

HOUSE BILL 227

IN THE HOUSE

January 17, 1979	Introduced and referred to Committee on Business and Industry.
January 29, 1979	Committee recommend bill, as amended.
January 30, 1979	Printed and placed on members' desks.
January 31, 1979	On motion, taken from second reading and referred to Business and Industry.
February 7, 1979	Intent statement attached.  Committee recommend bill, as amended.
February 8, 1979	Printed and placed on members' desks.
February 9, 1979	Second reading, do pass.
February 10, 1979	Considered correctly engrossed.
February 12, 1979	Third reading, passed.

IN THE SENATE

February 13, 1979	Introduced and referred to Committee on State Administration.
April 20, 1979	Died in Committee.

1 HOUSE BILL NO. 227  
2 INTRODUCED BY Mencher

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE COMPENSATION  
5 FOR MEMBERS OF THE BOARD OF ATHLETICS; TO PROVIDE FOR  
6 LICENSING OF BOXERS, WRESTLERS, OFFICIALS, AND RING  
7 ATTENDANTS; TO PROVIDE LICENSE FEES TO BE SET BY THE BOARD  
8 OF ATHLETICS; AND AMENDING SECTIONS 23-3-102 AND 23-3-201,  
9 MCA."

10  
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
12 Section 1. Section 23-3-102, MCA, is amended to read:  
13 "23-3-102. Board of athletics. The ~~members--of-the~~  
14 ~~board of athletics shall serve--without--compensation--but~~  
15 ~~determine the compensation of its members. Such compensation~~  
16 ~~shall not exceed \$25 per day for official business and while~~  
17 ~~attending boxing, sparring, and wrestling events. Board~~  
18 ~~members~~ shall be allowed travel expenses, as provided for in  
19 2-18-501 through 2-18-503, as amended, to be paid by--the  
20 ~~state--treasurer--on--warrant--properly--drawn--out--of--the~~  
21 ~~proceeds--of--the--tax--collected--under--this--chapter~~ from the  
22 ~~earmarked revenue account.~~ Before April 1 of each year the  
23 board shall elect one of its number ~~members~~ chairman, shall  
24 adopt a seal for the board, and may adopt rules for the  
25 administration of its office. Two of the members of the

1 board constitute a quorum to do business, and the  
2 concurrence of at least two members is necessary to render a  
3 choice or decision by the board."

4 Section 2. Section 23-3-201, MCA, is amended to read:  
5 "23-3-201. Jurisdiction over boxing, sparring, and  
6 wrestling matches -- licenses -- application for license.  
7 (1) The board has the sole direction, management, control,  
8 and jurisdiction over boxing, sparring, and wrestling  
9 matches and exhibitions conducted, held, or given within  
10 this state by a club, corporation, or association. No  
11 boxing, sparring, or wrestling match or exhibition may be  
12 conducted, held, or given within this state except when  
13 licensed in accordance with this part.

14 (2) The board may grant or revoke, subject to 37-1-101  
15 and 37-1-102, a license to conduct, hold, or give boxing,  
16 sparring, and wrestling matches and exhibitions to a club,  
17 corporation, or association which, if it is an amateur  
18 athletic association, may be incorporated or organized under  
19 rules adopted by the board.

20 (3) This part does not apply to or prohibit amateur  
21 boxing or wrestling exhibitions conducted in or by organized  
22 amateur clubs, schools, and gymnasiums.

23 (4) A license is subject to rules the board makes.

24 (5) An application for a license shall be in writing  
25 and addressed to the department and verified by an officer

1 of the club, corporation, or association on whose behalf the  
2 application is made. It shall contain facts which show the  
3 applicant entitled to receive a license and other facts and  
4 recitals the board by rule requires to be shown.

5 ~~(6) No boxer, wrestler, official, or ring attendant~~  
6 ~~may participate in a professional boxing, sparring, or~~  
7 ~~wrestling match within this state unless licensed under~~  
8 ~~[this act] in accordance with board rules.~~

9 ~~(7) A nonrefundable license fee established by the~~  
10 ~~boards not to exceed \$25, shall be paid by a boxer,~~  
11 ~~wrestler, official, or ring attendant prior to participating~~  
12 ~~in any boxing, sparring, or wrestling match.~~

13 ~~(8) A license for a boxer, wrestler, official, or ring~~  
14 ~~attendant expires on December 31 of each year and may be~~  
15 ~~renewed by the board upon payment of a license fee set by~~  
16 ~~the board and submission of an application containing such~~  
17 ~~information as the board considers necessary."~~

-End-

STATE OF MONTANA

REQUEST NO. 40-79

FISCAL NOTE

Form BD-15

In compliance with a written request received January 18, 19 79, there is hereby submitted a Fiscal Note for House Bill 227 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly.

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

To provide compensation for board members while on official board business and attending boxing and wrestling events; to provide for licensing of individuals and to charge a license fee to individuals participating in boxing, sparring and wrestling events.

ASSUMPTIONS:

1. Board members will attend two meetings per year.
2. Two board members will attend 4 events per year.
3. An estimated 70 boxers and wrestlers will be licensed and 6 referees and 25 attendants will be licensed each year.
4. Increased activity in professional events.

FISCAL IMPACT:

Revenue:	
Increased license fees under proposed law	\$1,255
Expenditure:	
Board compensation under proposed law	<u>350</u>
Increased revenue per fiscal year	<u>\$ 855</u>

The additional revenue will be deposited into the Earmarked Revenue Fund.

*Richard L. Drayton*  
BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1/24/79

Approved by Committee  
on Business and Industry

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7 ATTENDANTS; TO PROVIDE LICENSE FEES TO BE SET BY THE BOARD  
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14 ~~board of athletics shall serve--without--compensation--but~~  
15 ~~determine the compensation of its members. Such compensation~~  
16 ~~shall not exceed \$25 per day for official business and while~~  
17 ~~attending boxing, sparring, and wrestling events. Board~~  
18 ~~members shall be allowed travel expenses, as provided for in~~  
19 ~~2-18-501 through 2-18-503, as amended, to be paid by--the~~  
20 ~~state--treasurer--on--warrant--property--drawn--out--of-the~~  
21 ~~proceeds-of-the-tax-collected-under-this--chapter from the~~  
22 ~~separated\_revenue\_account. Before April 1 of each year the~~  
23 board shall elect one of its number ~~members~~ chairman; shall  
24 adopt a seal for the board; and may adopt rules for the  
25 administration of its office. Two of the members of the

1 board constitute a quorum to do business, and the  
2 concurrence of at least two members is necessary to render a  
3 choice or decision by the board."  
4 Section 2. Section 23-3-201, MCA, is amended to read:  
5 "23-3-201. Jurisdiction over boxing, sparring, and  
6 wrestling matches -- licenses -- application for license.  
7 (1) The board has the sole direction, management, control,  
8 and jurisdiction over boxing, sparring, and wrestling  
9 matches and exhibitions conducted, held, or given within  
10 this state by a club, corporation, or association. No  
11 boxing, sparring, or wrestling match or exhibition may be  
12 conducted, held, or given within this state except when  
13 licensed in accordance with this part.  
14 (2) The board may grant or revoke, subject to 37-1-101  
15 and 37-1-102, a license to conduct, hold, or give boxing,  
16 sparring, and wrestling matches and exhibitions to a club,  
17 corporation, or association which, if it is an amateur  
18 athletic association, may be incorporated or organized under  
19 rules adopted by the board.  
20 (3) This part does not apply to or prohibit amateur  
21 boxing or wrestling exhibitions conducted in or by organized  
22 amateur clubs, schools, and gymnasiums.  
23 (4) A license is subject to rules the board makes.  
24 (5) An application for a license shall be in writing  
25 and addressed to the department and verified by an officer

1 of the club, corporation, or association on whose behalf the  
2 application is made. It shall contain facts which show the  
3 applicant entitled to receive a license and other facts and  
4 recitals the board by rule requires to be shown.

5 ~~(6) No boxer, wrestler, official, or ring attendant~~  
6 ~~may participate in a professional boxing, sparring, or~~  
7 ~~wrestling match within this state unless licensed under~~  
8 ~~[this act] in accordance with board rules.~~

9 ~~(7) A AN ANNUAL nonrefundable license fee established~~  
10 ~~by the board, not to exceed \$25, shall be paid by a boxer,~~  
11 ~~wrestler, official, or ring attendant prior to participating~~  
12 ~~in any boxing, sparring, or wrestling match.~~

13 ~~(8) A license REFERRED TO IN SUBSECTION (7) for a~~  
14 ~~boxer, wrestler, official, or ring attendant expires on~~  
15 ~~December 31 of each year and may be renewed by the board~~  
16 ~~upon payment of a license fee set by the board and~~  
17 ~~submission of an application containing such information as~~  
18 ~~the board considers necessary."~~

-End-

1 safeguards its highest priority.  
2 First adopted by the HOUSE COMMITTEE ON BUSINESS AND  
3 INDUSTRY on February 7, 1979.

1 STATEMENT OF INTENT RE: HB 227  
2  
3

4 A statement of intent is required for this bill in that  
5 it amends section 23-3-201, MCA, which delegates authority  
6 to the Board of Athletics to license a boxer, wrestler,  
7 official, or ring attendant in a professional match.

8 1. Under section 2, the bill amends 23-3-201, MCA, to  
9 require a boxer, wrestler, official or ring attendant to be  
10 licensed if he participates in a professional boxing,  
11 sparring or wrestling match. Prior to this bill, the Board  
12 of Athletics had the authority to grant or revoke a license  
13 to conduct professional boxing, sparring, or wrestling  
14 matches. It is intended that the amendments to this bill in  
15 subsections (6) through (9) grant the Board of Athletics  
16 additional authority to license a boxer, wrestler, official  
17 or ring attendant participating in a professional match. The  
18 Board of Athletics shall have the authority to promulgate  
19 rules relating to the licensing of a boxer, wrestler,  
20 official or ring attendant. This authority includes the  
21 power to promulgate rules relating to the requirements for a  
22 license and the format and substantive provisions of the  
23 application for the license. As a guiding philosophy for  
24 all rulemaking relating to licensing, the Board of Athletics  
25 is expected to give impartial and nondiscriminatory

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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 23-3-102, MCA, is amended to read:

"23-3-102. Board of athletics. The ~~members--of-the~~ board of athletics shall ~~serve--without--compensation--but~~ ~~determine the compensation of its members. Such compensation shall MAY not exceed \$25 per day for official business and while attending boxing, sparring, and wrestling events.~~ Board members shall be allowed travel expenses, as provided for in 2-18-501 through 2-18-503, as amended, ~~to be paid, by the state treasurer on warrant properly drawn, out of the proceeds--of--the--tax--collected--under--this--chapter~~ ANY COMPENSATION TO A BOARD MEMBER SHALL BE PAID from the ~~earmarked revenue account.~~ Before April 1 of each year the board shall elect one of its number ~~members~~ chairman; shall adopt a seal for the board, and may adopt rules for the

administration of its office. Two of the members of the board constitute a quorum to do business, and the concurrence of at least two members is necessary to render a choice or decision by the board."

Section 2. Section 23-3-201, MCA, is amended to read:

"23-3-201. Jurisdiction over boxing, sparring, and wrestling matches -- licenses -- application for license.

(1) The board has the sole direction, management, control, and jurisdiction over boxing, sparring, and wrestling matches and exhibitions conducted, held, or given within this state by a club, corporation, or association. No boxing, sparring, or wrestling match or exhibition may be conducted, held, or given within this state except when licensed in accordance with this part.

(2) The board may grant or revoke, subject to 37-1-101 and 37-1-102, a license to conduct, hold, or give boxing, sparring, and wrestling matches and exhibitions to a club, corporation, or association which, if it is an amateur athletic association, may be incorporated or organized under rules adopted by the board.

(3) This part does not apply to or prohibit amateur boxing or wrestling exhibitions conducted in or by organized amateur clubs, schools, and gymnasiums.

(4) A license is subject to rules the board makes.

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1 and addressed to the department and verified by an officer  
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3 application is made. It shall contain facts which show the  
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23 ~~REVOCATION OF LICENSES, HEARING, AND JUDICIAL REVIEW SHALL~~  
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25 ~~ADMINISTRATIVE PROCEDURE ACT."~~

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