

BEFORE THE DEPARTMENT OF LABOR AND INDUSTRY
STATE OF MONTANA

In the matter of the amendment of) NOTICE OF PUBLIC HEARING ON
ARM 24.101.413 renewal dates and) PROPOSED AMENDMENT,
requirements, 24.117.201 procedural) ADOPTION, AND REPEAL
rules, 24.117.202 public participation)
rules, 24.117.301 definitions,)
24.117.402 fees, 24.117.403)
prohibitions, 24.117.406 general)
licensing requirements, 24.117.409)
bout approval, 24.117.412 fee)
abatement, 24.117.503 promoter,)
24.117.601 contest regulations,)
24.117.702 boxing contestants,)
24.117.703 female contestants,)
24.117.705 managers, 24.117.709)
physical examination, 24.117.710)
ringside health care professional)
requirements, 24.117.802 number)
and duration of rounds, 24.117.803)
down, 24.117.805 fouls, 24.117.806)
appeal of decisions of officials,)
24.117.810 hand wraps, 24.117.811)
official boxing gloves, 24.117.812)
mouthpiece, 24.117.815 ring--)
equipment, 24.117.901 officials)
required, 24.117.903 judges,)
24.117.905 seconds/corners,)
24.117.909 referee, 24.117.2301)
unprofessional conduct, the adoption)
of New Rules I and II department)
representatives, and the repeal of)
ARM 24.117.404 contracts and)
penalties, 24.117.405 medical)
advisor, 24.117.602 tickets,)
24.117.706 elimination-type events,)
24.117.906 inspectors, and)
24.117.907 announcer)

TO: All Concerned Persons

1. On May 5, 2017, at 10:00 a.m., a public hearing will be held in the Large Conference Room, 301 South Park Avenue, 4th Floor, 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 Athletics Program no later than 5:00 p.m., on April 28, 2017, to advise us of the nature of the accommodation that you need. Please contact Derek Sherlock, Athletics Program, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513; telephone (406) 841-2383; Montana Relay 1 (800) 253-4091; TDD (406) 444-2978; facsimile (406) 841-2305; or dlibsdate@mt.gov (program's e-mail).

3. GENERAL STATEMENT OF REASONABLE NECESSITY: The 2015 Montana Legislature enacted Chapter 437, Laws of 2015 (Senate Bill 401), an act that significantly revised professional boxing laws in Montana and addressed the revenue shortfall that has caused the program to cease functioning. The bill was signed by the Governor on May 5, 2015, and became effective on July 1, 2015. The department is proposing changes throughout the rules to align with and further implement the statutory provisions.

In response to 2015's Senate Bill 401 and following consultation with the boxing community, the department is proposing a substantial number of revisions to the Athletic Program's (program) administrative rules. Some of the proposed amendments are technical in nature, such as substituting current terminology for inaccurate or obsolete verbiage, replacing gender-specific terms with gender-neutral language, and deleting references to kickboxing, semi-professional boxing, and other sports no longer regulated by the program. The changes include substituting "department" or "program" for "board," as 2007's Senate Bill 54 eliminated the Board of Athletics. Other changes reflect a department decision to simplify, streamline, and better organize the provisions within the professional boxing rules.

Accordingly, the department determined it is reasonably necessary to generally amend and repeal certain existing rules, and adopt two new rules at this time. Where additional specific bases for a proposed action exist, the department will identify those reasons immediately following that rule.

Authority and implementation citations are being amended to accurately reflect all statutes implemented through the rule, provide the complete sources of the department's rulemaking authority, and delete references to repealed statutes.

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

24.101.413 RENEWAL DATES AND REQUIREMENTS (1) through (4) remain the same.

(5) The following are renewal dates for the professions and occupations listed:

(a) and (b) remain the same.

	BOARD OR PROGRAM JURISDICTION	LICENSE CATEGORY	FREQUENCY	RENEWAL DATE

(c)	Athletics	Boxer, Club	Nonrenewable, must reapply. License expires June 30.	
		Boxer, Professional	Nonrenewable, must reapply. License expires June 30.	
		Boxer, Semi-Professional	Nonrenewable, must reapply. License expires June 30.	
		Cornerperson/Second	Nonrenewable, must reapply. License expires June 30.	
		Judge	Nonrenewable, must reapply. License expires June 30.	
		Kickboxer	Nonrenewable, must reapply. License expires June 30.	
		Knockdown Judge	Nonrenewable, must reapply. License expires June 30.	
		Manager/Trainer	Nonrenewable, must reapply. License expires June 30.	
		Minimum Kicking Requirements Official	Nonrenewable, must reapply. License expires June 30.	
		Promoter/Matchmaker	Nonrenewable, must reapply. License expires June 30.	
	Referee	Nonrenewable, must reapply. License expires June 30.		

		Wrestler, Professional	Nonrenewable, must reapply. License expires June 30.	
		Wrestler, Semi-Professional	Nonrenewable, must reapply. License expires June 30.	

(d) through (7) remain the same.

AUTH: 37-1-101, 37-1-141, MCA

IMP: 37-1-101, 37-1-141, MCA

REASON: The department is amending the rule on board and program renewal dates to remove the licensure types that the department no longer regulates.

24.117.201 PROCEDURAL RULES (1) ~~The board of athletics hereby adopts and incorporates the procedural rules of the Department of Labor and Industry as listed in chapter 2 of this title~~ apply to procedures of the Athletics Program.

AUTH: ~~2-4-201, 23-3-405~~, MCA

IMP: 2-4-201, MCA

24.117.202 PUBLIC PARTICIPATION RULES (1) ~~The board of athletics hereby~~ Department of Labor and Industry adopts and incorporates by this reference the public participation rules of the Department of Commerce as listed in chapter 2 of this title ARM Title 8.

AUTH: ~~2-3-103, 23-3-405~~, MCA

IMP: 2-3-103, MCA

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.~~

~~(2) (1) "Bout or athletic Boxing event" means any semiprofessional or professional boxing, club boxing, kickboxing or wrestling match, exhibition, bout, contest, show, or tournament.~~

~~(3) (2) "City" means any city, town, village, or county location within the state of Montana.~~

~~(4) (3) "Contestant" means any participant in a semiprofessional or professional boxing, club boxing, kickboxing or wrestling bout or athletic event who receives remuneration directly or indirectly as consideration of their the performance.~~

~~(5) (8) "Club" or "promoter" "Promoter" means any person, club, corporation, association, or organization that conducts a professional boxing event in Montana.~~

~~(6) "Club boxing" is distinct from amateur boxing, professional boxing and elimination-type events and is conducted pursuant to the rules contained in this subchapter.~~

(4) "Department representative" means a person appointed to act on behalf of the department by attending and supervising professional boxing events, and who may be a volunteer.

~~(7) "Kickboxing", "full contact karate" 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) (5) "Manager" means a person in overall charge of a professional boxer and has the executive function of planning, organizing, coordinating, directing, contracting, and supervising supervision, and results of any scheduling or business activity of a professional boxer and is responsible for the results of such activity.~~

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

~~(10) (7) "Professional boxer" means a person seeking compensation or reward by participating in an athletic a professional boxing event. A person seeking a license as a "professional" must first truthfully execute a sworn affidavit, which establishes his qualifications.~~

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

~~(12) remains the same but is renumbered (9).~~

~~(13) (6) "Ringside health care Medical 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).~~

~~(14) "Semiprofessional" means a person seeking compensation or reward by participating in an athletic event who has not previously competed professionally.~~

AUTH: 23-3-405, MCA

IMP: 23-3-301, 23-3-402, 23-3-404, 23-3-405, MCA

24.117.402 FEES

(1) Promoters	\$500 <u>800</u>
(a) Bonding requirements are in addition to the fee	
(2) <u>Professional</u> boxers/kickboxers	45 <u>200</u>
(3) Wrestlers	45
(4) (3) Referees	45 <u>150</u>
(5) (4) Managers/trainers	45 <u>150</u>
(6) (5) Seconds	45 <u>150</u>
(7) (6) Judges	45 <u>150</u>
(8) Minimum kicking requirement	45
(9) Club boxing promoter	250
(7) Event fee	1500

(10) and (11) remain the same but are renumbered (8) and (9).

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

IMP: 23-3-405, 23-3-501, 37-1-134, 37-1-141, MCA

REASON: The department determined it is reasonably necessary to amend this rule to align with provisions in Senate Bill 401 and set licensure fees to ensure the program's solvency and continued operation. The program has not been self-sufficient for several years and ceased providing services in May 2014. Fees were last increased in 2006.

The department is proposing to increase all fees and establish a new fee to be charged for licensing each professional boxing event. The department is eliminating fees related to wrestling, club boxing, and kickboxing, as these sports are no longer regulated. The department estimates that the proposed fee changes will affect approximately 64 persons and increase annual revenue by \$15,630.

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

(a) and (b) remain the same.

AUTH: 23-3-405, MCA

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

24.117.406 GENERAL LICENSING REQUIREMENTS (1) All referees, seconds, managers/trainers, contestants, promoters, and judges must be licensed by the ~~board~~ department.

(2) All licenses ~~end~~ expire on the date set by ARM 24.101.413 and are nonrenewable.

(3) ~~Applications~~ The department must receive applications and fees shall be received by the board prior to or on the date of the athletic event, except for promoter applications, which must be received 30 days prior to a scheduled event.

(a) Application must be made on forms provided by the ~~board~~ department and include a photograph of the applicant or contestant.

(b) All applicants shall be at least 18 years of age as verified by a copy of the applicant's valid driver's license or other evidence of the applicant's date of birth.

(4) Contests staged on federal or tribal land within the state of Montana, shall be governed by such rules and regulations as may be agreed upon between the governing bodies concerned and the ~~Board of Athletics~~ department.

(5) ~~No person shall charge or receive an admission fee for exhibiting within this state a telecast of any bout or athletic event as defined at ARM 24.117.301, held in this state, without a permit issued by the board. Permits are required for simultaneous telecasts, closed circuit telecasts or any transmission of any kind, including but not limited to, transmission via microwave, closed circuit, satellite or fiber optic link.~~

(6) ~~Except in club boxing, all contestants shall submit a certified laboratory report documenting that the contestant has, within 30 days prior to 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: ~~37-1-141~~, 23-3-405, MCA

IMP: 23-3-404, 23-3-405, 23-3-501, ~~23-3-502~~, ~~37-1-141~~, MCA

24.117.409 BOUT/CONTEST APPROVAL (1) ~~The board shall approve all~~ All boxing contests and bouts must be approved by the department. ~~Board decisions are final.~~

(2) ~~The board~~ department or department representative will approve only those bouts:

(a) in which the contestants are fairly matched;

(b) where there are no concerns regarding the safety and welfare of either boxer; and

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

~~(a) through (d) remain the same but are renumbered (i) through (iv).~~

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

AUTH: 23-3-405, MCA

IMP: 23-3-405, MCA

24.117.412 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, applies to the Athletics Program.~~

AUTH: ~~37-1-101, 37-1-131, 37-1-134~~, MCA

IMP: 17-2-302, 17-2-303, ~~37-1-101, 37-1-134~~, MCA

24.117.503 PROMOTER (1) ~~Applicants for a promoters license~~ Promoter applicants shall submit a completed application apply on department forms, prescribed by the board accompanied by the appropriate fees, and shall furnish include the following information:

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

(b) experience verification forms attested to by three references (excluding relatives, present employer, or employees) with knowledge of the applicant's minimum two years' experience in promoting boxing or other relevant combative sports, such as mixed martial arts and wrestling;

~~(b) proof of financial stability by providing a \$5000 surety bond; and~~
~~(c) proof of applicant's familiarity with~~ knowledge of the laws and administrative rules of the board department, as evidenced by attestation on the application; and

(d) attestation on the application of the applicant's knowledge of the responsibilities involved in promoting boxing or other relevant combative sports.

(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 \$5000, 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) 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;~~
- ~~(d) announce all substitutions as soon as substitutions are known;~~
- ~~(e) 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;~~
- ~~(f) provide the names and weights of all contestants scheduled for an athletic event to the board at least ten days before the event. For club boxing events, preflight notification of names and weights at the board office is not required;~~
- ~~(g) (a) ensure that adequate public safety is maintained;~~
- ~~(h) 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;~~
 - ~~(i) provide adequate, separate dressing room facilities for male and female contestants;~~
 - ~~(j) comply with any and all state or local health rules regarding sanitary conditions of dressing rooms, showers, towels, or other equipment;~~
 - ~~(k) provide for the attendance of a ringside health care professional and compensate the ringside health care professional for such attendance at all athletic events;~~
 - ~~(l) compensate the officials for services rendered at each event in addition to reasonable room and board and mileage, if any;~~
 - ~~(m) respect the authority of the board and its representatives;~~
 - ~~(n) (b) ensure that the rules of the board department are strictly observed and carried out;~~
 - ~~(o) make arrangements to have an ambulance or medical personnel with appropriate resuscitation equipment be continuously present on site for each event;~~
 - ~~(p) provide security guards who either hold a license issued by the state of Montana or are law enforcement officers; and~~
 - ~~(q) (c) provide liability insurance to adequately protect the contestants, officials, and the attending public, and shall furnish proof of such insurance to the board department prior to sanction being granted. Minimum coverages must include:~~

- (i) \$10,000 medical insurance per contestant;
- (ii) \$10,000 life insurance per contestant; and
- (iii) additional liability insurance to adequately protect all officials and the public; and
- (d) pay all purses and other financial obligations immediately following an event.

AUTH: 23-3-405, MCA

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

24.117.601 CONTEST EVENT LICENSE AND REGULATIONS

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

(1) Licensed promoters must obtain an event license for each professional boxing event held in Montana.

(2) To obtain an event license, applicants shall submit a completed application on department forms at least 15 days before the event, and pay the license fee per ARM 24.117.402. Applications must document the following:

- (a) event venue, location/address, date, time;
- (b) names and weights of all contestants scheduled for the event; and
- (c) proof of liability insurance to adequately protect contestants, officials, and the attending public. Minimum coverages are as follows:

- (i) \$10,000 medical insurance per contestant;
- (ii) \$10,000 life insurance per contestant; and
- (iii) additional liability insurance to adequately protect all officials and the public.

(3) Before an event commences, the promoter must demonstrate compliance with the following requirements to the satisfaction of the department or department representative at the event. The promoter shall:

(a) provide all materials necessary for the athletic event, including ring, steps, stools, water buckets, resin, bell, buzzer or whistle, timer, gloves, gauze, tape for hand wraps, and a scale as examined and approved by the medical professional or department representative;

(b) provide adequate, separate dressing room facilities for male, female, and opposing contestants;

(c) comply with any and all state or local health rules regarding sanitary conditions of dressing rooms, showers, towels, and other equipment;

(d) ensure attendance of a medical professional and compensate the professional for such attendance;

(e) ensure attendance of and compensate the judges, referees, and seconds for services rendered at the event in addition to reasonable room and board and mileage;

(f) ensure that a staffed, Montana-licensed ambulance remains continuously present on-site at the event;

(g) provide security guards who either hold a Montana license per Title 37, chapter 60, MCA, or are law enforcement officers, as deemed necessary by the promoter and venue owner; and

(h) notify the nearest hospital and the persons in charge of the emergency room.

~~(2) (4) Notice~~ The promoter must notify the department of any change in announced or advertised programs for any athletic event must be promptly filed with the board at least 24 hours prior to the athletic event. Notices announcing such change or substitution must be announced from the ring before the opening athletic event.

~~(3) (5) Only board members~~ department representatives, contestants, seconds, managers, promoters, and ringside health care medical professionals, and representatives of the board will be are permitted in dressing rooms upon presentation of proper credentials issued by the ~~board~~ department.

~~(4) (6) No applicant, licensee, inspector~~ department representative, 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, 23-3-503, MCA

IMP: 23-3-405, 23-3-503, MCA

24.117.702 BOXING CONTESTANTS (1) All boxing contestants must file an application with the board, including a photograph of the applicant. Contestant applicants shall submit a completed application on department forms and pay the license fee per ARM 24.117.402. Applications must include the following information:

(a) a photograph of the applicant; and

(b) experience verification forms demonstrating a minimum of one year of amateur or professional boxing as attested to by three references (excluding relatives, present employer, or employees) with knowledge of the applicant's experience in boxing.

~~(2) (3) Prior to participating in an event,~~ All contestants shall:

(a) present a valid picture ID and federal boxing ID prior to participating in an athletic event; and

(b) submit certified laboratory documentation of the contestant's negative HIV, hepatitis B, and hepatitis C tests.

(i) Tests are not required within one year of an athletic event, but cannot be older than 18 months.

~~(3) (4) 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~~ department.

~~(4) (2) No contestant under the age of 18 or over the age of 35 shall be licensed to participate in Montana unless an exception is granted by the board~~ department.

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

(i) and (ii) remain the same.

~~(b) Club boxing contestants over the age of 40 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.~~

(5) No contestant under the age of 24 18 shall be permitted to may participate in more than six rounds until the contestant has participated in ten or more professional boxing bouts involving ~~boxing~~, unless special permission is granted by the ~~board~~ department.

(6) remains the same.

~~(7) 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 the bout.~~

~~(8)~~ (7) Any contestant who has participated in an athletic event, unless specifically granted an exception by the ~~board~~ department, 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~~ medical professional

(b) and (c) remain the same.

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

(i) and (ii) remain the same.

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

~~(10)~~ (9) Contestants participating in a sham or fake bout shall be disqualified and shall be prohibited from participating in any ~~bout or athletic~~ event in this state as follows:

(a) and (b) remain the same.

~~(11)~~ (10) All contestants shall must be ready to enter the ring immediately upon completion of the preceding ~~bout or athletic~~ event.

~~(12)~~ (11) 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~~ department ~~or inspector~~ department representative. The contestant must submit to an examination by a department-approved physician ~~approved by the board, which examination must be made~~ prior to the date set for the ~~athletic~~ event. The expense of contestant must pay for the physician's examination ~~is to be paid by the contestant~~.

~~(13)~~ (12) During Contestants may not drink anything but water during a bout or athletic an 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 is~~ cause for disqualification and/or other disciplinary action by the ~~board~~ department. All

contestants may be required to submit to a drug test before and after a ~~bout or athletic an~~ event in which the contestant is involved.

(13) No contestant shall sell tickets for any athletic event in which the contestant is engaged on a commission basis, to serve as a remuneration for services as a contestant.

~~(14) The board may at its discretion allow limited professional and semiprofessional boxing rounds at a club boxing event. The professional and semiprofessional rounds must conform to all applicable statutes and rules.~~

AUTH: 23-3-405, MCA

IMP: 23-3-301, 23-3-404, 23-3-405, 23-3-501, 23-3-603, MCA

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

~~(2) and (3) remain the same but are renumbered (1) and (2).~~

~~(4) (3) Female boxers shall wear properly fitted breast protectors and groin protectors and a mouthpiece mouthpieces.~~

~~(5) and (6) remain the same but are renumbered (4) and (5).~~

AUTH: 23-3-405, MCA

IMP: 23-3-405, MCA

REASON: The department is relocating (1) to ARM 24.117.802, the rule on number and duration of rounds.

24.117.705 MANAGERS/TRAINERS ~~(1) Applicants for a managers license Manager/trainer applicants shall submit a completed application apply on department forms, prescribed by the board accompanied by the appropriate fees, and furnish include the following information:~~

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

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

~~(2) remains the same.~~

AUTH: 23-3-405, MCA

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

24.117.709 PREFIGHT PHYSICAL EXAMINATION ~~(1) Contestants, including substitutions and exhibition contestants, shall submit to a prefight physical examination by a medical professional as defined in ARM 24.117.301 ~~be examined by a ringside health care professional approved by the board, between the time of weigh-in and prior to entering the ring.~~~~

(a) The examination may be conducted by the medical professional attending the event.

(b) Only the contestant and his the contestant's manager/trainer are allowed in the examination room during the physical.

(c) Eye dilation is not required in the prefight physical examination.

(2) Contestants shall:

~~(a) provide the board with written documentation of a current physical examination; and~~

~~(b) meet the following minimum physical requirements as determined by in the prefight 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):~~

~~(i) through (xiv) remain the same but are renumbered (a) through (n).~~

~~(3) The board department may request the following of any contestant:~~

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

~~(4) The weigh-in shall Weigh-in must be at least eight hours before the bout.~~

(a) The manager/trainer or an authorized agent must accompany the contestant to weigh-in.

~~(b) Contestants appearing at weigh-in and weighing 3 three percent over the contracted weight at weigh-in, without allowing for dehydration, shall be disqualified from the bout.~~

~~(a) (c) Contestants exhibiting signs of dehydration as a result of taking diuretics or drugs shall be disqualified.~~

~~(5) No contestant shall take part in an athletic event until pronounced fit to do so by the ringside health-care medical professional. Physical fitness of contestants to participate shall be certified by the ringside health-care The medical professional must report contestants' physical fitness to the board department within 24 hours after the contest event.~~

~~(6) The manager or an authorized agent shall accompany the contestant to the weigh-in.~~

~~(7) (6) If a contestant is late to weigh-in, the opponent may be weighed in under the direction of the board department or department representative. Late contestants and their managers may be subject to disciplinary action by the board department.~~

AUTH: 23-3-405, MCA

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

24.117.710 RINGSIDE HEALTH CARE MEDICAL PROFESSIONAL REQUIREMENTS (1) The ~~health-care~~ medical professional shall must be present at ringside and be available to assist the referee until the conclusion of the final bout.

(2) The ~~ringside health-care~~ medical professional shall perform post-bout examinations of all contestants. ~~The health-care professional's~~ and report all recommendations, medical disqualifications, reports of contestant injuries, and any

other examination results shall be reported to the board department within 24 hours after the athletic event.

AUTH: 23-3-405, MCA

IMP: 23-3-405, MCA

24.117.802 NUMBER AND DURATION OF ROUNDS (1) ~~No~~ Professional boxing ~~match~~ matches are as follows:

(a) Male contestants:

(i) shall be no more than 12 rounds in length;

(ii) each round and such rounds shall be of not more than lasting three minutes' duration; and

(iii) with one minute intermission rest period between rounds;

(b) Female contestants:

(i) no more than ten rounds in length;

(ii) each round lasting two minutes; and

(iii) one minute rest period between rounds.

(2) Professional boxing rounds must conform to all applicable statutes and rules.

AUTH: 23-3-405, MCA

IMP: 23-3-405, MCA

24.117.803 DOWN (1) A contestant shall be deemed "down" when:

(a) any part of his ~~the contestant's~~ body other than his ~~the~~ feet is on the ring floor;

(b) ~~he the contestant~~ is hanging helplessly over the ropes; and

(c) and (2) remain the same.

(3) A contestant may go down through accident or weakness, but must arise instantly. If ~~he the contestant~~ is sent down by a blow, ~~he the contestant~~ shall remain down until the count of "eight" before arising and continuing the round, and ~~he~~ may remain down until the count of "nine" without being disqualified.

(4) remains the same.

(5) A contestant who is in distress, but still on ~~his the contestant's~~ feet and the referee intercedes to save ~~him the contestant~~, or if, while in ~~his the~~ corner, ~~his the contestant's~~ manager and seconds notify the referee the contestant is unable to continue, the decision shall be "stopped in so many rounds."

(6) Should a contestant who is "down" arise before the count of ten is reached, and again go down intentionally without being struck, the referee shall resume the count where ~~he the referee~~ left off.

(7) When a contestant is "down," ~~his the~~ opponent shall retire to the farthest neutral corner designated by the referee and remain there until the count is completed. Should ~~he the opponent~~ fail to do so, the referee may cease counting until ~~he the opponent~~ has so retired.

(8) When a contestant has been knocked down three times in one round, the referee will declare ~~him the contestant~~ the loser by a technical knockout.

(a) This subsection may be waived in "bouts" if agreed to by both contestants, in writing, and the writing is filed with the ~~board~~ department prior to the beginning of the athletic event.

(9) remains the same.

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

AUTH: 23-3-405, MCA

IMP: 23-3-405, MCA

24.117.805 FOULS (1) through (2) remain the same.

(3) A contestant who commits a foul, intentional or unintentional, may be fined the total amount of ~~his~~ the purse, not to exceed \$1000 per violation, and suspended by the ~~board~~ department and/or fined only in such amount as the ~~board~~ department may deem warranted by the offense. It will only be by unanimous opinion of the referee, judges, and the ~~board-inspector~~ department representative that the offender not be held responsible for the foul and the promoter authorized to pay the purse.

(4) and (5) remain the same.

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

(7) If the fouled contestant is ahead on points or the points are equal, ~~he~~ the contestant 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 judgment the foul is serious or intentionally inflicted, the referee may award the bout to the contestant so fouled.

(8) If any accidental foul occurs before the completion of four rounds and the injured 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 contestant cannot continue, a technical decision shall be rendered by the judges and the contestant ahead on points shall be declared the winner. If a contestant is accidentally fouled and can continue, the referee must stop the action and inform the ~~board~~ department representative and both 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 contestant cannot continue, a decision shall be rendered by going to the scorecards.

AUTH: 23-3-405, MCA

IMP: 23-3-405, MCA

24.117.806 APPEAL OF DECISIONS OF OFFICIALS (1) In cases involving appeal to the ~~board~~ department of an officials' decision, the decision of the officials shall not be changed unless:

(a) the ~~board~~ department determines that there was collusion affecting the officials' decision; or

(b) the ~~board~~ department determines that actual bias or prejudice on the part of one or more officials affected the officials' decision; or

(c) and (d) remain the same.

(e) the compilation of the score cards of the judges discloses an error which shows that the decision was given to the wrong ~~boxer~~ contestant.

(2) On review of an officials' decision, the ~~board~~ department shall not substitute its judgment for that of the officials as to the weight of the evidence on questions of fact.

AUTH: 23-3-405, MCA

IMP: 23-3-405, MCA

24.117.810 HAND WRAPS (1) ~~Handwraps shall~~ Each hand wrap must be:

(a) restricted to no more than 20 yards made of soft gauze that is:

(i) not more than two inches wide; and

(ii) not more than 20 yards in length; and

(b) held in place secured by not more than eight feet of adhesive tape that is:

(i) not more than one and one-half inches wide for each hand; and

(ii) not more than eight feet in length.

~~(2) The use of adhesive tape over the knuckles is strictly prohibited. The tape shall not cover any part of the knuckles when the hand is clenched to make a fist. The use of water or any other liquid or material on the tape is strictly prohibited. Adhesive tape may cross the back of the hand twice but must not:~~

~~(a) extend within one inch of the knuckles;~~

~~(b) be placed over the knuckles; or~~

~~(c) be combined with water or other liquid.~~

~~(3) A single four inch by four inch white surgical pad (or equivalent material approved by the department representative), folded in half, may be used on the knuckles of each hand for added protection and safety.~~

~~(2) (4) All handwraps hand wraps shall must be applied and adjusted in the dressing room in the presence of a board department representative who must sign across the back of each hand before gloves are secured on a contestant.~~

AUTH: 23-3-405, MCA

IMP: 23-3-405, MCA

REASON: The department determined it is reasonably necessary to amend this rule regarding contestant hand wraps for clarity and to achieve consistency with boxing standards in the surrounding states.

24.117.811 OFFICIAL BOXING GLOVES (1) Gloves must be either:

(a) clean and in good condition with no lumps or imperfections; or

(b) new, if determined by the referee or department representative as necessary for the safety of the contestants.

(2) Glove requirements per in the weight classes class are as follows:

(a) of welterweight Welterweight and below must be no less than eight ounces, and must have the thumbs attached.

~~(b) Gloves in weight classes of middleweights~~ Middleweight and above must be of no less than ten ounces in weight, and must have thumbs attached.

~~(c) The only exception to this rule is in In~~ championship bouts where the board department may authorize eight ounce gloves, thumbs attached, for any weight class.

~~(2) (3)~~ (3) No breaking, roughing, or twisting of gloves shall be permitted. Gloves shall be examined by the ~~inspector~~ department representative. If padding is found to be misplaced or lumpy, or if gloves are found to be imperfect, other gloves shall be substituted therefore.

~~(3) (4)~~ (4) Gloves and headgear shall must be cleaned with a disinfectant between each bout.

AUTH: 23-3-405, MCA

IMP: 23-3-405, MCA

24.117.812 MOUTHPIECE (1) through (3)(a) remain the same.

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

(c) remains the same.

AUTH: 23-3-405, MCA

IMP: 23-3-405, MCA

24.117.815 RING--EQUIPMENT (1) The ring shall:

~~(a) be no less than 15~~ 16 or more than 20 feet square when measured inside the line of the ropes;

~~(b) The apron of the ring shall extend~~ have an apron that extends beyond the ropes not less than two feet;

~~(c) The ring shall~~ be equipped with four ropes with two spacer ties on each side of the ring to secure the ropes;

~~(d) have the entire floor and apron padded with insulate, felt, matting, or a similar material with a thickness of at least one inch;~~

~~(e) have a canvas or similar material covering the padding, stretched tightly and laced or fastened to the outer edge of the floor;~~

~~(f) have floor boards of sufficient strength to hold the weight and ensure the safety of all who enter the ring; and~~

~~(g) have a minimum of two sets of suitable steps for use by the contestants and officials to be placed diagonally at opposite corners of the ring platform.~~

(2) through (5) remain the same.

AUTH: 23-3-405, MCA

IMP: 23-3-405, MCA

REASON: The department determined it is reasonably necessary to add new provisions regarding boxing rings to align with boxing standards in the surrounding states. Following the recommendations of Montana's boxing community, the department is amending this rule to specifically delineate ring standards and achieve consistency with our neighboring states.

24.117.901 OFFICIALS REQUIRED (1) The officials shall consist of a referee, three judges, timekeeper, announcer, and a physician. The judges and referee shall be named by the ~~board~~ department and paid by the promoter conducting the athletic event.

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

(3) Officials may not:

(a) hold a financial interest in the management of any contestant; or

(b) referee any bout involving contestants with whom the official has previously served as manager, trainer, etc.

(4) The department representative assigned to supervise an event shall directly control and supervise all officials involved in the event.

AUTH: 23-3-405, MCA

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

24.117.903 JUDGES (1) Applicants for a judges license shall apply on forms prescribed by the ~~board~~ department. The application must be complete, accompanied by the appropriate fees, and shall furnish include the following information:

(a) proof of either:

(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~~ department to demonstrate competency;

(b) names and addresses of three references moral character references from three people (excluding relatives, present employer, or employees) who can attest to the applicant's ~~judging experience and~~ integrity; and

(c) proof of familiarity with the laws and administrative rules of the ~~board~~ program, as evidenced by attestation on the application.

(2) remains the same.

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

(4) through (8) remain the same.

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 shall be at least 18 years of age and shall furnish apply on forms prescribed by the department. The application must be complete, accompanied by the appropriate fees, and include the following information:

~~(a) to the board~~ experience verification forms demonstrating a minimum of one year of experience evidence of assisting at athletic boxing events involving boxing, including; and

~~(a) (b) names and addresses of three references~~ reference forms from people who can attest to ring experience; and

~~(b) names of contestants in whose corner the applicant previously assisted at ringside.~~

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

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

(4) Licensed managers ~~shall be permitted to~~ may act as seconds and shall must comply with all rules of conduct pertaining to seconds.

~~(5) 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.~~

~~(6) (5)~~ Seconds/~~corners~~ shall not ~~either~~:

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

(b) spray or forcefully throw water on a contestant.

~~(7) (6)~~ Seconds/~~corners~~ shall:

(a) wipe up excess water on the ring floor before the start of the next round;

(a) and (b) remain the same but are renumbered (b) and (c).

AUTH: 23-3-405, MCA

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

REASON: The department is amending this rule to remove the term "corner," as the statutes do not provide for this type of license.

24.117.909 REFEREE (1) Applicants for a referees license shall apply on forms prescribed by the ~~board~~ department. The application must be complete, accompanied by the appropriate fees, and furnish include 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~~ department to demonstrate competency;

~~(b) names and addresses of three references~~ experience verification forms from three references (excluding relatives, present employer, or employees) who can attest attesting to the applicant's refereeing experience and integrity; and

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

(2) through (6)(b) remain the same.

(c) clarify that the health care professional shall not enter the ring unless directed to do so by the referee or the ~~board~~ department designee;

(d) through (9)(a) remain the same.

(b) enforce all applicable ~~board~~ program laws and rules;

(c) through (c)(v) remain the same.

(A) In championship matches, the ~~board~~ department may waive subsection (9)(c)(v) if agreed to in writing by both contestants, and the agreement is filed with the ~~board~~ department prior to the beginning of the athletic event;

(d) through (i) remain the same.

(10) At the conclusion of a bout, the referee shall:

(a) collect scorecards from the judges and present them to the ~~inspector~~ department representative;

(b) and (c) remain the same.

(11) The ~~board~~ department shall appoint the referees and the ~~board~~ department decisions are final.

(12) remains the same.

AUTH: 23-3-405, MCA

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

24.117.2301 UNPROFESSIONAL CONDUCT In addition to the provisions of ~~37-1-316~~ 23-3-603, MCA, the ~~board~~ department defines "unprofessional conduct" as follows:

(1) violating, or attempting to violate, directly or indirectly, or assisting or abetting the violation of, or conspiring to violate any provision of Title 23, chapter 3, MCA, or rule promulgated thereunder, or any order of the ~~board~~ department;

(2) violating any state, federal, provincial or tribal statute, or administrative rule governing or affecting the professional conduct of ~~any~~ the licensee;

(3) impersonating any licensee or representing oneself as a licensee ~~for which one has no~~ without holding a current license;

(4) and (5) remain the same.

~~(6) failing to use a legible written contract or statement containing the following terms:~~

~~(a) the date of the match,~~

~~(b) compensation,~~

~~(c) the promoter's name, address, license number and expiration date,~~

~~(d) the weight at which the contestant will weigh in,~~

~~(e) the name, address and telephone number of the board;~~

(7) and (8) remain the same but are renumbered (6) and (7).

~~(9)~~ (8) failing to cooperate with a ~~board~~ department inspection or investigation in any material respect;

(9) failing to respect the authority of the department and its representatives;
and

(10) failing to report an incident of unsafe practice or unethical conduct of another licensee to the ~~licensing authority~~ department.

AUTH: 23-3-405, ~~37-1-319~~, MCA

IMP: 23-3-405, 23-3-603, ~~37-1-308~~, MCA

REASON: It is reasonably necessary to amend this rule by striking (6) regarding contractual provisions between promoters and contestants. The department is not a party to these contracts and therefore lacks the authority to enforce the provisions of

such a contract. Additionally, the department is adding (9) to allow the department to discipline a licensee who fails to respect the department's authority.

5. The proposed new rules are as follows:

NEW RULE I DEPARTMENT REPRESENTATIVE QUALIFICATIONS

- (1) Applicants for department representative shall submit a completed application on department forms that demonstrate the applicant:
- (a) is at least 18 years of age as verified by:
 - (i) a copy of the applicant's driver's license; or
 - (ii) other official evidence of the applicant's date of birth;
 - (b) is of good moral character as evidenced by character references from three individuals (excluding relatives, present employer, or employees) attesting to the applicant's character and integrity;
 - (c) has a minimum of two years of boxing experience as demonstrated by:
 - (i) experience verification forms attested to by three references (excluding relatives, present employer, or employees); and
 - (d) is in good standing with all United States boxing commissions.
- (2) Acceptable experience includes that gained as a boxing referee, inspector, tally judge, knock down judge, manager, promoter, or other experience combinations as approved by the department.
- (3) Qualifying experience determinations by the department are final.

AUTH: 23-3-405, MCA

IMP: 23-3-402, MCA

REASON: The department determined it is reasonably necessary to adopt NEW RULES I and II to implement Senate Bill 401 and establish the minimum qualifications and duties for department representatives.

NEW RULE II DEPARTMENT REPRESENTATIVE DUTIES (1) The

- department shall issue an official badge to each appointed department representative, to demonstrate the ability to act on behalf of the department.
- (2) Department representatives shall:
- (a) act as official representatives of the department;
 - (b) ensure that all rules and regulations are strictly observed;
 - (c) supervise the officials at assigned events;
 - (d) report to the department within 24 hours any violations of law or rule that occur during an event;
 - (e) complete department checklists to verify that all event requirements are met before approving a bout to begin;
 - (f) distribute to the judges the official athletic commission score cards, prior to the start of each bout. The judges will score each round of a bout on the scorecard, sign it, and return the card to the referee who shall deliver the completed cards to the department representative; and

(g) report the results, including all suspensions, to the department within 48 hours of the completion of the bouts, to enable result certification and submission to official boxing registries.

(3) Department representatives may:

(a) be volunteers and as such, will not be compensated by the department for either duties or time;

(b) accept documentation required for applications and events;

(c) vet contestants;

(d) supervise weigh-ins and ringside physicals;

(e) supervise hand wrapping; or

(f) inspect boxing gloves and hand wrapping.

(4) Department representatives shall not hold an interest in the management of any contestant, nor act as a promoter, referee, timekeeper, judge, or second at any licensed event.

(5) All representatives serve at the discretion and request of the department.

AUTH: 23-3-405, MCA

IMP: 23-3-402, MCA

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

24.117.404 CONTRACTS AND PENALTIES

AUTH: 23-3-405, MCA

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

REASON: The department is repealing this rule to align with statutory changes per Senate Bill 401.

24.117.405 MEDICAL ADVISOR

AUTH: 23-3-405, MCA

IMP: 23-3-405, MCA

REASON: The department is repealing this rule to align with statutory changes, which do not provide the statutory authority to appoint a medical advisor.

24.117.602 TICKETS

AUTH: 23-3-405, MCA

IMP: 23-3-405, MCA

REASON: The department is repealing this rule to align with statutory changes per Senate Bill 401.

24.117.706 ELIMINATION-TYPE EVENTS

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

REASON: The department is repealing this rule addressing semi-professional boxing which the department no longer regulates.

24.117.906 INSPECTORS

AUTH: 23-3-405, MCA
IMP: 23-3-402, MCA

REASON: The department is repealing this rule because Senate Bill 401 replaced inspectors with department representatives, per NEW RULES I and II.

24.117.907 ANNOUNCER

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

REASON: The department is repealing this rule upon a determination that the department does not license nor regulate announcers.

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 to the Athletics Program, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513, by facsimile to (406) 841-2305, or e-mail to dlibsdate@mt.gov, and must be received no later than 5:00 p.m., May 12, 2017.

8. An electronic copy of this notice of public hearing is available at <http://boards.bsd.dli.mt.gov/ath>. The department strives to make the electronic copy of this notice 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 web site accessible at all times, concerned persons should be aware that the web site may be unavailable during some periods, due to system maintenance or technical problems, and that technical difficulties in accessing or posting to the e-mail address do not excuse late submission of comments.

9. The department and program maintain a list of interested persons who wish to receive notices of rulemaking actions proposed by this program. Persons who wish to have their name added to the list shall make a written request that includes the name, e-mail, and mailing address of the person to receive notices and specifies that the person wishes to receive notices regarding all program administrative rulemaking proceedings or other administrative proceedings. The request must indicate whether e-mail or standard mail is preferred. Such written

request may be sent or delivered to the Athletics Program, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513; faxed to the office at (406) 841-2305; e-mailed to dlibsath@mt.gov; or made by completing a request form at any rules hearing held by the agency.

10. The bill sponsor contact requirements of 2-4-302, MCA, apply and have been fulfilled. The primary bill sponsor, Senator Mary Caferro, was contacted on September 29, 2015, by telephone and electronic mail.

11. With regard to the requirements of 2-4-111, MCA, the department has determined that the amendment of ARM 24.101.413, 24.117.201, 24.117.202, 24.117.301, 24.117.402, 24.117.403, 24.117.406, 24.117.409, 24.117.412, 24.117.503, 24.117.601, 24.117.702, 24.117.703, 24.117.705, 24.117.709, 24.117.710, 24.117.802, 24.117.803, 24.117.805, 24.117.806, 24.117.810, 24.117.811, 24.117.812, 24.117.815, 24.117.901, 24.117.903, 24.117.905, 24.117.909, and 24.117.2301 will not significantly and directly impact small businesses.

With regard to the requirements of 2-4-111, MCA, the department has determined that the adoption of NEW RULES I and II will not significantly and directly impact small businesses.

With regard to the requirements of 2-4-111, MCA, the department has determined that the repeal of ARM 24.117.404, 24.117.405, 24.117.602, 24.117.706, 24.117.906, and 24.117.907 will not significantly and directly impact small businesses.

Documentation of the department's above-stated determinations is available upon request to the Athletics Program, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513; telephone (406) 841-2383; facsimile (406) 841-2305; or to dlibsath@mt.gov.

12. Derek Sherlock has been designated to preside over and conduct this hearing.

/s/ DARCEE L. MOE

Darcee L. Moe
Rule Reviewer

/s/ PAM BUCY

Pam Bucy, Commissioner
DEPARTMENT OF LABOR AND INDUSTRY

Certified to the Secretary of State April 3, 2017.