

BEFORE THE BOARD OF ATHLETICS
DEPARTMENT OF LABOR AND INDUSTRY
STATE OF MONTANA

In the matter of the proposed amendment) NOTICE OF PUBLIC
of ARM 24.117.301 definitions,) HEARING ON PROPOSED
24.117.401, 24.117.402, 24.117.403,) AMENDMENT, ADOPTION
24.117.404, 24.117.405 and 24.117.406) AND REPEAL
general provisions, 24.117.601)
and 24.117.602 contest regulations,)
24.117.702, 24.117.703, 24.117.705,)
24.117.706, 24.117.709 and 24.117.710)
boxing regulations, 24.117.801, 24.117.802,)
24.117.803, 24.117.804, 24.117.805,)
24.117.810, 24.117.811, 24.117.812 and)
24.117.815 ring regulations, 24.117.901,)
24.117.903, 24.117.904, 24.117.905,)
24.117.906 and 24.117.907 boxing officials,)
24.117.1001, 24.117.1002, 24.117.1005,)
24.117.1006 and 24.117.1007 club boxing,)
the proposed adoption of New Rule I promoter,)
New Rule II bout approval, New Rule III referee))
New Rule IV fee abatement, New Rule V)
suspension and revocation, New Rules VI)
through XIV mixed martial arts, and the)
proposed repeal of 24.117.502, 24.117.902,)
24.117.1003 and 24.117.1004)

TO: All Concerned Persons

1. On February 17, 2006, at 2:30 p.m., a public hearing will be held in room 489, 301 South Park Avenue, Helena, Montana to consider the proposed amendment, adoption and repeal of the above-stated rules.

2. The Department of Labor and Industry (Department) will make reasonable accommodations for persons with disabilities who wish to participate in this public hearing or need an alternative accessible format of this notice. If you require an accommodation, contact the Board of Athletics (Board) no later than 5:00 p.m., February 10, 2006, to advise us of the nature of the accommodation that you need. Please contact Chris Bernet, Board of Athletics, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513; telephone (406) 841-2334; Montana Relay 1-800-253-4091; TDD (406) 444-2978; facsimile (406) 841-2309; e-mail dlibsdat@mt.gov.

3. GENERAL STATEMENT OF REASONABLE NECESSITY: As part of the periodic review of its rules, the Board is proposing a substantial number of revisions to its rules. Some of the proposed amendments are technical in nature, such as

updating addresses, substituting modern language for archaic phrasing, omitting gender-specific references, amending for use of consistent terminology, reorganization and renumbering within the rules, and updating obsolete or inappropriate statutory references. Other rule changes reflect a decision by the Board to streamline its rules. In some instances, such substantial changes are being proposed to a rule that the Board determined the simplest solution is to draft a new rule to replace the old rule, which is then repealed. In other cases, new language is being proposed to clarify matters and processes that apparently are confusing to licensees and members of the public. The Board is also amending and updating the rules to coincide with the current regulations and safety codes of USA Boxing, as required pursuant to 23-3-405, MCA. Accordingly, the Board believes that there is reasonable necessity to generally amend certain existing rules, repeal certain existing rules, and adopt new rules at this time. Where there are additional specific bases for a proposed action, the Board will identify those reasons immediately following that rule.

4. The rules proposed to be amended provide as follows, deleted matter interlined, new matter underlined:

24.117.301 DEFINITIONS (1) "Amateur" means an individual who has never been a professional boxer or professional wrestler, as defined in this chapter, as well as an individual who has never received nor competed for any purse, either for participating in any boxing contest or exhibition or for the expenses of training.

(1) through (5) remain the same but are renumbered (2) through (6).

~~(6)~~ (7) "Kickboxing", or "full contact karate" is means the use of hands, feet or other striking techniques which are utilized to disable or cause injury to an opponent in a contest, exhibition or performance.

(8) "Manager" means a person in overall charge of a boxer and has the executive function of planning, organizing, coordinating, directing, contracting, and supervising any scheduling or business activity of a boxer and is responsible for the results of such activity.

~~(7)~~ (9) "Mud wrestling" is interpreted by the board to include means wrestling in jello Jell-o, natural dirt and water, polyurethane, polyurethane, synthetic, or other unnatural or foreign substances. This rule is advisory only.

(8) remains the same but is renumbered (10).

(11) "Recognized amateur association", for the purposes of 23-3-404, MCA, means the United States Amateur Boxing, Inc.

(12) "Ring generalship" means having the ability to quickly grasp and take advantage of every opportunity offered, the capacity to cope with all kinds of situations which may arise, and to foresee and neutralize an opponent's method to adopt a style of boxing at which the contestant is not particularly skillful.

(13) "Ringside health care professional" means a licensed physician (M.D. or D.O.), a licensed physician-assistant certified, or a licensed advanced practice registered nurse (nurse practitioner, nurse-midwife, nurse anesthetist, or clinical nurse specialist).

(9) remains the same but is renumbered (14).

AUTH: 23-3-405, MCA
IMP: 23-3-404, 23-3-405, MCA

REASON: The Board determined that it is reasonable and necessary to amend the definitions rule to add several definitions that are used within the Board rules, but have never been defined by the Board. Adding the definitions will provide greater clarity and will assist the Board in the application and enforcement of the Board rules.

It is reasonable and necessary to add a definition of "amateur" to address numerous inquiries to the Board and following lengthy Board review, research and discussion. The Board had never previously defined "amateur", but following the amendment of the rule there will exist definitions for "amateur", "semiprofessional", and "professional" with regard to athletes and athletic events regulated by the Board.

Section 23-3-404, MCA, provides that the Board has sole jurisdiction over professional or semiprofessional boxing or wrestling events in Montana. The statute further states that events for contestants under 16 years of age conducted by a recognized amateur association fall outside the Board's jurisdiction. The Board determined it is reasonably necessary to amend the rule to define "recognized amateur association" to alleviate confusion among licensees, clarify the Board's intent as to the exception to Board jurisdiction, and further implement the applicable statute.

The terms "manager" and "ring generalship" have existed in the Board's rules for many years, but have never before been defined. Upon review of the rules, the Board concluded that adding these two definitions would serve to clarify the rules for licensees and members of the public.

It is reasonable and necessary to amend the rule to include a definition of "ringside health care professional" to address changes to section 23-3-405, MCA, following the 2005 legislative session. Senate Bill 105 (Ch. 202, Laws of 2005) amended the statute to require the Board to adopt rules providing for the attendance at ringside of either a licensed physician, a licensed physician assistant-certified or a licensed advanced practice registered nurse, as defined in statute. The rule is being amended to coincide with the new legislation and further implement the statute.

24.117.401 GENERAL INFORMATION (1) The mailing address of the board is: Board of Athletics, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513, ~~(406) 841-2350~~.

AUTH: 23-3-405, MCA
IMP: 23-3-405, MCA

24.117.402 FEES

- (1) Promoters/~~matchmakers~~ ~~\$500, plus bonding requirements~~
- (a) Bonding requirements are in addition to the fee
- (2) Boxers/kickboxers 35 45
- (3) Wrestlers 35 45
- (4) Referees 35 45
- (5) Managers/trainers 35 45

(6) Seconds	35 <u>45</u>
(7) Judges	35 <u>45</u>
(8) Timekeeper/knockdown judge	35
(9) <u>(8)</u> Minimum kicking requirement	35 <u>45</u>
(10) Club boxing fees:	
(a) boxer	20
(b) seconds	20
(c) timekeeper	20
(d) manager/trainer	20
(e) promoter's application	100
<u>(9) Fees are nonrefundable.</u>	

AUTH: 23-3-405, 37-1-134, MCA

IMP: 23-3-405, 23-3-501, 37-1-134, MCA

REASON: The Board determined it is reasonable and necessary to amend the Board's fee schedule to delete fees applicable to only club boxing licensees. The general licensure fees will apply to all licensees following the amendment. The Board and Department concluded that Department staff expends a similar, if not greater, amount of time, expense and effort processing applications and regulating events for club boxing as compared to professional athletic events. In addition, the number of club boxing events has increased significantly since the inception in 2001, requiring the Board to hire additional inspectors to regulate the increasing number of events. Currently, Board inspectors attend approximately five club boxing events a week during the September to April club boxing season, for an estimated total of 160 events per season.

The Board has determined that it is reasonable and necessary to make the proposed fee increases to comply with provisions of 37-1-134, MCA, and keep the Board's fees commensurate with program costs. In providing administrative services to the Board, the Department has determined that unless licensure fees are increased immediately and as proposed, the Board will have a shortage of operating funds by the end of fiscal year 2006.

Licensing fees for all board licensees will be increased. Licensing fees for club boxing licensees, including boxers, seconds and managers/trainers, will increase from \$20 to \$45, resulting in a total revenue increase of \$24,175 and affecting approximately 967 licensees. The license fee for club boxing promoters will increase from \$100 to \$500, to coincide with the current license fee for professional promoters. This increase will affect approximately one licensee, with an estimated annual revenue increase of \$400. Licensing fees for professional boxers, kickboxers, wrestlers, referees, seconds, judges, managers/trainers and minimum kicking requirements for kickboxers, will increase from \$35 to \$45, resulting in a total revenue increase of \$2,390 and affecting approximately 239 licensees. The Board is also proposing to amend the rule to delete the licensure fees for timekeepers as the Board lacks statutory jurisdiction to license timekeepers. The Board is also adding a provision to clarify that all fees payable to the Board are nonrefundable.

24.117.403 PROHIBITIONS (1) The board will not sanction and will seek to enjoin the following ~~types of bouts and~~ athletic events:

(a) ~~bouts or athletic events~~ in which more than two boxing contestants are to appear in the ring at the same time; and

(b) ~~bouts or athletic events~~ between members of the opposite sex.

(c) ~~any barroom type brawls, "so you think you're tough" type challenge contests and roughneck type bouts;~~

(d) ~~any exotic form of activity which is advertised as a form of wrestling, boxing or fighting including "ultimate challenge" contests and which involves recognition, a prize or a purse at which an admission fee is charged, either directly or indirectly, in the form of dues or otherwise.~~

AUTH: 23-3-405, MCA

IMP: 23-3-404, 23-3-405, MCA

REASON: The Board determined it is reasonable and necessary to amend this rule to account for changes in the types of current boxing and wrestling events. The Board acknowledges that events currently labeled as "ultimate challenge" or "so you think you're tough" events are not necessarily the types of events the Board would seek to enjoin, and the Board is amending the rule accordingly.

24.117.404 CONTRACTS AND PENALTIES (1) ~~Terms of all contracts~~ Contracts between promoters, managers, semiprofessional or professional boxing, club boxing, kickboxing, and wrestling organizations and contestants shall be completed on forms approved by the board. The original or a true copy of each contract shall be filed with the board at least 24 hours prior to the date of the event, unless ~~specific, individual delay is approved~~ otherwise allowed by the board. Contestants must sign contracts with their legal names.

(2) ~~Telegrams or letters~~ Letters, including faxed letters, showing acceptance of terms pending the signing of a contract, ~~will~~ shall be considered as an agreement between the contestant, ~~his~~ the contestant's manager, and the organization. No verbal agreements will be permitted.

(3) ~~In all cases in which performance under a contract has begun, if either~~ When a party to the a contract under which performance has begun finds it impossible or inconvenient to carry out the terms of the contract, or intends, for other reasons, to violate a condition of ~~his or her~~ the contract with another licensee, ~~he or she~~ the party shall notify the board immediately. Failure to provide such information shall may result in disciplinary action by the board.

(4) When a contestant ~~is~~ under contract, appears at weigh-in time, ~~and~~ is ready to fulfill ~~his~~ the contract, and neither ~~his~~ an opponent nor a substitute appears, the promoter must pay the contestant ~~his~~ the contract guarantee unless a forfeit is provided.

(5) remains the same.

(6) If a contestant fails, without good cause, to comply with ~~his or her~~ the terms of a contract with a promoter, ~~he~~ the contestant shall may be subject to disciplinary action by the board.

(7) If a promoter fails, without good cause, to comply with ~~his or her~~ the terms of a contract with a contestant, he shall the promoter may be subject to disciplinary action by the board.

AUTH: 23-3-405, MCA

IMP: 23-3-404, 23-3-405, 23-3-603, MCA

24.117.405 MEDICAL ADVISOR (1) The board ~~will~~ shall appoint a medical advisor ~~to the board to provide~~ the board competent medical advice regarding issues of health and safety implicated in the course and conduct of boxing contests. The duties of the medical advisor include:

(a) and (b) remain the same.

(2) ~~The medical advisor shall submit his recommendations in writing to the board. During board deliberations the~~ The medical advisor will be permitted to may participate, ~~however, will~~ in board deliberations, but shall not be permitted to vote on the board's adoption or rejection of the recommendation. ~~Any~~ The medical advisor shall submit recommendations in writing to the board and any recommendations accepted by the board ~~will~~ shall be adopted through a formal rulemaking process.

(3) remains the same.

AUTH: 23-3-405, MCA

IMP: 23-3-405, MCA

24.117.406 GENERAL LICENSING REQUIREMENTS (1) and (2) remain the same.

(3) ~~Before holding any specific athletic event any club holding an annual license shall obtain a separate permit or sanction from the board at least 21 days prior to the event. This section shall not apply to club boxing events.~~

(a) ~~The permit shall be posted and prominently displayed in the box office of the premises where the athletic event is held.~~

(4) ~~Every contestant must compete consistently under the same name. Ring names may be used, but and must appear on the official license as issued by the board.~~

(5) ~~Prior to issuance of a promoter's license, the promoter shall, on a form provided by the board, deliver to the board a surety bond in the amount of \$5,000, or 5% of projected gross revenue, whichever is greater. The board shall determine the amount of the surety bond based on the facts and circumstances of the particular event, including a projection of gross revenue submitted by the promoter. The bond shall be forfeited to the board as a penalty bond in the event the board finds that the promoter has violated any provision of Title 23, chapter 3, MCA, or rule promulgated thereunder.~~

(6) ~~Promoters are responsible to insure shall ensure that adequate public safety is maintained.~~

(7) ~~The promoter Promoters shall provide insurance to adequately protect the contestants, the officials and the attending public, and shall furnish proof of such insurance to the board before sanction shall be granted.~~

~~(8)~~ (3) Applications and fees shall be made to received by the board prior to or on the date of the athletic event.

(a) remains the same.

(9) remains the same but is renumbered (4).

~~(10)~~ The board must be notified of the names and weights of all contestants involved in an athletic event, at least 10 days before the athletic event. This section shall not apply to club boxing events.

~~(11)~~ The board reserves the right to question any applicant. If, in the board's judgement, the applicant does not have sufficient knowledge of the sport or is otherwise not deemed responsible to act, such license may be denied.

~~(12)~~ No applicant, licensee or official shall appear at ringside while under the influence of alcohol or mood-altering drugs, unless prescribed to the individual by a physician.

~~(13)~~ The board shall be notified in such form and with such detailed information as the board may prescribe, that an athletic event is to be telecast, televised or broadcast in any manner, including but not limited to:

~~(a)~~ television,

~~(b)~~ radio,

~~(c)~~ any transmission via a cable television system,

~~(d)~~ any transmission via microwave, closed circuit, satellite or fiber optic link,

or

~~(e)~~ any other method of limited distribution.

(14) remains the same but is renumbered (5).

~~(15)~~ (6) All contestant applicants or contestant licensees must contestants shall submit a certified laboratory report documenting that the contestant has, within 30 days prior to the each bout or match in which the contestant is scheduled to appear, been administered an HIV test for the presence of AIDS antibodies and that the results of such test were negative.

AUTH: 23-3-405, MCA

IMP: 23-3-404, 23-3-405, 23-3-501, 23-3-502, MCA

24.117.601 CONTEST REGULATIONS ~~(1)~~ Duly accredited news media representatives must, upon request, be admitted at the official weighing in of all contestants.

~~(2)~~ (1) Smoking will not be permitted at athletic events licensed by the board, except outdoor athletic events. Signs reading "NO SMOKING" shall ~~There must be~~ displayed in conspicuous places throughout the building where the athletic event is held, ~~signs reading "NO SMOKING"~~.

~~(3)~~ (2) Notice of any change in announced or advertised programs for any athletic event must be promptly filed with the board ~~and the press~~ at least 24 hours prior to the athletic event. Notices announcing such change or substitution must ~~also be conspicuously posted at the box office, and~~ announced from the ring before the opening athletic event.

~~(4)~~ (3) Only board members, contestants, seconds, managers, promoters, ~~physicians~~ ringside health care professionals, and representatives of the board will

be permitted in dressing rooms. ~~All of them must present upon presentation of proper credentials issued by the board.~~

~~(5) Ushers are forbidden to seat anyone after the athletic event has commenced until the round of the athletic event going on has been completed.~~

~~(6) At all evening athletic events, the main or final bout must start no later than 10:00 p.m.~~

(4) No applicant, licensee, inspector, or official shall consume or appear under the influence of alcohol or mood-altering drugs at a venue, unless prescribed to the individual by a physician.

AUTH: 23-3-405, MCA

IMP: 23-3-405, MCA

24.117.602 TICKETS (1) No person shall be admitted to any athletic event unless he the person:

(a) holds a ticket;

(b) is a member of the board;

(c) holds an identification card issued by the board for official duty;

(d) is an official provided for the athletic event; or

(e) is a policeman or fireman in uniform and actually on duty.

(2) remains the same.

(3) No contestant ~~will be allowed to~~ shall sell tickets for any athletic event in which he the contestant is engaged on a commission basis, to serve as a remuneration for his services as a contestant.

(4) All tickets, ~~exclusive of~~ except press and complimentary tickets, shall:

(a) have clearly show the price and date of show printed plainly thereon; ;

(b) shall be consecutively numbered; and

(c) shall have a coupon attached, which may be held retained by the purchaser.

~~(5) Licensed clubs are prohibited from selling any tickets for any price other than the price printed on the ticket, or to change the price of tickets at any time during the athletic event for a price less than tickets for the same seats were sold or offered before the athletic event.~~

~~(6) Licensed clubs must exercise caution to prevent speculation in tickets.~~

~~(7) Advance sales of tickets must be accounted for as part of the gross receipts.~~

AUTH: 23-3-405, MCA

IMP: 23-3-405, MCA

24.117.702 BOXING CONTESTANTS (1) All boxing contestants, ~~except amateur club boxers,~~ must file an application with the board, including a photograph of the applicant. ~~Contestants may also be required to file a birth certificate with the board.~~

(2) All contestants shall present a valid picture ID prior to participating in an athletic event.

(3) Contestants shall compete consistently under the same name. Ring names may be used and must appear on the official license as issued by the board.

~~(2) (4)~~ With the exception of club boxing, no No contestant under the age of 18 or over the age of 35 will shall be licensed to participate in Montana unless an exemption exception is granted by the board.

(a) Contestants over the age of 35 wishing to compete must provide to the board a written statement by the contestant's personal physician (M.D.) that:

(i) the physician has performed a full physical examination of the contestant within a year of the event; and

(ii) the contestant is medically fit to participate in the event.

~~(3)~~ remains the same but is renumbered ~~(5)~~.

~~(4) (6)~~ Contestants must shall wear proper athletic attire and appropriate protective devices, including:

(a) form-fitting mouthpiece; and

(b) protective foul proof athletic cup.

~~(5) (7)~~ All contestants to appear Contestants competing in the main event must train in the city where the bout is to be held, or another suitable place approved by the board, at least 24 hours prior to the date of their the bout.

~~(6) (8)~~ Any contestant who has participated in an athletic event, unless specifically granted an exception by the board, shall be placed under temporary suspension for the health and safety of the contestant as follows:

(a) physical injury or severe punishment - discretionary upon advice of ringside physician

(b) knockout (KO) - 60 days suspension

(c) technical knockout (TKO) - 30 days suspension

(d) Contestants receiving three medical suspensions in the contestant's boxing history shall be placed on indefinite suspension. The board may lift the suspension upon certification by the contestant's personal physician (M.D.) that:

(i) a complete physical examination of the contestant has been performed; and

(ii) the contestant is medically fit to participate.

~~(7) (9)~~ In any case where An athletic bout shall be stopped and decision rendered upon determination by the referee decides that:

(a) the contestants a contestant(s) is are not honestly competing;;

(b) that the knockout is a "dive"; or

(c) the foul is a prearranged action, the athletic event shall be stopped and no decision rendered.

~~(8) (10)~~ Any contestant who participates Contestants participating in a sham or fake bout shall be disqualified and shall not thereafter be permitted to contend be prohibited from participating in any bout or athletic event in this state as follows: for a period of at least six months for the first offense. For the second offense the contestant shall be disqualified from further admission or participation in any athletic event held or given in the state of Montana for a period of at least one year.

(a) six months for the first offense; or

(b) one year for subsequent offenses.

~~(9)~~ All contestants must be in the building or wherever the contest is to be held at least one hour prior to the commencement of the bout.

~~(10)~~ (11) All contestants ~~must~~ shall be ready to enter the ring immediately upon the finish completion of the preceding bout or athletic event. ~~The referee may disqualify a contestant breaking this rule. Should an emergency arise requiring a contestant to leave the ring during the minute intermission between rounds, permission must be secured from the referee. Failure to return before the gong sounds announcing the next round will result in disqualification.~~

~~(11)~~ (12) Whenever a contestant, because of injury or illness, is unable to take part in an athletic event for which the contestant is under contract, the contestant or the contestant's manager shall immediately report the fact to the board or inspector. The contestant must submit to an examination by a physician designated approved by the board, which examination must be made prior to the date set for the athletic event. The expense of the physician's examination is to be paid by the contestant.

~~(12)~~ Before a license is issued to any contestant, the contestant shall satisfy the board that the contestant has the ability to compete and is fit to participate in an athletic event. If, in the opinion of the board, a contestant's ability to perform is questionable, whether from causes of illness, mental condition or loss of the ability to compete, the board may:

- ~~(a) refuse to permit the contestant to participate,~~
- ~~(b) retire the contestant from further competition, or~~
- ~~(c) suspend the license.~~

~~(13)~~ Applicants shall furnish verified records of their last six athletic events involving boxing.

~~(14)~~ (13) During the a bout or athletic event, it is prohibited for a contestant to drink anything but water. The use of drugs of any kind, before or during the bout, shall be cause for disqualification and/or other disciplinary action by the board. All contestants may be required to submit to a drug test before and after a bout or athletic event in which the contestant is involved.

~~(15)~~ (14) The board may at its discretion allow limited professional and semi-professional boxing rounds at a club-boxing event. The professional and semi-professional rounds must conform to the all applicable statutes and rules governing professional and semi-professional events.

AUTH: 23-3-405, MCA

IMP: 23-3-404, 23-3-405, 23-3-501, 23-3-603, MCA

REASON: It is reasonable and necessary to amend the rule to provide for clear and consistent regulations regarding all boxing contestants and to further ensure the safety of all contestants. The Board determined that it is necessary to specify that boxers younger than 18 or older than 35 must seek and obtain an exception to compete from the Board. It is reasonably necessary to require all contestants over the age of 35 years to obtain a physical examination and a physician's statement that the boxer is medically fit to participate. The previous exceptions for club boxing contestants are being deleted from rule.

24.117.703 FEMALE CONTESTANTS (1) ~~All bouts~~ Bouts for female contestants shall be scheduled for no more than 10 rounds with each round lasting two minutes and one minute between rounds.

(2) Female boxers shall not use ~~no~~ facial cosmetics and ~~have~~ shall secure their hair ~~secured~~ with soft and non-abrasive material.

(3) ~~The~~ Female contestant weight classes shall be the same as used by male boxers.

(4) Female boxers shall wear properly fitted breast protectors and groin protectors ~~that are both properly fitted and a mouthpiece is also required.~~

(5) remains the same.

(6) All female boxers must provide proof of a negative pregnancy test prior to each bout and an attestation that the boxer has no knowledge of her pregnancy.

Evidence of a negative pregnancy test shall include either:

(a) a written certification by a physician of a negative pregnancy test previously administered within 14 days of the bout; or

(b) negative results of a pregnancy test administered at the venue.

~~(7) Promoters will provide adequate, separate dressing room facilities.~~

~~(8) Physical examinations shall be obtained annually and must include a pelvic examination. Within 24 hours of each contest, an examining physician shall make an abdominal examination, and a breast examination, noting any masses.~~

AUTH: 23-3-405, MCA

IMP: 23-3-405, MCA

REASON: The Board determined it is reasonable and necessary to update the rule regarding female boxers to conform to current USA Boxing safety standards. The Board determined it was reasonable to remove the requirement of abdominal and breast examinations prior to competing. The Board proposes to add the requirements of a recent negative pregnancy test and an attestation stating that the boxer has no knowledge of her pregnancy at the time of the bout to further ensure female contestants' safety.

24.117.705 MANAGERS (1) ~~A manager is a person who is in overall charge of a boxer, who has the executive function of planning, organizing, coordinating, directing, contracting and supervising any scheduling or business activity of a boxer and is responsible for the results of such activity.~~ Applicants for a managers license shall apply on forms prescribed by the board and furnish the following information:

(a) names and addresses of three references (excluding relatives, present employer, or employees) who can attest to the applicant's experience and integrity; and

(b) proof of applicant's familiarity with the laws and administrative rules of the board, as evidenced by attestation on the application.

~~(2) A contract between a manager and a boxer is not valid unless both parties appear at the same time before the board or a designated member of its staff and receive approval of the contract.~~

~~(3) All contracts between managers and boxers shall be filed with the board within 48 hours after execution of such contracts and at least 48 hours prior to any bouts to which they may relate.~~

~~(4) No manager shall be allowed to contract for services of a boxer under his management for a bout to take place after the expiration of the contract between the manager and his boxer, unless such bout has been approved in advance by the board.~~

~~(5) Copies of all contracts executed between managers and their boxers must be filed with and submitted to the board for approval. A contract, however, becomes null and void at any time the manager or the boxer loses his license through disciplinary action of the board or by refusal of the board to renew a license.~~

~~(6) (2) A boxer is permitted to Contestants shall have one manager only.~~

~~(7) Contracts to participate in an athletic event must be signed by the boxer's manager, on the boxer's behalf or personally by the boxer when he has no licensed manager of record.~~

AUTH: 23-3-405, MCA

IMP: 23-3-404, 23-3-501, MCA

REASON: The Board determined it was reasonable and necessary to thoroughly review and update their rules for clarity and better organization. The Board is amending this rule to delete confusing and obsolete provisions and requirements that are duplicated elsewhere in the rules. The Board is adding licensure qualifications for managers in response to past legislative audit recommendations.

24.117.706 ELIMINATION-TYPE EVENTS (1) and (2) remain the same.

~~(3) No bout Bouts shall not exceed three rounds of not more than 60 seconds in length, with and provide a minimum of one minute rest period between rounds. There shall be a rest period of one minute between consecutive rounds. Bouts must be staggered to ensure adequate rest time to all contestants.~~

~~(4) and (5) remain the same.~~

~~(6) Contestants will not be made are not required to comply with the HIV testing required in ARM 24.117.406(15). Contestants must rule, but shall comply with all remaining requirements pertaining to physical condition.~~

AUTH: 23-3-405, MCA

IMP: 23-3-404, 23-3-405, MCA

24.117.709 PHYSICAL EXAMINATION (1) Contestants, including substitutions and exhibition contestants, shall be examined by a physician ringside health care professional approved by the board, at the time of weigh-in or at least five hours prior to entering the ring. Only the contestant and his manager/trainer are allowed in the examination room during the physical.

~~(2) In case of substitution or exhibitions, the contestant shall be subject to the same examination as other contestants and must be approved by the physician and the board.~~

~~(3)~~ (2) Contestants must shall:

(a) provide the board with written documentation of a current physical examination and boxing records prior to or at the time of pre-fight examination; and

(b) meet the following minimum physical requirements as determined by the preflight examination performed by either a medical doctor (M.D.) or doctor of osteopathy (D.O.) for professional boxing and wrestling events. Semiprofessional boxing and club boxing event examinations may be performed by either an M.D., D.O., physician assistant-certified (PA-C), or an advanced practice registered nurse (nurse practitioner, nurse-midwife, nurse anesthetist or clinical nurse specialist):

~~(a)~~ (i) blood pressure no higher than 150/90; (may be controlled by the use of diazide diuretic or low salt program);

~~(b)~~ (ii) temperature below 100 degrees F or 37 degrees C;

~~(c)~~ (iii) distant vision 20/100 each eye - near vision 20/40 by near vision chart;

~~(d)~~ (iv) fundi - no retinopathies or previous detachments (repaired or not);

~~(e)~~ (v) abdomen - no visceralmegaly;

~~(f)~~ (vi) no hernias, containing abdominal contents on coughing or straining;

~~(g)~~ (vii) normal Romberg or finger to nose tests;

~~(h)~~ (viii) no suppurative lesions on skin;

~~(i)~~ (ix) no indications of active renal disease or loss of one kidney;

~~(j)~~ (x) no perforated ear drum;

~~(k)~~ (xi) no changes in gait, mental status;

~~(l) no electroencephalographic or CAT scan changes or abnormalities.~~

~~(m)~~ (xii) no changes in ring performance;

~~(n) exam performed by medical doctor (M.D.) or doctor of osteopathy (D.O.) only for professional boxing and wrestling events. Semiprofessional boxing and club boxing event examinations can be performed by a M.D., D.O., doctor of chiropractic (D.C.), doctor of podiatric medicine (D.P.M.), nurse practitioner (N.P.) or physician's assistants (P.A.);~~

~~(o)~~ (xiii) no body deformity that would tend to promote injury; and

~~(p)~~ (xiv) no history of epilepsy or seizure disorder.

(4) (3) The board may request the following of any ~~boxer or wrestler~~ contestant:

(a) through (c) remain the same.

~~(5)~~ (4) The weigh-in shall be at least eight hours before the bout. ~~If a contestant appears~~ Contestants appearing at weigh-in and ~~his body weight is weighing 5% 3% over his the~~ contracted weight, without allowing for dehydration, ~~he will shall~~ be disqualified from the bout.

(a) Contestants exhibiting Signs signs of dehydration as a result of taking diuretics or drugs ~~will shall~~ be ~~cause for disqualification~~ disqualified.

~~(6)~~ (5) No contestant shall take part in an athletic event until pronounced fit to do so by the ~~physician appointed by the commission~~ ringside health care professional. ~~The facts of physical~~ Physical fitness of contestants to participate shall be certified by the ~~physician~~ ringside health care professional to the board within 24 hours after the contest.

~~(7)~~ (6) The manager or ~~his an~~ an authorized agent shall accompany the contestant to the weigh-in ~~at the designated time~~.

~~(8)~~ (7) If a contestant is late to weigh-in, his the opponent may be weighed in under the direction of the board or inspector. ~~If a contestant is late to weigh-in, the contestant and manager are~~ Late contestants and their managers may be subject to disciplinary action by the board.

AUTH: 23-3-405, MCA

IMP: 23-3-404, 23-3-405, MCA

24.117.710 PHYSICIAN RINGSIDE HEALTH CARE PROFESSIONAL REQUIREMENTS (1) The examining health care provider identified in ARM 24.117.709 professional shall be present at ringside and be available to assist the referee until the conclusion of the final bout. ~~The health care provider will be compensated for the health care provider's services by the promoter.~~

(2) The ringside health care provider professional ~~will~~ shall perform a post-bout examination examinations of all contestants. The health care provider's professional's recommendations, medical disqualifications, reports of contestant injuries, ~~to contestants~~ and any other examination results shall be reported to the board within 24 hours after the athletic event.

AUTH: 23-3-405, MCA

IMP: 23-3-405, MCA

REASON: It is reasonable and necessary to amend the rule to coincide with current terminology used in Senate Bill 105 of the 2005 legislature. The Board determined it was reasonable and necessary to amend the rule to require postbout physical examinations of all boxing contestants for the protection of all contestants. The exception for club boxing contestants is being deleted elsewhere in rule and amendment of this rule clarifies the physical examination requirement.

24.117.801 POINT SYSTEM - SCORING ~~(1) Three judges shall score all athletic events and determine the winner through use of a 10-point must system.~~

~~(2)~~ (1) At the beginning of each round, the contestant will be contestants are given 10 points, from which the judges will deduct points according to his the performance in the round. ~~This deduction is based on the following norms as follows:~~

~~(a) 10-10 If the fight is even.~~

~~(b) 10-9 In favor of the contestant that has won a light margin.~~

~~(c) 10-8 If the contestant was severely punished or thoroughly dominated.~~

~~(d) 10-8 If the contestant was knocked down and got up right away in good condition for the protection count (mandatory 8 count).~~

~~(e) 10-7 If the contestant was knocked down once and received part of the count on the floor and then continued fighting before the count of 10 or 8.~~

~~(f) 10-7 If the contestant was knocked down twice and got up for the protection count.~~

~~(g) 10-6 Two knockdowns under the same conditions as above, that is received part of the count on the floor and get up before the count of 10 or 8.~~

(a) round ends, no clear winner, score 10-10 (rare);

- (b) close round/winning of round by effective boxing, score 10-9;
- (c) one knockdown and a winning of the round, score 10-8;
- (d) no knockdowns, but a clear dominating winning of the round, score 10-8;
- (e) two knockdowns, score 10-7;
- (f) one knockdown and one point deduction to the same boxer, score 10-8
(minus 1) = 10-7;
- (g) more than two knockdowns, score 10-6; and
- (h) two knockdowns and one point deduction to the same boxer, score 10-7
(minus 1) = 10-6.

~~(3)~~ (2) A contestant who has been knocked down can recover his lost points if his the contestant's performance throughout the rest of the round is good. He The contestant will be given credit for ~~what he has~~ points recovered.

~~(4) Officials will have discretion at all times to decide what, in their opinion, constitutes points on behalf of the winner or the loser.~~

~~(5) Officials will use only ink or indelible pencil in scoring.~~

~~(6) When neither contestant has a decided margin, the winner should be determined on points scored and on aggressiveness.~~

AUTH: 23-3-405, MCA

IMP: 23-3-405, MCA

24.117.802 NUMBER AND DURATION OF ROUNDS (1) No ~~athletic event boxing match~~ shall be more than 12 rounds in length and such rounds shall be of not more than three minutes' duration, with one minute intermission between rounds.

AUTH: 23-3-405, MCA

IMP: 23-3-405, MCA

24.117.803 DOWN (1) through (5) remain the same.

~~(6) When a contestant's chief second considers the chance of winning hopeless, he may signify his willingness to have the bout stopped by stepping onto the apron of the ring.~~

(7) through (11) remain the same but are renumbered (6) through (10).

AUTH: 23-3-405, MCA

IMP: 23-3-405, MCA

24.117.804 ACCIDENTAL AND INTENTIONAL BUTTS (1) and (1)(a) remain the same.

(b) if in following rounds, as a result of legal blows, the ~~accidental butt injury cut~~ worsens, and the injured contestant cannot continue, the referee shall stop the bout and declare a technical draw if this occurs before the end of the third round. If this occurs after the start of the fourth round, the referee shall declare a technical decision with the winner being the contestant who is ahead on points.

(2) remains the same.

(3) In the case of a clear and intentional butt when the bout can continue, the contestant who initiated the butt shall have a two point deduction. The referee shall stop the action and inform the judges of the two point deduction.

(4) In the case of a clear and intentional butt when the bout is stopped because of a cut, the contestant who initiated the butt shall lose by disqualification, even if he is the injured contestant.

AUTH: 23-3-405, MCA

IMP: 23-3-405, MCA

24.117.805 FOULS (1) remains the same.

~~(2) Except as provided otherwise in (9) and (10) of this section, there~~ The referee shall be a deduction of deduct points by the referee after two warnings for the same foul. A point or points shall be taken at the time of the third warning for the same foul or where there is a continued flagrant fouling by a contestant after a deduction of points from the fouling contestant.

(3) A contestant who commits a foul, intentional or unintentional, may be fined the total amount of his purse, not to exceed \$1,000 per violation, and suspended by the board and/or ~~he may be~~ fined only in such amount as the board may deem warranted by the offense. It will only be by unanimous opinion of the referee, judges, and the board inspector that the offender not be held responsible for the foul and the club promoter authorized to pay his the purse.

(4) Any contestant claiming to be struck by a foul blow must be immediately examined by the ~~board doctor~~ ringside health care professional, and if he is not available, by some doctor procured by the referee, or the inspector. If the examining ~~doctor~~ health care professional determines that the contestant is only temporarily injured, and can proceed after a short rest, the contestant shall be ordered to do so by the referee.

(5) Any contestant falsely claiming to have been struck by a foul blow will be punished in the same manner as provided for contestants who commit fouls.

~~(6) Any bout terminated by a foul must be reported to the board immediately by the board representative. Statements from the referee, judges, and examining doctor, and any other person deemed desirable must be submitted with such report.~~

~~(7) (6)~~ (6) In no case shall the offender be paid any part of his purse until the final decision of the board.

~~(8) (7) A referee may penalize a contestant guilty of committing any foul by deducting points from his score in the round or rounds such fouls are committed and shall notify the judges of the foul points deducted. If, as a result of a foul, the ability of a contestant is sufficiently impaired as to be a handicap in the opinion of the physician, the contest shall be stopped. If the defaulting fouled contestant is ahead on points or the points are equal, he shall be declared the winner. However, if the fouled contestant is not ahead on points, the contest shall be declared a draw. If in the referee's judgement judgment, the foul is of a serious nature, or intentionally inflicted, he the referee may award the bout to the contestant so fouled.~~

~~(9) In the case of a clear and intentional butt when the bout can continue, the contestant who initiated the butt shall have a two point deduction. The referee shall stop the action and inform the judges of the two point deduction.~~

~~(10) In the case of a clear and intentional butt when the bout is stopped because of a cut, the contestant who initiated the butt shall lose by disqualification, even if he is the injured contestant.~~

~~(11) (8) If any accidental foul occurs before the completion of four rounds and the injured boxer contestant cannot continue, the fight will be declared a technical draw. If the accidental foul occurs after the completion of four rounds and the fouled boxer contestant cannot continue, a technical decision shall be rendered by the judges and the boxer contestant ahead on points shall be declared the winner. Partial rounds shall be scored by the judges. If a boxer contestant is accidentally fouled and can continue, the referee must stop the action and inform the board representative and both boxers contestants that the foul is the result of an accidental foul. If in the later rounds the injury has worsened as a result of legal blows, and the injured boxer contestant cannot continue, a decision shall be rendered by going to the score cards scorecards. Partial rounds shall be scored.~~

AUTH: 23-3-405, MCA

IMP: 23-3-405, MCA

24.117.810 HANDWRAPS (1) remains the same.

(2) All handwraps shall be adjusted in the dressing room in the presence of a board representative and ~~both contestants. Either contestant may waive his privilege of witnessing the bandaging of his opponent's hands.~~

AUTH: 23-3-405, MCA

IMP: 23-3-405, MCA

24.117.811 OFFICIAL BOXING GLOVES (1) and (2) remain the same.

(3) Gloves and headgear shall be cleaned with a disinfectant between each bout.

AUTH: 23-3-405, MCA

IMP: 23-3-405, MCA

24.117.812 MOUTHPIECE (1) and (2) remain the same.

(3) If the referee believes that the ~~participant~~ contestant spit out or allowed the mouthpiece to fall out of ~~his~~ the contestant's mouth ~~he~~ the referee shall:

(a) upon the first occurrence, wait until the initial flurry subsides, proceed as in (2) ~~above~~ and warn the ~~participant~~ contestant that a point will be deducted if ~~he~~ the contestant subsequently spits out or allows the mouthpiece to fall out of ~~his~~ the contestant's mouth;

(b) upon the second occurrence, wait until the initial flurry subsides, proceed as in (2), warn the ~~participant~~ contestant that he or she will be disqualified if ~~he~~ the contestant subsequently spits out or allows the mouthpiece to fall out of ~~his~~ the contestant's mouth. The referee shall direct each judge to deduct a point from the ~~participant's~~ contestant's score and shall notify the board representative; and

(c) upon the third occurrence, disqualify the ~~participant~~ contestant who deliberately spit out or allowed his the mouthpiece to fall out of his the contestant's mouth. The opponent shall be declared the winner due to disqualification.

AUTH: 23-3-405, MCA

IMP: 23-3-405, MCA

24.117.815 RING--EQUIPMENT (1) ~~The boxing ring shall not be less than 16 feet nor more than 24 feet square within the ropes. The apron of the ring floor shall extend beyond the ropes not less than two feet. The ring shall not be more than four feet above the floor of the building or grounds of an outdoor arena and shall be provided with suitable steps for the use of the participants. The ring shall be no less than 16 or more than 20 feet square when measured inside the line of the ropes. The apron of the ring shall extend beyond the ropes not less than two feet. The ring shall be equipped with four ropes with two spacer ties on each side of the ring to secure the ropes.~~

~~(2) The ring shall be equipped with at least four ropes. The lower rope shall be 18 inches above the ring floor, the second rope 30 inches, the third ring 42 inches, and the top rope 54 inches above the ring floor. The lower rope shall be padded with safety foam or equal padding. The ring floor shall be padded with a one inch layer of unicellular safety mats two pound density, or equal padding.~~

~~(3) Ring posts shall not be less than three inches or more than four inches in diameter extending from the floor to a height of 58 inches above the ring floor. The ropes shall be connected to posts with extension not shorter than 18 inches. The turnbuckles must be covered with a protective padding. The corners should be padded with six inches padding of urethane or equal padding, with three pound density.~~

~~(4) through (6) remain the same but are renumbered (2) through (4).~~

~~(7) (5) There shall be a minimum of 12 feet from the outside of the ring apron to the first row of seats. There shall be a minimum three foot clear walkway from the ring through the seating area to the exit(s).~~

AUTH: 23-3-405, MCA

IMP: 23-3-405, MCA

REASON: The Board determined it is reasonable and necessary to amend the allowable distance between the ring and the first row of seats. Following several promoter requests, the Board determined that the 12-foot space was not necessary to ensure public protection. It is reasonable and necessary to require the maintenance of a minimum three-foot clear walkway to allow the safe access of emergency personnel and any necessary equipment to the ring area through the spectator seating.

24.117.901 OFFICIALS REQUIRED (1) remains the same.

~~(2) Officials will shall be paid by the promoter for room and board and mileage, in addition to their fee for officiating.~~

~~(3)~~ (2) The Montana board of athletics shall have the right to appoint at least two officials of their choice for all title bouts licensed by the board.

AUTH: 23-3-405, MCA

IMP: 23-3-404, 23-3-405, 23-3-501, MCA

24.117.903 JUDGES (1) ~~Each applicant~~ Applicants for a judges license shall ~~make application~~ apply on forms prescribed by the board and shall furnish the following information:

(a) ~~must have proof of either: three years prior experience in judging athletic events involving boxing;~~

(i) three years prior experience in judging boxing events; or

(ii) two years prior experience in judging boxing events and additional experience as determined by the board to demonstrate competency;

(b) ~~must submit names and addresses of three references who can attest to the applicant's judging experience and integrity; and~~

(c) must be familiar proof of familiarity with the law laws and administrative rules of the board, as evidenced by attestation on the application.

~~(2) The judges shall be stationed at opposite sides of the ring.~~

~~(3) It shall be the duty of the judges to watch every phase of the bout and to make a decision, if the athletic event lasts the limit of rounds scheduled.~~

(4) (2) They Judges shall be ready at all times, if requested by the referee, to assist in deciding whether fouls have been committed, and may bring any other points to the attention of the referee at the end of the round.

~~(5) All three votes are of equal value in arriving at the decision as to the outcome of each athletic event. In the event of any two votes coinciding, the result shall be so determined. In the event of all three votes disagreeing, the athletic event shall be declared a draw. The decisions of the judges shall be based primarily on effectiveness, taking into account the following points:~~

~~(a) A clean, forceful hit, landed on any vulnerable part of the body above the belt should be credited in proportion to its effectiveness.~~

~~(b) Aggressiveness is the next in importance and points should be awarded to the contestant who sustains the action of a round by the greatest number of skillful attacks.~~

~~(c) Defensive work is relatively important and points should be given for cleverly avoiding or blocking a blow.~~

~~(d) Points should be awarded where ring generalship is conspicuous. This comprises such points as the ability to quickly grasp and take advantage of every opportunity offered; the capacity to cope with all kinds of situations which may arise to foresee and neutralize an opponent's method to adopt a style of boxing at which he is not particularly skillful.~~

~~(e) It is advisable to deduct points when a contestant persistently delays the action of an athletic event by clinching and/or lack of aggressiveness.~~

~~(f) Points should be deducted for a foul even though it is unintentional and not of a serious enough nature to warrant disqualification.~~

~~(g) A contestant should be given credit for sportsmanlike actions in the ring, close adherence to the spirit as well as the letter of the rules and for refraining from taking technical advantage of situations unfair to an opponent.~~

~~(h) In order to arrive at a true conclusion, every point should be carefully observed and noted as the round progresses. The winner of the round is to be determined by the contestant receiving the largest number of points scored in that round. At the end of the athletic event the contestant who has to his credit the greatest number of points is the winner of the bout. Each round is to be accounted for on the score card in figures. The 10 point system will be used.~~

~~(6) In the event a judge becomes incapacitated and is unable to finish scoring an athletic event, time out shall be called. The alternate referee shall immediately be assigned to score the event if a fourth judge is not available. The alternate referee shall continue scoring on the score cards used by the incapacitated judge.~~

(3) Scoring shall be done by three judges, approved by the board. The referee shall not score any bout or contest.

(4) Judges shall score bouts on a ten point must system, using the following criteria:

(a) clean punching (power versus quantity);

(b) effective aggressiveness;

(c) ring generalship; and

(d) defense.

(5) If a bout is stopped before the completion of a round, the judges shall score all incomplete or partial rounds as if they were a complete round.

(6) Judges shall only deduct points for fouls or knockdowns when designated as such and instructed to do so by the referee.

(7) Judges shall avoid scoring a round even. Complete concentration and application of the basic scoring concepts in ARM 24.117.801 will allow judges to choose the winner of each round.

(8) Judges shall not act as managers or promoters.

AUTH: 23-3-405, MCA

IMP: 23-3-404, 23-3-405, MCA

REASON: The Board determined it was reasonable and necessary to amend the rule to allow the Board to accept two years judging experience plus additional relevant experience in evaluating applications for boxing judges. Previously, judging applicants were required to show a minimum of three years judging experience. The Board concluded that two years plus additional relevant experience would be acceptable on a case-by-case basis as reviewed and determined by the Board. It is reasonably necessary to incorporate into this rule language regarding athletic judges from elsewhere in the Board rules. This amendment will create a more concise judges rule and eliminate the reader's need to search and find various applicable judges rules in several different places.

24.117.904 TIMEKEEPER (1) The timekeeper shall be appointed by and the responsibility of the club promoter, and ~~shall be~~ known as the official timekeeper. ~~He~~ The timekeeper must shall be seated outside the ring close to the gong.

(2) ~~He~~ The timekeeper shall indicate the beginning and end of each round by ~~striking the gong with a metal hammer.~~

(3) ~~He~~ The timekeeper shall ~~provide himself with~~ bring a whistle, and a stop watch ~~which shall have been properly examined and certified as to accuracy before~~ to the bout. Ten seconds before the beginning of each round, the timekeeper shall ~~give warnings to~~ warn the seconds of contestants by ~~the blowing of~~ the whistle.

(4) ~~In the event of~~ If an athletic event ~~terminating~~ terminates before the scheduled limit of rounds, the timekeeper shall inform the announcer of the exact duration of the athletic event.

(5) Timekeepers ~~are~~ shall not to use a whistle, buzzer, or any other ~~instruments~~ instrument during the progress of a round. The whistle, buzzer, or other instrument ~~must~~ shall be used only 10 seconds prior to the beginning of the athletic event bout and 10 seconds prior to the beginning of each round.

(6) If a boxer is knocked down after two minutes and 50 seconds of the round, the bell will not sound until the boxer gets up. If the boxer does not get up before the count of 10, the boxer will lose by KO. The bell cannot save a boxer in any round.

AUTH: 23-3-405, MCA

IMP: 23-3-404, 23-3-405, 23-3-501, MCA

24.117.905 SECONDS/CORNERS (1) Applicants for a seconds/corners license ~~must~~ shall be at least 18 years of age and shall furnish to the board the following information:

~~(a) must present~~ evidence of assisting at athletic events involving boxing; including:

~~(b) (a) must submit~~ names and addresses of three references who can attest to ring experience; and

~~(c) (b) name~~ names of contestant(s) contestants in whose corner ~~he usually~~ assists the applicant previously assisted at ringside.

~~(2) Licensed contestants and managers shall be permitted to act as seconds without purchasing an additional license. However in so doing, they must observe all rules pertaining to the conduct of seconds.~~

~~(3) Seconds shall not be more than two in number, one of whom will inform the referee that he is the chief second.~~

(2) Only three individuals shall be seconds/corners at an event and only one shall be designated as chief second.

~~(4) For club boxing, only the chief second in each corner must be licensed and is the person responsible for assisting at ringside.~~

~~(5) (3) Only one second/corner shall be inside the ring between rounds.~~

~~(6) remains the same but is renumbered (4).~~

~~(7) (5) Seconds shall not coach principals during the progress of rounds and must remain seated and silent during the rounds. Fans may be used between rounds. The swinging of towels is prohibited. A wet sponge may be used to refresh~~

the contestant. Excess water on the ring floor shall be wiped up by the seconds/corners before the start of the next round.

~~(8)~~ (6) Seconds/corners shall not either:

(a) enter the ring until the timer indicates the termination of a round: ; or

(b) Seconds are prohibited from spraying or forcefully throwing spray or forcefully throw water on a contestant.

~~(9)~~ (7) Seconds/corners shall:

(a) leave the ring enclosure at the sound of the timekeeper's whistle 10 seconds before the beginning of each round: ; and

(b) They shall leave the ring platform and remove all obstructions, buckets, and stools, promptly when the gong sounds ~~for~~ at the beginning of each round.

AUTH: 23-3-405, MCA

IMP: 23-3-404, 23-3-405, 23-3-501, MCA

24.117.906 INSPECTORS ~~(1)~~ The board shall appoint official representatives designated as "inspectors" and shall issue to each an authorization which will be his authority to act as a representative of the board. An inspector shall be present during the physical examinations and weigh-ins.

~~(2)~~ (1) The inspector may not have an interest in the management of any contestant, nor act as a referee, judge, timekeeper, or second/corner at ~~any~~ the same athletic event.

~~(3)~~ (2) A person who wishes to be appointed as an inspector shall submit to the board a resume indicating their boxing experience and the names of three references who can attest to their any applicable boxing experience and integrity.

AUTH: 23-3-405, MCA

IMP: 23-3-402, MCA

24.117.907 ANNOUNCER (1) remains the same.

~~(2)~~ No introductions or announcements, except those pertaining to the athletic event, shall be made from the ring, unless authorized by a member of the board or inspector.

AUTH: 23-3-405, MCA

IMP: 23-3-405, MCA

24.117.1001 INTRODUCTION (1) In addition to the rules set forth in this sub-chapter, promoters and contestants involved in club boxing shall be required to abide by the provisions of ARM 24.117.301, 24.117.402, 24.117.404, 24.117.406, 24.117.502, 24.117.602, 24.117.705, 24.117.709, 24.117.801, 24.117.803, 24.117.804, 24.117.805, 24.117.806, 24.117.812, 24.117.815, 24.117.901, 24.117.902, 24.117.903, 24.117.904, 24.117.905, 24.117.906 and 24.117.907 elsewhere in ARM Title 24, chapter 117, except where specifically noted as not applicable to club boxing.

AUTH: 23-3-405, MCA

IMP: 23-3-405, MCA

24.117.1002 CLUB BOXING CONTESTANTS ~~(1) All club boxing contestants, except amateur club boxers, must file an application with the board, including a photograph of the applicant. Contestants may also be required to file a birth certificate with the board.~~

~~(2) A contestant must be age 18 or over to enter and received prize money. The maximum age for a contestant is 45. Anyone over the age of 45 who wishes to compete must provide to the board a physician's (M.D.'s) statement that the contestant is medically fit to participate in the event.~~

~~(3) In the event a boxer is registered with the United States amateur boxing, inc. as an amateur boxer, the promoter must provide the boxer a form which clearly explains that the boxer will lose amateur status with the United States amateur boxing, inc. by participating in a club boxing event. The boxer must sign the form acknowledging that the boxer understands amateur status will be lost. The form must be submitted to the board with the fight results.~~

~~(4) A person age 16 or 17 can compete only as an amateur, but cannot receive any purse, remittance or monetary award.~~

~~(5) Contestants age 16 and 17 must provide the promoter a signed and notarized statement of permission from a parent or guardian.~~

~~(6) (1) Each participant must provide proof of medical insurance coverage or sign a waiver of liability for any medical bills incurred as a result of lack of coverage.~~

~~(7) Contestants must wear proper athletic attire and appropriate protective devices, including mouthpiece and protective foul proof cup.~~

~~(8) Any contestant who has participated in an athletic event, unless specifically granted an exception by the board, shall be placed under temporary suspension for the health and safety of the contestant in the event of the following:~~

~~(a) physical injury or severe punishment, suspension shall be discretionary upon advice of the health care provider or emergency medical technician (EMT);~~

~~(b) a knockout (KO) a 60 day suspension is required; and~~

~~(c) a technical knockout (TKO), because of a head blow that requires the referee to stop the bout, a 30 day suspension is required.~~

~~(9) In any case when the referee decides that the contestants are not honestly competing, that the knockout is a "dive" or the foul a prearranged action, the athletic event shall be stopped and no decision rendered.~~

~~(10) Any contestant who participates in a sham or fake bout shall be disqualified and shall not be permitted to contend in any bout in this state for a period of at least six months for the first offense. For the second offense the contestant shall be disqualified from further admission or participation in any athletic event held or given in the state of Montana for a period of at least one year.~~

~~(11) (2) All contestants must be in the building or wherever the contest is to be held at least one hour prior to the commencement of the bout.~~

~~(12) All contestants must be ready to enter the ring immediately upon the finish of the preceding bout or athletic event. The referee may disqualify a contestant breaking this rule. Should an emergency arise requiring a contestant to leave the ring during the 90 second intermission between rounds, permission must~~

~~be secured from the referee. Failure to return before the gong sounds announcing the next round will result in disqualification.~~

~~(13) Whenever a contestant, because of injury or illness, is unable to take part in an athletic event for which the contestant is under contract, the contestant or the contestant's manager shall immediately report the fact to the board or inspector. The contestant must submit to an examination by a physician designated by the board, which examination must be made prior to the date set for the athletic event. The expense of the physician's examination is to be paid by the contestant.~~

~~(14) Before a license is issued to any contestant, the contestant shall satisfy the board that the contestant has the ability to compete and is fit to participate in an athletic event. If, in the opinion of the board, a contestant's ability to perform is questionable, whether from causes of illness, mental condition or loss of the ability to compete, the board may:~~

- ~~(a) refuse to permit the contestant to participate;~~
- ~~(b) retire the contestant from further competition; or~~
- ~~(c) suspend the contestant's license.~~

~~(15) During the bout, it is prohibited for a contestant to drink anything but water. The use of drugs of any kind, before or during the bout, shall be cause for disqualification and/or other disciplinary action by the board. All contestants may be required to submit to a drug test before and after a bout in which the contestant is involved.~~

AUTH: 23-3-405, MCA

IMP: 23-3-404, 23-3-405, 23-3-501, 23-3-603, MCA

REASON: The Board determined it is reasonable and necessary to amend this rule to eliminate duplicate requirements within the rules and further streamline and simplify the Board's administrative rules. Unless different rules specifically apply to club boxing contestants, the general boxing rules of the Board will apply. The deleted sections of this rule are already included in the general boxing contestant rules.

24.117.1005 CLUB BOXING--CONTEST REGULATIONS (1) remains the same.

~~(2) The promoter must, prior to the event, enter into an agreement with the boxing officials as to the amount of compensation the officials will receive for officiating the event.~~

AUTH: 23-3-405, MCA

IMP: 23-3-405, MCA

24.117.1006 CLUB BOXING--WEIGHTS AND CLASSES (1) The weights and classes for club boxing events contestants, both male and female, shall be as follows:

- (a) through (c) remain the same.

AUTH: 23-3-405, MCA

IMP: 23-3-405, MCA

24.117.1007 CLUB BOXING--REQUIRED EQUIPMENT (1) Club boxing contestants ~~are required to~~ shall use either training wraps or handwraps that comply with the provisions of ARM 24.117.810. ~~Contestants may use handwraps pursuant to the provisions of ARM 24.117.810 or use training wraps.~~

(2) Official boxing gloves ~~for~~ used by contestants shall be as follows:

(a) ~~contestants~~ weighing up to 150 pounds ~~must be~~ shall use no less than 14 ounces ~~and must have~~ ounce gloves with the thumbs attached; ~~and~~

(b) ~~Gloves for~~ contestants weighing 151 pounds and above ~~must be~~ shall use no less than 16 ounces ~~and must have~~ ounce gloves with the thumbs attached.

(3) ~~If there are~~ two contestants ~~to in~~ a bout ~~at~~ use different glove weights, ~~they will be required to~~ both contestants shall use the glove required for the heavier contestant.

(a) (4) No breaking, roughing, or twisting of gloves shall be permitted. ~~Gloves shall be examined by the~~ The inspector shall examine and approve all gloves. If padding is found to be misplaced or lumpy, or if gloves are found to be imperfect, other gloves shall be substituted.

(3) (5) ~~The~~ All contestants shall use of protective headgear ~~is mandatory for all contestants.~~

AUTH: 23-3-405, MCA

IMP: 23-3-405, MCA

5. New rules proposed to be adopted are as follows:

NEW RULE I PROMOTER (1) Applicants for a promoters license shall apply on forms prescribed by the board and shall furnish the following information:

- (a) names and addresses of three references (excluding relatives, present employer, or employees) who can attest to the applicant's experience and integrity;
- (b) proof of financial stability by providing a \$5,000 surety bond; and
- (c) proof of applicant's familiarity with the laws and administrative rules of the board, as evidenced by attestation on the application.

(2) Promoters shall:

(a) obtain sanction for each athletic event at least 14 days prior to each specific event and before any ticket sales or publicity issuance;

(b) deliver to the board a surety bond in the amount of \$5,000, prior to issuance of a promoter's license. The bond shall be forfeited to the board as a penalty bond upon a board finding that the promoter has violated any provision of applicable board statutes or rules;

(c) provide insurance in the amount of \$10,000 medical coverage and \$10,000 death benefits for each participant and shall furnish proof of such insurance to the board before sanction shall be granted;

(d) report on the total number of tickets sold, the total of gross receipts and such other information as prescribed on forms provided by the board, within 24 hours after the conclusion of any live or televised athletic event;

(i) advance ticket sales must be included in the gross receipts; and

- (ii) complimentary, sponsor, or other gifted tickets must be included in the gross receipts;
- (e) announce all substitutions as soon as substitutions are known;
- (f) notify the board that an athletic event is to be telecast, televised, or broadcast in any manner, including but not limited to:
 - (i) television;
 - (ii) radio;
 - (iii) any transmission via a cable television system;
 - (iv) any transmission via closed circuit or satellite; or
 - (v) any other method of limited distribution;
- (g) provide the names and weights of all contestants scheduled for an athletic event to the board at least 10 days before the event. For club boxing events, names and weights shall be received at the board office by 10 o'clock a.m. on the day of the event;
- (h) ensure that adequate public safety is maintained;
- (i) provide all materials necessary for the athletic event, including ring, steps, stools, water buckets, resin, bell, buzzer or whistle, timer, gloves, gauze, and tape for hand wraps;
- (j) provide adequate, separate dressing room facilities for male and female contestants;
- (k) comply with any and all state or local health rules regarding sanitary conditions of dressing rooms, showers, towels, or other equipment;
- (l) provide for the attendance of a ringside health care professional and compensate the ringside health care professional for such attendance at all athletic events;
- (m) compensate the officials for services rendered at each event in addition to reasonable room and board and mileage, if any;
- (n) respect the authority of the board and its representatives;
- (o) ensure that the rules of the board are strictly observed and carried out;
- (p) make arrangements to have an ambulance or medical personnel with appropriate resuscitation equipment be continuously present on site for each event;
- (q) provide security guards who either hold a license issued by the state of Montana or are law enforcement officers; and
- (r) provide liability insurance to adequately protect the contestants, officials, and the attending public, and shall furnish proof of such insurance to the board prior to sanction being granted.

AUTH: 23-3-405, MCA

IMP: 23-3-404, 23-3-405, 23-3-501, 23-3-601, MCA

REASON: The Board determined it was reasonable and necessary to thoroughly review and update their rules for clarity and better organization. In deleting confusing and obsolete language, the Board made substantial amendments to the existing promoter rule. The Board decided to repeal the existing rule and adopt the New Rule so as to lessen confusion and provide a more easily understood format both during the rulemaking process and in reading and use of the final

administrative rule. The Board is adding licensure qualifications for promoters in response to past legislative audit recommendations.

NEW RULE II BOUT APPROVAL (1) The board shall approve all boxing contests and bouts. Board decisions are final.

(2) The board shall consider the following information and shall approve only those bouts where the information is similar between boxers and the board has no concerns regarding the safety and welfare of either boxer:

- (a) boxing record;
- (b) boxing experience;
- (c) boxing skill; and
- (d) physical condition.

(3) The board shall notify the promoter/matchmaker when a boxing bout/contest is approved.

AUTH: 23-3-405, MCA

IMP: 23-3-405, MCA

REASON: The Board is also proposing to adopt New Rule II regarding Board approval of bouts to coincide with the current regulations and safety codes of USA Boxing, as required pursuant to 23-3-405, MCA.

NEW RULE III REFEREE (1) Applicants for a referees license shall apply on forms prescribed by the board and furnish the following information:

- (a) evidence of either:
 - (i) three years prior experience in refereeing boxing events; or
 - (ii) two years prior experience in refereeing boxing events and additional experience as determined by the board to demonstrate competency;
- (b) names and addresses of three references who can attest to the applicant's refereeing experience and integrity; and
- (c) proof of applicant's familiarity with the laws and administrative rules of the board, as evidenced by attestation on the application.

(2) No persons other than the contestants and the referee may enter the ring during the progress of a round.

(3) The referee shall stop a bout for any of the following reasons:

- (a) due to the physical condition of one or both of the contestants;
- (b) when one of the contestants is clearly outclassed;
- (c) the referee decides a contestant is not putting forth the contestant's best effort; or

(d) any other reason the referee deems sufficient.

(4) Referees shall not act as managers or promoters.

(5) The referee shall meet with each contestant and chief second in the dressing room prior to the bout and the referee shall:

(a) warn the second of any existing rule violations and any disciplinary consequences that will result from further noncompliance;

(b) identify the belt/hip line and clarify that the equipment shall not extend above such line;

- (c) explain the proper procedures to occur when the warning sounds prior to the end of a round and when the bell sounds ending a round;
 - (d) explain the duties expected of the chief second in managing the corner, including:
 - (i) cleaning up spills and ice;
 - (ii) wiping excess petroleum jelly from contestant; and
 - (iii) ensuring that the contestant has a mouthpiece in place prior to the start of each round;
 - (e) explain the procedures to be used in directing contestants to break ("punch" or "get out" and, if necessary, "hold your punches" and step in and break the contestants);
 - (f) review fouls, issuance of cautions, and point deductions;
 - (g) inspect and sign handwraps (semiprofessional and professional boxing only); and
 - (h) ask contestants and seconds if they have questions.
- (6) The referee shall meet with the ringside health care professional and the referee shall:
- (a) determine the health care professional's ringside experience;
 - (b) determine the health care professional's location at ringside;
 - (c) clarify that the health care professional shall not enter the ring unless directed to do so by the referee or the board designee;
 - (d) specify the referee's signals for calling the health care professional into the ring or to a neutral corner;
 - (e) discuss and determine the health care professional's procedures if called to examine a contestant during a bout, including:
 - (i) mounting the ring apron quickly;
 - (ii) examinations to be no longer than ten seconds; and
 - (iii) ways to communicate with the referee;
 - (f) direct the health care professional against making any statements following the examination of a contestant during a bout that could change the dynamics of the bout ("Let it go one more round."); and
 - (g) discuss any known traits or tendencies of contestants that the health care professional may observe during the bout (ex. common nosebleeds).
- (7) The referee shall check the condition of the ring, including:
- (a) presence of buckets and stairs in corners;
 - (b) correct rope tension; and
 - (c) acceptable condition of the floor and canvas.
- (8) When the contestants enter the ring, the referee shall:
- (a) inspect the contestants as follows:
 - (i) gloves (no foreign substances);
 - (ii) trunks;
 - (iii) shoes (double knot and/or laces taped);
 - (iv) hair;
 - (v) mouthpiece;
 - (vi) safety equipment (reestablish the belt/hip line); and
 - (vii) presence of jewelry;
 - (b) upon contestant introductions, the referee shall:

- (i) call contestants to center ring;
 - (ii) present final instructions;
 - (iii) direct contestants to return to the corners;
 - (iv) clear the ring and ring apron;
 - (v) ensure readiness of judges, timekeeper, and ringside healthcare professional; and
 - (vi) signal timekeeper to start the bout.
- (9) During the bout, the referee shall:
- (a) ensure the safety of all contestants;
 - (b) enforce all applicable board laws and rules;
 - (c) maintain control of all stages of the contest to include issuance of cautions and deduction of points;
 - (i) In case of a knockdown, the referee shall require the fallen contestant to take a count of eight.
 - (ii) When a contestant is down, the referee shall direct the opponent to the farthest neutral corner and instruct the opponent to remain there until the count is completed. If the opponent fails to do so, the referee may cease counting until the opponent has complied.
 - (iii) If a fallen contestant arises before the count of eight and again goes down due to weakness, or is unable to arise, the referee shall continue the count from the point where the referee ceased counting.
 - (iv) If a contestant appears to be in distress or not giving the best effort, the referee may intervene and give a "standing 8 count".
 - (v) When a contestant has been knocked down three times in one round, the referee will declare the contestant the loser by a technical knockout.
 - (A) In championship matches, the board may waive subsection (9)(c)(v) if agreed to in writing by both contestants, and the agreement is filed with the board prior to the beginning of the athletic event;
 - (d) physically inspect and wipe clean all contestant gloves that touch the canvas floor;
 - (e) interrupt the bout if a contestant is cut and consult with the health care professional to determine if the injured contestant may continue;
 - (i) If a cut is produced by a legal punch and the bout is stopped, the injured contestant shall be declared the loser by technical knockout, with the designation of TKOC to indicate the cut as the reason for the technical knockout;
 - (f) immediately stop a bout in the case of an injury caused by a head butt or foul, determine whether the act was intentional or accidental and determine whether to continue or stop the bout;
 - (g) instruct the judges to mark the scorecards accordingly when assessing fouls;
 - (h) wave both arms to indicate a knockout when:
 - (i) a contestant is still down following the referee's count of ten; or
 - (ii) the referee has determined that the contestant who was knocked down is in no condition to continue; and
 - (i) continue counting when both contestants go down simultaneously as long as one contestant remains down. If both contestants remain down at the end of the count, the referee shall stop the bout and render a technical draw decision.

- (10) At the conclusion of a bout, the referee shall:
- (a) collect scorecards from the judges and present them to the inspector;
 - (b) call contestants to center ring and raise hand of winner when the contestant's name is announced; and
 - (c) maintain control of the ring, contestants, and seconds until all persons have exited the ring.
- (11) The board shall appoint the referees and the board decisions are final.
- (12) The referee is the sole arbiter of a bout and is the only individual authorized to stop a bout.

AUTH: 23-3-405, MCA
IMP: 23-3-404, 23-3-405, MCA

REASON: The Board determined it was reasonable and necessary to thoroughly review and update their rules for clarity and better organization. In deleting confusing and obsolete language, and reorganizing the rule, the Board made substantial amendments to the existing referee rule. The Board decided to repeal the existing rule and adopt New Rule III to lessen confusion and provide a more easily understood format both during the rulemaking process and in reading and use of the final administrative rule.

NEW RULE IV FEE ABATEMENT (1) The Board of Athletics adopts and incorporates by reference the fee abatement rule of the Department of Labor and Industry found at ARM 24.101.301.

AUTH: 37-1-131, MCA
IMP: 17-2-302, 17-2-303, 37-1-134, MCA

REASON: The Board has determined there is reasonable necessity to adopt and incorporate by reference ARM 24.101.301 to allow the Board to authorize the Department to perform renewal licensure fee abatements as appropriate and when needed, without further vote or action by the Board. The Department recently adopted ARM 24.101.301 to implement a means for the prompt elimination of excess cash accumulations in the licensing programs operated by the Department.

Adoption and incorporation of ARM 24.101.301 will allow the Department to promptly eliminate excess cash balances of the Board that result from unexpectedly high licensing levels or other non-typical events. Abatement in such instances will allow the licensees who have paid fees into the Board's program to receive the temporary relief provided by abatement. Adoption of this abatement rule does not relieve the Board from its duty to use proper rulemaking procedures to adjust the Board's fee structure in the event of recurrent instances of cash balances in excess of the statutorily allowed amount.

NEW RULE V LICENSE SUSPENSION AND REVOCATION (1) The board adopts and incorporates by reference, and shall follow all provisions regarding license suspension and revocation of the uniform professional licensing and regulation procedures as set forth in Title 37, chapter 1, part 3, MCA.

AUTH: 23-3-405, MCA

IMP: 23-3-405, 37-1-131, 37-1-136, 37-1-303, 37-1-307, 37-1-308, 37-1-309, 37-1-310, 37-1-311, 37-1-312, 37-1-313, 37-1-314, MCA

REASON: It is reasonable and necessary to adopt New Rule V in response to legislative audit recommendations regarding a statutory requirement for the Board's rules to include provisions for the suspension and revocation of licenses. The Board currently follows the uniform professional licensing procedures and adoption of New Rule V will clarify this.

NEW RULE VI RING AND ARENA REQUIREMENTS (1) Mixed martial arts contests and exhibitions may be held in a ring or in a fenced area.

(2) A ring specified in (1) must meet the following requirements:

(a) The ring must be no smaller than 20 feet square and no larger than 32 feet square within the ropes.

(b) The ring floor must extend at least 18 inches beyond the ropes. The ring floor must be padded with ensolite or another similar closed-cell foam, with at least a one-inch layer of foam padding. Padding must extend beyond the ring ropes and over the edge of the platform, with a top covering of canvas, duck, or similar material tightly stretched and laced to the ring platform. Material that tends to gather in lumps or ridges is not permitted.

(c) The ring platform must not be more than four feet above the floor of the building and must have suitable steps for the use of the unarmed combatants.

(d) Ring posts must be made of metal, not more than three inches in diameter, extending from the floor of the building to a minimum height of 58 inches above the ring floor, and must be properly padded in a manner approved by the board. Ring posts must be at least 18 inches away from the ring ropes.

(e) Five ring ropes must be used, each rope not less than one inch in diameter and wrapped in a soft material. The lowest ring rope must be 12 inches above the ring floor.

(f) There must not be any obstruction or object, including, without limitation, a triangular border, on any part of the ring floor.

(3) A fenced area specified in (1) must meet the following requirements:

(a) The fenced area must be circular or have at least eight equal sides and must be no smaller than 20 feet wide and no larger than 32 feet wide.

(b) The floor must be padded with ensolite or another similar closed-cell foam, with at least a one-inch layer of foam padding, with a top covering of canvas, duck, or similar material tightly stretched and laced to the platform of the fenced area. Material that tends to gather in lumps or ridges is not permitted.

(c) The platform of the fenced area must not be more than four feet above the floor of the building and must have suitable steps for the use of the unarmed combatants.

(d) Fence posts must be made of metal, not more than six inches in diameter, extending from the floor of the building to between five and seven feet above the floor of the fenced area, and must be properly padded in a manner approved by the board.

(e) The fencing used to enclose the area must be made of a material that will prevent an unarmed combatant from falling out of the fenced area or breaking through the fenced area onto the floor of the building or onto the spectators, including without limitation, chain link fence coated with vinyl.

(f) Any metal portion of the fenced area must be covered and padded in a manner approved by the board and must not be abrasive to the unarmed combatants.

(g) The fenced area must have two entrances.

(h) There must not be any obstruction on any part of the fence surrounding the area in which the unarmed combatants are to be competing.

AUTH: 23-3-405, MCA

IMP: 23-3-404, 23-3-405, MCA

REASON: The Board determined that it is reasonable and necessary to adopt New Rules VI through XIV pertaining to the regulation of professional mixed martial arts (MMA) contests and exhibitions. The Board has been approached by several MMA organizations and promoters requesting the Board's approval and regulation of professional mixed martial arts events in Montana. The Board concluded that it is necessary to adopt rules relating to the allowable equipment and attire, duration of contests, weight classes of combatants, contest scoring, fouls, point deduction for fouls, and contest outcomes in order to adequately protect the combatants and spectators at MMA events in Montana. The proposed New Rules are adapted from the Unified MMA Rules as developed and adopted by the professional MMCA sanctioning bodies of the International Sport Kickboxing Association and the International Fighting Championships. These Unified MMA Rules are currently adopted by the athletic commissions of California, New Jersey, Louisiana, Nevada and Quebec, Canada.

NEW RULE VII DURATION OF CONTESTS AND EXHIBITIONS (1) Except upon approval of the board, all nonchampionship contests or exhibitions of mixed martial arts must not exceed three rounds in duration.

(2) A championship contest or exhibition must be five rounds in duration.

(3) A period of unarmed combat in a contest or exhibition of mixed martial arts must be five minutes in duration. A period of rest following a period of unarmed combat in a contest or exhibition of mixed martial arts must be one minute in duration.

AUTH: 23-3-405, MCA

IMP: 23-3-404, 23-3-405, MCA

NEW RULE VIII WEIGHT CLASSES OF UNARMED COMBATANTS - WEIGHT LOSS AFTER WEIGH IN (1) Except upon approval by the board, the weight classes for mixed martial arts unarmed combatants are as follows:

(a) Flyweight up to 125 lbs.

(b) Bantamweight over 125 to 135 lbs.

(c) Featherweight over 135 to 145 lbs.

- (d) Lightweight over 145 to 155 lbs.
- (e) Welterweight over 155 to 170 lbs.
- (f) Middleweight over 170 to 185 lbs.
- (g) Light heavyweight over 185 to 205 lbs.
- (h) Heavyweight over 205 to 265 lbs.
- (i) Super heavyweight over 265 lbs.

(2) Following weigh in of mixed martial arts unarmed combatants, the following weight loss is not permitted:

- (a) in excess of two pounds for combatants weighing in at 145 lbs. or less;
- and
- (b) in excess of three pounds for combatants weighing in at over 145 pounds.
- (3) The above weight loss must not occur later than two hours after initial weigh in.

AUTH: 23-3-405, MCA

IMP: 23-3-404, 23-3-405, MCA

NEW RULE IX PROPER ATTIRE (1) Mixed martial arts combatants shall wear shorts as approved by the board or the board's inspector and shall not wear shoes or any padding on the combatant's feet during the contest or exhibition.

AUTH: 23-3-405, MCA

IMP: 23-3-404, 23-3-405, MCA

NEW RULE X METHOD OF JUDGING (1) Each judge shall score the contest or exhibition and determine the winner through the use of the following system:

- (a) The better combatant of a round received 10 points and the opponent proportionately less points.
 - (b) If a round is even, each combatant receives 10 points.
 - (c) Rounds shall be scored in full points and no fraction of points may be given.
 - (d) Points for each round must be awarded immediately after the end of the period of combat in the round.
- (2) The majority opinion is conclusive and, if there is no majority, the decision is scored a draw.
- (3) After the inspector has checked the scores, the inspector shall inform the announcer of the decision.

AUTH: 23-3-405, MCA

IMP: 23-3-404, 23-3-405, MCA

NEW RULE XI ACTS CONSTITUTING FOULS (1) The following acts constitute fouls in a mixed martial arts contest or exhibition:

- (a) butting with the head;
- (b) eye gouging of any kind;
- (c) biting;

- (d) hair pulling;
- (e) fish hooking;
- (f) groin attacks of any kind;
- (g) putting a finger into any orifice or into any cut or laceration of an opponent;
- (h) small joint manipulation;
- (i) striking to the spine or the back of the head;
- (j) striking downward using the point of the elbow;
- (k) throat strikes of any kind, including without limitation, grabbing the trachea;
- (l) clawing, pinching or twisting the flesh;
- (m) grabbing the clavicle;
- (n) kicking the head of a grounded opponent;
- (o) kneeling the head of a grounded opponent;
- (p) stomping a grounded opponent;
- (q) kicking to the kidney with the heel;
- (r) spiking an opponent to the canvas on the opponent's head or neck;
- (s) throwing an opponent out of the ring or fenced area;
- (t) holding the shorts or gloves of an opponent;
- (u) spitting at an opponent;
- (v) engaging in any unsportsmanlike conduct that causes injury to an opponent;
- (w) holding the ropes or the fence;
- (x) using abusive language in the ring or fenced area;
- (y) attacking an opponent on or during a break;
- (z) attacking an opponent who is under the care of the referee;
- (aa) attacking an opponent after the bell has sounded the end of the period;
- (ab) flagrantly disregarding the instructions of the referee;
- (ac) timidity, including without limitation, avoiding contact with an opponent, intentionally or consistently dropping the mouthpiece, or faking an injury;
- (ad) interference by the corner person; and
- (ae) throwing in the towel during competition.

AUTH: 23-3-405, MCA

IMP: 23-3-404, 23-3-405, MCA

NEW RULE XII DEDUCTION OF POINTS FOR FOULS (1) If a mixed martial arts combatant fouls an opponent during a contest or exhibition, the referee may penalize the combatant by deducting points from the score, whether or not the foul was intentional. Except as otherwise provided in rule, the referee may determine the number of points to be deducted in each instance and shall base the decision on the severity of the foul and its effect upon the opponent.

(2) When the referee decides to make a point deduction because of a foul, the referee shall warn the offender of the penalty to be assessed.

(3) The referee shall, as soon as is practical after the foul, notify the judges and both combatants of the number of points to be deducted from the offender's score.

(4) Any point or points must be deducted in the round in which the foul occurred and may not be deducted from the score of any subsequent round.

AUTH: 23-3-405, MCA

IMP: 23-3-404, 23-3-405, MCA

NEW RULE XIII ACCIDENTAL FOULS (1) If a contest or exhibition is stopped because of an accidental foul, the referee shall determine whether or not the combatant who has been fouled can continue. If the fouled combatant's chance of winning has not been seriously jeopardized as a result of the accidental foul and if the foul did not involve a concussive impact to the head of the fouled combatant, the referee may order the contest or exhibition continued after a recuperative interval of not more than five minutes. Immediately after separating the combatants, the referee shall inform the board inspector of the determination that the foul was accidental.

(2) If the referee determines that a contest or exhibition may not continue because of an injury suffered as a result of an accidental foul, the contest or exhibition must be declared a no contest if the foul occurred during:

(a) the first two rounds of a contest or exhibition scheduled for three rounds or less; or

(b) the first three rounds of a contest or exhibition scheduled for more than three rounds.

(3) If an accidental foul renders a combatant unable to continue after the completed second round of a contest or exhibition scheduled for three rounds or less, or the completed third round of a contest or exhibition scheduled for more than three rounds, the judges shall score the completed rounds and the round during which the referee stops the contest or exhibition.

(4) If an injury inflicted by an accidental foul later becomes aggravated by fair blows and the referee orders the contest or exhibition stopped because of the injury, the judges shall score the completed rounds and the round during which the referee stops the contest or exhibition.

AUTH: 23-3-405, MCA

IMP: 23-3-404, 23-3-405, MCA

NEW RULE XIV CONTEST RESULTS (1) A mixed martial arts contest or exhibition may end under the following results:

(a) submission by:

(i) physical tap out; or

(ii) verbal tap out;

(b) technical knockout by the referee stopping the contest or exhibition;

(c) decision via the scorecards, including:

(i) unanimous decision;

(ii) split decision;

(iii) majority decision; or

(iv) draw, including:

(A) unanimous draw;

- (B) majority draw; or
- (C) split draw;
- (d) technical decision;
- (e) technical draw;
- (f) disqualification;
- (g) forfeit; or
- (h) no contest.

AUTH: 23-3-405, MCA
IMP: 23-3-404, 23-3-405, MCA

6. The rules proposed to be repealed are as follows:

24.117.502 PROMOTER-MATCHMAKER found at ARM page 24-8561.

AUTH: 23-3-405, MCA
IMP: 23-3-404, 23-3-405, 23-3-501, 23-3-601, MCA

24.117.902 REFEREE found at ARM page 24-8671.

AUTH: 23-3-405, MCA
IMP: 23-3-404, 23-3-405, MCA

24.117.1003 CLUB BOXING--FEMALE CONTESTANTS found at ARM page 24-8704.

AUTH: 23-3-405, MCA
IMP: 23-3-405, MCA

24.117.1004 CLUB BOXING--PHYSICIAN REQUIREMENTS found at ARM page 24-8704.

AUTH: 23-3-405, MCA
IMP: 23-3-405, MCA

REASON: It is reasonable and necessary to repeal ARM 24.117.1003 and 24.117.1004 to delete duplicate language as the Board is incorporating similar club boxing requirements into the general boxing rules, where possible. The rules regarding promoters (ARM 24.117.502) and referees (24.117.902) are being repealed as the Board is proposing new rules to replace them.

7. Concerned persons may present their data, views or arguments either orally or in writing at the hearing. Written data, views or arguments may also be submitted by mail to Chris Bernet, Board of Athletics, Department of Labor and Industry, P.O. Box 200513, Helena, Montana 59620-0513, by facsimile to (406) 841-2309, or by e-mail to dlibsath@mt.gov and must be received no later than 5:00 p.m., February 27, 2006.

8. An electronic copy of this Notice of Public Hearing is available through the Department and Board's site on the World Wide Web at <http://www.discoveringmontana.com/dli/ath>, in the Rules Notices section. The Department strives to make the electronic copy of this Notice of Public Hearing conform to the official version of the Notice, as printed in the Montana Administrative Register, but advises all concerned persons that in the event of a discrepancy between the official printed text of the Notice and the electronic version of the Notice, only the official printed text will be considered. In addition, although the Department strives to keep its website accessible at all times, concerned persons should be aware that the website may be unavailable during some periods, due to system maintenance or technical problems, and that a person's technical difficulties in accessing or posting to the email address do not excuse late submission of comments.

9. The Board of Athletics maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this Board. Persons who wish to have their name added to the list shall make a written request that includes the name and mailing address of the person to receive notices and specifies that the person wishes to receive notices regarding all Board of Athletics administrative rulemaking proceedings or other administrative proceedings. Such written request may be mailed or delivered to the Board of Athletics, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513, faxed to the office at (406) 841-2309, e-mailed to dlibsath@mt.gov or may be made by completing a request form at any rules hearing held by the agency.

10. The bill sponsor notice requirements of 2-4-302, MCA, apply and have been fulfilled.

11. Darcee Moe, attorney, has been designated to preside over and conduct this hearing.

BOARD OF ATHLETICS
KEVIN MCCARL, CHAIRPERSON

/s/ KEITH KELLY
Keith Kelly, Commissioner
DEPARTMENT OF LABOR AND INDUSTRY

/s/ VIVIAN V. HAMMILL
Vivian V. Hammill
Rule Reviewer

Certified to the Secretary of State January 13, 2006