

Michigan Office of Administrative Hearings and Rules

611 West Ottawa Street; 2nd Floor, Ottawa Building

Lansing, MI 48933

Phone: (517) 335-8658 FAX: (517) 335-9512

**AGENCY REPORT TO THE
JOINT COMMITTEE ON ADMINISTRATIVE RULES (JCAR)**

Under the Administrative Procedures Act (APA), 1969 PA 306, the agency that has the statutory authority to promulgate the rules must complete and submit this form electronically to the Michigan Office of Administrative Hearings and Rules (MOAHR) at MOAHR-Rules@michigan.gov.

1. Agency Information:

Agency name:	Department of Licensing and Regulatory Affairs
Division/Bureau/Office:	Corporations, Securities and Commercial Licensing Bureau
Name, title, phone number, and e-mail of person completing this form:	Mack Jones Departmental Analyst (517) 241-6659 Jonesm52@michigan.gov
Name of Departmental Regulatory Affairs Officer reviewing this form:	Liz Arasim Department of Licensing and Regulatory Affairs

2. Rule Set Information:

MOAHR assigned rule set number:	2018 – 105 LR
Title of proposed rule set:	Unarmed Combat

3. Purpose for the proposed rules and background:

The proposed rules are designed to synch with the changes to the Unarmed Combat Regulatory Act as the result of 2017 PA 146. Under the Act, the Department is required to promulgate rules to establish weight classes for contestants. The proposed rules establish weight classes, ensure safety of unarmed combat contests, ensure the efficient administration of unarmed combat events, and make grammatical and stylistic changes to the ruleset language.

4. Summary of proposed rules:

Rule 339.101 adds definitions for “grounded,” “manager,” “sanctioned,” “second,” and removes the definition for “license.”

Rule 339.201 adds weight classifications for boxing and mixed martial arts contests.

Rule 339.202 requires all contestants to be present at weigh-ins and adds the requirement that a physician approve a contestant that has lost more than 2% of their weight within 24 hours of the event.

Rule 339.203 requires amateur experience for mixed martial arts contestants and boxing contestants to obtain a professional license.

Rule 339.203a consolidates all licensing requirements for referees, judges, or timekeepers for boxing and mixed martial arts into one rule.

Rule 339.203b relating to licensing requirements for mixed martial arts judges is being rescinded.

Rule 339.203c relating to licensing requirements for mixed martial arts timekeepers is being

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rescinded.

Rule 339.204 relating to the number of rounds is being rescinded.

Rule 339.205 clarifies a promoter's responsibilities regarding boxing ring construction and makes grammatical changes.

Rule 339.205a clarifies a promoter's responsibility regarding mixed martial arts ring construction and makes grammatical changes.

Rule 339.205b clarifies the requirement that a promoter provide a seat to a commission member and their guest at an unarmed combat event.

Rule 339.207 limits the use of ankle wraps gauze to not more than 13 yards long, 2 inches wide, and not more than 10 feet of cloth-based tape to support the gauze. Also, the rule prohibits the use of water or any other substance on ankle wraps and ensures that cloth-based tape is used as opposed to surgeon's tape.

Rule 339.210 requires that all joint supports, if taped, are taped using a cloth-based tape.

Rule 339.213 changes the language based on grammar, and stylistic preferences. It also clarifies that the promoter responsibility to make arrangements for a replacement ambulance and the responsibility to communicate to the physician the location of the ambulance.

Rule 339.215 adds a requirement that there are be 2 licensed referees for every amateur and professional unarmed combat contest and that a promoter designate at least 1 alternate to the arranged officials for an unarmed combat contest.

Rule 339.217 adds a requirement that a contestant's win-loss record be announced and ensures that an interpreter that is already required to be at the event is available if requested by a contestant.

Rule 339.223 ensures that there will be no scoring of an incomplete round. The rule also makes terminology and procedural clarifications.

Rule 339.226 add 2 types of scenarios to the calling of a technical knockout.

Rule 339.226a adds additional types of contest results for boxing events.

Rule 339.227 makes grammatical changes and provides authority to a referee to allow a contestant who was pushed through the ropes 5 minutes to recover.

Rule 339.229 makes grammatical changes and clarifies a promoter's duty to retain scorecards and tabulation sheets for 1 year.

Rule 339.230 makes grammatical changes and clarifies a promoter's duty to retain scorecards and tabulation sheets for 1 year.

Rule 339.231 adds procedures relating to fouls and clarifies what needs to occur for a disqualification to be called by a referee during a boxing contest.

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Rule 339.232 adds procedures relating to fouls and clarifies what needs to occur for a disqualification to be called by a referee during a mixed martial arts contest.

Rule 239.235 clarifies who can perform a pregnancy test and types of hepatitis test results.

Rule 339.239 makes grammatical changes and clarifies that an impartial cutman does not count as a second.

Rule 339.243 allows a contestant to provide 1 piece of identification instead of 2 at weigh-in.

Rule 339.245 makes grammatical changes and allows a female contestant to wear a breast protector if she chooses.

Rule 339.246 makes grammatical changes and clarifies that it is the referee, and not a physician, that ensures adequate dress and protective equipment for mixed martial artists.

Rule 339.246a makes a requirement for a contestant to trim his or her toenails and fingernails before a contest.

Rule 339.249 removes the 30-day limitation for a contestant that lost by a technical knockout because the limitation already exists in rule 251(3).

Rule 339.251 updates the reference to the Health Insurance Portability and Accountability Act regulations to the most recently published regulations. it also allows a physician to certify that a contestant is fully recovered if a contestant was knocked out.

Rule 339.253 relating to waiting periods is being rescinded.

Rule 339.255 allows the Department to approve the rules of engagement of all unarmed combat championships and international contests that occur in the state. It also, allows for non-championship contests that occur at a championship event to be governed by the same rules of engagement. Removes the incorporation by reference of the Association of Boxing Commission's boxing rules.

Rule 339.265 requires that the department adjust the base compensation plan for unarmed combat event officials based on the Detroit Consumer Price Index. The rule also requires a promoter to disclose the compensation of event officials to the Department and allows the promoter to request that the information be made confidential under the act.

Rule 339.269 makes grammatical changes and clarifies that the department representative is responsible for specimen collection for the required drug tests.

5. List names of newspapers in which the notice of public hearing was published and publication dates (attach copies of affidavits from each newspaper as proof of publication).

Flint Journal – February 28, 2019

Marquette Mining Journal – February 26, 2019

Kalamazoo Gazette – February 28, 2019

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6. Date of publication of rules and notice of public hearing in *Michigan Register*:

The rules and notice of public hearing were published in the Michigan Register on March 1, 2019, Issue Number 3.

7. Time, date, location, and duration of public hearing:

The public hearing was held on March 15, 2019, at 9:00 AM, at the State of Michigan Library, 702 West Kalamazoo Street, Lansing, Michigan, 48915, in the Forum on the first floor. The hearing lasted for 30 minutes.

8. Provide the link the agency used to post the regulatory impact statement and cost-benefit analysis on its website:

[https://www.michigan.gov/documents/lara/2018-105_LR - Public Hearing Notice - Unarmed Combat 648854 7.pdf](https://www.michigan.gov/documents/lara/2018-105_LR_-_Public_Hearing_Notice_-_Unarmed_Combat_648854_7.pdf) (links to ORR website)
http://dmbinternet.state.mi.us/DMB/ORRDocs/RIS/1884_2018-105LR_ris.pdf

9. List of the name and title of agency representative(s) attending public hearing:

Mack Jones, Departmental Analyst
Linda Douglas, Departmental Analyst
Linda Clegg, Licensing Division Director

10. Persons submitting comments of support:

None

11. Persons submitting comments of opposition:

Donald Weatherspoon

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12. Identify any changes made to the proposed rules based on comments received during the public comment period:

	Name & Organization	Comments Made at Public Hearing	Written Comments	Agency Rationale for Change	Rule Number & Citation Changed
1.	Bruce Hundley	Expressed a general concern about unarmed combat contestant's safety in and out of the ring.	No Written Comments Provided	A change in the definition of "grounded" will adequately protect contestants in a vulnerable position from traumatic brain injury.	339.101(g)
2.					
3.					
4.					

13. Date report completed:

April 16, 2019
Revised August 27, 2019