

shall a grant of larger than twenty-five thousand dollars be made to either an existing or potential resource and referral program.

NEW SECTION. Sec. 4. If specific funding for the purposes of this act, referencing this act by bill number, is not provided by June 30, 1989, in the omnibus appropriations act, this act shall be null and void.

Passed the Senate March 13, 1989.

Passed the House April 6, 1989.

Approved by the Governor April 20, 1989.

Filed in Office of Secretary of State April 20, 1989.

CHAPTER 127

[Senate Bill No. 5464]

BOXING AND WRESTLING PROMOTERS

AN ACT Relating to professional wrestling and boxing; amending RCW 67.08.001, 67.08.030, 67.08.050, 67.08.080, 67.08.090, 67.08.100, 67.08.110, 67.08.120, 67.08.010, 67.08.015, 67.08.055, 67.08.060, and 67.08.140; adding new sections to chapter 67.08 RCW; prescribing penalties; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Boxing" includes, but is not limited to, sumo, judo, and karate in addition to fisticuffs, but does not include professional wrestling.

(2) "Commission" means the professional athletic commission.

(3) "Promoter" means any person and, in the case of a corporation, an officer, director, employee, or shareholder thereof, who produces, arranges, or stages any professional wrestling exhibition or boxing contest.

(4) "Wrestling exhibition" or "wrestling show" means a form of sports entertainment in which the participants display their skills in a struggle against each other in the ring and either the outcome may be predetermined or the participants do not necessarily strive to win, or both.

NEW SECTION. Sec. 2. A promoter shall have an ambulance or paramedical unit present at the arena in case a serious injury occurs unless an ambulance or paramedical unit is located within five miles of the arena and that unit is on call for such an occurrence.

NEW SECTION. Sec. 3. A promoter shall ensure that adequate security personnel are in attendance at a wrestling exhibition or boxing contest to control fans in attendance. The size of the security force shall be determined by mutual agreement of the promoter, the person in charge of operating the arena or other facility, and the commission.

NEW SECTION. Sec. 4. (1) It is unlawful for any promoter or person associated with or employed by any promoter to destroy any ticket or ticket

stub, whether sold or unsold, within three months after the date of any exhibition or show.

(2) It is unlawful for any wrestler to deliberately cut himself or herself or otherwise mutilate himself or herself while participating in a wrestling exhibition.

(3) Any licensee convicted under chapter 69.50 RCW shall have his or her license revoked.

(4) The striking of any person that is not a licensed participant at a wrestling exhibition or show shall constitute grounds for suspension, revocation, or both.

Sec. 5. Section 1, chapter 184, Laws of 1933 as last amended by section 1, chapter 19, Laws of 1988 and RCW 67.08.001 are each amended to read as follows:

~~((1) For the purposes of this chapter, "boxing" includes, but is not limited to, wrestling, sumo, judo, and karate in addition to fisticuffs.~~

~~((2)) There is hereby created and established a state commission to be known and designated as the "state ~~((boxing))~~ professional athletic commission" and in this chapter referred to as the commission. The commission shall be composed of three members who shall be appointed by the governor and shall be subject to removal at the pleasure of the governor. The members of the first commission to be appointed after June 7, 1933, shall be appointed for the terms beginning July 1, 1933, and expiring as follows: One commissioner for the term expiring January 31, 1934, one commissioner for the term expiring January 31, 1935, and one commissioner for the term expiring January 31, 1936. Each of the first commissioners appointed shall hold office until his successor is appointed and qualified. Upon the expiration of the terms of the three commissioners first appointed, each succeeding commissioner shall be appointed to hold office for a term of four years and until his successor shall have been appointed and qualified. In case of a vacancy, it shall be filled by the appointment by the governor for the unexpired portion of the term in which such vacancy occurs.~~

Sec. 6. Section 9, chapter 184, Laws of 1933 and RCW 67.08.030 are each amended to read as follows:

~~(1) Every ~~((licensee))~~ boxing promoter, as a condition for receiving a license ~~((as herein provided for))~~, shall file a good and sufficient bond in the sum of ~~((one))~~ ten thousand dollars with the commission ~~((in cities of less than one hundred fifty thousand inhabitants and of two thousand five hundred dollars in cities of more than one hundred fifty thousand inhabitants condition [conditioned] for))~~, conditioned upon the faithful performance by such licensee of the provisions of this chapter, the payment of the taxes, of officials, and contracts as provided for herein and the ~~((obeyance [observance]))~~ observance of all rules and regulations of the commission, which bond shall be subject to the approval of the attorney general.~~

(2) Every promoter of a wrestling exhibition or closed circuit telecast as a condition of receiving a license as provided for under this chapter shall file a good and sufficient bond in the sum of one thousand dollars with the commission in cities of less than one hundred fifty thousand inhabitants and of two thousand five hundred dollars in cities of more than one hundred fifty thousand inhabitants conditioned upon the faithful performance by such licensee of the provisions of this chapter, the payment of the taxes and officials provided for herein and the observance of all rules and regulations of the commission, which bond shall be subject to the approval of the attorney general.

(3) Boxing promoters must obtain medical insurance to cover any injuries incurred by participants at the time of the event.

Sec. 7. Section 11, chapter 184, Laws of 1933 and RCW 67.08.050 are each amended to read as follows:

(1) Any ((licensee)) promoter as herein provided shall within ((three)) seven days prior to the holding of any boxing contest or sparring ((and/or wrestling)) match or exhibition file with the commission a statement setting forth the name of each ((contestant)) licensee, his or her manager or managers and such other information as the commission may require((, and shall, within seventy-two hours after)). Any promoter shall, within seven days before holding any wrestling exhibition or show, file with the commission a statement setting forth the name of each contestant, his or her manager or managers, and such other information as the commission may require. Participant changes within a twenty-four hour period regarding a wrestling exhibition or show may be allowed after notice to the commission, if the new participant holds a valid license under this chapter. The commission may stop any event that is a part of a wrestling exhibition wherein any participant is not licensed under this chapter. Upon the termination of any contest or exhibition the promoter shall file with the designated commission representative a written report, duly verified as the commission may require showing the number of tickets sold for such contest, the price charged for such tickets and the gross proceeds thereof, and such other and further information as the commission may require. ((Such licensee)) The promoter shall pay to the commission at the time of filing the above report a tax equal to five percent of such gross receipts and said five percent of such gross receipts shall be immediately paid by the commission into the state ((athletic)) general fund ((of the state of Washington which is hereby created)).

(2) The number of complimentary tickets shall be limited to two percent of the total tickets sold per event location. All complimentary tickets exceeding this set amount shall be subject to taxation.

Sec. 8. Section 14, chapter 184, Laws of 1933 as last amended by section 1, chapter 45, Laws of 1974 ex. sess. and RCW 67.08.080 are each amended to read as follows:

No boxing contest or sparring exhibition held in this state whether under the provisions of this chapter or otherwise shall be for more than ten rounds and no one round of any such contest or exhibition shall be scheduled for ~~((a longer period))~~ less than or longer than three minutes and there shall be not less than one minute intermission between each round. In the event of bouts involving state or regional championships the commission may grant an extension of no more than two additional rounds to allow total bouts of twelve rounds, and in bouts involving national championships the commission may grant an extension of no more than five additional rounds to allow total bouts of fifteen rounds. No contestant in any boxing contest or sparring match or exhibition whether under this chapter or otherwise shall be permitted to wear gloves weighing less than ~~((six))~~ eight ounces. ~~((The length and duration for wrestling matches whether held under the provisions of this chapter or otherwise shall be regulated by order of the commission:))~~ The commission shall promulgate rules and regulations to assure clean and sportsmanlike conduct on the part of all contestants and officials, and the orderly and proper conduct of the contest in all respects, and to otherwise make rules and regulations consistent with this chapter, but such rules and regulations shall apply only to contests held under the provisions of this chapter.

Sec. 9. Section 15, chapter 184, Laws of 1933 and RCW 67.08.090 are each amended to read as follows:

Each contestant for boxing~~(;)~~ or sparring ~~((or wrestling))~~ shall be examined within eight hours prior to the contest by a competent physician appointed by the commission. The physician shall forthwith and before such contest report in writing and over his or her signature the physical condition of each and every contestant to the commissioner or inspector present at such contest. No contestant whose physical condition is not approved by the examining physician shall be permitted to participate in any contest. Blank forms of physicians' report shall be provided by the commission and all questions upon such blanks shall be answered in full. The examining physician shall be paid a fee designated by the commission by the ~~((licensee))~~ promoter conducting such match or exhibition. The commission may have a participant in a wrestling exhibition or show examined by a physician appointed by the commission prior to the exhibition or show. A participant in a wrestling exhibition or show whose condition is not approved by the examining physician shall not be permitted to participate in the exhibition or show. No boxing contest ~~((or))~~, sparring ~~((or wrestling))~~ match, or exhibition shall be held unless a licensed physician of the commission or his or her duly appointed representative~~((, shall be))~~ is present throughout the contest. The commission may require that a physician be present at a wrestling exhibition or show. Any physician present at a wrestling show or exhibition shall be paid for by the promoter.

Any practicing physician and surgeon may be selected by the board as the examining physician. Such physician present at such contest shall have authority to stop any contest when in ~~((his))~~ the physician's opinion it would be dangerous to a contestant to continue, and in such event it shall be ~~((his))~~ the physician's duty to stop such contest. ~~((If he has acted as examining physician he shall receive no fee for being present at such contest.))~~

Sec. 10. Section 16, chapter 184, Laws of 1933 as amended by section 6, chapter 305, Laws of 1959 and RCW 67.08.100 are each amended to read as follows:

(1) 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, the amount of which is to be determined by the commission, prescribed to promoters, managers, referees, boxers, wrestlers, and seconds ~~((and trainers))~~: PROVIDED, That the provisions of this section shall not apply to contestants or participants in strictly amateur contests and/or fraternal organizations and/or veterans' organizations chartered by congress or the ~~((war))~~ defense department or any bona fide athletic club which is a member of the Pacific northwest association of the amateur athletic union of the United States, holding and promoting athletic contests ~~((or smokers))~~ and where all funds are used primarily for the benefit of their members.

(2) Any such license may be revoked by the commission for any cause which it shall deem sufficient.

(3) No person shall participate or serve in any of the above capacities unless licensed as ~~((herein))~~ provided in this chapter.

(4) The referee for any boxing contest shall be designated by the commission from among such licensed referees.

(5) The referee for any wrestling exhibition or show shall be provided by the promoter and licensed by the commission.

Sec. 11. Section 17, chapter 184, Laws of 1933 and RCW 67.08.110 are each amended to read as follows:

Any person or any member of any group of persons or corporation promoting ~~((wrestling or))~~ boxing exhibitions or contests who shall participate directly or indirectly in the purse or fee of any manager of any boxers ~~((or wrestlers))~~ or any boxer ~~((or any wrestler))~~ and any licensee who shall conduct or participate in any sham or fake boxing contest or sparring ~~((or wrestling))~~ match or exhibition shall thereby forfeit its license and the commission shall declare such ~~((licensee {license})~~) license canceled and void and such licensee shall not thereafter be entitled to receive another such, or any license issued pursuant to the provisions of this chapter.

Sec. 12. Section 18, chapter 184, Laws of 1933 and RCW 67.08.120 are each amended to read as follows:

Any contestant or licensee who shall participate in any sham or fake boxing contest (~~((or sparring or wrestling))~~), match, or exhibition (~~((or))~~) and any licensee or participant who violates any rule or regulation of the commission shall be penalized in the following manner: 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 any contest held under the provisions of this chapter, such suspension to take effect immediately after the occurrence of the offense; for any second offense such contestant shall be forever suspended from participation in any contest held under the provisions of this chapter.

Sec. 13. Section 7, chapter 184, Laws of 1933 as amended by section 2, chapter 48, Laws of 1975-'76 2nd ex. sess. and RCW 67.08.010 are each amended to read as follows:

The commission shall have power to issue and for cause to revoke a license to conduct boxing contests (~~((or))~~), sparring matches, or wrestling (~~((matches))~~) shows or exhibitions including a simultaneous telecast of any live, current or spontaneous boxing, sparring or wrestling match or performance on a closed circuit telecast within this state, whether originating in this state or elsewhere, and for which a charge is made, as herein provided under such terms and conditions and at such times and places as the commission may determine. Such licenses shall entitle the holder thereof to conduct boxing contests and sparring and/or wrestling matches and exhibitions under such terms and conditions and at such times and places as the commission may determine. In case the commission shall refuse to grant a license to any applicant, or shall cancel any license, such applicant, or the holder of such canceled license shall be entitled, upon application, to a hearing to be held not less than sixty days after the filing of such order at such place as the commission may designate: PROVIDED, HOWEVER, That if it has been found by a valid finding and such finding is fully set forth in such order, that the applicant or licensee has been guilty of disobeying any provision of this chapter, such hearing shall be denied.

Sec. 14. Section 2, chapter 9, Laws of 1977 and RCW 67.08.015 are each amended to read as follows:

The commission shall have power and it shall be its duty to direct, supervise, and control all boxing contests (~~((or))~~), sparring matches, and wrestling (~~((matches))~~) shows or exhibitions conducted within the state and no such boxing contest, sparring match, or wrestling (~~((match))~~) show or exhibition shall be held or given within this state except in accordance with the provisions of this chapter. The commission may, in its discretion, issue and for cause revoke a license to conduct, hold or give boxing(~~(;)~~) and sparring (~~((and/or wrestling))~~) contests, (~~((matches;))~~) and wrestling shows and exhibitions where an admission fee is charged by any club, corporation, organization, association, or fraternal society: PROVIDED, HOWEVER, That all boxing contests, sparring or wrestling matches or exhibitions which:

(1) Are conducted by any common 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 any common school, college, or university, within or without this state; or

(2) Are entirely amateur events promoted on a nonprofit basis or for charitable purposes;

shall not be subject to the provisions of this chapter: PROVIDED, FURTHER, That every contestant in any boxing contest(;) or sparring ((~~or wrestling~~)) match not conducted under the provisions of this chapter, prior to engaging in any such contest or match, shall be examined by a practicing physician at least once in each calendar year or, where such contest is conducted by a common school, college or university as further described in this section, once in each academic year in which instance such physician shall also designate the maximum and minimum weights at which such contestant shall be medically certified to participate: PROVIDED FURTHER, That no contestant shall be permitted to participate in any such boxing contest, sparring or wrestling match or exhibition in any weight classification other than that or those for which he is certified: PROVIDED FURTHER, That the organizations exempted by this section from the provisions of this chapter shall be governed by RCW 67.08.080 as said section applies to boxing contests(;) or sparring ((~~or wrestling~~)) matches or exhibitions conducted by organizations exempted by this section from the general provisions of this chapter. No boxing contest ((~~or~~)), sparring match, or wrestling ((~~match~~)) show or exhibition shall be conducted within the state except pursuant to a license issued in accordance with the provisions of this chapter and the rules and regulations of the commission except as hereinabove provided.

Sec. 15. Section 5, chapter 48, Laws of 1975-'76 2nd ex. sess. and RCW 67.08.055 are each amended to read as follows:

Every licensee who charges and receives an admission fee for exhibiting a simultaneous telecast of any live, current, or spontaneous boxing or sparring match, or wrestling exhibition or ((~~performance~~)) show on a closed circuit telecast viewed within this state shall, within seventy-two hours after such event, furnish to the commission a verified written report on a form which is supplied by the commission showing the number of tickets issued or sold, and the gross receipts therefor without any deductions whatsoever. Such licensee shall also, at the same time, pay to the commission a tax equal to five percent of such gross receipts paid for admission to the showing of the contest, match or exhibition. In no event, however, shall the tax be less than twenty-five dollars. The tax shall apply uniformly at the same rate to all persons subject to the tax. Such receipts shall be immediately paid by the commission into the general fund of the state.

Sec. 16. Section 12, chapter 184, Laws of 1933 as last amended by section 2, chapter 19, Laws of 1988 and RCW 67.08.060 are each amended to read as follows:

The commission may appoint official inspectors at least one of which, in the absence of a member of the commission, shall be present at any boxing contest or sparring ~~((and/or wrestling))~~ match or exhibition held under the provisions of this chapter and may be present at any wrestling exhibition or show. Such inspectors shall carry a card signed by the chairman of the commission evidencing their authority. It shall be their duty to see that all rules and regulations of the commission and the provisions of this chapter are strictly complied with and to be present at the accounting of the gross receipts of any contest, and such inspector is authorized to receive from the licensee conducting the contest the statement of receipts herein provided for and to immediately transmit such reports to the commission. Each inspector shall receive a fee from the licensee to be set by the commission for each contest officially attended. Each inspector shall also receive from the state travel expenses in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended.

Sec. 17. Section 22, chapter 184, Laws of 1933 as last amended by section 3, chapter 19, Laws of 1988 and RCW 67.08.140 are each amended to read as follows:

Any person, club, corporation, organization, association, ~~((or))~~ fraternal society, participant, or promoter conducting ~~((within this state))~~ or participating in boxing contests, sparring matches, or wrestling ((contests)) shows or exhibitions within this state without having first obtained a license therefor in the manner provided by this chapter is in violation of this chapter and shall be guilty of a misdemeanor excepting such contests excluded from the operation of this chapter by RCW 67.08.015. The attorney general, each prosecuting attorney, the commission, or any citizen of any county where any person, club, corporation, organization, association, ~~((or))~~ fraternal society, promoter, or participant shall threaten to hold, or appears likely to hold or participate in athletic contests or exhibitions in violation of this chapter, may in accordance with the laws of this state governing injunctions, enjoin such person, club, corporation, organization, association, ~~((or))~~ fraternal society, promoter, or participant from holding or participating in such contest or exhibition.

NEW SECTION. Sec. 18. Sections 1 through 4 of this act are each added to chapter 67.08 RCW.

NEW SECTION. Sec. 19. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state

government and its existing public institutions, and shall take effect immediately.

Passed the Senate April 10, 1989.

Passed the House April 4, 1989.

Approved by the Governor April 20, 1989.

Filed in Office of Secretary of State April 20, 1989.

CHAPTER 128

[Senate Bill No. 5150]

FORMER PRISONER OF WAR RECOGNITION DAY

AN ACT Relating to a former prisoner of war recognition day; and amending RCW 1.16.050.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 1, chapter 51, Laws of 1927 as last amended by section 1, chapter 189, Laws of 1985 and RCW 1.16.050 are each amended to read as follows:

The following are legal holidays: Sunday; the first day of January, commonly called New Year's Day; the third Monday of January, being celebrated as the anniversary of the birth of Martin Luther King, Jr.; the third Monday of February to be known as Presidents' Day and to be celebrated as the anniversary of the births of Abraham Lincoln and George Washington; the last Monday of May, commonly known as Memorial Day; the fourth day of July, being the anniversary of the Declaration of Independence; the first Monday in September, to be known as Labor Day; the eleventh day of November, to be known as Veterans' Day; the fourth Thursday in November, to be known as Thanksgiving Day; the day immediately following Thanksgiving Day; and the twenty-fifth day of December, commonly called Christmas Day.

Employees of the state and its political subdivisions, except employees of school districts and except those nonclassified employees of institutions of higher education who hold appointments or are employed under contracts to perform services for periods of less than twelve consecutive months, shall be entitled to one paid holiday per calendar year in addition to those specified in this section. Each employee of the state or its political subdivisions may select the day on which the employee desires to take the additional holiday provided for herein after consultation with the employer pursuant to guidelines to be promulgated by rule of the appropriate personnel authority, or in the case of local government by ordinance or resolution of the legislative authority.

If any of the above specified state legal holidays are also federal legal holidays but observed on different dates, only the state legal holidays shall