

Minnesota Department of Labor and Industry/Office of Combative Sports

STATEMENT OF NEED AND REASONABLENESS

Proposed Amendments to Rules Governing Combative Sports/Mixed Martial Arts, Minnesota Rules, Parts 2202.0800 and 2202.1000, Judging and Fouls; Revisor's ID Number R-04461

INTRODUCTION

The Office of Combative Sports is a division of the Minnesota Department of Labor and Industry whose mission is to ensure that Minnesota's combative sporting events are conducted in a manner that minimizes injuries and ensures uniform and fair competition. In furtherance of that mission, the Department's Office of Combative Sports ("OCS") oversees and regulates all aspects of boxing and mixed martial arts contests conducted in this state and has adopted rules governing those contests which closely mirror the model Unified Rules published by the Association of Boxing Commissions ("ABC"), a national association of cooperating state agencies and commissions that oversee and regulate combative sports contests held in their respective jurisdictions.¹

On August 02, 2016, amendments to the ABC's Unified Rules for Mixed Martial Arts ("Unified Rules") were adopted by that association. Effective January 01, 2017, those amendments address changes to both judging/scoring criteria and fouling criteria as used in mixed martial arts contests. Minnesota Rules Chapter 2202 governs mixed martial arts ("MMA") contests in Minnesota: Minnesota Rules, part 2202.0800, addresses MMA judging criteria; and Minnesota Rules, part 2202.1000, addresses MMA contest fouls. The proposed amendments to Minnesota Rules Chapter 2202 are needed to make Minnesota's existing MMA contest rules concerning judging/scoring criteria and fouls uniform and consistent with the recent changes made to the ABC's revised Unified Rules for Mixed Martial Arts.

ALTERNATIVE FORMAT

Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. To make a request, please contact the department's Office of Combative Sports' Program Administrator, Matt Schowalter, at: 443 Lafayette Road North, St. Paul, Minnesota 55155; telephone: (651) 284-5366; facsimile: (651) 284-5749; or at Matt.Schowalter@state.mn.us.

¹ For more information concerning the Association of Boxing Commissions, including the Association's August 02, 2016 revision of the Unified Rules for Mixed Martial Arts, including judging and scoring criteria, please visit the ABC website at: www.abcboxing.com. Specifically, the ABC's August 02, 2016 revised Unified Rules for Mixed Martial Arts, including Judging/Scoring criteria, can be found at: <http://www.abcboxing.com/unified-rules>.

STATUTORY AUTHORITY

Minnesota Statutes, section 341.27 (2017), provides that the Commissioner of the Department of Labor and Industry (“Commissioner”) is responsible for the regulation and oversight of combative sports contests in Minnesota and is directed by that statute to develop rules, policies and procedures to implement Chapter 341. Specific statutory authority to adopt the proposed rules governing mixed martial arts is found in Minnesota Statutes, section 341.25 (2017), which directs the Commissioner to adopt unified rules for mixed martial arts contests, incorporates by reference the ABC’s recently revised Unified Rules for Mixed Martial Arts, and allows the Commissioner to adopt amendments to those unified rules and guidelines. *See Id.*

Under these statutes, the Commissioner has the necessary statutory authority to adopt the proposed rules governing fouls and judging criteria in mixed martial arts contests.

REGULATORY ANALYSIS

Minnesota Statutes, section 14.131 (2017), sets out eight factors for a regulatory analysis that must be included in an agency’s Statement of Need and Reasonableness. Paragraphs (1) through (8) below quote these factors and then give the Commissioner’s response:

“(1) a description of the classes of persons who probably will be affected by the proposed rule, including classes that will bear the costs of the proposed rule and classes that will benefit from the proposed rule”

The classes of persons who will be affected by the proposed rules are mixed martial arts contest participants, including combatants, managers and seconds, trainers, ringside physicians, officials and judges, contest promoters, and members of the public who are interested in mixed martial arts contests. All classes of persons affected will benefit by the proposed rules and there are no costs associated with this rulemaking since the proposed rules merely address fouling and judging criteria used in mixed martial arts contests conducted in this state.

“(2) the probable costs to the agency and to any other agency of the implementation and enforcement of the proposed rule and any anticipated effect on state revenues”

There are no costs to the Department or to any other agency concerning the implementation and enforcement of the proposed rules. Additionally, the proposed rulemaking will not have any anticipated effect on state revenues.

“(3) a determination of whether there are less costly methods or less intrusive methods for achieving the purpose of the proposed rule”

There are no less costly or less intrusive methods for achieving the purpose of the proposed rules that can be identified by the Department.

“(4) a description of any alternative methods for achieving the purpose of the proposed rule that were seriously considered by the agency and the reasons why they were rejected in favor of the proposed rule”

The purpose of the proposed rules is to fairly and uniformly treat, regulate, and protect mixed martial art contest participants in Minnesota. There are no alternative methods for achieving this purpose that the Department was able to identify. Therefore, the Department did not seriously consider any alternative methods for achieving the purpose of the proposed rules.

“(5) the probable costs of complying with the proposed rule, including the portion of the total costs that will be borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals”

There are no probable costs of complying with the proposed rules that can be identified by the Department since the proposed rules merely address fouling and judging criteria used in mixed martial arts contests conducted in this state.

“(6) the probable costs or consequences of not adopting the proposed rule, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals”

Failure to adopt the proposed rules will result in unintended conflict and confusion between the Association of Boxing Commissions’ Unified Rules for Mixed Martial Arts contests and Minnesota Rules, Chapter 2202’s judging and fouling criteria contained in Parts 2202.0800 and 2202.1000, respectively. Identifiable categories of affected parties who will bear the consequences of failure to adopt the proposed rules specifically include mixed martial arts contest participants such as combatants, managers and seconds, trainers, officials and judges.

“(7) an assessment of any differences between the proposed rule and existing federal regulations and a specific analysis of the need for and reasonableness of each difference”

There are no identifiable federal regulations which address judging and fouling criteria to be applied in mixed martial arts contests occurring within the United States, its boundaries or territories. The Association of Boxing Commissions’ Unified Rules for Mixed Martial Arts are not federal law, but instead “model rules” or “guidelines” for participating states or territories to adopt which encourages regulatory uniformity between the various jurisdictions.

“(8) an assessment of the cumulative effect of the rule with other federal and state regulations related to the specific purpose of the rule. . . . ‘[C]umulative effect’ means the impact that results from incremental impact of the proposed rule in addition to other rules, regardless of what state or federal agency has adopted the other rules. Cumulative effects can result from individually minor but collectively significant rules adopted over a period of time.”

There are no other state or federal regulations which address judging and fouling criteria to be applied in mixed martial arts contests occurring within this state. Therefore, no cumulative

effect of the proposed rule with other federal or state regulations related to the purpose of the rule can be identified by the Department.

PERFORMANCE-BASED RULES

Minnesota Statutes, section 14.002 (2016), requires that “*whenever feasible*, state agencies must develop rules and regulatory programs that emphasize superior achievement in meeting the agency’s regulatory objectives and maximum flexibility for the regulated party and the agency in meeting those goals.” *I.d.* (emphasis supplied). Given the nature of fouling and judging criteria used in mixed martial arts contests, regulated parties need clear contest rules that are uniform, concise, and apply equally to all combatants. While the Department did develop its rules and regulatory program to emphasize superior achievement in meeting its regulatory goals and objectives, the Department did not develop the proposed rules with an eye towards “maximum flexibility” for the regulated party since this goal is simply not feasible within the context of judging and scoring mixed martial arts contests.

ADDITIONAL NOTICE

The Department’s Notice Plan includes giving notice required by statute. The Department will mail or email the Notice of Intent to Adopt, which will contain an easily readable and understandable description of the nature and effect of the proposed rules, to everyone who has registered to be on the Combative Sports portion of the Department’s rulemaking mailing list under Minnesota Statutes, section 14.14, subdivision 1a. The Department recently updated this mailing list by, among other things, informing all persons licensed under Minnesota Statutes, section 341.30, of the opportunity to sign up for electronic or U.S. mail rulemaking notices.² The Department will also give notice to the Legislature per Minnesota Statutes, section 14.116.

The Department’s Notice Plan also includes giving additional notice to associations and trade groups not required by statute. This will be accomplished by direct mailings of the notice to these groups, as well as publishing notice in MMA trade publications. This Additional Notice Plan was reviewed by the Office of Administrative Hearings and approved in an Order dated January 5, 2018, by Administrative Law Judge Jessica Palmer-Denig. The Department will mail the Notice of Intent to Adopt to the following interested industry groups or associations. Those groups or associations include:

² On September 18, 2017, the Department sent notice to all license holders under Minnesota Statutes, section 341.30, subdivision 1, and all individuals who were previously registered with the Department to receive direct rule making notice by U.S. mail or electronic notification. These notices gave the individuals the opportunity to sign up for U.S. mail or electronic rulemaking notices in any or all of the areas regulated by the Department, including Combative Sports. These notices required that a response be provided by 4:30 p.m. on November 22, 2017. The Department’s rulemaking mailing lists were updated based on those responses. At the same time, the Department and the Office of Combative Sports also updated their respective websites to solicit interested party requests to be added to the statutorily required rulemaking mailing lists. Because of this recent action to update the mailing lists, including mailing notice to all combative sports license holders, this additional notice plan does not include providing direct notice to all license holders registered with the Office of Combative Sports.

- a. Association of Boxing Commissions
- b. Members of the Minnesota Combative Sports Advisory Council
- c. MMA Officials' Pool
- d. Active MMA Gyms/Training Centers:
 - i. The Academy, Brooklyn Center, MN
 - ii. McCune's Martial Arts, Brooklyn Park, MN
 - iii. Spartan Martial Arts, Oakdale, MN
 - iv. Minnesota School of Martial Arts, Shafer, MN
 - v. American Top Team, Savage, MN
 - vi. Warrior's Cove, Little Canada & St. Louis Park, MN
 - vii. Start BJJ, St. Cloud, MN
 - viii. Impact Martial Arts, Austin, MN
 - ix. Pura Vida BJJ & MMA, Milwaukee, WI
 - x. The Cellar Gym, St. Anthony, MN
- e. Trade Publications:
 - i. Minnesota Fighting News (www.mnfightnews.com)
 - ii. Minnesota MMA News (www.mnmma.com)
 - iii. The Underground (www.mixedmartialarts.com)

The Department is not aware of other industry groups or trade associations associated with the sport of mixed martial arts in the State of Minnesota.

The Department's Notice Plan did not include notifying the Commissioner of Agriculture because the rules do not affect farming operations per Minnesota Statutes, section 14.111.

CONSULTATION WITH MMB ON LOCAL GOVERNMENT IMPACT

As required by Minnesota Statutes, section 14.131, the Department consulted with the Commissioner of Minnesota Management and Budget (MMB) concerning the fiscal impact and benefits the proposed rules may have on units of local government. This was done on December 07, 2017, by providing MMB with copies of the Governor's Office Proposed Rule and SONAR Form, the proposed rules, and the near-final SONAR. On December 19, 2017, the Department received a memorandum dated the same day from MMB Executive Budget Officer Marianne Conboy.³ That report provides general comments and concludes that:

[t]hese proposed rules will affect mixed martial arts contest participants such as combatants, managers, and officials. Local units of government do not have a role in mixed martial arts judging, scoring, or fouling. Based on this information, I believe the Department of Labor & Industry has adequately analyzed and presented the expected costs and benefits of the proposed rules to local governments, and there is no anticipated fiscal impact or fiscal benefit to local units of government.

³ A copy of Executive Budget Officer Conboy's Report is reproduced in the Appendix at A-7.

The Department will submit a copy of its correspondence with MMB and the December 19, 2017 response it received from that agency to OAH at the hearing or with the documents it submits for ALJ review.

DETERMINATION ABOUT RULES REQUIRING LOCAL IMPLEMENTATION

As required by Minnesota Statutes, section 14.128, subdivision 1, the Department has considered whether these proposed rules will require a local government to adopt or amend any ordinance or other regulation in order to comply with these rules. The Department has determined that they do not because the proposed rules govern fouling and judging criteria for mixed martial arts contests and are neither implemented nor regulated by local government.

COST OF COMPLYING FOR SMALL BUSINESS OR CITY

Agency Determination of Cost

As required by Minnesota Statutes, section 14.127, the Department has considered whether the cost of complying with the proposed rules in the first year after the rules take effect will exceed \$25,000 for any small business or small city. Given the nature of the proposed rules, the Department has determined that the cost of complying with the proposed rules in the first year after the rules take effect will not exceed \$25,000 for any small business or small city.

The Department has made this determination based on the probable costs of complying with the proposed rule, as described in the Regulatory Analysis section of this Statement of Need and Reasonableness on pages 3-5, above. As noted therein, given the nature of the proposed rules, the Department has not identified any compliance costs associated with this rulemaking. This is true for small businesses and small cities, as well.

LIST OF WITNESSES

If these rules go to a public hearing, the Department anticipates having the following witnesses testify in support of the need for and reasonableness of the rules:

1. Division staff from the Department's Office of Combative Sports, including its Program Administrator, Matt Schowalter, if necessary.

RULE-BY-RULE ANALYSIS

MINNESOTA RULES, CHAPTER 2202 COMBATIVE SPORTS

2202.0800 JUDGING

2202.0800 C. Item C is amended by removing the term “effective defense” from the examples listed as mixed martial arts “techniques.” The existing rule needs to be modified to reflect the August 02, 2016 revised version of the Association of Boxing Commissions’ Unified Rules for Mixed Martial Arts, Judging and Scoring Criteria, which no longer recognizes “Effective Defense” as a scorable event. Rather than applying a sliding-scale evaluative approach, the ABC’s revised MMA scoring assessments are now prioritized in a tier scoring system as follows: “Effective Striking/Grappling,” “Effective Aggressiveness,” and “Effective Cage/Ring Control.”⁴ Amending Minnesota Rules, part 2202.0800, item C, to remove defensive maneuvers as an example of mixed martial arts techniques that are evaluated and scored by contest judges is needed to clarify judging criteria for Minnesota’s contest participants and to assure uniformity between the ABCs’ revised scoring criteria and Minnesota’s existing MMA rules. As noted by the ABC’s MMA Rules Committee Mission Statement of August 02, 2016 “MMA is an offensive sport. No scoring is given for defensive maneuvers.”⁵

Item C is also amended to correctly reflect the prioritized order in which mixed martial arts techniques are addressed and scored in the ABC’s revised Unified Rules for Mixed Martial Arts, Judging and Scoring Criteria. The August 02, 2016 ABC revision makes it clear that judging and scoring criteria are to be assessed in specific tiered order, with first priority of round assessments being “Effective Striking and Grappling,” followed by “Effective Aggressiveness,” and then “Effective Cage/Ring Control.”⁶ Accordingly, the modification to the existing rule part is reasonable and needed to maintain uniformity and coordinate assessment of scoring criteria between the ABC’s revised Unified Rules and Minnesota’s MMA rules.

Finally, Item C is amended by combining “effective striking” with “effective grappling” since the ABC’s revised Uniform Rules now give equal weight and priority to both of these offensive moves. Prior to the August 02, 2016 revision, the ABC’s Unified Rules treated each maneuver separately, giving decreased weight and priority to effective grappling. Therefore, the modification to the existing rule part is reasonable and needed to maintain uniformity and to coordinate assessment of judging and scoring criteria between the ABC’s revised Unified Rules, Judging and scoring criteria, and Minnesota’s MMA rules. The Minnesota Combative Sports

⁴ A copy of the August 02, 2016 revised version of the ABCs’ Unified Rules for MMA, Judging and Scoring Criteria, can be found at: http://www.abcboxing.com/wp-content/uploads/2016/08/judging_criteriascoring_rev0816.pdf

⁵ MMA Rules Committee Mission Statement of August 02, 2016, at p.3. The Rules Committee’s Mission Statement can be found on the ABC’s website at: http://www.abcboxing.com/wp-content/uploads/2016/08/judging_criteriascoring_rev0816.pdf

⁶ See *Id.*, generally.

Advisory Council reviewed the proposed changes to Minnesota Rule, part 2202.0800 C on December 05, 2017, and agreed with the proposed rule change and rationale.

2202.0800 D. Item D is amended to correctly reflect the prioritized order in which mixed martial arts techniques are addressed and scored in the ABC's revised Unified Rules for Mixed Martial Arts, Judging and Scoring Criteria. As noted above in Item C, the August 02, 2016 ABC revision makes it clear that judging and scoring criteria are to be assessed in specific tiered order, with first priority of round assessments being "Effective Striking and Grappling," followed by "Effective Aggressiveness," and then "Effective Cage/Ring Control."

Additionally, Item D is amended by combining "effective striking" with "effective grappling" since the ABC's revised Uniform Rules now give equal weight and priority to both of these offensive moves. Prior to the August 02, 2016 revision, the ABC's Unified Rules treated each maneuver separately, giving decreased weight and priority to effective grappling.

The modifications to the existing rule part are reasonable and needed to maintain uniformity and to coordinate assessment of scoring criteria between the ABC's revised Unified Rules, Judging and Scoring Criteria, and Minnesota's MMA rules. The Minnesota Combative Sports Advisory Council reviewed the proposed changes to Minnesota Rule, part 2202.0800 D on December 05, 2017, and agreed with the proposed rule change and rationale.

2202.0800 I. Item I is deleted in its entirety because the ABC's August 2, 2016 revised Uniform Rules, Judging and Scoring Criteria, no longer recognize "Effective Defense" as a scorable event. Since effective defense is no longer recognized as a scorable event or maneuver, there is no longer any need to define that term separately in Minnesota rule. Similar to the other rule modifications concerning judging and scoring in part 2202.0800, the deletion of the definition is reasonable and needed to maintain uniformity and to coordinate assessment of judging and scoring criteria between the ABC's revised Unified Rules and Minnesota's MMA rules.

2202.0800 J. Item J is being amended by resequencing it as Item I, without any substantive change, as a result of the deletion of existing Item I in its entirety.

2202.0800 K. Item K is deleted in its entirety because the ABC's August 02, 2016 revised Unified Rules scoring system is no longer based on a sliding scale evaluative approach to judging. Instead, it is based on a tier approach, which gives strict priority to effective striking/grappling, followed by effective aggressiveness, and then effective cage/ring control. *See Item C, above.* Additionally, "effective striking" and "effective grappling" are now treated and scored equally under the ABC's revised Unified Rules, regardless of whether the combatant is in a standing position or down on the ground. Because the existing rule part now conflicts with the ABC's recently revised Unified Rules, it is reasonable to delete this rule part in its entirety.

Failure to coordinate assessment of judging and scoring criteria between the ABC's August 02, 2016 Unified Rules and existing Minnesota Rules has the potential to result in confusion and concern among combatants, trainers, referees, and judges alike who participate in mixed martial arts contests in Minnesota. This concern is heightened when the participants are

not headquartered in Minnesota and are transitory. Therefore, all of the modifications proposed to the rule parts discussed above are reasonable and needed to maintain uniformity and to coordinate assessment of judging and scoring criteria between the ABC's revised Unified Rules, Judging and Scoring Criteria, and Minnesota's MMA rules.

2202.1000 FOULS

2202.1000 A. (11). Item A. (11) is deleted in its entirety. Heel kicks to the kidney no longer constitute fouls under the Association of Boxing Commissions' August 2, 2016 revised Unified Rules for Mixed Martial Arts. The ABC's MMA Rules Committee, in consultation with the ABC's Medical Committee and members of the Association of Ringside Physicians, deleted heel kicks to the kidney as a foul because the reviewing committees found that the maneuver is rarely used and it does not result in significant damage, if any, to the kidneys located on the back of the combatant's body. Indeed, general kicks to the kidneys are legal in a fight and are considered scorable striking maneuvers. However, *heel* kicks to the kidneys were seen as potentially more damaging because the maneuver generally occurs while the combatants are grappling on the mat and the fighter in the top position's back and kidneys are unprotected. Upon further review, the committee determined that the amount of force and potential damage to the kidney from a heel strike while on the mat is no different than that of a legal strike or kick to the kidney from a standing position. Accordingly, the ABC's MMA Rules Committee deleted heel kicks to the kidney as a foul from the Unified Rules.⁷ The Minnesota Combative Sports Advisory Council reviewed the proposed change to Minnesota Rule, part 2202.1000 A. (11), on December 05, 2017, and agreed with the ABC's rule change and rationale.

It is reasonable and necessary to amend Minnesota Rules, part 2202.1000 A. (11), to delete heel kicks to the kidney from Minnesota's list of fouls to maintain and promote uniformity in scoring assessments between the recently revised ABC's Unified Rules and Minnesota's MMA rules.

2202.1000 A. (12). Existing item A. (12) is being amended by renumbering it to item A. (11), without any substantive change, as a result of the deletion of existing item A. (11).

2202.1000 A. (13). Existing item A. (13) is being amended by renumbering it to item A. (12) as a result of the deletion of existing item A. (11).

Additionally, "grabbing the clavicle" is deleted as a listed foul contained in item A. (13). Grabbing the clavicle no longer constitutes a foul under the Association of Boxing Commissions' August 2, 2016 revised Uniform Rules for Mixed Martial Arts. The ABC's MMA Rules Committee, in consultation with the ABC's Medical Committee and members of the Association of Ringside Physicians, deleted grabbing the clavicle as a foul for two reasons. First, the ability of a combatant to successfully grab an opponent's clavicle during a fight and complete a takedown or other scorable maneuver because of it is extremely low, if not physically impossible. Indeed, there has been no reportable incident of any combatant's successful

⁷ See Association of Boxing Commissions' 2016 MMA Rules and Regulations Committee Report, reproduced and attached in Appendix at pages A1-A6.

completion of this maneuver or resulting physical harm during an MMA contest since grabbing the clavicle was deemed to be a foul by the New Jersey State Athletic Control Board in 2001 and formally adopted as a foul by the Association of Boxing Commissions' Rules Committee in 2009. Second, even if the maneuver could be successfully completed during a fight, the risk of causing actual physical harm to an opponent by grabbing their clavicle is undocumented and considered by the Committee to be extremely low. Accordingly, the ABC's MMA Rules Committee determined that the foul is obsolete and deleted it as a foul from the Unified Rules.⁸ The Minnesota Combative Sports Advisory Council reviewed the proposed rule change to Minnesota Rule, part 2202.1000 A. (13), on December 05, 2017, and agreed with the ABC's rule change and rationale.

It is reasonable and necessary to amend Minnesota Rules, part 2202.1000 A. (13), to delete grabbing the clavicle from Minnesota's list of fouls to maintain and promote uniformity in scoring assessments between the recently revised ABC's Unified Rules and Minnesota's MMA rules.

2202.1000 A. (14). Existing item A. (14) is being amended by renumbering it to item A. (13), without any substantive change, as a result of the deletion of existing item A. (11).

2202.1000 A. (15). Existing item A. (15) is being amended by renumbering it to item A. (14), without any substantive change, as a result of the deletion of existing item A. (11).

2202.1000 A. (16). Existing item A. (16) is being amended by renumbering it to item A. (15), without any substantive change, as a result of the deletion of existing item A. (11).

2202.1000 A. (17). Existing item A. (17) is being amended by renumbering it to item A. (16), without any substantive change, as a result of the deletion of existing item A. (11).

2202.1000 A. (18). Existing item A. (18) is being amended by renumbering it to item A. (17), without any substantive change, as a result of the deletion of existing item A. (11).

2202.1000 A. (19). Existing item A. (19) is being amended by renumbering it to item A. (18), without any substantive change, as a result of the deletion of existing item A. (11).

2202.1000 A. (20). Existing item A. (20) is being amended by renumbering it to item A. (19), without any substantive change, as a result of the deletion of existing item A. (11).

2202.1000 A. (21). Existing item A. (21) is being amended by renumbering it to item A. (20), without any substantive change, as a result of the deletion of existing item A. (11).

2202.1000 A. (22). Existing item A. (22) is being amended by renumbering it to item A. (21), without any substantive change, as a result of the deletion of existing item A. (11).

2202.1000 A. (23). Existing item A. (23) is being amended by renumbering it to item A. (22), without any substantive change, as a result of the deletion of existing item A. (11).

⁸ See *Id.*

2202.1000 A. (24). Existing item A. (24) is being amended by renumbering it to item A. (23), without any substantive change, as a result of the deletion of existing item A. (11).

2202.1000 A. (25). Existing item A. (25) is being amended by renumbering it to item A. (24), without any substantive change, as a result of the deletion of existing item A. (11).

CONCLUSION

Based on the foregoing, the proposed rules are both needed and reasonable.

Date

Ken B. Peterson, Commissioner
Department of Labor and Industry

APPENDIX

1. Association of Boxing Commissions' 2016 MMA Rules and Regulations Committee Report, Appendix pages A1-A7.

MEMBERS OF THE RULES COMMITTEE

Sean D Wheelock, Chairman (KS)
Matt Woodruff, Secretary (GA)
Randy Couture (NV)
Rob Hinds (IL)
Jeremy Horn (UT)
Matt Hughes (IL)
Kevin MacDonald (MA)
John McCarthy (CA)
Dr. David Watson (NV)



MEMBERS OF THE MAC COMMITTEE

Andy Foster, Chair (CA)
Dr. Larry Lovelace, Vice Chair (OK)
Dr. Tad Selfert (KY)
Dr. Andy Gilliland (WV)
Dr. Michael Schartz (CT)
Dr. Don Muzzi (MN)
Dr. Joe Estwanik (NC)
Dr. Margaret Goodman (NV)
Dr. Greg McKinney (AR)
Dr. James Robinson (AL)
Dr. Scott Morioka (HI)
Dr. Ton Depuydt (WA)
Dr. Mike Cantrell (AL)
Dr. Nicholas Rizzo (IL)
Noelle Perez (OH)
Jody McCormick (AL)
Pat Reid (Canada)
Nancy Ilig (IL)

**ASSOCIATION OF BOXING COMMISSIONS
MMA RULES AND REGULATIONS COMMITTEE
WITH REVIEW BY THE ASSOCIATION OF BOXING COMMISSIONS MEDICAL
COMMITTEE**

Items Passed from MMA Rules and Regulations Committee

1. Female Clothing:
 - a. "Female competitors must wear a short sleeved (above the elbow) or sleeveless form fitting rash guard and/or sports bra. No loose fitting tops are allowed. Female competitors will follow the same requirements for bottom coverings as the male competitors, minus the requirement for groin protection."
 - b. **Final Vote: 10-0 Approved**
 - c. The ABC Medical Committee has no objection.
2. Grounded fighter:
 - a. "A grounded fighter is defined as: Any part of the body, other than a single hand and feet touching the fighting area floor. To be grounded, both hands and feet, palm/fist down, and/or any other body part must be touching the fighting area floor. At this time, kicks or knees to the head will not be allowed."
 - b. **Final Vote: 10-0 Approved**

3. Heel strikes to the kidney(s):
 - a. "Heel strikes to the kidney or kidneys will now be allowed. A 'Yes' vote will eliminate this action as a foul under the Unified Rules of MMA."
 - b. **Final Vote: 10-0 Approved**
 - c. The ABC Medical Committee has no objection.
4. Judging Criteria:
 - a. See Attachment
 - b. **Final Vote: 10-0 Approved**
 - c. The ABC Medical Committee has no opinion.
5. Extended Fingers:
 - a. "In the standing position, a fighter that moves their arm(s) toward their opponent with an open hand, fingers pointing at the opponent's face/eyes, will be a foul. Referees are to prevent this dangerous behavior by communicating clearly to fighters. Fighters are directed to close their fists or point their fingers straight in the air when reaching toward their opponent."
 - b. **Final Vote: 10-0 Approved**
 - c. The ABC Medical Committee has no objection.
6. Grabbing the Clavicle:
 - a. Remove "grabbing the clavicle" which is contained in Rule 15, as a foul in the Unified Rules of MMA
 - b. **Final Vote: 10-0 Approved**
 - c. The ABC Medical Committee has no objection.

Judging Criteria/Scoring:

The Judging Criteria needs to evolve and contain more updated and clear definitions.

The criteria should include Effective Striking and Grappling in the same line, as they are weighed equally based on which is more *effective/damaging*.

Criterion definitions need to be less limiting to terms such as: "number of strikes" and "mount" position. MMA Judges do not count strikes; they only assess the effectiveness/damage of the strikes landed. There are more positions than "mount" that are equally or more effective in grappling. The way the rule reads now, advancing to mount position is the only position to be considered. The terms "dominant or semi-dominant" should take the place of "mount".

The following is the proposed update to the MMA Judging Criteria. This criterion will work extremely well within the current 10 Point Must System of numeric scoring AND will also work very well if some form of numerical half point scoring becomes implemented in the future.

Proposed Judging Criterion & Definitions:

Evolve the Mixed Martial Arts Judging Criteria. Simplify the criterion to focus on the result of action (versus action itself). It needs to be stated that criteria is to be used in specific order and may not move from one criterion to another without the prior criterion being 100% even in the judges' assessments.

In other words, Effective Striking/Grappling will render the high majority of rendered assessments. Effective Aggressiveness is a 'plan B' and should not be considered unless the judge does not see **ANY** advantage in the Effective Striking/Grappling realm. Cage/Ring Control ('plan C') should only be needed when **ALL** other criteria are 100% even for both competitors. This will be an extremely rare occurrence.

Effective Aggressiveness and Fighting Area Control are back up plans, should the effect of striking/grappling be 100% equal for both competitors.

Criteria may not be mixed and matched to assess a result.

1. Effective Striking/Grappling:

-"Effective Striking is judged by determining the impact or damage of legal strikes landed by a contestant solely based on the results of such legal strikes. Effective Grappling is assessed by the successful executions and an impactful/damaging result coming from: takedown(s), submission attempt(s), achieving an advantageous position(s) and reversal(s)."

Top and bottom position fighters are assessed more on the impactful/damaging result of their actions, more so than their position.

This criterion will be the deciding factor in a high majority of decisions when scoring a round. The next two criteria must be treated as a backup plan and used **ONLY** when Effective Striking/Grappling is 100% equal for the round.

2. Effective Aggressiveness:

- "Aggressively making attempts to finish the fight. "The key term here is 'effective'. Chasing around an opponent with no result, impact or damage should not render in the judges' assessments.

Effective Aggressiveness is only to be assessed if Effective Striking/Grappling is 100% equal for both competitors.

3. Fighting Area Control:

- "Fighting area control is assessed by determining who is dictating the pace, place and position of the bout."

- Examples of factors to consider are: imposing successful position in the cage when fighters are standing separated, controlling an effective clinch or position for a takedown attempt, achieving and controlling dominant/semi-dominant ground position.

Fighting Area Control is only to be assessed if Effective Striking/Grappling and Effective Aggressiveness is 100% equal for both competitors. This will be assessed very rarely.

Round Scoring

10-10 Round

A 10 – 10 round in MMA is when both fighters have competed for whatever duration of time in the round and there is no difference or advantage between either fighter.

*A 10 – 10 round in MMA is a necessity to have for the judge's possible score. It is possible to have a round where both fighters engage for 5 minutes and at the end of the 5-minute time period the output, damage, effectiveness and overall competition between the two fighters is **exactly** the same. It is possible, but **highly unlikely**. If there is **any discernable difference** between the two fighters during the round the judge shall **not** give the score of 10 – 10*

10-9 Round

A 10 – 9 Round in MMA is where one combatant wins the round by a close margin.

*A 10 – 9 round in MMA is the most common score a judge will make during the night. If, during the Round, the judge sees a fighter land the better strikes, or utilize effective grappling during the competition **even if by just one technique** over their opponent, the judge shall give the winning fighter a score of 10 while assessing the losing fighter a score of 9 or less. It is imperative that judges understand that a score of 9 is not an automatic numerical score given to the losing fighter of the round. The judge must consider was the fighter engaged in offensive actions during the round. Did the losing fighter compete with an attitude of attempting to win the fight or just to survive the offensive actions of their opponent? A score of 10 – 9 can reflect an extremely close round or a round of marginal domination.*

10-8 Round

A 10 – 8 Round in MMA is where one fighter wins the round by a large margin.

*A 10 – 8 round in MMA is not the most common score a judge will render, but it is absolutely essential to the evolution of the sport and the fairness to the fighters that judges understand and effectively utilize the score of 10 – 8. A score of 10 – 8 does not require a fighter to dominate their opponent for 5 minutes of a round. The score of 10 – 8 is utilized by the judge when the judge sees verifiable results on the part of both or either fighter. If a fighter has little to no offensive output during a 5 minute round, it should be normal for the judge to award the losing fighter 8 points instead of 9. When assessing a score of 10-8, judges shall evaluate **Damage, Dominance, and Duration** and, if two of the 3 are assessed to have been present, a 10-8 score **shall be considered**. If all three are present, a 10-8 score **shall be awarded**.*

Damage – A judge shall assess if a fighter damages their opponent significantly in the round, even though they may not have dominated the action. Damage includes visible evidence such as swellings and lacerations. Damage shall also be assessed when a fighter's actions, using striking and/or grappling, lead to a diminishing of their opponents' energy, confidence, abilities and spirit. All of these come as a direct result of damage. When a fighter is damaged with strikes, by lack of control and/or ability, this can create defining moments in the round and shall be assessed with great value.

Dominance— As MMA is an offensive based sport, dominance of a round can be seen in striking when the losing fighter is forced to continually defend, with no counters or reaction taken when openings present themselves. Dominance in the grappling phase can be seen by fighters taking **dominant positions** in the fight **and utilizing** those positions to attempt fight ending submissions or attacks. Merely holding a dominant position(s) shall not be a primary factor in assessing dominance. What the fighter does with those positions is what must be assessed.

Duration – Duration is defined by the time spent by one fighter effectively attacking and controlling their opponent, while the opponent offers little to no offensive output. A judge shall assess duration by recognizing the relative time in a round when one fighter takes and maintains full control of the effective offense. This can be assessed both standing and grounded.

10-7 Round

A 10 – 7 Round in MMA is when a fighter completely overwhelms their opponent in Effective Striking and/or Grappling and stoppage is warranted.

A 10 – 7 round in MMA is a score that judges will rarely give.

It takes not only overwhelming DOMINANCE of the round, but also significant DAMAGE that can, at times make the judge assess that the fight could be stopped.

Judges should be looking for multiple blows that diminish the fighter or grappling maneuvers that place the fighter in dominant situations with damage being inflicted that is visibly diminishing the losing fighter's ability to compete.



December 19, 2017

To: Jeffrey F. Lebowski, General Counsel
Minnesota Department of Labor & Industry
443 Lafayette Road N.
St. Paul, MN 55155-4341

From: Marianne Conboy, Executive Budget Officer
Minnesota Management & Budget

RE: In the Matter of the Proposed Rules of the Department of Labor & Industry: Revisor's ID R-04461

Background

The Department of Labor & Industry (DLI) proposes amendments to Minnesota Rules, Parts 2202.0800 and 2202.1000, governing Combative Sports/ Mixed Martial Arts. Minnesota Statutes 2017, Section 341.27, provides DLI the authority to make rules to carry out its duties in that chapter, which pertain to Combative Sports. Pursuant to Minnesota Statutes 2017, 14.131, DLI has requested that Minnesota Management & Budget evaluate the proposed amendments for the fiscal impact and fiscal benefits on local units of government.

DLI's Office of Combative Sports oversees and regulates boxing and mixed martial arts contests in Minnesota. The rules governing these contests are based on the model Unified Rules published by the Association of Boxing Commissions, a national association. The Association adopted amendments in August 2016 regarding both judging and scoring criteria, and fouling criteria, used in mixed martial arts contests. DLI proposes amendments to Minnesota Rules, Chapter 2202, to be consistent with the Association's Unified Rules for Mixed Martial Arts.

Evaluation

On behalf of the commissioner of Minnesota Management & Budget, I have reviewed the proposed rules and Statement of Need and Reasonableness (SONAR). These proposed rules will affect mixed martial arts contest participants such as combatants, managers, and officials. Local units of government do not have a role in mixed martial arts judging, scoring, or fouling. Based on this information, I believe the Department of Labor & Industry has adequately analyzed and presented the expected costs and benefits of the proposed rules to local governments, and there is no anticipated fiscal impact or fiscal benefit to local units of government.

Sincerely,

Marianne Conboy
Executive Budget Officer

cc: Angela Vogt, Minnesota Management & Budget