

1 HOUSE BILL NO. 730
2 INTRODUCED BY Menahan W. W. Morris

3 BY REQUEST OF THE DEPARTMENT OF PROFESSIONAL
4 AND OCCUPATIONAL LICENSING

6 A BILL FOR AN ACT ENTITLED: "AN ACT TO REESTABLISH THE
7 BOARD OF ATHLETICS UNDER EXISTING STATUTORY AUTHORITY AND
8 RULES; TO PROVIDE FOR LICENSING OF BOXERS, WRESTLERS,
9 OFFICIALS, AND RING ATTENDANTS; TO PROVIDE LICENSE FEES TO
10 BE SET BY THE BOARD OF ATHLETICS; AMENDING SECTIONS 2-8-103
11 AND 23-3-201, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE
12 DATE. ■

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

15 Section 1. Reestablishment. The board of athletics is
16 reestablished for 6 years pursuant to 2-8-122 under its
17 existing statutory authority and rules.

18 Section 2. Section 2-8-103, MCA, is amended to read:

19 **#2-8-103. Agencies to terminate.** (1) The following
20 agencies shall terminate on July 1, 1979:

21 (a) board of abstracters, department of professional
22 and occupational licensing, created by 2-15-1643:

23 (b) board of real estate, department of professional
24 and occupational licensing, created by 2-15-1642;

25 (c) state board of warm air heating, ventilation, and

1 air conditioning, department of professional and
2 occupational licensing, created by 2-15-1656;

3 (d) board of institutions, department of institutions,
4 created by 2-15-2303.

7 (a) commission for human rights, department of labor
8 and industry, created by 2-15-1706;

11 ~~feet~~ board of barbers, department of professional
12 and occupational licensing, created by 2-15-1625;

13 professional board of chiropractors, department of
14 professional and occupational licensing, created by

15 2-15-1613;

16 ~~te~~(d) board of cosmetologists, department of

17 professional and occupational licensing, created by
18 2-15-1626:

19 **tftitle** board of dentists, department of professional
20 and occupational licensing, created by 2-15-1606;

21 **tg7f1** board of hearing aid dispensers, department of
22 professional and occupational licensing, created by

23 2-15-1616;
24 that(s) board of massage therapists department of

25 professional and occupational licensing, created by

1 2-15-1627;
 2 ~~initial~~ Montana state board of medical examiners,
 3 department of professional and occupational licensing,
 4 created by 2-15-1605;
 5 ~~initial~~ board of morticians, department of professional
 6 and occupational licensing, created by 2-15-1619;
 7 ~~initial~~ board of nursing, department of professional
 8 and occupational licensing, created by 2-15-1610;
 9 ~~initial~~ board of nursing home administrators,
 10 department of professional and occupational licensing,
 11 created by 2-15-1611;
 12 ~~initial~~ board of optometrists, department of
 13 professional and occupational licensing, created by
 14 2-15-1612;
 15 ~~initial~~ board of osteopathic physicians, department of
 16 professional and occupational licensing, created by
 17 2-15-1607;
 18 ~~initial~~ board of pharmacists, department of
 19 professional and occupational licensing, created by
 20 2-15-1609;
 21 ~~initial~~ board of podiatry examiners, department of
 22 professional and occupational licensing, created by
 23 2-15-1608;
 24 ~~initial~~ board of psychologists, department of
 25 professional and occupational licensing, created by

1 2-15-1617;
 2 ~~initial~~ board of radiologic technologists, department
 3 of professional and occupational licensing, created by
 4 2-15-1614;
 5 ~~initial~~ board of speech pathologists and audiologists,
 6 department of professional and occupational licensing,
 7 created by 2-15-1615;
 8 ~~initial~~ board of veterinarians, department of
 9 professional and occupational licensing, created by
 10 2-15-1618;
 11 ~~initial~~ board of veterans' affairs, department of
 12 social and rehabilitation services, created by 2-15-2202;
 13 ~~initial~~ board of sanitarians, department of
 14 professional and occupational licensing, created by
 15 2-15-1631.
 16 (3) The following units of state government shall
 17 terminate on July 1, 1983:
 18 (a) board of aeronautics, department of community
 19 affairs, created by 2-15-1103;
 20 (b) state board of hail insurance, department of
 21 agriculture, created by 2-15-3003;
 22 (c) board of horse racing, department of professional
 23 and occupational licensing, created by 2-15-1662;
 24 (d) board of livestock, department of livestock,
 25 created by 2-15-3102;

1 (e) board of milk control, department of business
 2 regulation, created by 2-15-1802;

3 (f) board of oil and gas conservation, department of
 4 natural resources and conservation, created by 2-15-3303;

5 (g) Montana outfitters council, department of fish,
 6 wildlife, and parks, created by 2-15-3403;

7 (h) public service commission, department of public
 8 service regulation, created by 69-1-102;

9 (i) board of water and wastewater operators,
 10 department of health and environmental sciences, created by
 11 2-15-2105;

12 (j) board of water well contractors, department of
 13 professional and occupational licensing, created by
 14 2-15-1632.

15 (4) The following agencies terminate on July 1, 1985:

16 (a) the board of public accountants, created by
 17 2-15-1641;

18 (b) the board of architects, created by 2-15-1651;

19 (c) state banking board, department of business
 20 regulation, created by 2-15-1803;

21 (d) the state electrical board, created by 2-15-1654;

22 (e) the board of professional engineers and land
 23 surveyors, created by 2-15-1653;

24 (f) office of commissioner of insurance and the
 25 insurance department, state auditor's office, created by

1 2-15-1902 and 2-15-1903;

2 (g) office of the securities commissioner, state
 3 auditor's office, created by 2-15-1901;

4 (h) the board of landscape architects, created by
 5 2-15-1652;

6 (i) the board of county printing, created by
 7 2-15-1102;

8 (j) the board of plumbers, created by 2-15-1655;

9 (k) board of physical therapy examiners, created by
 10 2-15-1628.

11 (5) The following agency terminates on July 1, 1987:
 12 the board of athletics, department of professional and
 13 occupational licensing, created by 2-15-1661."

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

15 "23-3-201. Jurisdiction over boxing, sparring, and
 16 wrestling matches -- licenses -- application for license.

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

24 (2) The board may grant or revoke, subject to 37-1-101
 25 and 37-1-102, a license to conduct, hold, or give boxing,

1 sparring, and wrestling matches and exhibitions to a club,
2 corporation, or association which, if it is an amateur
3 athletic association, may be incorporated or organized under
4 rules adopted by the board.

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

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

9 (5) An application for a license shall be in writing
10 and addressed to the department and verified by an officer
11 of the club, corporation, or association on whose behalf the
12 application is made. It shall contain facts which show the
13 applicant entitled to receive a license and other facts and
14 recitals the board by rule requires to be shown.

15 (6) No boxer, wrestler, official, or ring attendant
16 may participate in a professional boxing, sparring, or
17 wrestling match within the state unless licensed under this
18 section. The board may charge a nonrefundable fee, not to
19 exceed \$25, for such a license and may prescribe an
20 application form containing such information it considers
21 necessary. The board may adopt rules governing licensees to
22 ensure compliance with the provisions of this chapter and to
23 provide for physical and health standards and other
24 qualifications as it considers necessary. A violation of the
25 rules is grounds for denial, suspension, or revocation of

1 the license after a hearing as provided in the Montana
2 Administrative Procedure Act.*
3 Section 4. Effective date. This act is effective on
4 passage and approval.

-End-