may be necessary to administer the act, PROVIDED That part-time professional personnel shall not receive more than \$150 for one day or evening of work.

(h) Each member of the Commission shall have the power to administer oaths and affirmations and examine witnesses concerning any matters within the jurisdiction of the Commission.

The Commission shall be vested with the same powers to issue subpoenas as to matters within its jurisdiction as are vested in trial boards of the Metropolitan Police and Fire Departments. False swearing on the part of any witness before the Commission shall be punishable in the same manner as false swearing before said trial boards, and obedience to any subpoena issued by the Commission may be compelled in the same manner as obedience is compelled to subpoenas issued by said trial boards set forth in Chapter 6 of Title 4 of the District of Columbia Code.

(i) The Commission shall have the power to investigate all operations, occurrences, events and persons within its jurisdiction, and any suspected violation of its orders or rules, or of this act.

(j) The Commission shall have the power to issue such orders (including suspensions of licenses and permits), to persons within its jurisdiction, which reasonably will (i) assure compliance with this act, or the Commission's rules or orders, (ii) prevent influence of organized crime in boxing, wrestling and the martial arts in the District of Columbia, or (iii) encourage boxing, wrestling and the martial arts in the District.

(k) The Commission shall have the power subject to the approval of the Mayor, to make or engage in contracts, agreements, or cooperative work, with other District of Columbia agencies, or commissions or agencies of other states or cities governing boxing, wrestling, or the martial arts, or private

persons, when such contracts, agreements, or cooperative work will reasonably and lawfully carry out the purposes of this act.

(1) The Commission shall have the power to establish other rules and regulations concerning events and persons within its jurisdiction as it deems appropriate to encourage boxing, wrestling, and the martial arts in the District of Columbia and for other purposes consistent with this act.

Administration of Commission

Sec. 8(a). All receipts and disbursements of the Commission shall be made to and from a separate trust fund maintained for the Commission.

(b) Every person holding or conducting an event within the jurisdiction of the Commission shall file with the Commission within 24 hours after the event is over, a report concerning fees, prices, revenues, and gross receipts from the event at the time and in the form prescribed by the Commission; however, this shall not preclude the Commission from demanding manifests or reports at an earlier time. Such person shall pay to the Commission at the time of the filing of the report, a fee of 5 per centum of the gross receipts realized by such person as a result of holding or conducting the event except that the Commission may require the amount so collected be not less than that necessary for the payment of compensation to the personnel necessary to conduct such contest, match or exhibition. Each

person holding or conducting an event within the jurisdiction of the Commission shall file with the Commission within 24 hours after the event is over, a report concerning fees, prices, revenues, and gross receipts from the event at the time and in the form prescribed by the Commission; however, this shall not preclude the Commission from demanding manifests or reports at an earlier time. Such person shall pay to the Commission at the time of the filing of the report, a fee of 5 per centum of the gross receipts realized by such person as a result of holding or conducting the event except that the Commission may require the amount so collected be not less than that necessary for the payment of compensation to the personnel necessary to conduct such contest, match or exhibition. Each

ticket of admission to any covered event shall bear clearly upon its face its price.

(c) Every person presenting or showing any boxing or wrestling, or martial arts match, contest, or exhibition on closed circuit telecast or subscription television viewed within the District, whether or not originating in the District, shall file with the Commission within 24 hours after such telecast or showing is over, a report stating the exact number of tickets sold for such showing and the gross receipts therefrom, or if no tickets are sold, stating the price in money or value paid or owed for such telecast or subscription, and further stating any other information the Commission may require. Such person or club shall within twenty-four hours after such showing pay to the Commission a fee of 10% of the gross receipts realized from, or price paid or owed for, the showing; however, this provision shall not preclude the Commission from seeking an advance payment for such presentation or showing where it deems such payment to be appropriate.

(d) The Commission may also charge such other nonlicense fees as are reasonable in amount for services it renders in carrying out its lawful functions.

(e) The Commission shall report annually to the Mayor and to the Council its official acts during the preceding year and the financial condition of the trust fund. It shall also make such recommendations as it deems appropriate.

(f) The District of Columbia Auditor shall conduct an annual audit of the Commission.

(g) The Mayor shall conduct quarterly audits of the Commission and furnish the Commission with such office space as it needs and with administrative aid as the Commission may request.

(h) All amounts in the trust fund established in subsection (a) above at the end of each fiscal year in excess of \$50,000, shall be paid to the General Fund of the District of Columbia.

Violations of Commission Rules

Sec. 9(a). Any person who holds any boxing, wrestling or martial arts contest, match or exhibition in the District of Columbia, or engages or participates in a boxing, wrestling or martial arts contest, match, or exhibition without a valid license or permit effective at the time as provided in Section 7(b) of this act, shall, upon conviction thereof, be fined not more than \$1,000, or imprisoned not more than one year, or both. Such cases shall be prosecuted by the Corporation Counsel of the District of Columbia in the Superior Court of the District of Columbia.

(b) In the case of a person who is found by a preponderance of the evidence, under the contested case procedure in the District of Columbia Administrative Procedures Act, in a hearing before the Commission, to have violated lawful orders or rules of

the Commission other than those penalized by Section 9(a), the Commission may, upon findings explaining its actions --

(1) Revoke the licenses previously obtained by such person under the Commission Rules;

(2) Consider the violation as grounds for future license denials against such person;

(3) Levy a fine in the amount of \$1,000 or less;

(4) Refer the case to Corporation Counsel for further prosecution; or

(5) Make such other orders as are reasonable and just, restricting or directing the violator's actions in regard to boxing, wrestling or the martial arts in the District of Columbia.

(c) For failure to file the reports or pay the fees required in Sections 8(b) and (c) of this act, a fine amounting to 10% of the fees due under those Sections, up to a maximum of 30% thereof, shall be assessed for each month or part thereof in which such required reports are not filed, or fees paid.

Liability of Commission Members

Sec. 10(a). A member of the Commission shall not knowingly participate in any action of the Commission if such member, or the member's spouse, parent, grandparent, child, grandchild, brother, sister, uncle, aunt, cousin, nephew or niece, has a financial or business interest in the action.

Effective Date

Sec. 11. This act shall become effective by operation of Section 602(c) (1) of the District of Columbia Self-Government and Governmental Reorganization Act, Pub. L. 93-198, 87 Stat.

814.

Considered in Council 6-3-75

First vote 6-3-75

RECORD OF COUNCIL VOTE

COUNCIL MEMBER	YES	NO	P.	A.	R.	A.	COUNCIL MEMBER	YES	NO	P.	A.	R.	A.	COUNCIL MEMBER	YES	NO	P.	A.	R.	A.
BUCKER	X						DIXON	X						SPAULDING	X					
MOORE, D.	X						HARDY	X						WILSON	X					
BARRY	X						HOBSON				X			WINTER	X					
CLARKE							MOORE, I.	X												
GOATES	X						SHACKLETON	X												

X—Indicates Vote P. R.—Present A. B.—Absent R. A.—Readopted

Final vote in Council 6-17-75

Robert J. Moore
 (Secretary of the Council)

RECORD OF COUNCIL VOTE

COUNCIL MEMBER	YES	NO	P.	A.	R.	A.	COUNCIL MEMBER	YES	NO	P.	A.	R.	A.	COUNCIL MEMBER	YES	NO	P.	A.	R.	A.
BUCKER	X						DIXON	X						SPAULDING	X					
MOORE, D.				X			HARDY	X						WILSON	X					
BARRY	X						HOBSON	X						WINTER	X					
CLARKE	X						MOORE, I.				X									
GOATES	X						SHACKLETON	X												

X—Indicates Vote P. R.—Present A. B.—Absent R. A.—Readopted

act 1-31

Robert J. Moore
 (Secretary of the Council)

Presented to the Mayor 30 JUN 1975

Robert J. Moore
 (Secretary of the Council)

Mayor's action
 approve: 11 JUL 75
 disapprove: _____

Milton M. ...
 (Mayor's Signature)

Enacted without Mayor's signature _____

(Secretary of the Council)

Reconsidered by Council _____

Vote _____

RECORD OF COUNCIL VOTE

COUNCIL MEMBER	YES	NO	P.R.	A.B.	R.A.	COUNCIL MEMBER	YES	NO	P.R.	A.B.	R.A.	COUNCIL MEMBER	YES	NO	P.R.	A.B.	R.A.	
TUCKER						DIXON						SPAULDING						
MOORE, D.						HARDY						WILSON						
BARRY						HOBSON						WINTER						
CLARKE						MOORE, J.												
COATES						SHACKLTON												

X—Indicates Vote P. R.—Present A. B.—Absent R. A.—Readopted

Presented to the President _____

 (Secretary of the Council)

Sustain Mayor's veto _____

 (Secretary of the Council)

Not Sustain Mayor's veto _____

 (President of the U.S.)

Submitted to the Congress JUL 22 1975

Robert A. Williams

 (Secretary of the Council)

Senate action _____
 resolution number _____

House action _____
 resolution number _____

 (Secretary of the Senate)

 (Clerk of the House)

Enacted without Congressional action _____

 (Secretary of the Council)