

cent of all delinquent taxes thereafter collected by him to the state treasurer, and seventy per cent thereof to the several town, city and village treasurers entitled thereto quarterly thereafter.

SECTION 2. This act shall take effect and be in force from and after its passage and publication and shall apply to all settlements for income taxes heretofore made in compliance therewith.

Approved June 18, 1915.

No. 606, A.]

[Published June 22, 1915.

CHAPTER 272.

AN ACT to amend section 1636—241 of the statutes, relating to the athletic commission.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 1636—241 of the statutes is amended to read: Section 1636—241. 1. There is hereby created a board, which shall be known as the "State Athletic Commission of Wisconsin." Within thirty days after the passage and publication of this act, the governor shall appoint a member who shall serve for two years, another who shall serve for three years and another who shall serve for four years. Thereafter each member shall be appointed for a term of five years. Vacancies shall be filled in the same manner for unexpired terms. Two members of the commission, with the secretary, shall constitute a quorum for the exercise of the powers or authority conferred upon it, and in case of a vacancy, the remaining members of the commission, unless such vacancy is filled.

2. The commission shall maintain a general office for the transaction of its business at such place as the commission may designate. The commission may hold meetings at any place other than the place in which the general office is located, when the convenience of the parties so requires. *The members of the commission shall elect one of their number chairman of the commission, shall adopt a seal for the commission and make such rules and regulations for the administration of their office, not inconsistent herewith, as they may deem expedient, and may from time to time amend or abrogate the same.*

(a) The commission shall appoint, and * * * may remove, a secretary to the commission, whose duty it shall be to keep a full and true record of all * * * the proceedings, of the commission preserve at its general office all its books, documents and papers, prepare for service such notices and other

papers as may be required of him by the commission, and to perform such other duties as the commission may prescribe; and he may, under the direction of the commission, issue subpoenas for the attendance of witnesses before the commission with the same effect as if they were issued in an action in the circuit court, and may, under the direction of the commission, administer oaths, in all matters appertaining to the duty of his office or connected with the administration of the affairs of the commission. Disobedience of such subpoenas and false swearing before such secretary, shall be attended by the same consequences, and be subject to the same penalties, as if such disobedience or false swearing occurred in an action in the circuit court. * * *

The necessary traveling and other expenses of the members of the commission, including the salary of the secretary, shall not exceed the sum of three thousand dollars per year, and shall be paid monthly by the state treasurer, on the warrant of the secretary of state, out of moneys appropriated for this purpose.

(a—1) The secretary shall hold office during the pleasure of the commission and shall give a bond to the state of Wisconsin in the sum of two thousand dollars, with good and sufficient sureties to be approved by the commission, for the faithful performance of his duties as such secretary. Such secretary shall receive such salary as the commission shall fix, not exceeding fifteen hundred dollars per annum.

(a—2) The commission shall have, and is hereby vested with the sole direction, management and control of, and jurisdiction over, all boxing and sparring matches and exhibitions to be conducted, held or given within the state by any club, corporation or association; and no boxing or sparring matches or exhibitions shall be conducted, held or given within the state except pursuant to authority therefor granted by the commission and in accordance with the provisions of this act and the rules and regulations of the commission. The commission may, at its discretion, issue, and for cause revoke a license to conduct, hold or give boxing and sparring matches and exhibitions to any incorporated club or association formed as hereinafter provided. The commission shall have full power and authority to limit the number of sparring or boxing exhibitions to be held or given by any club, organization or corporation in any city in this state, wherein such boxing contests are conducted in the manner herein provided. No boxing or sparring exhibition shall be conducted by any club, organization or corporation having a license to conduct sparring or boxing exhibitions in this state except by a sanction or permit from the State Athletic Commission.

Every license shall be subject to such rules and regulations, and amendments thereof, as the commission may prescribe. From and after January 1, 1916, no license shall be issued by the commission to any club, corporation or association to conduct boxing or sparring exhibitions as herein provided for in any city of the second, third or fourth class unless such city shall have consented by ordinance or resolution by its common council to the conducting of boxing or sparring exhibitions in such city.

(b) The commission shall make to the legislature a full report of its proceedings for the two years ending with the preceding first day of December, before the beginning of the regular session of the legislature; said report to the legislature shall be completed and shall contain a statement of clubs, organizations or corporations, the number of licenses revoked, the gross receipts from each club, organization or corporation, and such other information and comments in relation to the work of the commission as the public interest may require.

2a. No boxing or sparring exhibition shall be conducted by any club or organization except by license issued to such club or organization by the state athletic commission of Wisconsin; and no club or organization shall be entitled to receive a state license unless it has been incorporated under the laws of the state of Wisconsin, and provided, further, that the membership of such club shall be limited to * * * persons who have been continuous residents in the state at least one year. The application for a license, as herein provided for, shall be in writing, and shall be addressed to the commission, and shall be verified by some officer of the club, organization or corporation on whose behalf the application may be made. Such application shall be accompanied by an annual fee, which shall be twenty-five dollars in cities of not more than five thousand inhabitants; fifty dollars in cities of not more than fifty thousand inhabitants; one hundred dollars in cities of not more than seventy-five thousand inhabitants; and three hundred dollars in all cities of the state having a population of over one hundred fifty thousand inhabitants. Such application must show that the club or organization has a bona fide lease for one year of the building, for athletic purposes, wherein such contests are to be held. Before any such permit or license is granted to any club, organization or corporation, which shall have filed its application as herein provided, such applicant must file a bond of two thousand dollars of good and sufficient surety with the state treasurer, conditioned for the payment of the taxes herein imposed.

3. Every club, corporation or association which may hold or

exercise any of the privileges conferred by this * * * *section* shall, within twenty-four hours after the determination of every contest, furnish to the said commission a written report, duly verified by one of its officers, showing the number of tickets sold for such contest, and the amount of gross proceeds thereof, and such other matters as the commission may prescribe; and shall also within said time, pay to the said * * * *commission* a tax of five per cent of its total gross receipts from the sale of tickets of admission to such boxing or sparring match or exhibition.

4. Whenever * * * *amateur boxing and sparring matches or exhibitions* are held under the auspices or sanction of the Amateur Athletic Union, or the Young Men's Christian Association, the license fee necessary under this act shall not be required of said organization; *such matches and exhibitions shall, however, be subject to all the other provisions of this act and the rules and regulations of the commission.*

5. The commission shall appoint official representatives designated as "inspectors," each of whom shall receive from the commission a card, authorizing him to act as such inspector wherever the commission may designate him to act. * * * *The commission may, and at least one inspector shall be present at all exhibitions and matches and see that the rules are strictly observed, and an inspector shall also be present at the counting up of the gross receipts, and shall immediately mail to the commission the official box office statement received by him from the officers of the club.*

6. No boxing or sparring match or exhibition shall be held on Sunday.

7. No intoxicating liquor shall be given away, sold or offered for sale in any building or part thereof, in which boxing or sparring exhibitions are being conducted.

8. No boxing or sparring exhibition shall be of more than ten rounds duration, and no one round of such exhibition shall be permitted to extend for a longer period than three minutes.

(a) There shall be one minute intermission between each round.

(b) No contestants shall in any such boxing or sparring exhibition wear, or be permitted to wear, gloves weighing less than five ounces for contestants under one hundred and forty pounds, and six ounces for contestants over one hundred and forty pounds.

(c) No contestant under the age of eighteen years shall be permitted to participate in any such boxing or sparring contest.

(d) No betting or wagering at any boxing or sparring contests shall be permitted by any club or organization before, after, or during any such contest, in the building where such contest is held.

(e) Contestants shall break clean, and must not hold and hit. Butting with head or shoulder, wrestling or illegal use of elbows shall not be allowed. There shall be no unsportsmanlike conduct on the part of the contestants. This shall include the use of abusive or insulting language.

(f) No decision shall be rendered in any contest held under the provisions of this * * * section.

9. No person *under the age of eighteen years* shall be admitted to a boxing or sparring exhibition, * * * unless accompanied by his parent. * * *

10. Each contestant must be examined prior to entering the ring by a physician who has been licensed to practice in Wisconsin for not less than five years; *such physician to be appointed by the commission*. The physician shall certify in writing, over his signature, as to the contestants' physical condition to engage in such contest.

The commission is authorized to grant licenses upon application and the payment of a fee of ten dollars *per annum* to competent referees, who shall be bona fide residents of the state, and may revoke any license so granted to any such referee upon such cause as the commission shall deem sufficient. The referee must stop the contest or match when either of the contestants shows a marked superiority or is apparently outclassed.

11. Any club, corporation or organization which shall conduct, hold or give or participate in any sham or fake boxing or sparring match, shall thereby forfeit its license in accordance with the provisions of this * * * section which shall thereupon be by the commission cancelled and declared void; and it shall not thereafter be entitled to receive another such, or any license pursuant to the provisions of this * * * section; nor shall any such license be issued to any club or organization, which has among its members any member who belonged to a club or organization which had its license revoked.

12. Any contestant who shall participate in any sham or fake boxing or sparring match *or violate 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 nor more than one year in the discretion of the commission*, such period to begin immediately after the occurrence of such offense,

from participating in any boxing to be held or given by any club or corporation, duly licensed to give or hold such boxing or sparring match or exhibition; for a second offense, he shall be totally disqualified from further admission or participation in any boxing contest, held or given by any club, corporation or association, duly licensed for such purpose in this state.

13. Whenever any club, corporation or association shall fail to make a report of any contest at the time prescribed by this * * * *section*, or whenever such report is unsatisfactory to the commission, the secretary may examine or cause to be examined, the books and records of such club, corporation or association, and subpoena and examine under oath its officers and other person or persons for witnesses for the purpose of determining the total amount of its gross receipts for any contest and the amount of taxes due pursuant to the provisions of this * * * *section*, which tax he may, upon and as a result of such examination, fix and determine. In case of a default in the payment of any taxes so adjudged to be due, together with the expenses incurred in making such examination, for a period of twenty days after notice to such delinquent club, corporation or association of the amount, such delinquent club, corporation or association shall ipso facto forfeit its license and shall be thereby disqualified from receiving any new license, or any renewal of its license; and it shall in addition forfeit to the people of the state of Wisconsin the sum of one thousand dollars, which may be recovered by the attorney-general in the name of the people of the state of Wisconsin, in the same manner as other penalties are by law recovered.

14. Any person who violates any of the provisions of this * * * *section*, for which a penalty is not herein expressly prescribed, shall be guilty of a misdemeanor.

SECTION 2. All acts and parts of acts inconsistent herewith are hereby repealed.

SECTION 3. This act shall take effect upon passage and publication.

Approved June 18, 1915.