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STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
CORPORATIONS, SECURITIES & COMMERCIAL LICENSING

- - -

PUBLIC HEARING

THURSDAY, DECEMBER 16, 2021

AT ABOUT 1:20 P.M.

- - -

2407 NORTH GRAND RIVER AVENUE

LANSING, MICHIGAN

SUN CONFERENCE ROOM

- - -

RE: Administrative Rules for Unarmed Combat
Rule Set 2021-131 LR

- - -

HEARING FACILITATOR:

MACKENZIE JONES
Corporations, Securities &
Commercial Licensing Bureau
2407 N. Grand River Avenue
Lansing, Michigan 48906

- - -

REPORTED BY: Lori Anne Penn, CSR-1315

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I N D E X

Opening - Mackenzie Jones 3

- - -

COMMENTS: PAGE

FRANK GARZA 5

COLLIN ROGERS (MATEE TONGBUA) 14

- - -

Closing - Mackenzie Jones 17

1 Lansing, Michigan

2 Thursday, December 16, 2021

3 At 1:20 p.m.

4 - - -

5 (Public hearing commenced pursuant to due notice.)

6 - - -

7 MR. JONES: Good afternoon, everyone.

8 This is a public hearing on the proposed administrative
9 rule set entitled "Unarmed Combat". This hearing is
10 being conducted under the provisions of the Michigan
11 Unarmed Combat Regulatory Act and under the authority of
12 the Administrative Procedures Act, and on behalf of the
13 Department of Licensing and Regulatory Affairs' Michigan
14 Unarmed Combat Commission.

15 This hearing is being called to order at
16 approximately 1:20 p.m. on Thursday, December 16, 2021,
17 at the MRA Building, 2407 Grand River Avenue, Lansing,
18 Michigan 48906, in the Sun Conference Room. Thank you
19 guys for coming.

20 The notice was published on December 1,
21 2021, issue of the *Michigan Register*, and the notice of
22 public hearing was also published in the following three
23 newspapers of general circulation:

24 The first, The Grand Rapids Press on or around
25 November 18, 2021;

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1 The second, Ann Arbor News on or around
2 November 18, 2021;

3 And the third, The Marquette Mining Journal on or
4 around November 15, 2021.

5 This notice and rule -- the notice and
6 rulemaking documents were also posted on the Office of
7 Regulatory Reinvention's website at www.michigan.gov/orr.

8 My name is Mack Jones, and I will be
9 facilitating the public hearing today.

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

16 If you wish to speak, please make sure
17 you have indicated your willingness to speak on the
18 sign-in sheet; we will call on speakers in the order in
19 which the names are listed on the sign-in sheet. When
20 you come forward, please speak, identify yourself with
21 your name, your organization you may represent, and both
22 your mailing and email address so that this information
23 can be transcribed into the hearing report.

24 If you did not bring a prepared
25 statement, the public comment period will remain open

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1 until 11:59 p.m. on Thursday, January 6, 2022, for
2 additional written comments. These written comments may
3 be submitted to me by email at jonesm52@michigan.gov, or
4 by mailing your comments to the Michigan Unarmed Combat
5 Commission, P.O. Box 30018, Lansing, Michigan 48909.

6 To begin with, Mr. Garza wished to speak.
7 Come up here if you'd like.

8 MR. GARZA: Thank you. My name is Frank
9 Garza; address, 1524 Michigan Boulevard, Lincoln Park,
10 Michigan 48146; email, four letters, J- as in John R- as
11 in Robert G- as in girl, Z as in zebra @hotmail.com. I'm
12 here as a licensed Michigan licensed boxing referee.

13 I've been a licensed referee since 1984,
14 I am licensed as a judge and a referee for professional
15 boxing. I served on the Michigan Athletic Board of
16 Control from 1992 to 1994. This board is the predecessor
17 of the Unarmed Combat Commission. I was awarded a
18 special tribute from Governor Engler for the rewrite and
19 update of rules, and also awarded a special tribute from
20 Governor Snyder in assisting the Unarmed Combat
21 Commission with Dr. Jim Lever, who was the chairman.
22 During my tenure, I co-authored Michigan Officials
23 Handbooks and held training clinics for officials. As a
24 referee, I've officiated world championship fights and
25 major title bouts totaling over 120 for every recognized

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1 rule sanctioning body in 20 U.S. states and the District
2 of Columbia, as well as 17 countries around the world. I
3 currently sit on the Officials Committee for the North
4 American Boxing Federation and the World Boxing Council.

5 I was awarded the 1996 IBA Boxing Referee
6 of the Year, I was named in the top ten referees by Ring
7 Magazine in 2002, and I was named by the World Boxing
8 Council as one of the top 50 boxing referees in the
9 entire history of boxing. I'm an inductee in the Lincoln
10 Park Sports Hall of Fame, the Delta St. John Alumni Hall
11 of Fame, and have recently been inducted into the
12 National Boxing Hall of Fame.

13 I apologize for bringing this all out,
14 and there is more that I can add, but I'm hoping this is
15 enough to have everyone here listen to my public comments
16 and take into consideration what I have to say. Please
17 do not take any comment I make today as anything
18 negative, for on the contrary, I love this sport and I
19 owe a lot to it for it has allowed me many opportunities
20 over the past 37 years to experience and be a part of
21 events that only people dream of.

22 Now, the Department has stated that the
23 proposed rules will improve the reliability of event
24 officials and prevent the appearance of impropriety, and
25 that other changes include more flexibility in attaining

1 a professional license. I'll comment a little more about
2 that on the end. But on the proposed rule changes, I
3 have comments and concerns about these.

4 Under definitions, contest officials are
5 defined as a referee, judge, and timekeeper, but we also
6 need to include and license the following as well: The
7 doctors, the ring announcers, the DJs, and the ring card
8 girls. Each one of these play a role and they have
9 responsibilities whose actions need to be held
10 accountable for the conduct of a professional boxing
11 show.

12 For example, a doctor can influence the
13 referee on when to stop a bout and not be questioned or
14 scrutinized. Ring announcers, if they're not held
15 accountable, they can incite a crowd, they can create an
16 unsafe environment by making comments not related to the
17 event on hand, they can be disruptive to the flow of the
18 event, and this happens quite a bit. And we had a very,
19 very bad situation at a fight recently in Warren. DJs
20 can be disruptive. They can play nonfamily-friendly
21 material, they can also create an unsafe environment with
22 the music they play, and they make it nearly impossible
23 to carry on official ringside business prior to the show.
24 Ring card girls, luckily not now, but in the past they
25 have been known to engage in certain customer-friendly

1 services, and I don't want to see that come back again.
2 Now, some states license the following, and I feel that
3 we should take a hard look into that.

4 Another definition change that I have a
5 concern with is hanging helplessly. The ropes prevent a
6 boxer -- and I'd like to see that changed to the ropes
7 prevent a boxer from going to the canvas. This then
8 takes into account if a boxer is hit, falls back, and the
9 ropes prevent them from going down.

10 Under the licensing requirements, the
11 word competence came up, and that needs to be defined. I
12 mean I've known boxers who are 0 and 3 and they were
13 better boxers that had a record of 5 and 0, and it was
14 all based on who they lost to.

15 Now, when it comes to licensing, I'd also
16 like to see a requirement that a boxer must be licensed
17 before he can sign a contract to compete in Michigan, and
18 that a promoter must have a signed contract between two
19 boxers who are licensed before they can advertise the
20 bout; this would eliminate a lot of wasted time making
21 bouts and holding a boxer accountable, and gives the
22 ability to hold a boxer accountable if they fail to show
23 up. In addition, a ticket buyer would know what he is
24 buying and not be disappointed once he's inside the
25 venue. Right now it's really a bait-and-switch program.

1 Under the contest official, the term duty
2 of impartiality is mentioned. Now, this concept is good,
3 but the way it's written, not so much. I believe
4 officials need a code of ethics, but I think we would be
5 better served if we had a written code of ethics like
6 those that the NABF, that's the North American Boxing
7 Federation, and the World Boxing Council, as well as all
8 the other world organizations have.

9 After reading through this section, I was
10 reminded when I was on the Michigan Athletic Board of
11 Control by the attorney general who once told us, never
12 make a rule that you can't enforce; and I ask, can this
13 section really be enforced? I don't see any due process
14 in this. And wouldn't the majority of the accusations be
15 hearsay. In this section, it prohibits an event official
16 in engaging in certain acts, such as not talking to a
17 promoter 30 days before, during, or immediately after an
18 event. Now, I can not ever recall in 37 plus years as a
19 Michigan event official of knowing that I was going to be
20 an official 30 days in advance.

21 The placing of wagers, not that I gamble,
22 I don't, and again, I understand the concept, but if I'm
23 a boxing official, and I'm only a boxing official, this
24 rule is saying that I can not wager on MMA, I can not
25 wager on muay thai, I can not wager on kickboxing. I can

1 understand not making a wager on boxing, but what does
2 that have to do on the other sports.

3 Lastly, with the promoter being
4 responsible for the assigning of officials, it's
5 impossible to adhere to Rule No. 6 under this section
6 unless the Act is changed, and I believe the Department
7 of Licensing and Regulatory Affairs addresses this in
8 their impact statement and cost-benefit analysis, and
9 I'll again comment a little more on that at the end.

10 Knockouts, boxing Rule No. 2, the
11 standing 8 count, we need to eliminate that, and change
12 it to a mandatory 8 count that says the referee will give
13 a mandatory count of 8 before allowing a boxer to resume,
14 because there's times when you need just to stop your
15 count at 4 and 5 and waive it over and get the doctor in,
16 but the way it's written, it says that you have to
17 complete the count of 8.

18 The double knockdown rule decision. It's
19 written as a double knockout, but I believe the
20 Association of Boxing Commissions and all the major world
21 organizations consider it a technical draw.

22 Compensation for boxing officials. This
23 has not been changed I'm going to say in 20 years, and
24 I'd like to see the compensation raised up from \$100 --
25 I'll just do the referees; if you would like, I can mail

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1 you my suggestions. Referees from 100 to 150, 150 to
2 200, 250 to 500, 350 to 700, and 700 to 1,000, and that's
3 not out of line with other states in the near area.

4 For my conclusion, when I look at our
5 handbook and our rule book for unarmed combat, it's kind
6 of like looking at an owner's manual for a combination
7 coffeemaker, toaster, and can opener, it's like this,
8 (demonstrating with a brochure), very confusing, it's not
9 friendly user. Boxing, MMA, muay thai, kickboxing, they
10 may all fall under the auspices of the Unarmed Combat
11 Commission, but they all need to have their own rule
12 book. They all need to be addressed individually because
13 they are individual, and regardless if the rules are
14 redundant, they are different sports.

15 Now, I just used the word sporting, and
16 again, bear in mind, I'm only speaking right now about
17 boxing, but the word sport is a misnomer. Boxing is a
18 business, a business that can generate hundreds of
19 thousands to hundreds of millions of dollars when done
20 properly. I'd like the Department or everyone here to
21 ask themselves why do states like Nevada, California,
22 Florida, and Texas have these huge mega fights. It's
23 because they treat it like a business.

24 Now, the State of Michigan has produced
25 some of the biggest boxing stars ever, from Tommy Hearns

1 to James Toney, the Klichfil [sp] brothers, to Roger and
2 Floyd Mayweather, but they've all made their fortunes
3 outside of the State because we don't have the business
4 environment here. Even I, for that matter. Do you know
5 that when I work outside the State of Michigan, I make
6 more in one fight than I do for the entire year that I
7 work in Michigan. I'd like to say if we were going to do
8 something, let's do it right. Let's start thinking of
9 boxing as a business, come up with a plan. Maybe move it
10 outside of the Department that it's in now and place it
11 under Pure Michigan, entertainment, tourism, gaming,
12 because right now we're literally handcuffing what could
13 be one of the biggest industries we have in the State.

14 On the subject of reliability of
15 officials and appearance of impropriety, I believe
16 there's a need for training of officials on all levels,
17 from new officials to championship officials. At the
18 World Boxing Council, we have such a program, and I've
19 been part of the developing -- in developing a
20 university-level program for officials in Mexico City,
21 and I would be glad to share that here with our officials
22 at no cost. And in fact, we do have one official here
23 from Grand Rapids who has been taking a part in one of
24 these offshoot lessons that we have and training, and he
25 recently was assigned his first world championship a

1 couple weeks ago.

2 Our officials need to be protected.

3 Since promoters were allowed to assign their own
4 officials, our officials have been locked out of fights
5 that have taken place in our State by officials from New
6 York, Canada, Indiana, and other places, fights that
7 would have given these officials national recognition and
8 experience. We once had a rule on the books that for
9 every bout held in Michigan, the referee and at least one
10 judge would be from Michigan. We need to get some of
11 these rules back in.

12 From what I have stated, I'd like to
13 recommend that this proposal not be filed. And in
14 closing, I know this is strong, but I suggest that we
15 shut down all unarmed combat competition in the State and
16 that we form a private committee outside the Commission
17 to rewrite the rules, to write a business plan, which may
18 include an executive director above the Commission and
19 outside the Commission, and then present this to the
20 Commission for approval. With the Commission currently
21 only meeting a few times a year, I don't see how they can
22 accomplish putting together these rule changes and a
23 business proposal on their own, and that's why I feel we
24 need to do this outside the Commission. Thank you.

25 MR. JONES: Thank you for your comments,
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1 Mr. Garza.

2 Up next we have Collin and Matee, they
3 wish to speak together.

4 MR. ROGERS: My name is Collin Rogers,
5 I'm here with Matee Tongbua, he's from Thailand,
6 five-time world champion muay thai fighter and stadium
7 champion. We are both from Final Round Training
8 Center --

9 COURT REPORTER: Excuse me. I guess you
10 do have to speak this way because I'm losing you.

11 MR. ROGERS: Want me to just start over?

12 COURT REPORTER: No. We are both from --

13 MR. ROGERS: We are both from Ann Arbor,
14 Michigan, we train out of Final Round Training Center.
15 We can be reached at mtdragonleg@gmail.com.

16 We had a few comments and questions to
17 make on the proposed muay thai rule set in the State of
18 Michigan. There are a few discrepancies between other
19 stately rule sets that are proposed, I believe the rule
20 set was modeled off of New Jersey's current muay thai
21 rule set.

22 Currently in Rule 339.246, Rule 246,
23 there is not a subsection for mixed martial arts
24 requiring shin guards or head gear, albeit amateur or
25 professional; however, the new rule set proposed in

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1 R 339.246b, Rule 246b(7), lists, "An amateur kickboxing
2 and muay thai contestant must wear protective headgear
3 and shin and inset protectors." Is this rule only
4 present for muay thai and kickboxing, and does this have
5 any play with the contestants' experience levels or
6 agreed-upon protections for the bout?

7 Muay thai is also listed as a form of
8 boxing in which blows are delivered with the hand, any
9 part of the leg below the hip, including the foot, and
10 clinching. We are concerned that this does not allow
11 elbows as it is a very common occurrence of a weapon that
12 elbows be included in muay thai, albeit the art of eight
13 limbs as they call it. Elbow pads could become an
14 additional option that would be required equipment under
15 R 339.246b, Rule 246b, as muay thai after all is the art
16 of eight limbs.

17 I'm sorry, moving on here in what I have.
18 We have in Rules 232b(i), shoving, throwing, or wrestling
19 an opponent when pushing in a legal clinch is listed as a
20 foul. Does this mean a contestant may not, if
21 opportunity presents itself, shove an opponent out of the
22 clinch and resume attacking?

23 That carries on into the next foul that
24 we question under the rule set, which is (u) in the muay
25 thai rule set fouls, "Tripping or sweeping an opponent,"

1 being listed as a foul. In muay thai, especially in
2 Thailand, tripping and sweeping an opponent is very often
3 performed and is a high-scoring technique utilized to
4 show technical precision and timing over your opponent.
5 We see no reason why these techniques should be listed as
6 fouls under a muay thai rule set in Michigan if the
7 wishes of the Commission are to display the true nature
8 of such a beautiful martial art. We ask that more detail
9 be proposed in the rule set for what may be performed in
10 the clinch as far as sweeping, throwing, pushing, or
11 anything like that.

12 Moving back to the requirements of the
13 protective gear, we ask that a subsection be created for
14 gloves per weight class. In the previous rule set, it
15 just lists between 8- and 16-ounce gloves, but no
16 specifics for each weight class, at least in the mixed
17 martial arts or proposed muay thai rule set.

18 We'd also like to see more information
19 listed from the Commission on licensing of muay thai
20 judging as it is a very unique rule set and sport. Matee
21 has refereed and judged traditional bouts, and if any
22 more information or consultation be needed, please feel
23 free to contact him.

24 We appreciate the work you're doing
25 towards legalizing such an important cultural sport and

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1 martial art that impacts so many in our beautiful State
2 of Michigan. Please let us know if there's anything I or
3 Matee can do to be of assistance as we know that it's in
4 everyone's best interest that the sport be safe,
5 regulated, and legalized, while also holding the vast
6 respect and integrity that comes with the art of muay
7 thai.

8 Is there anything you want to say?

9 MR. TONGBUA: You already said it.

10 MR. ROGERS: Yeah. Okay. Thank you for
11 your time.

12 MR. TONGBUA: Thank you.

13 MR. JONES: Thank you very much for your
14 comments.

15 Are there anybody else that wish to speak
16 at this time? (No response.)

17 As a reminder, the public comment period
18 will remain open until 11:59 p.m. on Thursday, January 6,
19 2022. You can email additional comments to me at
20 jonesm52@michigan.gov, or by mail to the Commission at
21 P.O. Box 30018, Lansing, Michigan 48909.

22 So I hereby declare this hearing closed.
23 The current time is 1:44. Thank you for coming.

24 (At 1:44 p.m., the public hearing concluded.)

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C E R T I F I C A T E

I, Lori Anne Penn (CSR-1315), do hereby certify that I reported in stenotype the proceedings had in the above-entitled matter, that being the Public Hearing regarding Administrative Rules for Unarmed Combat, Rule Set 2020-131 LR, Department of Licensing and Regulatory Affairs, Corporations, Securities and Commercial Licensing Bureau, Sun Conference Room, 2407 North Grand River Avenue, Lansing, Michigan on Thursday, December 16, 2021; and do further certify that the foregoing transcript, consisting of pages 1-18, constitutes a true and correct transcript of my stenotype notes.

Lori Anne Penn

Lori Anne Penn, CSR-1315
Penn Reporting, LLC
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Dated: December 20, 2021