

Title 36 WAC

BOXING COMMISSION

(Formerly: Athletic Commission)

Chapters

- 36-08 Practice and procedure.**
- 36-12 Boxing and wrestling.**

Reviser's note: The name of the Athletic Commission has been changed to the Boxing Commission, effective May 19, 1981, by Governor Spellman, Directive A-81-7 and chapter 67.08 RCW.

Chapter 36-08 WAC PRACTICE AND PROCEDURE

WAC

- 36-08-010 Appearance and practice before commission—Who may appear.
- 36-08-020 Appearance and practice before commission—Appearance in certain proceedings may be limited to attorneys.
- 36-08-030 Appearance and practice before commission—Solicitation of business unethical.
- 36-08-040 Appearance and practice before commission—Standards of ethical conduct.
- 36-08-050 Appearance and practice before commission—Appearance by former employee of agency or former member of attorney general's staff.
- 36-08-060 Appearance and practice before commission—Former employee as expert witness.
- 36-08-070 Computation of time.
- 36-08-080 Notice and opportunity for hearing in contested cases.
- 36-08-090 Service of process—By whom served.
- 36-08-100 Service of process—Upon whom served.
- 36-08-110 Service of process—Service upon parties.
- 36-08-120 Service of process—Method of service.
- 36-08-130 Service of process—When service complete.
- 36-08-140 Service of process—Filing with commission.
- 36-08-150 Subpoenas—Form.
- 36-08-160 Subpoenas—Issuance to parties.
- 36-08-170 Subpoenas—Service.
- 36-08-180 Subpoenas—Fees.
- 36-08-190 Subpoenas—Proof of service.
- 36-08-200 Subpoenas—Quashing.
- 36-08-210 Subpoenas—Enforcement.
- 36-08-220 Subpoenas—Geographical scope.
- 36-08-230 Depositions and interrogatories in contested cases—Right to take.
- 36-08-240 Depositions and interrogatories in contested cases—Scope.
- 36-08-250 Depositions and interrogatories in contested cases—Officer before whom taken.
- 36-08-260 Depositions and interrogatories in contested cases—Authorization.
- 36-08-270 Depositions and interrogatories in contested cases—Protection of parties and deponents.
- 36-08-280 Depositions and interrogatories in contested cases—Oral examination and cross-examination.
- 36-08-290 Depositions and interrogatories in contested cases—Recordation.
- 36-08-300 Depositions and interrogatories in contested cases—Signing attestation and return.
- 36-08-310 Depositions and interrogatories in contested cases—Use and effect.
- 36-08-320 Depositions and interrogatories in contested cases—Fees of officers and deponents.

- 36-08-330 Depositions upon interrogatories—Submission of interrogatories.
- 36-08-340 Depositions upon interrogatories—Interrogation.
- 36-08-350 Depositions upon interrogatories—Attestation and return.
- 36-08-360 Depositions upon interrogatories—Provisions of deposition rule.
- 36-08-370 Depositions upon interrogatories—Official notice—Matters of law.
- 36-08-380 Depositions upon interrogatories—Material facts.
- 36-08-390 Presumptions.
- 36-08-400 Stipulations and admissions of record.
- 36-08-410 Form and content of decisions in contested cases.
- 36-08-420 Definition of issues before hearing.
- 36-08-430 Prehearing conference rule—Authorized.
- 36-08-440 Prehearing conference rule—Record of conference action.
- 36-08-450 Submission of documentary evidence in advance.
- 36-08-460 Excerpts from documentary evidence.
- 36-08-470 Expert or opinion testimony and testimony based on economic and statistical data—Number and qualifications of witnesses.
- 36-08-480 Expert or opinion testimony and testimony based on economic and statistical data—Written sworn statements.
- 36-08-490 Expert or opinion testimony and testimony based on economic and statistical data—Supporting data.
- 36-08-500 Expert or opinion testimony and testimony based on economic and statistical data—Effect of noncompliance with WAC 36-08-470 or 36-08-480.
- 36-08-510 Continuances.
- 36-08-520 Continuances—Rules of evidence—Admissibility criteria.
- 36-08-530 Tentative admission—Exclusion—Discontinuance—Objections.
- 36-08-540 Petitions for rule making, amendment or repeal—Who may petition.
- 36-08-550 Petitions for rule making, amendment or repeal—Requisites.
- 36-08-560 Petitions for rule making, amendment or repeal—Commission must consider.
- 36-08-570 Petitions for rule making, amendment or repeal—Notice of disposition.
- 36-08-580 Declaratory rulings.
- 36-08-590 Forms.

WAC 36-08-010 Appearance and practice before commission—Who may appear. No person may appear in a representative capacity before the Washington state boxing commission or its designated hearing officer other than the following:

- (1) Attorneys at law duly qualified and entitled to practice before the supreme court of the state of Washington.
- (2) Attorneys at law duly qualified and entitled to practice before the highest court of record of any other state, if the attorneys at law of the state of Washington are permitted to appear in a representative capacity before administrative agencies of such other state, and if not otherwise prohibited by our state law.

(3) A bona fide officer, partner, or full time employee of an individual firm, association, partnership, or corporation who appears for such individual firm, association, partnership, or corporation.

[Statutory Authority: 1981 c 337, 84-16-035 (Order 84-1), § 36-08-010, filed 7/26/84; Rule .08.010, filed 3/17/60.]

WAC 36-08-020 Appearance and practice before commission--Appearance in certain proceedings may be limited to attorneys. In all hearings involving the taking of testimony and the formulation of a record subject to review by the courts, where the commission or its designated hearing officer determines that representative activity in such hearing requires a high degree of legal training, experience, and skill, the commission or its designated hearing officer may limit those who may appear in a representative capacity to attorneys at law.

[Rule .08.020, filed 3/17/60.]

WAC 36-08-030 Appearance and practice before commission--Solicitation of business unethical. It shall be unethical for persons acting in a representative capacity before the commission to solicit business by circulars, advertisements or by personal communication or interviews not warranted by personal relations, provided that such representatives may publish or circulate business cards. It is equally unethical to procure business indirectly by solicitors of any kind.

[Rule .08.030, filed 3/17/60.]

WAC 36-08-040 Appearance and practice before commission--Standards of ethical conduct. All persons appearing in proceedings before the commission in a representative capacity shall conform to the standards of ethical conduct required of attorneys before the courts of Washington. If any such person does not conform to such standards, the commission may decline to permit such person to appear in a representative capacity in any proceeding before the commission.

[Rule .08.040, filed 3/17/60.]

WAC 36-08-050 Appearance and practice before commission--Appearance by former employee of agency or former member of attorney general's staff. No former employee of the commission or member of the attorney general's staff may at any time after severing his employment with the commission or the attorney general appear, except with the written permission of the commission, in a representative capacity on behalf of other parties in a formal proceeding wherein he previously took an active part as a representative of the commission.

[Rule .08.050, filed 3/17/60.]

WAC 36-08-060 Appearance and practice before commission--Former employee as expert witness. No former employee of the commission shall at any time after severing his employment with the commission appear, except with the written permission of the commission, as an expert witness on behalf of other parties in a

formal proceeding wherein he previously took an active part in the investigation as a representative of the commission.

[Rule .08.060, filed 3/17/60.]

WAC 36-08-070 Computation of time. In computing any period of time prescribed or allowed by the commission rules, by order of the commission or by any applicable statute, the day of the act, event, or default after which the designated period of time begins to run is not to be included. The last day of the period so computed is to be included, unless it is a Saturday, Sunday or a legal holiday, in which event the period runs until the end of the next day which is neither a Saturday, Sunday nor a holiday. When the period of time prescribed or allowed is less than seven days, intermediate Saturdays, Sundays and holidays shall be excluded in the computation.

[Rule .08.070, filed 3/17/60.]

WAC 36-08-080 Notice and opportunity for hearing in contested cases. In any contested case, all parties shall be served with a notice at least 15 days before the date set for the hearing. The notice shall state the time, place, and issues involved, as required by RCW 34.04.090(1).

[Rule .08.080, filed 3/17/60.]

WAC 36-08-090 Service of process--By whom served. The commission shall cause to be served all orders, notices and other papers issued by it, together with any other papers which it is required by law to serve. Every other paper shall be served by the party filing it.

[Rule .08.090, filed 3/17/60.]

WAC 36-08-100 Service of process--Upon whom served. All papers served by either the commission or any party shall be served upon all counsel of record at the time of such filing and upon parties not represented by counsel or upon their agents designated by them or by law. Any counsel entering an appearance subsequent to the initiation of the proceeding shall notify all other counsel then of record and all parties not represented by counsel of such fact.

[Rule .08.100, filed 3/17/60.]

WAC 36-08-110 Service of process--Service upon parties. The final order, and any other paper required to be served by the agency upon a party, shall be served upon such party or upon the agent designated by him or by law to receive service of such papers, and a copy shall be furnished to counsel of record.

[Rule .08.110, filed 3/17/60.]

WAC 36-08-120 Service of process--Method of service. Service of papers shall be made personally or, unless otherwise provided by law, by first-class, registered, or certified mail; or by telegraph.

[Rule .08.120, filed 3/17/60.]

WAC 36-08-130 Service of process--When service complete. Service upon parties shall be regarded as complete: By mail, upon deposit in the United States mail properly stamped and addressed; by telegraph, when deposited with a telegraph company properly addressed and with charges prepaid.

[Rule .08.130, filed 3/17/60.]

WAC 36-08-140 Service of process--Filing with commission. Papers required to be filed with the commission shall be deemed filed upon actual receipt by the commission at the place specified in its rules accompanied by proof of service upon parties required to be served.

[Rule .08.140, filed 3/17/60.]

WAC 36-08-150 Subpoenas--Form. Every subpoena shall state the name of the commission and the title of the proceeding, if any, and shall command the person to whom it is directed to attend and give testimony or produce designated books, documents or things under his control at a specified time and place.

[Rule .08.150, filed 3/17/60.]

WAC 36-08-160 Subpoenas--Issuance to parties. Upon application of counsel or other representative authorized to practice before the commission for any party to a contested case, there shall be issued to such party subpoenas requiring the attendance and testimony of witnesses or the production of evidence in such proceeding. The commission may issue subpoenas to parties not so represented upon request or upon a showing of general relevance and reasonable scope of the testimony or evidence sought.

[Rule .08.160, filed 3/17/60.]

WAC 36-08-170 Subpoenas--Service. Unless the service of a subpoena is acknowledged on its face by the person subpoenaed, service shall be made by delivering a copy of the subpoena to such person and by tendering him on demand the fees for one day's attendance and the mileage allowed by law.

[Rule .08.170, filed 3/17/60.]

WAC 36-08-180 Subpoenas--Fees. Witnesses summoned before a commission shall be paid by the party at whose instance they appear the same fees and mileage that are paid to witnesses in the superior courts of the state of Washington.

[Rule .08.180, filed 3/17/60.]

WAC 36-08-190 Subpoenas--Proof of service. The person serving the subpoena shall make proof of service by filing the subpoena and the required return, affidavit, or acknowledgment of service with the commission or the officer before whom the witness is required to testify or produce evidence. If service is made by a person other than an officer of the commission, and such service has not been acknowledged by the witness, such person shall

make an affidavit of service. Failure to make proof of service does not affect the validity of the service.

[Rule .08.190, filed 3/17/60.]

WAC 36-08-200 Subpoenas--Quashing. Upon motion made promptly, and in any event at or before the time specified in the subpoena for compliance, by the person to whom the subpoena is directed (and upon notice to the party to whom the subpoena was issued) the commission or its authorized member or officer may (1) quash or modify the subpoena if it is unreasonable or requires evidence not relevant to any matter in issue, or (2) condition denial of the motion upon just and reasonable conditions.

[Rule .08.200, filed 3/17/60.]

WAC 36-08-210 Subpoenas--Enforcement. Upon application and for good cause shown, the commission will seek judicial enforcement of subpoenas issued to parties and which have not been quashed.

[Rule .08.210, filed 3/17/60.]

WAC 36-08-220 Subpoenas--Geographical scope. Such attendance of witnesses and such production of evidence may be required from any place in the state of Washington, at any designated place of hearing.

[Rule .08.220, filed 3/17/60.]

WAC 36-08-230 Depositions and interrogatories in contested cases--Right to take. Except as may be otherwise provided, any party may take the testimony of any person, including a party, by deposition upon oral examination or written interrogatories for use as evidence in the proceeding, except that leave must be obtained if notice of the taking is served by a proponent within twenty days after the filing of a complaint, application or petition. The attendance of witnesses may be compelled by the use of a subpoena. Depositions shall be taken only in accordance with this rule and the rule on subpoenas.

[Rule .08.230, filed 3/17/60.]

WAC 36-08-240 Depositions and interrogatories in contested cases--Scope. Unless otherwise ordered, the deponent may be examined regarding any matter not privileged, which is relevant to the subject matter involved in the proceeding.

[Rule .08.240, filed 3/17/60.]

WAC 36-08-250 Depositions and interrogatories in contested cases--Officer before whom taken. Within the United States or within a territory or insular possession subject to the dominion of the United States depositions shall be taken before an officer authorized to administer oaths by the laws of the state of Washington or of the place where the examination is held; within a foreign country, depositions shall be taken before a secretary of an embassy or legation, consul general, vice consul, or consular agent of the United States, or a person designated by the commission or agreed upon by the parties

by stipulation in writing filed with the commission. Except by stipulation, no deposition shall be taken before a person who is a party or the privy of a party, or a privy of any counsel of a party, or who is financially interested in the proceeding.

[Rule .08.250, filed 3/17/60.]

WAC 36-08-260 Depositions and interrogatories in contested cases—Authorization. A party desiring to take the deposition of any person upon oral examination shall give reasonable notice of not less than three days in writing to the commission and all parties. The notice shall state the time and place for taking the deposition, the name and address of each person to be examined, if known, and if the name is not known, a general description sufficient to identify him or the particular class or group to which he belongs. On motion of a party upon whom the notice is served, the hearing officer may for cause shown, enlarge or shorten the time. If the parties so stipulate in writing, depositions may be taken before any person, at any time or place, upon any notice, and in any manner and when so taken may be used as other depositions.

[Rule .08.260, filed 3/17/60.]

WAC 36-08-270 Depositions and interrogatories in contested cases—Protection of parties and deponents. After notice is served for taking a deposition, upon its own motion or upon motion reasonably made by any party or by the person to be examined and upon notice and for good cause shown, the commission or its designated hearing officer may make an order that the deposition shall not be taken, or that it may be taken only at some designated place other than that stated in the notice, or that it may be taken only on written interrogatories, or that certain matters shall not be inquired into, or that the scope of the examination shall be limited to certain matters, or that the examination shall be limited to certain matters, or that the examination shall be held with no one present except the parties to the action and their officers or counsel, or that after being sealed, the deposition shall be opened only by order of the commission, or that business secrets or secret processes, developments, or research need not be disclosed, or that the parties shall simultaneously file specified documents or information enclosed in sealed envelopes to be opened as directed by the commission; or the commission may make any other order which justice requires to protect the party or witness from annoyance, embarrassment, or oppression. At any time during the taking of the deposition, on motion of any party or of the deponent and upon a showing that the examination is being conducted in bad faith or in such manner as unreasonably annoy, embarrass, or oppress the deponent or party, the commission or its designated hearing officer may order the officer conducting the examination to cease forthwith from taking the deposition, or may limit the scope and manner of the taking of the deposition as above provided. If the order made terminates the examination, it shall be resumed thereafter only upon the order of the commission. Upon demand of the objecting party or

deponent, the taking of the deposition shall be suspended for the time necessary to make a motion for an order.

[Rule .08.270, filed 3/17/60.]

WAC 36-08-280 Depositions and interrogatories in contested cases—Oral examination and cross-examination. Examination and cross-examination shall proceed as at an oral hearing. In lieu of participating in the oral examination, any party served with notice of taking a deposition may transmit written cross interrogatories to the officer who, without first disclosing them to any person, and after the direct testimony is complete, shall propound them seriatim to the deponent and record or cause the answers to be recorded verbatim.

[Rule .08.280, filed 3/17/60.]

WAC 36-08-290 Depositions and interrogatories in contested cases—Recordation. The officer before whom the deposition is to be taken shall put the witness on oath and shall personally or by someone acting under his direction and in his presence, record the testimony by typewriter directly or by transcription from stenographic notes, wire or record recorders, which record shall separately and consecutively number each interrogatory. Objections to the notice, qualifications of the officer taking the deposition, or to the manner of taking it, or to the evidence presented or to the conduct of the officer, or of any party, shall be noted by the officer upon the deposition. All objections by any party not so made are waived.

[Rule .08.290, filed 3/17/60.]

WAC 36-08-300 Depositions and interrogatories in contested cases—Signing attestation and return. When the testimony is fully transcribed the deposition shall be submitted to the witness for examination and shall be read to or by him, unless such examination and reading are waived by the witness and by the parties. Any changes in form or substance which the witness desires to make shall be entered upon the deposition by the officer with a statement of the reasons given by the witness for making them. The deposition shall then be signed by the witness, unless the parties by stipulation waive the signing or the witness is ill or cannot be found or refuses to sign. If the deposition is not signed by the witness, the officer shall sign it and state on the record the fact of the waiver or of the illness or absence of the witness or the fact of the refusal to sign together with the reason, if any, given therefor; and the deposition may then be used as fully as though signed, unless on a motion to suppress the commission holds that the reasons given for the refusal to sign require rejection of the deposition in whole or in part.

The officer shall certify on the deposition that the witness was duly sworn by him and that the deposition is a true record of the testimony given by the witness. He shall then securely seal the deposition in an envelope indorsed with the title of proceeding and marked "Deposition of (here insert name of witness)" and shall promptly send it by registered or certified mail to the commission, or its designated hearing officer, for filing. The party

taking the deposition shall give prompt notice of its filing to all other parties. Upon payment of reasonable charges therefor, the officer shall furnish a copy of the deposition to any party or to the deponent.

[Rule .08.300, filed 3/17/60.]

WAC 36-08-310 Depositions and interrogatories in contested cases—Use and effect. Subject to rulings by the hearing officer upon objections a deposition taken and filed as provided in this rule will not become a part of the record in the proceeding until received in evidence by the hearing officer upon his own motion or the motion of any party. Except by agreement of the parties or ruling of the hearing officer, a deposition will be received only in its entirety. A party does not make a party, or the privy of a party, or any hostile witness his witness by taking his deposition. Any party may rebut any relevant evidence contained in a deposition whether introduced by him or any other party.

[Rule .08.310, filed 3/17/60.]

WAC 36-08-320 Depositions and interrogatories in contested cases—Fees of officers and deponents. Deponents whose depositions are taken and the officers taking the same shall be entitled to the same fees as are paid for like services in the superior courts of the state of Washington, which fees shall be paid by the party at whose instance the depositions are taken.

[Rule .08.320, filed 3/17/60.]

WAC 36-08-330 Depositions upon interrogatories—Submission of interrogatories. Where the deposition is taken upon written interrogatories, the party offering the testimony shall separately and consecutively number each interrogatory and file and serve them with a notice stating the name and address of the person who is to answer them and the name or descriptive title and address of the officer before whom they are to be taken. Within 10 days thereafter a party so served may serve cross-interrogatories upon the party proposing to take the deposition. Within five days thereafter, the latter may serve redirect interrogatories upon the party who served cross-interrogatories.

[Rule .08.330, filed 3/17/60.]

WAC 36-08-340 Depositions upon interrogatories—Interrogation. Where the interrogatories are forwarded to an officer authorized to administer oaths as provided in WAC 36-08-250 the officer taking the same after duly swearing the deponent, shall read to him seriatim, one interrogatory at a time and cause the same and the answer thereto to be recorded before the succeeding interrogatory is asked. No one except the deponent, the officer and the court reporter or stenographer recording and transcribing it shall be present during the interrogation.

[Rule .08.340, filed 3/17/60.]

(1990 Ed.)

WAC 36-08-350 Depositions upon interrogatories—Attestation and return. The officer before whom interrogatories are verified or answered shall (1) certify under his official signature and seal that the deponent was duly sworn by him, that the interrogatories and answers are a true record of the deponent's testimony, that no one except deponent, the officer and the stenographer were present during the taking, and that neither he nor the stenographer, to his knowledge, is a party, privy to a party, or interested in the event of the proceedings, and (2) promptly send by registered or certified mail the original copy of the deposition and exhibits with his attestation to the commission, or its designated hearing officer, one copy to the counsel who submitted the interrogatories and another copy to the deponent.

[Rule .08.350, filed 3/17/60.]

WAC 36-08-360 Depositions upon interrogatories—Provisions of deposition rule. In all other respects, depositions upon interrogatories shall be governed by the previous deposition rule.

[Rule .08.360, filed 3/17/60.]

WAC 36-08-370 Depositions upon interrogatories—Official notice—Matters of law. The commission or its hearing officer, upon request made before or during a hearing, will officially notice:

(1) **Federal law.** The Constitution; congressional acts, resolutions, records, journals and committee reports; decisions of federal courts and administrative agencies; executive orders and proclamations; and all rules, orders and notices published in the Federal Register;

(2) **State law.** The Constitution of the state of Washington, acts of the legislature, resolutions, records, journals, and committee reports; decisions of administrative agencies of the state of Washington, executive orders and proclamations by the governor; and all rules, orders and notices filed with the code reviser.

(3) **Governmental organization.** Organization, territorial limitations, officers, departments, and general administration of the government of the state of Washington, the United States, the several states and foreign nations;

(4) **Commission organization.** The commission's organization, administration, officers, personnel, official publications, and practitioners before its bar.

[Rule .08.370, filed 3/17/60.]

WAC 36-08-380 Depositions upon interrogatories—Material facts. In the absence of controverting evidence, the commission and its hearing officers, upon request made before or during a hearing, may officially notice:

(1) **Commission proceedings.** The pendency of, the issues and position of the parties therein, and the disposition of any proceeding then pending before or theretofore concluded by the commission;

(2) **Business customs.** General customs and practices followed in the transaction of business;

(3) **Notorious facts.** Facts so generally and widely known to all well-informed persons as not to be subject

to reasonable dispute, or specific facts which are capable of immediate and accurate demonstration by resort to accessible sources of generally accepted authority, including but not exclusively, facts stated in any publication authorized or permitted by law to be made by any federal or state officer, department, or agency;

(4) **Technical knowledge.** Matters within the technical knowledge of the commission as a body of experts, within the scope or pertaining to the subject matter of its statutory duties, responsibilities or jurisdiction;

(5) **Request or suggestion.** Any party may request, or the hearing officer or the commission may suggest, that official notice be taken of a material fact, which shall be clearly and precisely stated, orally on the record, at any prehearing conference or oral hearing or argument, or may make such request or suggestion by written notice, any pleading, motion, memorandum, or brief served upon all parties, at any time prior to a final decision;

(6) **Statement.** Where an initial or final decision of the commission rests in whole or in part upon official notice of a material fact, such fact shall be clearly and precisely stated in such decision. In determining whether to take official notice of material facts, the hearing officer of the commission may consult any source of pertinent information, whether or not furnished as it may be, by any party and whether or not admissible under the rules of evidence;

(7) **Controversion.** Any party may controvert a request or a suggestion that official notice of a material fact be taken at the time the same is made if it be made orally, or by a pleading, reply or brief in response to the pleading or brief or notice in which the same is made or suggested. If any decision is stated to rest in whole or in part upon official notice of a material fact which the parties have not had a prior opportunity to controvert, any party may controvert such fact by appropriate exceptions if such notice be taken in an initial or intermediate decision or by a petition for reconsideration if notice of such fact be taken in a final report. Such controversion shall concisely and clearly set forth the sources, authority and other data relied upon to show the existence or nonexistence of the material fact assumed or denied in the decision;

(8) **Evaluation of evidence.** Nothing herein shall be construed to preclude the commission or its authorized agents from utilizing their experience, technical competence, and specialized knowledge in the evaluation of the evidence presented to them.

[Rule .08.380, filed 3/17/60.]

WAC 36-08-390 Presumptions. Upon proof of the predicate facts specified in the following six subdivisions hereof without substantial dispute and by direct, clear, and convincing evidence, the commission, with or without prior request or notice, may make the following presumptions, where consistent with all surrounding facts and circumstances:

(1) **Continuity.** That a fact of a continuous nature, proved to exist at a particular time, continues to exist as of the date of the presumption, if the fact is one which usually exists for at least that period of time;

(2) **Identity.** That persons and objects of the same name and description are identical;

(3) **Delivery.** Except in a proceeding where the liability of the carrier for nondelivery is involved, that mail matter, communications, express or freight, properly addressed, marked, billed and delivered respectively to the post office, telegraph, cable or radio company, or authorized common carrier of property with all postage, tolls and charges properly prepaid, is or has been delivered to the addressee or consignee in the ordinary course of business;

(4) **Ordinary course.** That a fact exists or does not exist, upon proof of the existence or nonexistence of another fact which in the ordinary and usual course of affairs, usually and regularly co-exists with the fact presumed;

(5) **Acceptance of benefit.** That a person for whom an act is done or to whom a transfer is made has, does or will accept same where it is clearly in his own self-interest so to do;

(6) **Interference with remedy.** That evidence, with respect to a material fact which in bad faith is destroyed, eloigned, suppressed or withheld by a party in control thereof, would if produced, corroborate the evidence of the adversary party with respect to such fact.

[Rule .08.390, filed 3/17/60.]

WAC 36-08-400 Stipulations and admissions of record. The existence or nonexistence of a material fact, as made or agreed in a stipulation or in an admission of record, will be conclusively presumed against any party bound thereby, and no other evidence with respect thereto will be received upon behalf of such party, provided:

(1) **Upon whom binding.** Such a stipulation or admission is binding upon the parties by whom it is made, their privies and upon all other parties to the proceeding who do not expressly and unequivocally deny the existence or nonexistence of the material fact so admitted or stipulated, upon the making thereof, if made on the record at a prehearing conference, oral hearing, oral argument or by a writing filed and served upon all parties within five days after a copy of such stipulation or admission has been served upon them;

(2) **Withdrawal.** Any party bound by a stipulation or admission of record at any time prior to final decision may be permitted to withdraw the same in whole or in part by showing to the satisfaction of the hearing officer or the commission that such stipulation or admission was made inadvertently or under a bona fide mistake of fact contrary to the true fact and that its withdrawal at the time proposed will not unjustly prejudice the rights of other parties to the proceeding.

[Rule .08.400, filed 3/17/60.]

WAC 36-08-410 Form and content of decisions in contested cases. Every decision and order, whether proposed, initial, or final, shall:

(1) Be correctly captioned as to name of agency and name of proceeding;

(2) Designate all parties and counsel to the proceeding;

(3) Include a concise statement of the nature and background of the proceeding;

(4) Be accompanied by appropriate numbered findings of fact and conclusions of law;

(5) Whenever practical, the conclusions of law shall include the reason or reasons for the particular order or remedy afforded;

(6) Wherever practical, the conclusions and/or order shall be referenced to specific provisions of the law and/or regulations appropriate thereto, together with reasons and precedents relied upon to support the same.

[Rule .08.410, filed 3/17/60.]

WAC 36-08-420 Definition of issues before hearing.

In all proceedings the issues to be adjudicated shall be made initially as precise as possible, in order that hearing officers may proceed promptly to conduct the hearings on relevant and material matter only. Particularity should be required in complaints, answers, applications for rules or licenses, and petitions to intervene. In proceedings in which there is only one interested party besides the agency, the orders setting hearings should clearly specify the issues to be heard. Either at this point or in other sections of rules dealing with particular types of proceedings, set out any detailed requirements governing the formulation of issues in proceedings before the agency.

[Rule .08.420, filed 3/17/60.]

WAC 36-08-430 Prehearing conference rule--

Authorized. In any proceeding the commission or its designated hearing officer upon its or his own motion, or upon the motion of one of the parties or their qualified representatives, may in its or his discretion direct the parties or their qualified representatives to appear at a specified time and place for a conference to consider:

- (1) The simplification of the issues;
- (2) The necessity of amendments to the pleadings;
- (3) The possibility of obtaining stipulations, admissions of facts and of documents;
- (4) The limitation of the number of expert witnesses;
- (5) Such other matters as may aid in the disposition of the proceeding.

[Rule .08.430, filed 3/17/60.]

WAC 36-08-440 Prehearing conference rule--

Record of conference action. The commission or its designated hearing officer shall make an order or statement which recites the action taken at the conference, the amendments allowed to the pleadings and the agreements made by the parties or their qualified representatives as to any of the matters considered, including the settlement or simplification of issues, and which limits the issues for hearing to those not disposed of by admissions or agreements; and such order or statement shall control the subsequent course of the proceeding unless modified for good cause by subsequent order.

[Rule .08.440, filed 3/17/60.]

(1990 Ed.)

WAC 36-08-450 Submission of documentary evidence in advance. Where practicable the commission or its designated hearing officer may require:

(1) That all documentary evidence which is to be offered during the taking of evidence be submitted to the hearing examiner and to the other parties to the proceeding sufficiently in advance of such taking of evidence to permit study and preparation of cross-examination and rebuttal evidence;

(2) That documentary evidence not submitted in advance, as may be required by subsection (1), be not received in evidence in the absence of a clear showing that the offering party had good cause for his failure to produce the evidence sooner;

(3) That the authenticity of all documents submitted in advance in a proceeding in which such submission is required, be deemed admitted unless written objection thereto is filed prior to the hearing, except that a party will be permitted to challenge such authenticity at a later time upon a clear showing of good cause for failure to have filed such written objection.

[Rule .08.450, filed 3/17/60.]

WAC 36-08-460 Excerpts from documentary evidence.

When portions only of a document are to be relied upon, the offering party shall prepare the pertinent excerpts, adequately identified, and shall supply copies of such excerpts, together with a statement indicating the purpose for which such materials will be offered, to the hearing examiner and to the other parties. Only the excerpts, so prepared and submitted, shall be received in the record. However, the whole of the original document shall be made available for examination and for use by all parties to the proceeding.

[Rule .08.460, filed 3/17/60.]

WAC 36-08-470 Expert or opinion testimony and testimony based on economic and statistical data--

Number and qualifications of witnesses. That the hearing examiner or other appropriate officer in all classes of cases where practicable make an effort to have the interested parties agree upon the witness or witnesses who are to give expert or opinion testimony, either by selecting one or more to speak for all parties or by limiting the number for each party; and, if the interested parties cannot agree, require them to submit to him and to the other parties written statements containing the names, addresses and qualifications of their respective opinion or expert witnesses, by a date determined by him and fixed sufficiently in advance of the hearing to permit the other interested parties to investigate such qualifications.

[Rule .08.470, filed 3/17/60.]

WAC 36-08-480 Expert or opinion testimony and testimony based on economic and statistical data--

Written sworn statements. That the hearing examiner or other appropriate officer, in all classes of cases in which it is practicable and permissible, require, and when not

so permissible, make every effort to bring about by voluntary submission, that all direct opinion or expert testimony and all direct testimony based on economic or statistical data be reduced to written sworn statements, and, together with the exhibits upon which based, be submitted to him and to the other parties to the proceeding by a date determined by the hearing officer and fixed a reasonable time in advance of the hearing; and that such sworn statements be acceptable as evidence upon formal offer at the hearing, subject to objection on any ground except that such sworn statements shall not be subject to challenge because the testimony is not presented orally, and provided that witnesses making such statements shall not be subject to cross-examination unless a request is made sufficiently in advance of the hearing to insure the presence of the witnesses.

[Rule .08.480, filed 3/17/60.]

WAC 36-08-490 Expert or opinion testimony and testimony based on economic and statistical data--Supporting data. That the hearing examiner or other appropriate officer, in his discretion but consistent with the rights of the parties, cause the parties to make available for inspection in advance of the hearing, and for purposes of cross-examination at the hearing, the data underlying statements and exhibits submitted in accordance with WAC 36-08-480, but, wherever practicable that he restrict to a minimum the placing of such data in the record.

[Rule .08.490, filed 3/17/60.]

WAC 36-08-500 Expert or opinion testimony and testimony based on economic and statistical data--Effect of noncompliance with WAC 36-08-470 or 36-08-480. Whenever the manner of introduction of opinion or expert testimony or testimony based on economic or statistical data is governed by requirements fixed under the provisions of WAC 36-08-470 or 36-08-480, such testimony not submitted in accordance with the relevant requirements shall not be received in evidence in the absence of a clear showing that the offering party had good cause for his failure to conform to such requirements.

[Rule .08.500, filed 3/17/60.]

WAC 36-08-510 Continuances. Any party who desires a continuance shall, immediately upon receipt of notice of a hearing, or as soon thereafter as facts requiring such continuance come to his knowledge, notify the commission or its designated hearing officer of said desire, stating in detail the reasons why such continuance is necessary. The commission or its designated hearing officer, in passing upon a request for continuance, shall consider whether such request was promptly and timely made. For good cause shown, the commission or its designated hearing officer may grant such a continuance and may at any time order a continuance upon its or his own motion. During a hearing, if it appears in the public interest or in the interest of justice that further testimony or argument should be received, the examiner or

other officer conducting the hearing may in his discretion continue the hearing and fix the date for introduction of additional evidence or presentation of argument. Such oral notice shall constitute final notice of such continued hearing.

[Rule .08.510, filed 3/17/60.]

WAC 36-08-520 Continuances--Rules of evidence--Admissibility criteria. Subject to the other provisions of these rules, all relevant evidence is admissible which, in the opinion of the officer conducting the hearing, is the best evidence reasonably obtainable, having due regard for its necessity, availability and trustworthiness. In passing upon the admissibility of evidence, the officer conducting the hearing shall give consideration to, but shall not be bound to follow, the rules of evidence governing civil proceedings, in matters not involving trial by jury, in the superior court of the state of Washington.

[Rule .08.520, filed 3/17/60.]

WAC 36-08-530 Tentative admission--Exclusion--Discontinuance--Objections. When objection is made to the admissibility of evidence, such evidence may be received subject to a later ruling. The officer conducting the hearing may, in his discretion, either with or without objection, exclude inadmissible evidence or order cumulative evidence discontinued. Parties objecting to the introduction of evidence shall state the precise grounds of such objection at the time such evidence is offered.

[Rule .08.530, filed 3/17/60.]

WAC 36-08-540 Petitions for rule making, amendment or repeal--Who may petition. Any interested person may petition the commission requesting the promulgation, amendment, or repeal of any rule.

[Rule .08.540, filed 3/17/60.]

WAC 36-08-550 Petitions for rule making, amendment or repeal--Requisites. Where the petition requests the promulgation of a rule, the requested or proposed rule must be set out in full. The petition must also include all the reasons for the requested rule together with briefs of any applicable law. Where the petition requests the amendment or repeal of a rule presently in effect, the rule or portion of the rule in question must be set out as well as a suggested amended form, if any. The petition must include all reasons for the requested amendment or repeal of the rule.

[Rule .08.550, filed 3/17/60.]

WAC 36-08-560 Petitions for rule making, amendment or repeal--Commission must consider. All petitions shall be considered by the commission and the commission may, in its discretion, order a hearing for the further consideration and discussion of the requested promulgation, amendment, repeal, or modification of any rule.

[Rule .08.560, filed 3/17/60.]

WAC 36-08-570 Petitions for rule making, amendment or repeal—Notice of disposition. The commission shall notify the petitioning party within a reasonable time of the disposition, if any, of the petition.

[Rule .08.570, filed 3/17/60.]

WAC 36-08-580 Declaratory rulings. As prescribed by RCW 34.04.080, any interested person may petition the commission for a declaratory ruling. The commission shall consider the petition and within a reasonable time the commission shall:

- (1) Issue a nonbinding declaratory ruling; or
- (2) Notify the person that no declaratory ruling is to be issued; or
- (3) Set a reasonable time and place for hearing argument upon the matter, and give reasonable notification to the person of the time and place for such hearing and of the issues involved.

(4) If a hearing as provided in subsection (3) is conducted, the commission shall within a reasonable time:

- (a) Issue a binding declaratory rule; or
- (b) Issue a nonbinding declaratory ruling; or
- (c) Notify the person that no declaratory ruling is to be issued.

[Rule .08.580, filed 3/17/60.]

WAC 36-08-590 Forms. Any interested person petitioning the commission for a declaratory ruling pursuant to RCW 34.04.080, shall generally adhere to the following form for such purpose.

At the top of the page shall appear the wording "Before the Washington state boxing commission." On the left side of the page below the foregoing the following caption shall be set out: "In the matter of the petition of (name of petitioning party) for a declaratory ruling." Opposite the foregoing caption shall appear the word "petition."

The body of the petition shall be set out in numbered paragraphs. The first paragraph shall state the name and address of the petitioning party. The second paragraph shall state all rules or statutes that may be brought into issue by the petition. Succeeding paragraphs shall set out the state of facts relied upon in form similar to that applicable to complaints in civil actions before the superior courts of this state. The concluding paragraphs shall contain the prayer of the petitioner. The petition shall be subscribed and verified in the manner prescribed for verification of complaints in the superior courts of this state.

The original and two legible copies shall be filed with the agency. Petitions shall be on white paper, either 8 1/2" x 11 or 8 1/2" x 13" in size.

Any interested person petitioning the commission requesting the promulgation, amendment or repeal of any rules shall generally adhere to the following form for such purpose.

At the top of the page shall appear the wording "Before the Washington state boxing commission." On the left side of the page below the foregoing the following caption shall be set out: "In the matter of the petition of

(name of petitioning party) for (state whether promulgation, amendment or repeal) of rule (or rules)." Opposite the foregoing caption shall appear the word "petition."

The body of the petition shall be set out in numbered paragraphs. The first paragraph shall state the name and address of the petitioning party and whether petitioner seeks the promulgation of new rule or rules, or amendment or repeal of existing rule or rules. The second paragraph, in case of a proposed new rule or amendment of an existing rule, shall set forth the desired rule in its entirety. Where the petition is for amendment, the new matter shall be underscored and the matter proposed to be deleted shall appear in double parentheses. Where the petition is for repeal of an existing rule, such shall be stated and the rule proposed to be repealed shall either be set forth in full or shall be referred to by agency rule number. The third paragraph shall set forth concisely the reasons for the proposal of the petitioner and shall contain a statement as to the interest of the petitioner in the subject matter of the rule. Additional numbered paragraphs may be used to give full explanation of petitioner's reason for the action sought.

Petitions shall be dated and signed by the person or entity named in the first paragraph or by his attorney. The original and two legible copies of the petition shall be filed with the agency. Petitions shall be on white paper, either 8 1/2" x 11" or 8 1/2" x 13" in size.

[Statutory Authority: 1981 c 337. 84-16-035 (Order 84-1), § 36-08-590, filed 7/26/84; Rule .08.590, filed 3/17/60.]

Chapter 36-12 WAC BOXING AND WRESTLING

WAC

36-12-010	Penalties.
36-12-011	"Club," "purse" defined.
36-12-020	Boxing weights and classes.
36-12-030	Weighing time.
36-12-040	Equipment.
36-12-050	Gloves.
36-12-060	Number of rounds.
36-12-070	Bandages.
36-12-080	Water buckets, etc.
36-12-090	Bond.
36-12-100	Officials.
36-12-110	Referee.
36-12-120	Powers of referee—Penalties for fouls, butts.
36-12-130	Duties of referee—Injuries, knockdowns, falls.
36-12-140	Method of counting over a boxer who is down.
36-12-150	When boxer falls from ring during round.
36-12-160	Report of referee—Withholding or forfeiture of purse.
36-12-170	Referee's fees to be paid by club.
36-12-180	Chief inspectors.
36-12-190	Duties of state inspector.
36-12-200	Contestants.
36-12-210	Down—A contestant shall be deemed "down" when.
36-12-220	Fouls in boxing.
36-12-230	Referees not to permit unfair boxing practices—Certain illegal blows defined.
36-12-240	To prevent injury to boxers—Physical qualifications and exams—Stimulants—Assumed name—Professional competing with amateur.
36-12-250	Managers.
36-12-260	Seconds.

- 36-12-270 Matchmakers.
- 36-12-280 Timekeeper.
- 36-12-290 Announcer.
- 36-12-300 Judges.
- 36-12-310 Club physician.
- 36-12-320 Regarding suspensions.
- 36-12-330 Contracts.
- 36-12-340 Payment of contestants.
- 36-12-350 Tickets.
- 36-12-360 Clubs.

- 135 lbs.-140 lbs. not more than 9 lbs.
- 140 lbs.-147 lbs. not more than 9 lbs.
- 147 lbs.-160 lbs. not more than 11 lbs.
- 160 lbs.-175 lbs. not more than 12 lbs.
- 175 lbs.-190 lbs. not more than 15 lbs.
- 190 lbs. and over, no limit.

[Statutory Authority: Chapter 67.08 RCW. 80-09-065 (Order 80-1), § 36-12-020, filed 7/16/80; Rule .04.020, filed 9/22/60, 3/17/60.]

WRESTLING RULES

- 36-12-370 Ring.
- 36-12-380 Selection of match officials.
- 36-12-390 Duties of referees.
- 36-12-400 Timekeepers.
- 36-12-410 Matches.
- 36-12-420 Fouls and permissible wrestling holds.
- 36-12-430 Costumes for wrestlers.
- 36-12-440 Payment of contestants.
- 36-12-450 Miscellaneous provisions.
- 36-12-460 Buildings.
- 36-12-470 Miscellaneous rules of boxing and wrestling club licenses.
- 36-12-480 Method of operation.

WAC 36-12-010 Penalties. In cases of infraction of the law, the rules and regulations, orders of the state boxing commission, or the failure to fulfill any contracts or agreements, it shall rest with the commission to impose such penalties as may be deemed expedient.

[Statutory Authority: 1981 c 337. 84-16-035 (Order 84-1), § 36-12-010, filed 7/26/84; Rule .04.010, filed 9/22/60; Rule .04.010, filed 3/17/60.]

WAC 36-12-011 "Club," "purse" defined. For purposes of brevity, in the following rules the word "club" will be used to designate a club, corporation, organization, association or person holding license under this commission. "Purse" will designate the sum of money or other compensation by way of guarantee, percentage or otherwise.

[Note: Filed 9/22/60, 3/17/60.]

WAC 36-12-020 Boxing weights and classes.

- Flyweight 112 pounds or under
- Bantamweight over 112 to 118 pounds
- Featherweight..... over 118 to 126 pounds
- Junior lightweight over 126 to 130 pounds
- Lightweight over 130 to 135 pounds
- Junior welterweight..... over 135 to 140 pounds
- Welterweight..... over 140 to 147 pounds
- Middleweight..... over 147 to 160 pounds
- Light heavyweight..... over 160 to 175 pounds
- Cruiserweight over 175 to 190 pounds
- Heavyweight..... all over 190 pounds

No contests shall be scheduled, and no contestants shall engage in a boxing contest where the weight difference exceeds the allowance as shown in the following schedule, without the written approval of the commission.

- 112 lbs.-118 lbs. not more than 3 lbs.
- 118 lbs.-126 lbs. not more than 5 lbs.
- 126 lbs.-130 lbs. not more than 7 lbs.
- 130 lbs.-135 lbs. not more than 7 lbs.

WAC 36-12-030 Weighing time. (1) Contestants shall be weighed on the date of the scheduled match, at the time designated by the commission, in the presence of each other, a commission inspector and an official of the club promoting the match, on club scales or other scales approved by the commission or at such place or places as may be designated by consent of commission inspector. By special permission of the commission, preliminary boxers may be allowed to weigh in and be examined not later than one hour before the scheduled time of the first match on the card. The weight of each contestant shall be recorded on a report sheet provided by the commission. Should an afternoon show be scheduled, the weighing-in time shall be advanced to 10 a.m.

(2) At the official weighing-in of all contestants duly accredited newspaper, radio and television representatives must, upon request, be admitted.

[Rule .04.030, filed 12/6/67; Rule .04.030, filed 9/22/60, 3/17/60.]

WAC 36-12-040 Equipment. (1) **Ring.** To be not less than 16 feet square or more than 24 feet within the ropes. The ring floor to extend beyond the ropes not less than 18 inches. The ring posts shall not be nearer to the ring ropes than eighteen inches. 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 applied over a one inch base of celotex building board or similar material. Material that tends to gather in lumps or ridges must not be used.

(2) **Height of ring.** Ring platform shall not be more than four feet above the floor of the building, and shall be provided with suitable steps for use of contestants. Ring posts shall be of metal, not more than three inches in diameter, extending from floor of building to height of fifty-eight inches above ring floor.

(3) **Ring ropes.** Ring ropes shall be three in number, not less than one inch in diameter; the lower rope eighteen inches above ring floor, the second rope thirty-five inches above floor, the third rope fifty-two inches above floor. Ropes shall be wrapped in soft material and be of proper tension. All boxing ring ropes shall be manila rope, synthetic rope or plastic rope or other similar material and shall not be made of metal of any type. All ropes and turnbuckles shall be wrapped in soft material.

(4) **Gong or bell.** Gong or bell must not be less than ten inches in diameter, adjusted securely on a level with the ring platform. The timekeeper shall use a metal hammer to indicate the beginning and the ending of rounds, so that the contestants can hear the sound of the bell or gong.

(5) **Obstructions.** The entire ring platform shall be cleared of all obstructions including buckets, stools, etc., the instant the ten second signal is given by the timekeeper, and none of these articles shall be placed on the ring floor until the gong has ended the round.

[Rule .04.040, filed 12/6/67; Rule .04.040, filed 9/22/60, 3/17/60, subsections (1), (3), filed 4/17/64.]

WAC 36-12-050 Gloves. (1) Gloves shall be examined by the inspector. If padding is found to be misplaced or lumpy, or if gloves are found to be imperfect, they shall be changed before the contest starts.

(2) No breaking, roughing or twisting of gloves shall be permitted.

(3) Gloves for all main events shall be new, furnished by club management.

(4) If gloves used in other bouts have been used before they must be whole, clean and in sanitary condition.

(5) Gloves for the main event must be put on in the ring after the referee has first inspected the bandaged hands of both contestants.

[Rule .04.050, filed 9/22/60, 3/17/60.]

WAC 36-12-060 Number of rounds. (See RCW 67.08.080.) No boxing contest or sparring exhibition held in this state whether under the provisions of statute or otherwise shall be for more than ten rounds and no one round of any such contest or exhibition shall be for a longer period than three minutes and there shall be not less than one minute intermission between each round. In the event of bouts involving state or regional championships the commission may grant an extension of no more than two additional rounds to allow total bouts of twelve rounds, and in bouts involving national championships the commission may grant an extension of no more than five additional rounds to allow total bouts of fifteen rounds. No contestant in any boxing contest or sparring match or exhibition whether under this chapter or otherwise shall be permitted to wear gloves weighing less than six ounces. The length and duration for wrestling matches whether held under provisions of statute or otherwise shall be regulated by order of the commission.

[Order 74-1, § 36-12-060, filed 11/19/74; Order .04.060, filed 9/22/60, 3/17/60.]

WAC 36-12-070 Bandages. (1) Bandages shall not exceed the following restrictions: One winding of surgeon's adhesive tape not over one and one-half inches wide, placed directly on the hand to protect that part of the hand near the wrist. This may cross the back of the hand twice, but not extend within one inch of the knuckles when hand is clenched to make a fist.

(2) Soft surgical bandages not over two inches wide, held in place by not more than two feet of surgeon's adhesive tape for each hand. One ten yard roll of bandage is to make the wrappings for each hand. Bandages shall be adjusted in the dressing room in the presence of both contestants unless otherwise directed by the inspector.

[Rule .04.070, filed 9/22/60, 3/17/60.]

(1990 Ed.)

WAC 36-12-080 Water buckets, etc. There shall be provided by the club a sufficient number of water buckets for the use of all contestants. Clubs shall also provide fans, powdered resin for canvas, stools for seconds, and such other articles as are required in the conducting of contests. A bucket used by a contestant cannot be used again until it has been washed and sterilized.

[Rule .04.080, filed 9/22/60, 3/17/60.]

WAC 36-12-090 Bond. Must furnish. (See RCW 67.08.030.) Every licensee receiving a license as herein provided for shall file a good and sufficient bond in the sum of one thousand dollars with the commission in cities of less than one hundred fifty thousand inhabitants, and of two thousand five hundred dollars in cities of more than one hundred fifty thousand inhabitants conditioned for the faithful performance by such licensee of the provisions of this chapter, the payment of the taxes provided for herein and the obedience (observance) of all rules and regulations of the commission, which bond shall be subject to the approval of the attorney general.

[Rule .04.090, filed 9/22/60, 3/17/60.]

WAC 36-12-100 Officials. The officials of boxing contests shall consist of a referee, a timekeeper, an announcer, a physician, and two or three judges. At the discretion of the commission the three judge system may be used in lieu of the two judge and referee system.

[Rule .04.100, filed 9/22/60, 3/17/60.]

WAC 36-12-110 Referee. (1) Effective July 1, 1981 the fee for referee's license will be \$15.00. The chief official of boxing contests shall be the referee, who shall have general supervision over bouts and take his place in the ring prior to each contest.

(2) The referee shall, before starting a contest, ascertain from each contestant the name of his chief second, and shall hold said chief second responsible for the conduct of his assistant seconds during the progress of the contest.

(3) The referee shall call contestants together before each bout for final instructions, at which time each contestant shall be accompanied by his chief second only. The principals after receiving instructions shall shake hands and retire to their corners. They shall not again shake hands until the beginning of the last round.

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

(5) The referee shall inspect the bandages and the gloves and make sure that no foreign substances have been applied to either the gloves or any part of a boxer's head or body to the detriment of an opponent.

(6) Referees must wear dark trousers and shirt or uniforms subject to approval of the commission.

(7) All referees must take an annual physical and eye examination similar to that given to all applicants for boxers' and wrestlers' licenses and they shall be examined before officiating in any contest by the club physician before entering the ring the same as boxers and

wrestlers; if such examinations indicate the referee is physically or otherwise disabled or incapacitated, such fact should be immediately reported, in writing, by the examining physician to the inspector in charge, who shall take appropriate action to replace such referee.

[Statutory Authority: Chapter 67.08 RCW. 81-05-005 (Order 80-2), § 36-12-110, filed 2/6/81; Order 74-2, § 36-12-110, filed 11/17/76; Rule .04.110, filed 9/22/60, 3/17/60.]

WAC 36-12-120 Powers of referee--Penalties for fouls, butts. (1) The referee shall have power to stop a contest at any time if he considers it too one-sided, or if either contestant is in such condition that to continue might subject him to serious injury, and in either case to render a decision.

(2) In cases where a boxer or wrestler shall receive a cut eye or any other injury which the referee may believe shall incapacitate the boxer or wrestler, the referee shall call into the ring the club physician for examination of the boxer or wrestler before the referee shall render his decision in the matter.

(3) The referee shall stop a contest if in his judgment there is stalling or faking by either or both contestants or if there is collusion affecting the result, in which case he shall recommend to the commission that the purse or purses of the offending boxer or boxers be forfeited and paid to the commission.

(4) The referee shall penalize any contestant who fouls his opponent during a contest, by charging such contestant with the loss of points, whether such foul or fouls be intentional or unintentional. However, the referee shall use his own discretion in determining the number of points, if any, chargeable against the contestant in each instance, depending upon the severity or harmlessness of the foul and its effect upon the opponent. The referee shall indicate on the official score card the number of points taken away from a contestant in any and all rounds in which he may find it necessary to charge the contestant with such loss. The referee shall, at the conclusion of each round notify the judges of the number of points to be deducted in accordance with his determination. Judges shall not deduct points without first receiving instruction from the referee.

(5) Persistent fouling by a contestant requiring cautioning by the referee shall be noted on the referee's score card and called to the attention of the commission for appropriate punishment.

(6) No contestant may be awarded a contest on a claim of a low-blow foul, nor may a contestant lose a decision by reason of a low-blow foul. Except where a contestant commits two fouls and after being warned each time by the referee, he commits a third foul, the referee may then within his discretion award the decision to the contestant who has been fouled.

(7) If, by reason of any other foul committed intentionally during a contest, an opponent shall be rendered incapacitated or unfit to continue, the contest shall be terminated by the referee and such incapacitated contestant shall be declared the winner if, at the termination thereof, he shall actually be ahead on points. The referee shall in such event recommend to the commission

that they order the purse of the offending contestant withheld from payment, for disposition by the commission and such offender shall be subject to fine, suspension or other punishment, as may be determined by the commission upon full hearing thereof.

(8) If the incapacitated opponent referred to in the preceding paragraph shall not be ahead on points, the contest shall, nevertheless, be terminated, no decision shall be rendered by the referee and he shall order the purses of both contestants withheld from payment; a full report shall be made by the referee to the commission. A hearing shall be held by the commission and such disposition of the proceeds of the purses and such fines and penalties and other punishment may be assessed as the commission in its judgment may deem expedient. No purse ordered held for investigation can be released except by order of the commission.

(9) In the event of an unintentional foul (except as provided in subsection (10) below) other than low-blow fouls, rendering an opponent incapacitated or unfit to continue (in the opinion of the referee), the contest shall be terminated, no decision shall be rendered but the referee shall order withheld from payment the purses of both contestants; the referee shall make a full report thereof, as is otherwise indicated herein, and the matter shall be heard by the commission and be disposed of as the commission may in its judgment deem expedient. Referees are hereby required to report to the commission repeated or persistent intentional or unintentional fouling by any contestant, in which connection the commission may order a hearing and subject the offending contestant to such punishment, which may include a fine or suspension, or both.

(10) If an accidental butt occurs during any bout, the referee shall immediately warn the guilty boxer and he may penalize him by a deduction in points for the round, at the same time he shall so notify the other contestant. Should any such penalty be charged against the boxer guilty of butting it shall be charged at the end of the round in which the butting occurred and the referee's score card shall be so marked at the conclusion of the round, at which time he shall also notify the judges; the referee shall explain in writing on the back of his card the nature and circumstances surrounding the penalty.

(11) If a boxer is accidentally butted in a bout so that he cannot continue, the referee shall:

(a) Call the bout a draw if the injured boxer is behind in points, or

(b) Declare the injured boxer the winner on a technical decision if he has a lead in points. When judges are used the majority vote as disclosed by the score cards shall prevail in determining the decision as specified in this section and the previous section hereof. If all three score cards differ the contest shall be declared a technical draw.

(c) If any accidental butt occurs during the first round of any contest the referee shall call the bout a draw.

The provisions of subsection (11)(a) and (b) of this rule do not apply in world championship matches.

This rule applies only to accidental butting. Intentional butting is a foul and shall be penalized as such.

(12) The referee shall use his discretion in deciding any matters that may come up during a contest and are not covered by these rules.

[Rule .04.120, filed 9/22/60, 3/17/60.]

WAC 36-12-130 Duties of referee--Injuries, knockdowns, falls. (1) In case of a knockdown the referee shall require the fallen contestant to take a count of eight. The referee may compel a hurt contestant to take an eight count whether or not he is down. In the case of a cut eye or similar laceration the referee shall consult with the ringside physician. Such consultation shall take place upon the conclusion of a round or with "time out" or in an emergency during the progress of any round. The termination of the bout shall be governed by the examining physician's decision.

(2) A contestant who goes down without being struck, and stays down, shall be disqualified and the referee may render the decision to his opponent, and the referee shall recommend to the commission that the purse of the offending boxer be forfeited and paid to the commission.

(3) Should a contestant leave the ring during the one minute period between rounds and fail to be in the ring when the gong rings the signal to resume boxing, or should a contestant fail to rise from his chair at the beginning of a round, the referee shall start counting immediately, and unless the contestant is on his feet in the ring at the end of ten seconds shall declare him counted out.

(4) Should a contestant who is "down" arise before the count of "ten" is reached, and go down again immediately without being struck, the referee shall resume the count where he left off. If in any boxing contest during the rest period between rounds the referee shall decide that either of the contestants is not able to continue, or if the chief second of either of the contestants shall inform the referee that his boxer is unable to continue, and the referee concurs therein, he shall render his decision before the gong or bell rings and then indicate on his score card that the opponent of the incapacitated boxer is the winner of the contest on a technical knockout as of the round which has last been finished.

(5) When a boxer resumes boxing after having been knocked or fallen or slipped to the floor, the referee shall wipe any accumulated resin or other foreign material from the boxer's gloves with a damp towel or on his shirt.

[Rule .04.130, filed 9/22/60, 3/17/60.]

WAC 36-12-140 Method of counting over a boxer who is down. (1) When a contestant is knocked down the referee shall order the opponent to retire to the farthest corner of the ring, pointing to the corner, and immediately beginning the count over the boxer who is down. The referee is the sole judge as to whether or not there has been a knockdown.

(2) He shall audibly announce the passing of each second, accompanying the count with motions of his arm, the downward motion indicating the end of each second.

(1990 Ed.)

(3) Any contestant who is knocked down shall not be allowed to resume boxing until after the referee has finished the count of eight. The contestant may take this count either on the floor or standing if he has not been struck hard enough to keep him down.

(4) The timekeeper shall stand up and strike with his hammer on the edge of the platform at the end of each second, or by other effective signaling method, give the referee the correct one-second intervals for his count.

(5) Should the opponent fail to stay in the farthest corner the referee shall cease counting until he has returned to it, and then go on with the count from the point at which it was interrupted. When a boxer is cleanly knocked down he shall be required to take a count of "8" whether or not he has regained his feet before the count of "8" has been reached. This rule will prevent a boxer being struck while proper reflexes are absent and will also aid the referee in judging the condition of the boxer.

(6) If the boxer who is down arises during the count the referee may, if he deems it advisable, step between the contestants long enough to assure himself that the boxer just arisen is in fit condition to continue. If so assured he shall without loss of time order both boxers to go on with the contest. During such intervention by the referee the striking of a blow by either boxer may be ruled "foul."

(7) If the contestant taking the count is still down when the referee calls the count of "ten" the referee shall wave both arms to indicate that he has been knocked out, and shall raise the hand of the opponent as winner. The referee's count is the official count. Upon the opinion and decision of both the physician and referee on any knockout, bad or continuous beating, a boxer will be suspended until such time as he takes a complete physical examination and is reinstated by such report from the commission physician. This report will not include the Seriological test for syphilis, which is taken once a year.

(8) In all boxing bouts, including championship matches, when a boxer is clearly knocked down a total of three times in any one round, the contest shall be terminated and the opponent shall be awarded the decision. This rule may be waived by a unanimous vote of the commission.

(9) If the round ends during the count the timekeeper shall sound the gong once, thus indicating the termination of the three minute round and that the contestant who is down has not been counted out.

(10) The referee shall continue the count after the bell signifying termination of the round except in the final round.

[Order 74-1, § 36-12-140, filed 11/19/74; Rule .04.140, filed 12/6/67; Rule .04.140, filed 9/22/60, 3/17/60; subsections (8) and (9), filed 4/17/64.]

WAC 36-12-150 When boxer falls from ring during round. (1) A contestant who has been knocked or has fallen through the ropes and over the edge of the ring platform during a contest may be helped back by anyone except his seconds or manager and the referee will allow

[Title 36 WAC—p 13]

a reasonable time for this return. When on the ring platform outside the ropes the contestant must reenter the ring immediately, when he may either resume the contest or stay down for a count, which in the latter case shall be started by the referee as soon as the fallen contestant is back in the ring.

(2) Should the contestant stall for time outside the ropes the referee shall start the count without waiting for him to reenter the ring, and if he is not on his feet in the ring within ten seconds shall declare him "knocked out."

(3) When one boxer has fallen through the ropes the other shall retire to the farthest corner and stay there until the count is completed or his opponent is on his feet in the ring. The referee must signal for the resumption of fighting when the fighter has returned to the ring.

(4) A contestant who deliberately wrestles or throws an opponent from the ring, or who hits him when he is partly out of the ring, and prevented by the ropes from assuming a position of defense may be disqualified, and the referee shall recommend to the commission that the purse of the offending boxer or boxers be forfeited and paid to the commission.

(5) In case of serious injury to a contestant the referee shall be automatically under suspension until investigation by the commission establishes whether the injury was the result of negligence or incompetence on the part of the referee, or of circumstances not reasonably within his control.

(6) Any referee failing to familiarize himself with the rules and to properly enforce them is liable to permanent suspension.

[Rule .04.150, filed 9/22/60, 3/17/60.]

WAC 36-12-160 Report of referee—Withholding or forfeiture of purse. (1) A referee of any contest shall submit a report of any and all contests which he referees. Any matter involving disregard of the rules or law must be included in the report and any recommendations relative to fines or suspensions of violators of the rules or law. Mail the report to the commission office. All referees must fully and explicitly describe the circumstances in which any bout is stopped on account of a technical knockout. When requested by the commission the referee's report must contain the exact reason for his actions in awarding the decision to the winner as a result of a technical knock-out.

(2) The referee shall recommend to the commission that they declare forfeited any remuneration or purse, or any part thereof, belonging to the contestants or one of them, or any part of the gate receipts for which contestants are competing, if in his judgment such contestant or contestants are not honestly competing. It is the desire of the commission to strictly enforce the above, and every referee is ordered to warn competing boxers of the power of the commission to hold up the purse or purses, should there be any apparent cause for such warning.

(3) In any case where the referee decides that both contestants are not honestly competing, the BOUT MUST BE STOPPED BEFORE THE END OF THE LAST ROUND, AND

NO DECISION BE GIVEN. In such cases the purses shall be forfeited. A contestant earns nothing and shall not be paid for a contest in which there is stalling, faking, dishonesty or collusion. The commission shall have the power, independent of the referee or his decision, to determine the merits of any contest, and take whatever action it considers proper.

As counting a boxer out, or disqualifying one of the contestants for fouling, is held to be in effect giving a decision, in case the referee decides that one or both the contestants are not honestly competing and the knock-down is "a dive" or the foul is prearranged termination of the bout, he SHALL NOT FINISH THE KNOCKDOWN COUNT OR DISQUALIFY FOR FOULING OR AWARD DECISION TO OPPONENT, but shall stop the bout and order the purses of both boxers held pending investigation by the commission. The announcer shall so inform the audience, particularly that no decision has been rendered.

(4) Once given, the referee's decision cannot be changed, except as follows: Should the commission at any time following the rendering of a decision, determine there was collusion affecting the result of any contest, such decision shall be changed as the commission may direct. No purse ordered held for investigation can be released except by order of the commission.

[Rule .04.160, filed 9/22/60, 3/17/60.]

WAC 36-12-170 Referee's fees to be paid by club.

(1) The commissioner in each district shall decide the fee and number of referees to be used at each boxing card and wrestling exhibition, in each city under his jurisdiction.

(2) The commission through its chief inspectors, shall select and assign all referees.

In charity shows sanctioned by the commission all referee fees will be fixed by the commission.

[Rule .04.170, filed 9/22/60, 3/17/60.]

WAC 36-12-180 Chief inspectors. (1) Each commissioner shall serve as chief inspector in his district, but shall receive no compensation for said service.

(2) The chief inspectors shall select and assign inspectors, timekeepers, referees, announcers and judges for all bouts held in their respective districts unless the commission directs otherwise.

[Rule .04.180, filed 12/6/67; Rule .04.180, filed 9/22/60, 3/17/60.]

WAC 36-12-190 Duties of state inspector. (1) They shall attend to the forwarding of all reports to the executive secretary of the commission; prepare reports on suspensions, applications for reinstatement, and all other matters arising in their respective districts which require joint action by the commission.

(2) They shall have under their charge the issuing of licenses to boxers, managers, seconds, wrestlers, referees, timekeepers, clubs, physicians, judges, announcers and trainers. They shall investigate applications for club licenses and report same to the commission but shall not issue club licenses except upon the order of the commission. They shall not reinstate anyone under suspension or

release fines or money held for forfeiture, these being matters for action by the commission's representative in the form of certified checks made payable to the order of the state boxing commission of Washington.

(3) Inspectors shall report directly to the chief inspector of the district and be under his authority.

(4) Inspectors shall be in charge of all details of the contest that do not come under the jurisdiction of the other officials.

(5) Inspectors shall see that all necessary equipment is provided, that the contestants are ready on time, that the seconds are properly instructed in their duties, that the doctor's report and the statement of weights are delivered to the referee, and that all regulations pertaining to the proper conduct of the bout are enforced.

(6) Inspectors shall insist that clubs enforce the rule against gambling.

(7) Inspectors shall see that all seconds present a neat appearance and are attired according to the requirements of the rules.

(8) The referee's report shall be made on the form supplied for that purpose by the inspector. The referee shall sign the report in the presence of a state inspector after the termination of the show.

(9) In accordance with the law, each inspector shall receive for each contest officially attended a fee not to exceed one percent of the net gate of such contest up to a maximum of one hundred fifty dollars for closed circuit televised contests and three hundred dollars for all other contests. Fifty dollars shall be the minimum charge for such fee with respect to closed circuit televised contests and twenty dollars for all other contests.

(10) Inspectors will check the number and places of ticket cans at the gates and see that they are sealed and padlocked. After the show have them opened and tickets counted under their supervision.

[Statutory Authority: 1981 c 337, 84-16-035 (Order 84-1), § 36-12-190, filed 7/26/84. Statutory Authority: Chapter 67.08 RCW. 81-05-005 (Order 80-2), § 36-12-190, filed 2/6/81; Order 74-2, § 36-12-190, filed 11/17/76; Order 74-1, § 36-12-190, filed 11/19/74; Rule .04.190, filed 9/22/60, 3/17/60.]

WAC 36-12-200 Contestants. (1) Effective July 1, 1981 the fee for wrestler's license will be \$15.00.

(2) Effective July 1, 1981 the fee for boxer's license will be \$15.00.

(3) Boxers and wrestlers may assume and use ring names, but the right to use any certain name is subject to the approval of the commission and may be denied either at the time of presenting application for license or later, should reason for such denial be brought before the commission.

(4) No professional boxer shall be allowed to sell tickets for any show in which he is engaged, on a commission basis or otherwise, on which he will receive remuneration for his services, as a boxer.

(5) Contestants shall report to the inspector in the dressing room at least one hour before they are due to appear in the ring.

(6) Contestants shall box in proper costume, including such foul proof protection cups as shall be listed as approved by the commission all of which shall be firmly

adjusted before leaving the dressing room. Failure to obey this rule may result in a fine of not less than \$5.00 being imposed on the violator. Each boxer shall be equipped and use throughout the bout a custom made individually fabricated mouth guard.

(7) Boxers signed to engage in a contest must appear at scheduled ring time equipped with a pair of regulation trunks, which may be black, purple, dark green, dark red, dark blue or orange. These trunks must be of solid colors except white. They may be ornamented with a stripe around the belt and down the sides of a color which contrasts with the trunks, but which must also be chosen from one of the colors above specified. These trunks may bear a suitable emblem or insignia provided it is not of a commercial or advertising nature. The contestants shall not wear the same colors in the ring.

Boxers must wear regulation trunks which are loose fitting and made of light-weight cloth similar to an athlete's "running pants."

Tights will not be permitted.

The belt of the trunks shall not extend above the waist line.

Shoes shall be of soft material, and shall not be fitted with spikes, cleats, hard soles, or hard heels. Socks, rolled down to the tops of the shoes, may be of any color. No other apparel than above specified may be worn in the ring, except a bathrobe, sweat clothes or jacket.

(8) The use of grease or other substances that might handicap an opponent is prohibited.

(9) Contestants must be clean and present a tidy appearance and be cleanly shaved.

(10) Any contestant absenting himself from a show in which he has signed or has been signed by his duly licensed manager, to appear, without a valid written excuse or furnishing a certificate from a commission physician in advance in case of a physical disability, automatically suspends himself for a period of sixty days. Any boxer who files a certificate from a commission physician stating that he is unable to fulfill a contract on account of physical disability must, on being restored to the eligible list fulfill his contract with the same opponent or a suitable substitute at the club specified in the contract within a reasonable time, such period to be set by the commission, unless the boxer is released from the contract by mutual agreement.

(11) A boxer must be in the city where appearing, forty-eight hours before the contest. Main event boxers scheduled to appear in cities of more than 75,000 population shall be present in such city at least five days in advance of the date on which the bout is scheduled for the purpose of training, publicity and for whatever other purposes the promoter may desire.

Any boxer or manager of boxers who violates this rule will be suspended and fined.

When a boxer competes in a bout of more than four rounds he will not be allowed to compete again until six days have elapsed.

When a boxer competes in a bout of four rounds or less, he will not be allowed to compete again until two days have elapsed.

(12) No one shall be allowed in the boxer's dressing room except his manager, seconds and commission or club representatives.

(13) In each application for a bout, the results of the last six bouts for each main event contestant shall be included in a sworn statement signed by the boxer, manager and promoter. This shall include a clause certifying that the boxer is in excellent physical condition and is not concealing an illness or injury.

[Statutory Authority: Chapter 67.08 RCW. 81-05-005 (Order 80-2), § 36-12-200, filed 2/6/81; Order 74-2, § 36-12-200, filed 11/17/76; Rule .04.200, filed 9/22/60, 3/17/60; subsections (1), (6) and (13) amended by filing of 4/17/64; subsection (2) added by filing 4/17/64.]

WAC 36-12-210 Down--A contestant shall be deemed "down" when. (1) A boxer shall be deemed to be "down" when any part of his body but his feet is on the floor.

(2) A boxer is considered "down" if he is hanging helplessly over the ropes and the referee has begun to count over him. (Referee can count a contestant out either on the ropes or on the floor.)

[Rule .04.210, filed 9/22/60, 3/17/60.]

WAC 36-12-220 Fouls in boxing. (1)(a) Hitting below the belt.

(b) Hitting an opponent who is down or is getting up after being down.

(c) Holding an opponent with one hand and hitting with the other.

(d) Holding or deliberately maintaining a clinch.

(e) Wrestling or roughing at the ropes.

(f) Pushing an opponent about the ring or into the ropes, or striking an opponent who is helpless as a result of blows and so supported by the ropes that he cannot fall.

(g) Butting with the head, the shoulder or using the knee or elbow.

(h) Hitting with the open glove or with the butt or inside of the hand, the elbow, the wrist and all back-hand blows.

(i) Purposely going down without being hit or for the purpose of avoiding a blow.

(j) Striking deliberately at that part of the body over the kidneys.

(k) The use of the pivot blow or the rabbit punch.

(l) Jabbing opponent's eyes with the thumb of the gloves. (Subjects offender to fine or suspension.)

(m) The use of abusive language in the ring.

(n) Any unsportsmanlike trick or action causing injury to an opponent.

(o) Hitting on the break.

(p) Hitting after the bell has sounded ending the round.

(q) Roughing at the ropes.

(r) Pushing an opponent about the ring or into the ropes.

(2) Any boxer guilty of foul tactics in a boxing contest may be disqualified or fined, or both, and his purse

withheld from payment, and the boxer shall be automatically suspended. Disposition of the purse and the penalty to be imposed upon the boxer shall be determined by the commission.

(3) If a bout is stopped because of accidental fouling, the referee and physician shall determine whether the boxer who has been fouled can continue or not and if his chances have not been seriously jeopardized as a result of the foul, may order the bout continued after a reasonable interval set by the referee, who shall so instruct the timekeeper.

If conditions, except as otherwise provided by these rules and particularly as otherwise provided by WAC 36-12-120(4), relating to accidental butting, make it necessary to stop the bout the referee shall order as follows, and so notify the boxers, their managers, and the club, whose announcer shall notify the spectators:

The remuneration of both boxers shall be withheld by the commission for use by the club in paying the boxers (in the same amount if the commission so orders) for a second contest between them, to take place as an "added attraction" at the next show held by the club, or at a later date set by the commission after a hearing.

The club must provide preliminaries and main bouts of normal quality so that the rematch will be actually an "added attraction." Where a rematch is ordered the first two days of the ticket sale shall be reserved, and so announced and advertised, for purchase of tickets by holders of seats at the first show, who will be given choice of locations as they present their ticket stubs at the box office.

Suspensions, fines and forfeitures of payments of either or both contestants shall be held in abeyance after the first bout, where a rematch is ordered by the referee or the commission, and the ensuing conduct of the boxers in the rematch will be considered by the commission in its final ruling. All moneys held will be forwarded to the commission office.

[Rule .04.220, filed 9/22/60, 3/17/60.]

WAC 36-12-230 Referees not to permit unfair boxing practices--Certain illegal blows defined. (1) It is the intention of the commission to enforce clean and sportsmanlike boxing and to prevent injuries to contestants through use of unfair methods. Foul practices are a distinct injury to the sport.

A clean, hard fought contest is interesting to the spectators, but holding, wrestling, using unfair blows, pushing, stalling, mauling and roughing is not a part of the sport, and will not be tolerated. Referees will not permit unfair practices that may cause injury to a contestant, and are held strictly responsible for enforcing these rules. The only fair blow is a blow delivered with the padded knuckles.

(2) Holding with one hand and hitting with the other, which is an unfair method of landing a blow and may have a decisive effect because the contestant so struck is unable to avoid or move with the blow to break its force, is classified as a major foul. Referees must warn offenders that this type of foul will not be tolerated and will be strictly penalized.

(3) The kidney punch, which is an illegal blow landing on that part of the back near the spine and over the kidneys, is strictly barred because it may produce permanent injury. The importance of enforcing the rule against this blow is frequently overlooked. IT MUST BE ENFORCED.

(4) The pivot punch is a blow delivered by whirling around and striking at an opponent with the side or back of the hand or the wrist. The half-pivot, or back-hand blow, also barred, is struck by bringing the hand back after missing, and so landing with the side of the hand, with the chance of making it a blow with the wrist.

(5) A rabbit punch is any blow struck at the back of the neck near the base of the skull. It is barred as dangerous. A blow landed on the head behind the ear, or on the side of the neck, as the opponent turns his head to avoid a blow, is not a rabbit punch. Any deliberate attempt to use the rabbit punch should be penalized.

(6) Butting with the top of the head is apt to cause cuts over opponent's eyes and other injuries affecting the outcome of the contest and the butting fighter may be penalized.

(7) Thumbing or jabbing with the glove has frequently caused serious injuries to the eyes. Referees must, if this trick is deliberately used, disqualify the offender.

(8) If a contestant is helpless on the ropes, the referee shall at once intervene, declare the helpless boxer "down" and proceed with the count as in the case of a knockdown.

(9) In cases of minor fouls, such as hitting or flicking with an open glove, clinching and prolonging a contest after a warning has been given, the referee shall punish persistent disregard of the rule with disqualification.

The referee may disqualify a contestant for fouling with or without warning.

[Rule .04.230, filed 9/22/60, 3/17/60.]

WAC 36-12-240 To prevent injury to boxers--Physical qualifications and exams--Stimulants--Assumed name--Professional competing with amateur. (1) Any boxer applying for a license must first be examined by a physician, who has been appointed by the commission as examining physician, to establish both physical and mental fitness for competition, and annually thereafter the boxer must take this required examination. The commission may order examinations of boxers or wrestlers at any time for the purpose of determining whether such boxer or wrestler is fit and qualified to engage in future contests. The printed form supplied the physician must be filled out and returned to the commission, by the physician, and must be in the possession of the commission before the license application can be acted upon. The examination must be repeated and reports turned in once a year, as long as the boxer is licensed by the commission.

It is the suggestion of the commission that all boxers and wrestlers have, in addition to the ordinary heart examination a fluroscopic examination of the heart. This should be reinstated after a lapse of ninety days, with no further charge to the contestant.

Lists of qualified physicians appointed by the commission for this work may be obtained from the boxing inspector of the district. The fee for this examination must be paid by the boxer or wrestler. A boxer presenting himself for physical examination must be clean in person and clothing. Failure to conform strictly to this rule is ground for suspension.

(2) The use of any drugs, alcoholics or stimulants, or injections in any part of the body, either before or during a match, by any boxer is adequate grounds for revoking his license, as well as revoking the license of the person administering the same.

(3) Boxers who have been knocked out shall be kept in a prone position until they shall have recovered.

(4) An application for boxer's license must be in writing.

(5) Before a license is issued to any boxer, the application for such license must be approved by a member of the commission.

(6) If a boxer uses an assumed ring name, both the real name and his ring name must be included in the application. The word "killer" or "bloody" or any similar term must not be used by any contestant and must be eliminated from all advertisements and announcements referring to boxing and wrestling contests or exhibitions.

(7) Whenever a licensed boxer, because of injuries or illness, is unable to take part in a contest for which he is under contract, he (or his manager) must immediately report the fact to the nearest inspector, and submit to an examination by a physician designated by the inspector. The examination fee to be paid by the boxer, or club, if the latter requests an examination.

(8) Any professional boxer engaging in amateur contests shall automatically have his license revoked.

(9) All professional boxers should have attained their 18th birthday before being allowed to compete in any boxing contest in this state. No boxer under 18 or over 36 years old shall be granted a license except by special action of the commission.

(10) No license shall be issued to any applicant for a boxer's license who is found to be blind in one eye or whose vision in one eye shall be so poor as to cause any examining physician to recommend that no license be granted. This rule will be effective regardless of how keen the boxer's vision may be in the other eye. Nor shall a boxer's license be issued to any boxer who has suffered cerebral hemorrhage or any other serious head injury.

(11) When a boxer has been knocked out, none of his handlers are to touch him, except to remove his rubber mouth protector until the attending physician enters the ring and personally attends the fallen boxer, and issues such instructions as he sees fit to the boxer's handlers.

[Rule .04.240, filed 12/6/67; Rule .04.240, filed 9/22/60, 3/17/60, subsection (11), filed 4/17/64.]

WAC 36-12-250 Managers. (1) Manager's license fee will be \$40.00 per annum.

(2) Managers must not sign a contract for the appearance of any boxer with whom he has not a written contract on file with the commission. Contracts between

boxer and manager must be on a contract form approved by and furnished by the commission, except that any particular contract form not furnished by the commission may be approved by the commission as a whole. A contract between a manager and a boxer on file with the commission will be recognized until such time as a court of competent jurisdiction determines it to be of no further force and effect.

(3) Managers must not attempt to select or insist upon the selection of any designated referee in a bout in which a boxer under his management is to appear and shall not have the name of such referee written into the official contract, under penalty of a fine of not less than \$100.00. Managers cannot contribute to the pay of any referee under any circumstances.

(4) Managers who act as seconds for their own boxers, exclusively, are not required to take out a second's license.

(5) Contracts between manager and boxer are not transferable except with approval and consent of the commission and may be voided by the commission for cause. In case of a minor, the contract must be executed by his proper legal guardian. To settle dispute, birth certificate may be required.

(6) All contracts between manager and boxer must be in writing and signed in triplicate, the original filed with the commission for approval. Contracts must state the division of the boxer's earnings, which in no case shall allow the manager more than 33-1/3 percent of the boxer's purse.

(7) No assignment of any part or parts of a boxer's or a manager's interest in a contract can be made without the written approval and consent of the commission.

(8) No manager shall be allowed to contract for the services of a boxer under his management for a match to take place on a date after the expiration of the contract between the boxer and the manager.

(9) Any boxer not under contract to a manager can make his own matches, sign contracts and need not apply for a manager's license to handle his own affairs.

(10) In cases where boxers sign contracts with managers the boxer's share of any purse which he may earn will not be less than 66-2/3 percent.

(11) If a manager shall fail to make application for a license he shall forfeit all rights to boxers on whom he has filed contracts in this state and the boxer shall be free to sign contracts with other licensed managers. Managers must file contracts on all boxers under their management.

(12) If a manager is doing business for a boxer not signed to a contract, such boxer must personally sign all contracts for appearances at licensed clubs and his signature must be properly witnessed.

(13) No boxer can have more than one manager without the express approval of the commission.

[Statutory Authority: Chapter 67.08 RCW. 81-05-005 (Order 80-2), § 36-12-250, filed 2/6/81; Rule .04.250, filed 9/22/60, 3/17/60; subsection (1) amended by filing of 4/17/64.]

WAC 36-12-260 Seconds. (1) Second's annual license fee effective July 1, 1981 will be \$20.00.

(2) Seconds and managers acting as seconds must be neatly attired when in the ring and wear jerseys of plain colors and with sleeves. Sport shirts without ties are permissible. No advertising matter shall appear on the person or clothing of seconds or managers or on the person or clothing of anyone appearing in the ring in any capacity.

(3) A second holding only a second's license shall not attempt to act as a manager, or assist in any way in procuring matches, or take a share of the boxer's earnings. If found guilty of such actions he shall be suspended.

(4) Seconds shall not be more than three in number, including "house assistant second."

(5) Seconds must not coach or in any way assist a principal during a round, or by word or action attempt to heckle or annoy his opponent. They must remain seated in place, and be silent.

(6) Before a bout the referee shall be informed of the identity of the chief second.

(7) No father, brother, mother, sister or wife of a boxer shall be allowed to act as his second unless special permission is obtained in writing from the commission.

(8) Fans may be used between rounds, swinging of towels prohibited. Seconds must not spray or forcefully throw water on a contestant.

(9) Seconds shall not enter a ring until the bell indicates the end of a round. They shall leave the ring at the sound of the timer's whistle ten seconds before a round is to begin, removing all obstructions, buckets, stools, etc., promptly at the sounding of the gong.

(10) Violations of the above rules shall be followed by ejection of offenders from the ring corner; and may result in indefinite suspension of the offenders and disqualification of their principal by the referee.

[Statutory Authority: Chapter 67.08 RCW. 81-05-005 (Order 80-2), § 36-12-260, filed 2/6/81; Order 74-2, § 36-12-260, filed 11/17/76; Order 74-1, § 36-12-260, filed 11/19/74; Rule .04.260, filed 9/22/60, 3/17/60.]

WAC 36-12-270 Matchmakers. (1) Matchmaker's license fee \$40.00.

(2) Matchmakers must observe all the rules and requirements with respect to weight agreement and weighing-in, and the proper execution and filing of contracts.

(3) Matchmakers will be held responsible by the commission if they make matches in which one of the principals is outclassed. Persistent lack of judgment in this matter will be regarded as cause for canceling the license of the matchmaker and the club which he represents, for the protection of both the boxers and the public.

(4) Managers are not allowed to have more than three boxers under their management in any one show without special permission in writing from the commission. Matchmakers must rigidly enforce this rule.

(5) A matchmaker can make matches for only one club unless special written permission is obtained from the commission, after a vote has been taken.

(6) Any promoter or matchmaker who deals with an unlicensed manager may have his license revoked or

suspended and he may be subject to such fine as the commission may determine.

(7) Any promoter or matchmaker found guilty of managing a boxer shall have his license suspended, and in the case of a promoter, his club license may be revoked.

[Statutory Authority: Chapter 67.08 RCW. 81-05-005 (Order 80-2), § 36-12-270, filed 2/6/81; Rule .04.270, filed 9/22/60, 3/17/60.]

WAC 36-12-280 Timekeeper. (1) He must be seated at the ringside close to the gong. He shall indicate the beginning and ending of each round by striking the gong with a hammer.

(2) He shall provide himself with a whistle and an accurate stopwatch that shall have been properly examined and certified before it is used.

(3) Ten seconds before the beginning of each round the timekeeper shall give warning to the seconds of the contestants by blowing the whistle.

(4) In event of a contest terminating before the scheduled limit of rounds, the timekeeper shall inform the announcer of the exact duration of the contest.

(5) The timekeeper's procedure in the case of a knockdown is detailed in the section of these rules under WAC 36-12-140 and 36-12-150.

[Rule .04.280, filed 9/22/60, 3/17/60.]

WAC 36-12-290 Announcer. (1) After contestants and their chief seconds are in the ring the announcer shall announce the names of the contestants, their correct weights, and other matters as may be directed by the commission or the inspector. Clubs shall provide the announcement of rounds. The announcer shall announce the decisions.

(2) All substitutions of contestants or changes in any boxing program shall be announced to the audience by the announcer before the first boxing contest.

[Rule .04.290, filed 9/22/60, 3/17/60.]

WAC 36-12-300 Judges. (1) There may be two or three judges who shall be appointed by the commission. At the discretion of the commission, three judges may be used to score a contest. In which case the third judge would vote in lieu of the referee. The commission may elect to appoint two judges and a referee, in which case the referee shall score in the same manner as the judges, and his score shall be included with the score of the judges in determining the winner. The majority opinion shall be conclusive and if there is no majority then the decision shall be a draw.

In event two votes are a draw, and one vote is for one fighter the decision is a draw.

Only by special commission action can a referee only be the judge.

When scoring a contest, the elements of offense, defense, clean hitting, ring generalship and sportsmanship should be considered.

(2) The judges shall sit at opposite sides of the ring, and shall reach their decision without conferring in any manner with any other official or person.

(1990 Ed.)

(3) The ten point system of scoring for each round will be used. The winner of any round is marked "10." The loser may be marked from 1 to 9. When a round is even each contestant is given a score of "10."

At the conclusion of the contest, the judges' and referee's vote, which are equal in value, shall be added and turned over to the announcer, who in turn, will hand the votes to the commission and their decision to be given by the announcer.

(4) A knockdown, being the closest approach to a knockout, should be scored. A knockdown is rated as such as soon as it occurs.

The use of foul blows and other such tactics shall result in a penalty of two points for each foul committed. The referee shall advise the judges of the number of points to be deducted immediately upon the termination of the round during which such deductions apply.

The referee and the judges shall clearly write their decisions and sign the same.

When a contestant fails to answer the bell for a round, his opponent shall be credited with a "T.K.O." in the ensuing round rather than in the one just completed. It is advisable to actually ring the bell for the next round and then count out the contestant who does not answer the bell.

(5) Points for each round shall be awarded immediately after the termination of the round.

(6) The referee shall have the power to penalize either contestant for any foul which does not, in his opinion, merit disqualification. In the case of fouls or other infractions of the rules, the referee shall be the sole judge of the number of points to be deducted from the offender's total in any particular round, and the referee shall at the conclusion of each round notify the judges of the number of points to be deducted in accordance with his determination.

When necessary to deduct points because of fouls or other infractions of the rules, the referee shall warn the offender and at the end of the round shall notify both contestants of any penalties which may be assessed either boxer.

Points deducted for any foul or infraction of the rules shall be deducted in the round in which they occur. No boxer shall be penalized in a later round by virtue of a previous foul or infraction of the rules.

At the conclusion of the contest, the judges and the referee shall total the points for each contestant on their respective score sheets and encircle the name of the winner or draw, as the case may be, sign their sheets and hand them to the announcer who shall announce the winner in the customary manner. The announcer shall then deliver the sheets to the state inspector in charge.

(7) In contests of four rounds or more the contestant receiving a majority of points shall be awarded the decision.

Judges shall keep their score secret from surrounding spectators and ignore any suggestions or advice.

Coaching or advice by seconds from the corners of contestants is forbidden and strictly enforced by the referee under penalty of suspension.

[Rule .04.300, filed 9/22/60, 3/17/60.]

WAC 36-12-310 Club physician. (1) Within eight hours of entering the ring each contestant must be given a thorough physical examination by a physician who has been appointed by the commission.

(2) Should the boxer examined prove unfit for competition, through physical injury, faulty heart action, the presence of any infection or contagious disease, or any weakness or disability discovered by the physician that should bar him, the boxer must be rejected and immediate report of that fact made to the club and the inspector.

(3) One hour before the start of a boxing show the physician shall certify to the inspector in writing over his signature that the contestants passed by him are in good physical condition to engage in the contest, and shall mail to the commission his written report on boxers examined, within twenty-four hours.

(4) The physician shall be in attendance at the ring-side during all the contests and shall be prepared to assist should any serious emergency arise. The commission physician at ringside will have the authority to stop a fight when he considers a boxer badly injured or in no shape to continue. Whenever a fight is stopped between rounds by the physician or otherwise because of injuries, the opponent shall be credited with a TKO for the round just concluded. No bout shall be allowed to proceed unless the physician is in his seat. This also applies, where applicable, to wrestling matches.

(5) The club physician shall have a suitable place or room in which to make the examinations. Physicians, other than those licensed by the commission shall not be allowed in the dressing room of any boxer before a bout.

(6) Physicians are to report boxers who fail to comply with the rule that any boxer presenting himself for physical examination must be clean in person and clothing.

(7) A boxer rejected by a club physician for disability will be placed on the suspended list until it is shown that such disability no longer exists.

[Statutory Authority: Chapter 67.08 RCW. 80-09-065 (Order 80-1), § 36-12-310, filed 7/16/80; Rule .04.310(4), filed 12/6/67; Rule .04.310, filed 9/22/60, 3/17/60.]

WAC 36-12-320 Regarding suspensions. (1) Clubs and their matchmakers will take notice of the suspension bulletins sent out by the commission, and will not permit any person under suspension to take any part whatsoever, as a participant or in arranging or conducting matches or exhibitions, during the period of suspension.

(2) Every person debarred or suspended by the commission shall refrain from participating in any detail of matchmaking or holding bouts during such disbarment or suspension.

(3) All persons under suspension or whose licenses have been revoked are barred from the dressing rooms of all clubs, and from occupying seats within six rows of the ring platform, and from approaching within six rows of seats from the ring platform and from holding intercourse in the arena with any of the principals in the

bouts, or their managers or seconds or the referee, directly or by messenger, during any boxing show. Any violator of this rule is to be ejected from the arena or club building, and the price paid for the ticket shall be refunded to him upon his presenting the ticket stub at the box office, and he shall thereafter be barred entirely from all club arenas in this state during the holding of contests or exhibitions.

(4) Any person holding license under this commission who has been suspended for using dishonest methods to affect the outcome of any contest, or for any conduct reflecting serious discredit upon the sport of boxing shall not be eligible for reinstatement.

(5) Any manager under temporary suspension shall be considered to have forfeited for the duration of his suspension all rights in this state held under the terms of any contract with a licensed boxer. Any attempt by a suspended manager to exercise such contract right shall make the suspension permanent, and a boxer who continues any of the contract relations with a suspended manager shall be indefinitely suspended.

(6) Any person holding license under the commission may be suspended for violations of the law or the rules, or for arrest or conviction on a charge involving moral turpitude.

(7) A boxer whose manager has been suspended may continue boxing independently during the term of such suspension, signing his own contract for matches. No payment of a boxer's earnings may be made by any licensed club to a manager under suspension, or to his agent, but the purse in full shall be paid to the boxer.

(8) Revocation of license or permanent suspension of a manager shall automatically cancel all of his contract rights in this state under any and all contracts with boxers made under authority of this commission.

(9) In case of such revocation or permanent suspension the boxers are at liberty to operate independently and make their own matches, or to enter into contracts with other managers licensed by the commission and in good standing.

(10) Following the knockout or technical knockout of a boxer, that boxer shall have his license to box suspended for a minimum period of 30 days. Boxers will not be permitted to engage in any contact boxing during this period without approval of the commission.

This suspension to take effect immediately following the knockout or technical knockout. If the commission feels that a 30 day suspension is not sufficient they may impose a longer period or the suspension may be for an indefinite period pending the outcome of a physical examination.

(11) Any contestant who has lost six consecutive fights must be automatically suspended and cannot be reinstated until he has submitted to a medical examination.

[Statutory Authority: Chapter 67.08 RCW. 80-09-065 (Order 80-1), § 36-12-320, filed 7/16/80; Rule .04.320, filed 9/22/60, 3/17/60, subsections (11) and (12), filed 4/17/64; subsection (12) deleted, filed 12/6/67.]

WAC 36-12-330 Contracts. (1) All contracts between clubs and boxers or their managers must be drawn in triplicate on the official forms supplied by the commission. The original copy for the state boxing commission must be filed at the commission office at least five days before the bout.

(2) All contracts must name the opponent and fix a certain date for the contest. If a boxer is signed for a series of bouts, dates and names of opponents must be a part of the agreement and a separate contract signed for each bout. Each contract shall be accompanied by an affidavit, signed by the boxer or manager and properly attested, giving an accurate account of his ring record. Such affidavit shall be in a form and style prescribed by the commission.

(3) It is provided, however, that should the club desire to rematch the boxer with the winner of an ensuing contest that may be done by writing in the space reserved for opponent's name, as follows: "(Name) or (name) or the winner of their contest on (date)." In signing the opponent in the case the matchmaker of the club may sign both principals in the said ensuing contest and with consent of all parties to the contract, have written in the blank space below, in each of their official contracts the provisions: "This contract shall become null and void if the boxer loses the contest with (name of opponent) on (date) and may be declared null and void at the pleasure of the club in the event of a "draw" decision, or a decision of "no decision."

(4) All papers filed with the commission, shall be the property of the commission.

(5) No verbal agreement or written agreement other than the contract on the official contract form, and no "blanket contract" or option on a boxer's services will be recognized by the commission. Such options and contracts are expressly prohibited.

(6) All contracts shall be paid in full according to their contracts, and no part or percentage of their remuneration may be withheld except by order of the commission or its referee, nor shall any part thereof be returned through arrangement with the boxer and his manager, to any matchmaker or club official.

(7) As a matter of record all communications to the commission regarding contracts, or violations or threatened violations thereof, must be made in writing or by telegraph to the commission through its nearest chief inspector, and rulings of the chief inspector or the commission must be made only in writing or by telegraph.

(8) If, through inclement weather (in case of an outdoor show), or other happening not within the control of the club, a postponement becomes necessary, the commission may grant an extension of the contracts and set a new date, and the action of the commission shall be binding upon all parties to the contracts. A small advance sale shall not be regarded as a legitimate reason for a postponement.

[Statutory Authority: 1981 c 337, 84-16-035 (Order 84-1), § 36-12-330, filed 7/26/84; Order 74-1, § 36-12-330, filed 11/19/74; Rule .04.330, filed 9/22/60, 3/17/60.]

(1990 Ed.)

WAC 36-12-340 Payment of contestants. (1) All payments of purses shall be made through the commission's chief inspector or such inspector as he appoints to act for him. Payments shall be made immediately after the exhibition, or in case of a percentage contract, as soon as the percentage can be determined.

The club's authorized representative shall deliver to the inspector in the club office, checks made out by the club to the parties entitled to payment as follows:

If the contestant has no manager legally entitled to represent him, the check shall be made payable to the said contestant in the full amount due him under his contract with the club.

If the contestant has such manager the club shall provide a check made out by the club to the manager for the percentage of the contestant's purse to which he is entitled under his contract with the contestant, not in any case to be in excess of 33-1/3 percent of the purse.

Also a check made out to the contestant for his contract share of the purse, not less than 66-2/3 percent.

The inspector shall deliver each check to the person it is made out to, and shall take signed receipt therefor on the printed form provided by the commission, and fill in the form as required and deliver it to the commission office.

(2) Should any club check be protested, claim shall be made for the amount of the check upon the surety company, as provided in clause WAC 36-12-090 of these rules.

Clubs will hold all endorsed payment checks for inspection at the commission's order.

In the event the referee fails to render a decision at the termination of any bout, the club shall deliver payment checks covering such bout to the commission.

[Rule .04.340, filed 9/22/60, 3/17/60.]

WAC 36-12-350 Tickets. (1) The sale of tickets for any proposed exhibition is prohibited until plans showing the seating arrangement, aisle spacing, exit facilities, and the location of fire appliances have been approved by the fire department.

(2) Clubs may use only tickets obtained from a printer approved by the commission. Authorized printers shall send by mail to the commission office, not less than twenty-four hours before the exhibition for which the tickets have been printed a sworn inventory of all tickets delivered to any licensed club. This inventory shall account also for any over prints, changes or extras. Clubs will notify printers of this requirement.

(3) No exchange of tickets shall be made except at the box office, and no ticket shall be redeemed after the show has taken place. Tickets in the hands of agencies must be returned to the box office not later than two hours after the show has started.

(4) All tickets, exclusive of working press, official, employee, and photographer, shall have the price and name of club and date of show printed plainly thereon. Changes in ticket prices or dates of shows must be referred to the commission for approval.

(5) No ticket shall be sold except at the price printed on it.

[Title 36 WAC—p 21]

(6) Every club holding either boxing or wrestling matches must have printed on the stub of every ticket sold the following advice:

"Retain this coupon in event of postponement or no contest. Refund \$-----."

The price paid for the ticket shall be printed in the foregoing blank space and the coupon detached and returned to the ticket holder at the entrance gate. This coupon check shall also show the name of the club, and date of the exhibition, and shall be redeemed at its face value by the club upon presentation by the purchaser if the advertised main event is postponed or does not take place as advertised.

(7) Tickets of different prices must be printed on cardboard of different colors.

(8) Inspectors will check numbers and places of ticket cans at gates and see that they are sealed and padlocked, and after the show have them opened and tickets counted under their supervision.

(9)(a) All tickets issued to the press shall be marked "press." Working press tickets shall be consecutively numbered to correspond to the seats and shall not be issued to exceed the comfortable seating capacity of the press box surrounding the ring, and no one, except the officials designated by the commission and the timekeeper, shall be allowed to sit at the press table unless actually engaged in reporting the contest.

(b) All complimentary and attache tickets shall be marked "complimentary" and "attache" in large letters. Attache tickets must be made available for commission use.

(c) No person shall be admitted to any wrestling show or boxing contest, held in the state of Washington without presenting to the doorkeeper an official ticket, or pass.

(d) Each promoter shall provide himself with a rubber stamp with the word "attache" thereon.

(e) The persons who may receive "attache" passes or tickets for admission are included in the following list:

(i) Officials connected with the specific boxing or wrestling show on any given date.

(ii) Actual contestants.

(iii) Licensed seconds scheduled to work for said contestants.

(iv) Managers of actual contestants.

(v) Ushers scheduled to work at the specific show.

(vi) An agreed number of firemen and policemen in uniform, who are assigned to work at the specific show.

(vii) Two working newspaper reporters from each daily newspaper in the city where show is held. In case of a major or championship match, special arrangements may be made with the commission for passes to out-of-town news reporter, actually engaged in reporting the show.

(viii) Building custodian or manager; commission inspectors and referees assigned to work at a specific show.

All other persons to whom passes are issued by the management, including newspaper employees, check room employees, concessionaires, peanut, popcorn and refreshment vendors, must each present his pass to the box office window and purchase a state tax ticket for

which he shall pay as follows: If the established price is \$1.00 or less (exclusive of federal tax) the state tax is 5 cents; if the established price is more than \$1.00 and not over \$2.00, the state tax ticket will cost 10 cents; if the established price is more than \$2.00 and not over \$3.00 the state tax ticket will cost 15 cents. Add 5 cents for each dollar or fraction thereof in excess of an established price of \$3.00 — example, a \$4.00 top will cost 20 cents; a \$5.00 top will cost 25 cents.

If the promoter elects to make a service charge on his passes, he must include in his charge the amount of the federal tax; the state tax as per the schedule set forth in this section and any other taxes, such as local city tax.

The pass and the tax ticket must be presented to the ticket taker at the door in order to gain admission.

No policemen, firemen, constables and/or employees of the sheriff's office either in uniform or in civilian attire should be admitted to any boxing or wrestling show without a pass and tax ticket, except policemen and firemen designated in subsection (9)(e)(vi) of this section. FIVE PERCENT STATE TAX MUST BE PAID ON THE VALUE OF THE SEAT REGARDLESS OF COURTESY TICKETS OR ANY OTHER FORM OF PARTIAL PASS.

(10) Complimentary passes shall be limited to one percent of the seating capacity of the house unless permission is obtained from the state boxing commission to exceed the said one percent.

(11) Under no circumstances shall a ticketholder be passed through the gate without having the ticket separated from the stub, or be allowed to occupy a seat, unless in possession of a ticket stub.

(12) Ushers must see to it that spectators get the seats their ticket stubs entitle them to, and that anyone occupying such seat unlawfully is asked to vacate, and if necessary is ejected.

(13) The sale of tickets cannot exceed the seating capacity of the house, and no person can be sold the right of admission without a ticket.

(14) Whenever an exhibition is given an authorized representative of the licensed club holding such exhibition shall, in addition to the written report required by the commission, give a memorandum in writing to the inspector immediately after the close of the box office, showing the number of each class of tickets unsold or unused, and permit the inspector to examine all unsold or unused tickets, stubs, coupons, books, cash, and all other matters relating to the box office and ticket takers. The inspector will make formal report to the commission by mail immediately upon the completion of such examination. Any fraud on the part of the club's representative will be deemed the act of the club.

[Statutory Authority: 1981 c 337, 84-16-035 (Order 84-1), § 36-12-350, filed 7/26/84. Statutory Authority: Chapter 67.08 RCW, 80-09-065 (Order 80-1), § 36-12-350, filed 7/16/80; Rule .04.350, filed 9/22/60, 3/17/60.]

WAC 36-12-360 Clubs. (1) Licensed clubs shall not be allowed to hold more than one set of boxing bouts a week without special permission. All main event and semifinals must have the okay of the commissioner or chief inspector in each particular district, before a bout

or card is announced or publicity given to the newspapers.

(2) Clubs will be held responsible for maintaining order, and any person who is intoxicated, abusive or disorderly in conduct, to the annoyance of surrounding spectators, must be ejected.

(3) Licensed clubs are not to exceed forty rounds of boxing for any one program, without written consent of the commission. An emergency bout must be provided in case the arranged card breaks down and if it is necessary to put on another bout. The emergency bout should not be paid for unless used, but the boxers must then be given a preliminary bout at the following exhibition.

(4) Advance notices for all boxing shows must be in the office of the commission three days prior to the holding of any boxing show. In addition to the regular scheduled boxers the advance notice must show the names of boxers engaged by the club for an emergency bout.

(5) Notice of any change in announced or advertised programs for any contest must be filed immediately with the commission and the press. Notice of such change or substitution must also be conspicuously posted at the box office, and announced from the ring before the opening contest, and if any of the patrons desire to have the price of their tickets refunded, such refund shall be made if the tickets or ticket stubs are presented at the box office at once. The box office must remain open a reasonable time to redeem such tickets.

(6) Substitutions will not be permitted in the main bout unless more than twenty-four hours before weighing-in time of the day of the contest, and then will be permitted only when the substitute has been approved by the commission.

(7) No intermission shall exceed a period of 10 minutes at any boxing or wrestling show and the inspector in charge shall see that this rule is strictly enforced.

The time allowed for putting the gloves on main event boxers within the ring, shall not exceed five minutes and the referee and timekeeper shall advise the inspector in charge if this rule is violated.

(8) Clubs are not allowed to "farm out" or sell their show to any matchmaker, or manager of boxers, or other person.

No person other than boxer or person officially identified with the sport may be introduced from the ring.

(9) No club, or member or stockholder or official of a club shall be permitted to act directly or indirectly as a manager of a boxer, or to hold any financial interest in such management or in the boxer's ring earnings.

(10) Every club must provide a suitable room or place for the examination of contestants by the club physician. The club must furnish ice bags and a blanket at each boxing show, to be in readiness in the event same will be deemed necessary by the commission physician.

(11) Copies of all boxing contracts must be filed with the commission. The making of secret agreements contrary to the terms of the contracts so filed is prohibited under penalty of suspension of all parties thereto.

(12) Any club doing business directly or indirectly with managers or boxers under suspension may have its license revoked.

(13) Requests for charity shows must be referred to the commission.

(14) No soliciting of any kind by any individual, or organization shall be allowed in any boxing arena without the written permission of the commission.

(15) All drinks shall be dispensed only in paper cups. Violations of this rule may result in the suspension or revocation of the offending club's license.

(16) A club shall not employ any unlicensed referee, second, timekeeper, boxer, matchmaker, announcer or club physician.

It is imperative that every boxer competing must be licensed and in possession of his identification card bearing his photo and license number. Contestants must show their identification cards to the inspector in charge, and those not having cards in their possession will be required to pay an additional license fee as a fine, which fine with report concerning same by inspector shall be sent to the commission for approval or refund. Only one appearance is allowed on a receipt.

(17) No admission can be charged to a training quarters where boxers are training except by permission of the commission. Where such admission fee is charged it shall be considered by the commission that it is charged for the privilege of seeing an exhibition of boxing, and the club or person making the charge for admission shall furnish the commission a certified written report, detailing the number of admissions and the total amount of money taken in, within 72 hours thereafter. The state tax of 5 percent on such gross receipts, exclusive of any federal taxes paid thereon shall be forwarded to the commission with the report.

(18) The commission requires that whenever any person, licensed by the state boxing commission of Washington is approached with a request or suggestion that sham or collusive contest be entered into or that the contest shall not be conducted honestly and fairly, such licensed person must immediately report the matter to the state boxing commission.

(19) A state boxing commissioner, chief inspector or any inspector in attendance upon and supervising a contest or exhibition has the full power of the commission in enforcing the rules and regulations of the commission.

(20) SHOULD ANY QUESTION COME UP, NOT COVERED BY THESE RULES, THE STATE BOXING COMMISSION OF WASHINGTON RESERVES THE RIGHT TO MAKE WHATEVER DECISION SEEMS TO IT FAIR AND EQUITABLE, AND IN ACCORDANCE WITH THE SPIRIT AS WELL AS THE LETTER OF THE LAW, AND SUCH DECISION SHALL BE FINAL.

[Statutory Authority: 1981 c 337, 84-16-035 (Order 84-1), § 36-12-360, filed 7/26/84; Rule .04.360, filed 9/22/60, 3/17/60.]

WRESTLING RULES

WAC 36-12-370 Ring. (1) The professional boxing rules governing the size, construction and equipment of boxing rings shall apply to wrestling rings, except as otherwise provided in this section.

(2) The ring floor shall be padded to a thickness of at least two inches. A regular one-piece wrestling mat is to be preferred, although soft padding of a proper thickness may be used, with a top covering of clean canvas tightly stretched and laced to the ring platform.

(3) Any mat or padding and canvas covering which has been used for boxing matches shall not be used for wrestling matches until the mat or canvas covering has been washed and is free from resin.

(4) The promoter shall keep the mat or padding and covering in a clean and sanitary condition. Each club shall have two canvas covers, using one while the other is being cleaned.

[Rule .04.370, filed 9/22/60, 3/17/60.]

WAC 36-12-380 Selection of match officials. The commission reserves the right to appoint the referee, physician, timekeeper and all other officials at all wrestling matches.

[Rule .04.380, filed 9/22/60, 3/17/60.]

WAC 36-12-390 Duties of referees. (1) The referee is the principal match official and shall represent the commission. He shall be responsible for the proper conduct of the match and the enforcement of the rules and regulations of the commission.

(2) Before starting a match, the referee shall call the wrestlers to the center of the ring for final instructions.

(3) The referee shall pick up the timekeeper's call of time every five minutes and relay it to the wrestlers in a loud voice.

(4) The referee shall order the wrestlers to break clean whenever they become entangled in or on the ropes so that either of the contestants is at a disadvantage in breakaway from a hold or applying a hold. Upon breaking the contestants shall immediately rise and go to the center of the ring and resume wrestling. Failure to break after one warning may result in disqualification of the offender.

(5) The referee shall get the time required for each fall from the timekeeper and repeat it to the announcer, together with the name of the hold used in securing each fall.

(6) The referee shall indicate the winner of the match by raising the winning contestant's right hand.

(7) The referee shall warn seconds not to touch their man during the match or to give him advice until a rest period is reached.

[Rule .04.390, filed 12/21/62; Rule .04.390, filed 9/22/60, 3/17/60.]

WAC 36-12-400 Timekeepers. (1) There shall be a timekeeper appointed by the commission present at all matches. He shall officially keep time and follow the instructions of the referee.

(2) The timekeeper shall take his cue to commence time in any match from the nod of the referee and shall sound the gong simultaneously with the referee's call of "time."

(3) At the termination of each five-minute period, the timekeeper shall call out the time that the contestants

have been wrestling sufficiently loud for the referee to hear, as "five minutes," "ten minutes," etc.

(4) In time limit matches the timekeeper shall sound the gong at the end of the designated time limit to indicate the end of the match. If the length of any time limit match is one hour or less, rest periods shall be excluded as part of the time of the match, but if the time limit for a match is more than one hour all rest periods must be included by the timekeeper as a part of the time of the match.

(5) In matches of one fall, he shall sound the gong when the referee announces the winner, and he shall announce the time of the fall to the referee.

(6) In matches of two or more falls, he shall sound the gong when the referee announces the winner of the fall and again at the end of the five minute rest period when the contestants resume the match for the next fall. He shall take his cue from the nod of the referee as in starting the match.

[Rule .04.400, filed 9/22/60, 3/17/60.]

WAC 36-12-410 Matches. (1) All wrestling bouts must be billed, announced and advertised as exhibitions unless written permission is obtained from the commission to bill, advertise and announce a bout as a contest.

(2) Three days before each wrestling match the promoter shall furnish the commission an advance notice, giving the names of the wrestlers to be used in the match and the amount of the purse or percentage of the gate receipts each contestant is to receive for his services.

(3) No wrestler shall be permitted to tape his hands, arms, or any other part of his body without the consent of the club physician.

(4) No wrestler shall wrestle at more than one club on the same night.

(5) All wrestling matches shall be limited to two hours. Ninety minute matches shall be decided by two out of three falls, except as otherwise expressly provided herein. Preliminary matches may be one fall or time limit matches.

(6) If, in a 90 minute match, neither contestant procures a fall or has a marked advantage after 90 minutes of wrestling, the referee may in his discretion, following a five minute rest period, order the match continued for an added 30 minutes. If one of the contestants wins a fall during the added 30 minute period, he shall be declared the winner. If at the end of the added 30 minute period the referee is unable to decide the winner, the match shall be declared a draw.

(7) If there is only one fall within 90 minutes of wrestling the winner of that fall shall be declared the winner of the match. If each contestant has gained a fall within 90 minutes of wrestling, the referee may in his discretion allow the match to continue after a five minute rest period for an added 30 minutes, and if at the expiration of the added time neither of the contestants has gained another fall, the match shall be declared a draw.

(8) If a match is limited to a period of time less than 90 minutes and neither of the contestants gains a fall or

each of them gains a fall, the referee may award the decision on the basis of the following factors:

- (a) Aggressiveness
- (b) Willingness to mix
- (c) Counter wrestling

The match shall be awarded to the contestant who excels in those factors.

(9) Both shoulder blades momentarily pinned to the mat for the referee's count of three seconds shall constitute a fall. Flying and rolling falls shall not count.

(10) Conceding a fall or quitting because of receiving punishment by means of legitimate holds constitutes a fall. The referee shall slap the contestant securing the fall on the back or shoulders in order that the underman will not be strained by being held too long in a painful position.

(11) If a contestant falls, pitches or is accidentally thrown out of the ring, he shall be allowed 20 seconds to reenter the ring. If he is not inside the ropes within that period, the referee may award the fall to his opponent.

(12) If a contestant is injured by falling or pitching out of a ring, the referee shall allow sufficient time for examination by the club physician to determine whether he can continue. If he cannot continue, the match shall be awarded to the other contestant on a technical fall.

(13) No wrestler shall deliberately leave the ring during the course of any match except during a rest period and then only with the consent of the referee. Under no circumstances shall any wrestlers be conducted outside of the ring. If a wrestler deliberately steps outside the ropes he may immediately be disqualified and his purse may be paid to the commission for whatever disposition it may deem appropriate.

(14) Wrestlers shall be allowed a five minute rest period between falls if the match provides for two out of three falls.

(15) If the contestants refuse to observe the rules of the commission, the referee may disqualify the offenders or declare the match "no decision." If a match is declared "no decision" the purse of the offenders may be forfeited to the commission.

(16) If a wrestler fails to answer the bell for the resumption of the match after the rest period following any fall, he shall forfeit the match.

(17) In no circumstances shall any wrestler molest, hit or physically abuse a spectator or manhandle a referee.

(18) Wrestlers contesting outside the ropes of the ring in which the match is being held or in the aisles may be penalized as provided in subsection (13) above. Wrestlers who attempt to strike each other with any object or who manhandle the referee may be suspended, for 60 days for the first offense, one year for the second offense, and may have their licenses revoked and be disqualified from wrestling for life in the state of Washington for the third offense. In addition to suspension the commission may assess a fine against the contestant according to the seriousness of the offense.

(19) If circumstances arise which are not covered by these rules during the course of any match, the referee shall decide the question, and his decision thereon shall be final.

[Rule .04.410, filed 12/6/67; Rule .04.410, filed 12/21/62; Rule .04.410, filed 9/22/60, 3/17/60.]

WAC 36-12-420 Fouls and permissible wrestling holds. (1) All holds known to wrestling science other than those described in the next section as fouls, are permissible. These include toe holds, splits, hammerlocks, scissors holds, head locks, wrist locks, and jiu-jitsu holds and touches, which though pain producing are legitimate and scientific.

The so-called "flying drop kick" is allowed, but must be executed by the use of both feet simultaneously. The "flying tackle" is permitted.

(2) The following holds and tactics constitute fouls. The referee may disqualify any wrestler who uses any such holds or engages in any such tactics and his purse may be paid to the commission for whatever action it deems appropriate:

(a) Hitting with the fist clenched. (Open hand hitting and striking with the little finger edge of the hand such as is done in jiu-jitsu is permitted.)

(b) Gouging the eyes with fingers, thumb or any other object.

(c) Inserting fingers in mouth of opponent and pulling mouth open.

(d) Biting.

(e) Deliberately kicking either with knee or foot in the groin or any other part of the body, or butting with the head.

(f) Deliberately shutting off the breath of an opponent by holding nostrils or mouth shut or by using any of the various forms of the strangle hold.

(g) Pulling hair or whiskers.

(h) Deliberate elbowing. (The use of forearms or the use of shoulders does not constitute elbowing and is permitted.)

(i) Deliberately throwing an opponent out of the ring.

(j) Scratching.

(k) Twisting and pulling ears.

(l) The use of the flying broad jump, landing on opponent.

(m) Rubbing opponent's eyes on ropes.

(n) Deliberate butting.

[Rule .04.420, filed 12/21/62; Rule .04.420, filed 9/22/60, 3/17/60.]

WAC 36-12-430 Costumes for wrestlers. (1) Contestants must be properly clothed in neat and clean athletic apparel. Trunks and tights must be well fitted and whole, with high waist bands. If short trunks are used and limbs are left bare the length of the leg of the trunks shall not be less than three inches below the crotch and two pairs of trunks, one over the other, must be worn. Shoes when worn must have soft tops, soft smooth soles and soft laces and be equipped with eyelets only.

(2) The skin of each contestant must be clean and free from grease, lotions or other foreign substances.

[Rule .04.430, filed 9/22/60, 3/17/60.]

WAC 36-12-440 Payment of contestants. Wrestlers shall be paid for their services in the same manner as is

prescribed for the payment of boxers in WAC 36-12-340 (1) and (2).

[Rule .04.440, filed 9/22/60, 3/17/60.]

WAC 36-12-450 Miscellaneous provisions. (1) Wrestling matches shall be conducted in a standard size ring of the type, size and description first approved by the commission, which shall not contain any foreign substances or materials. No wrestling match shall include more than two participants, without the express written approval of the commission.

(2) No wrestling club license holder shall be permitted to stage any special wrestling exhibition or program without permission of the commission.

(3) If a referee works with the wrestlers and makes himself a part of the match to the extent that he helps in any way in staging an act or stunt, his license shall be revoked and he shall be disqualified from working as a referee in the state of Washington.

(4) If a wrestler is booked to wrestle for a club and does not appear, unless he is sick or injured and can produce a doctor's certificate to that effect or has a valid excuse that meets with the approval of the commission, he shall be subject to such penalties as may be imposed upon him by the commission.

(5) It shall be the duty of the referee, promoter, and his agents, attaches and employees, and the participants in any wrestling match to maintain peace, order and decency in the conduct of any match. Foul and profane language by either contestant, is prohibited.

(6) Any wrestler guilty of foul tactics in a wrestling match may be disqualified and his purse withheld from payment, and the wrestler may automatically be suspended. Disposition of the purse and the penalty to be imposed, if any, upon the wrestler shall be subject to the action of the commission.

(7) No wrestler's license shall be issued to any person who is over 55 or under 18 years of age. Two licenses, one as a wrestler and the other as a referee to the same person, will not be issued.

[Rule .04.450, filed 12/21/62; Rule .04.450, filed 9/22/60, 3/17/60.]

WAC 36-12-460 Buildings. All buildings or structures used or intended to be used for holding or giving such boxing contests, sparring or wrestling matches or exhibitions shall be properly ventilated and provided with fire exits and fire escapes, and in all manner conform to the laws, ordinances and regulations pertaining to buildings in the city or town where situated.

[Rule .04.460, filed 9/22/60, 3/17/60.]

WAC 36-12-470 Miscellaneous rules of boxing and wrestling club licenses. If licensee holding wrestling or boxing club license does not use license—After six months the license may be revoked.

[Rule .04.470, filed 9/22/60, 3/17/60.]

WAC 36-12-480 Method of operation. The state boxing commission composed of three members appointed by the governor is generally responsible for the

supervision, licensing and control of all boxing contests and wrestling matches or exhibitions conducted within the state. The commission functions through announced periodic official commission meetings, throughout the state, which are open to the public, and conducts hearings in accordance with the practice and procedural rules, WAC 36-08-010 through 36-08-520 where required. State inspectors are appointed by the commission to perform various duties as contained in WAC 36-12-190. The commission also employs a secretary. Submissions, inquiries and requests may be directed to the boxing commission secretary, in care of the Commission Office, Olympia, Washington 98504 (telephone 753-3713).

[Statutory Authority: 1981 c 337. 84-16-035 (Order 84-1), § 36-12-480, filed 7/26/84. Statutory Authority: Chapter 67.08 RCW. 81-05-005 (Order 80-2), § 36-12-480, filed 2/6/81; Rule, filed 12/6/67.]