

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
CORPORATION, SECURITIES, AND COMMERCIAL LICENSING BUREAU

UNARMED COMBAT RULES

Rule Set 2018-105 LR

PUBLIC HEARING

Friday, March 15, 2019

9:00 a.m.

702 West Kalamazoo Street

Lansing, Michigan

 ORIGINAL

Presiding:

Mr. Mackenzie Jones

Speakers:

Bruce Hundley

Donald Weatherspoon

Timothy Steckel

Reported by: Melinda S. Nardone, CSR-1311

1 Lansing, Michigan

2 Friday, March 15, 2019

3 9:30 a.m.

4 R E C O R D

5 MR. JONES: This is a public hearing on
6 proposed administrative rules entitled Unarmed Combat.
7 This hearing is being conducted pursuant to the
8 provisions of 2004 Public Act 403, the Michigan Unarmed
9 Regulatory Act, and on behalf of the Department of
10 Licensing and Regulatory Affairs, Corporations,
11 Securities, and Commercial Licensing Bureau.

12 This hearing is being called to order at
13 approximately 9:33 in the morning on Friday, March 15th,
14 2019, at 702 West Kalamazoo Street, Lansing, Michigan,
15 48915, in the forum on the first floor, pursuant to the
16 notice of the public hearing published in three
17 newspapers of general circulation, Flint Journal on or
18 around February 28, 2019, Marquette Mining Journal on or
19 around February 26th, 2019; and the Kalamazoo Gazette on
20 or around February 28th, 2018; and on the agency's
21 website. The notice and the proposed rules were
22 published in the March 1st, 2019, issue of the Michigan
23 Register and were posted to the Office of Regulatory
24 Reinvention's website at www.michigan.gov/orr.

25 This hearing is being conducted under the

1 authority conferred upon the department by the Michigan
2 Unarmed Combat Regulatory Act and Executive
3 Reorganization Order numbers 2008-4, 2011-4, MCL
4 445.2025 and 445.2030 and in accordance with 1969 Public
5 Act 306, the Administrative Procedures Act.

6 My name is Mack Jones from the Corporations,
7 Securities, and Commercial Licensing Bureau. I am
8 conducting the public hearing today.

9 We are here to receive comments and
10 recommendations on the proposed rules. Testimony and
11 written comments presented at this hearing or received
12 in writing will be reviewed for consideration of any
13 changes or additions to the proposed rules and will
14 become part of the public record.

15 Following the hearing the rules will be
16 submitted to the Corporations, Securities, and
17 Commercial Licensing Bureau and the Office of Policy and
18 Legislative Affairs to review any possible changes in
19 response to the public's comments. They will then go to
20 the office of Regulatory Reinvention and Legislative
21 Services Bureau for certification and will be forwarded
22 to the joint committee on administrative rules. After
23 final approval the rules will be filed with the
24 Secretary of State and will take effect immediately
25 after filing.

1 Please sign in and include your name and
2 address so that your attendance can be included in the
3 public record. If you wish to speak, please make sure
4 you have indicated your willingness to speak on the sign
5 in sheet. We will call on speakers in the order in
6 which the names are listed on the sign in sheet. When
7 you come forward to speak please identify yourself with
8 your name, the organization you represent, and both your
9 mailing and email address so that this information may
10 be transcribed into the hearing report, and by come
11 forward I mean to the podium.

12 If you do not wish to testify but wish to
13 state your support or opposition to the rules please
14 complete the testimony card and give it to me or my
15 colleagues to include into the public record.

16 If you did not bring a prepared statement
17 the record will remain open until five p.m. on Monday,
18 March 18th, 2019, for additional written comments which
19 may be submitted to me by email at
20 jonesm52@michigan.gov.

21 In making suggestions for any changes to the
22 proposed rules please give reasons such a change would
23 be in the public's interest. If you support or oppose
24 the rules as written, you may make a statement to that
25 effect.

1 First up we have Bruce Hundley, will you
2 please come to the podium?

3 MR. HUNDLEY: Good morning. My name is
4 Bruce Hundley, I live at 3056 East Coon Lake Road in
5 Howell, Michigan. I have several issues that I would
6 like -- or rules that I would like to make a comment on.
7 First off I'd like to mention that I am about fighter
8 safety, to me that's very important. And one of the
9 first rules that I'd like to address is 339.202
10 regarding the weighing in.

11 I think there should be more oversight on
12 determining the weights of the fighters. We do have
13 rules that address the two percent, I think there should
14 be interim weigh ins for fighters or a system set up to
15 where if a fighter is notified or asked to fight on a
16 short notice that he is weighed and that the weight is
17 not so much that it causes dehydration, dehydration is
18 the number one cause of concussions. So that particular
19 rule I would like to see more oversight in to, you know,
20 to regulate the weight of the fighters. It's from a
21 safety standpoint.

22 The next rule that I wanted to address was
23 205b, which had to do with the seating of the
24 commissioners. I would submit to you that the
25 commissioners are not -- that the commissioners do have

1 a very important part in these events and that they
2 should have a good unobstructed view. I mean many times
3 I've seen things that you would not observe from a --
4 with an obstructed view or from a different area. The
5 other thing I would like to see is an assurance that
6 commissioners have all area access when they go into
7 these events.

8 Another safety issue that I would like to
9 bring up is the idea of the ambulance, where the
10 ambulance is. In the 339.213 ringside equipment it
11 mentions that the ambulance with emergency medical
12 technicians must be on-site. On-site to me could mean
13 that it's, you know, 100 yards away sitting out in a
14 parking lot, which I have seen. I would rather -- I
15 would like to see this ringside equipment specify that
16 the EMTs must be in the building where they have
17 immediate access to any injured fighter.

18 And the last one deals with pretty much the
19 same thing, that's rule 339.235, pre- -- it's under the
20 pre-contest physical examination, item number six, where
21 it says a physician -- a contest will not begin without
22 a physician and an attended ambulance present. Once
23 again, I think that these -- that the EMT should be
24 inside the unit within a close location to the ringside.
25 Thank you.

1 MR. JONES: Thank you for your comments,
2 Mr. Hundley. Next up we have Donald Weatherspoon.

3 MR. WEATHERSPOON: Good morning. My name is
4 Donald Weatherspoon, I live at 8942 Old M-78 in Haslett,
5 Michigan. I'm here representing myself, however, I am
6 relatively new to the commission.

7 I want to echo the things that Mr. Hundley
8 said as we -- he's been a guiding light for me on the
9 commission in terms of bringing my attention to certain
10 things in and around the ring. And we share a common
11 view in fighter safety, and I would extend that to ring
12 personnel safety as well. So I'm not going to reiterate
13 everything he said.

14 I do want to call your attention to one
15 particular rule that I think needs to be stricken in
16 terms of the proposed rule, and that's 205b(2), and that
17 is the seating of the commissioners. The unobstructed
18 view of commissioners in my mind is essential. I've
19 only -- in my experience I think I've attended about 95
20 percent of all the fights, and that will be MMA fights
21 and boxing, since I've been on the commission. And
22 only -- on two occasions where there has been some
23 contest of where I was seated and I would think some
24 kind of animosity toward the commission and its rules.

25 And in those events there were a couple

1 things that jumped out at my attention. The first one
2 was when we just did a casual walk through there was
3 equipment that was, let's just say, insufficient for the
4 contest.

5 The second thing was the safety of ring
6 personnel, particularly after a fighter has suffered,
7 let's say, a knock out and while they are still
8 recovering they -- in one instance they still thought
9 they were fighting and they got up and on a couple of
10 occasions put their hands on the referee. On another
11 occasion they contested the decision for -- when they
12 tapped out, it was an MMA fight and they tapped out and
13 the fighter left the ring and then went into the crowd
14 and began to agitate in the crowd.

15 And even though that is not our
16 jurisdiction, as I watched what was going on, that
17 person in my view should have been handled by their
18 corner. But the advantage of being able to see what
19 happened as it transpired and then do what I did, what I
20 did consequently was we have the ability, meaning as a
21 commissioner, to advise commission staff of what we
22 observed. We also have the ability to make a complaint.
23 I chose not to make a complaint but rather just to
24 advise staff of what was going on and staff responded
25 appropriately, which was something that I was very

1 appreciative of.

2 Now, if the question arises as to why am I
3 speaking at this public event -- public hearing as
4 opposed to having worked through the commission. When I
5 first came on the commission the rule was already
6 proposed but I did say in writing that I felt that there
7 should have been a public hearing and was told that the
8 department would handle that, so this is the first
9 opportunity where I could speak publicly about my
10 concern. It's not that I'm going against the
11 commission, I did advise the chair that I was going to
12 speak today and what I was going to say specifically
13 with rule 205b sub par 2 about commission and
14 unobstructed view. Thank you very much.

15 MR. JONES: Thank you for your comments,
16 Mr. Weatherspoon. Up next we have Timothy Steckel.

17 MR. STECKEL: Hello, Timothy Steckel here,
18 address 28239 Gita Street, and that's Livonia, Michigan,
19 48154.

20 Basically I'm kind of here today to talk
21 about, much like some others, rule 205b, especially the
22 sub point 2. As far as fighter safety, community
23 safety, ref safety, things like that, commissioners
24 really need to be able to have totally unobstructed view
25 and kind of be immersed in what's happening, everything

1 that's going on, cage side, ringside, whatever it may
2 be. And by being seated in, you know, different parts
3 of the auditorium, stadium, you're just not going to get
4 that same perspective that you're going to get right
5 there up at the front.

6 You're going to be seeing things like toes
7 in the cage, you're going to be seeing things like, as
8 was mentioned, you know, fighters, you know, pushing
9 referees, things like that. There's a lot of subtle
10 things that happen in the passion of the sport that
11 you're going to have to be up close and personal to kind
12 of really delve into all that stuff and to be able to
13 see those things happening and see the different issues
14 that are happening during bouts and stuff like that. So
15 that's definitely an important point.

16 The other reason that I'm here today is to
17 kind of add in some language, especially around the rule
18 215 where just as far as officials like referees,
19 judges, judges especially, right now there is -- you
20 basically can sign up to be a judge, you put your
21 approval in, but we'd like to have something added in
22 there as judge certification.

23 And there is different types of classes,
24 certification that you can take, but the ABC
25 certification is kind of the primary certification for

1 judges and referees. And in most people's opinion,
2 especially my opinion, there are really only two, Big
3 John McCarthy's COMMAND course out in Las Vegas and Herb
4 Dean's judge course in Pasadena. Those are the two gold
5 standards as far as judging criteria and referee
6 criteria and training basically in the world.

7 And the fact that currently there's judges
8 and referees out there who have not taken any
9 certification, and I've even heard judges and referees
10 not know what certain techniques were, not know, you
11 know, all sorts of different things that are just
12 critical to the fight game in and of itself. So the
13 fact that, you know, there's not really any training is
14 definitely concerning. There's fighters' careers are on
15 the line, you know, the integrity of the sport is on the
16 line, and for there to be judges especially that are
17 deciding the fate of a bout to not know the very basics
18 of mixed martial arts is definitely concerning. So
19 definitely wanted to add that in.

20 Also, a couple other points would be, as was
21 mentioned earlier, there's a few -- there's been a few
22 bouts that we've been witness to -- that I've been
23 witness to that during the bout something hasn't gone in
24 one fighter's way, he was not knocked out or a TKO, he
25 didn't agree, began shoving the referee, kind of causing

1 a scene, action like that obviously can't be tolerated.
2 The referees are there to protect the fighters, they are
3 there to ensure the safety and to make sure that
4 everything kind of goes off in a safe manner and they
5 can't be putting their hands on the refs, it's
6 just -- that's totally unacceptable.

7 The same thing with as far as in the event
8 of a decision, you know, we should have a process to
9 where -- I personally have no problem explaining
10 decisions to people, but during the fight is not the
11 time, you know. We -- many officials, many judges have
12 had fighters afterwards right after their fight come in
13 and try to basically argue a decision with them or their
14 team members and stuff like that. Which, hey, I get it,
15 you know, tempers are high, emotions are high at the
16 time, no problem explaining a decision, but at the fight
17 as another fight is happening is not the right time for
18 it.

19 There should definitely be a process to
20 where -- you know, a time and a place to where --
21 whether that's post fight meetings by the promotion or
22 something like that that maybe can go into effect. But,
23 yeah, there's already a lot going on and especially when
24 another bout has started you can't really be, you know,
25 explaining to one fighter why he lost the decision.

1 It just -- again, this also falls back into
2 the educational and certification, you know, a lot of
3 people are just not aware of the ABC rules as far as
4 criteria for judging. There's a lot of -- there's
5 fighters that don't know the rules, I mean, there is
6 coaches that don't know the rules. So education is
7 really important and we just want to see some sort of a
8 qualification required. You know, you should have an
9 ABC certification to ref and to judge, you know, in the
10 State of Michigan, and it should come from a reputable
11 source.

12 There's a lot of places you just show up to
13 the seminar, here, here is your certification. But as I
14 mentioned, the COMMAND course, John McCarthy and Herb
15 Dean's course, those are two gold standards in the
16 industry. They've reffed and judged some of the most
17 high profile events and probably the most events as far
18 as experience-wise. So those two are -- and they make
19 you go through the paces, they make you show all the
20 technique, you have to know the technique and not just
21 know it you have to show it. You have to explain why
22 you're judging or you're reffing a certain way, you've
23 got to know all the procedures behind everything.

24 So it's not just a blanket gloss over, you
25 know, quick presentation for an hour or five hours, but

1 you don't actually have to prove your knowledge at some
2 of these places. There you have to prove your
3 knowledge, you have to test out, and you have to show
4 that you're competent. And I think we owe the fighters
5 that and I think we owe the sport that. And that's
6 pretty much it.

7 MR. JONES: Thank you for your comments. If
8 there are no other people who wish to speak at this time
9 we will take a short recess. We will reconvene at 10:03
10 a.m.

11 (A recess was taken.)

12 MR. JONES: The hearing is now open again.
13 The time is approximately 10:07 a.m.

14 Are there any other people who wish to speak
15 at this time? If there are no further comments I hereby
16 declare the hearing closed. The current time is 10:07
17 a.m. As a reminder, if you did not bring a prepared
18 statement the record will remain open until five p.m. on
19 Monday, March 18th, for additional written comments,
20 which may be submitted to me by email at
21 jonesm52@michigan.gov. Thank you for your time.

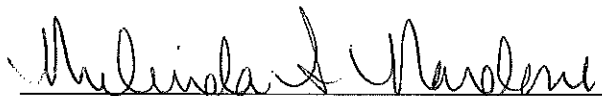
22 (Whereupon Hearing concluded at 10:08 a.m.)
23
24
25

1 STATE OF MICHIGAN)
) SS
2 COUNTY OF INGHAM)

3 I, Melinda Nardone, Certified Shorthand
4 Reporter and Notary Public in and for the County of
5 Ingham, State of Michigan, do hereby certify that the
6 foregoing Hearing was taken before me at the time and
7 place hereinbefore set forth.

8 I further certify that the testimony
9 then given was reported by me stenographically;
10 subsequently with computer-aided transcription, produced
11 under my direction and supervision; and that the
12 foregoing is a full, true, and correct transcript of my
13 original shorthand notes.

14 IN WITNESS WHEREOF, I have hereunto set
15 my hand and seal this 28th day of March, 2019.

16 

17 Melinda S. Nardone, CSR-1311,
18 Certified Shorthand Reporter,
19 and Notary Public, County
20 of Ingham, State of Michigan.
21 My Commission Expires: 10-24-24
22
23
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