

WISCONSIN LEGISLATIVE COUNCIL STAFF

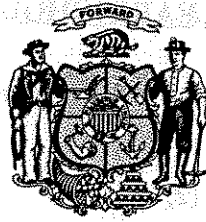
LCRC
FORM 2

FEB 17 2001

RULES CLEARINGHOUSE

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CLEARINGHOUSE REPORT TO AGENCY

[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

CLEARINGHOUSE RULE 01-003

AN ORDER to renumber and amend RL 111.04; to amend RL 110.03 (title), 110.04 (2) (intro.), 112.01 (2), 112.03 (1), 112.05 (3), 112.06, 112.07 (intro.), 113.04, 114.05 (3) and (7), 114.06 (2) (a) to (d), 114.07 (2) and 114.09; to repeal and recreate RL 112.04 (1) and 114.03; and to create RL 110.02 (10) and (11), 110.025 and Note, 110.04 (1) (em) and (2) (a) to (d), 111.04 (2), 112.04 (3), 112.05 (4), 112.08 (3), 113.01 (4), 113.05, 113.06 (5), 114.05 (8), 114.065 and 114.085 and Note, relating to the regulation of professional boxing.

Submitted by **DEPARTMENT OF REGULATION AND LICENSING**

01-16-01 RECEIVED BY LEGISLATIVE COUNCIL.

02-13-01 REPORT SENT TO AGENCY.

RS:DD:jal;ksm

LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]

Comment Attached YES NO

2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]

Comment Attached YES NO

3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]

Comment Attached YES NO

4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS [s. 227.15 (2) (e)]

Comment Attached YES NO

5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]

Comment Attached YES NO

6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL REGULATIONS [s. 227.15 (2) (g)]

Comment Attached YES NO

7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]

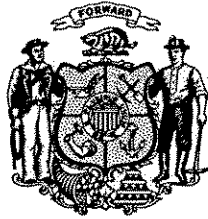
Comment Attached YES NO

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CLEARINGHOUSE RULE 01-003

Comments

[NOTE: All citations to "Manual" in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated September 1998.]

1. Statutory Authority

- a. Is the Professional Boxing and Safety Act, as referenced in s. RL 110.025, consistent with Wisconsin law? If not, does it preempt Wisconsin law?
#110.09 (7)
- b. Section RL 111.04 (1) should be reviewed for consistency with s. 449.09 (7), Stats., which refers to two judges "appointed by" the department.
- c. While it is recognized that questions may be raised regarding the consistency of the last sentence of s. RL 112.03 (1) with s. 440.09 (3), Stats., it is also recognized that that rule's provision is arguably within the department's statutory authority.
- d. Section RL 113.05 should be reviewed for consistency with s. 444.09 (1), Stats.

2. Form, Style and Placement in Administrative Code

- a. In s. RL 111.04 (2), reference should be made to the 10-point **must scoring** system. Compare the defined term in s. RL 110.02 (11).
- b. Section RL 112.05 (4) is not mentioned in the department's analysis.

c. Is the provision of s. RL 113.01 (4) located in the correct chapter? Chapter RL 113 appears to be limited to professional shows; is the intent to limit the provision of s. RL 113.01 (4) to professional shows?

d. Is s. RL 114.03 (1) (e) in the appropriate location? As drafted, it applies to situations beyond intentional fouls.

e. In s. RL 114.06 (2) (e), both occurrences of the notation "subs." should be replaced by the notation "pars."

f. In s. RL 114.07 (2), "technical knock-out" should not be surrounded by quotation marks. Defined terms need only be set off by quotation marks in the definition section. The rest of the rule should be reviewed in this regard.

g. In s. RL 114.085, it appears that in the cross-reference "and" should be substituted for "to."

5. Clarity, Grammar, Punctuation and Use of Plain Language

a. The first sentence of the department's analysis of SECTION 7 does not accurately reflect the rule.

b. In the department's analysis of SECTION 9, second sentence, it is suggested that "continues to" replace "does."

c. In the department's analysis of SECTION 13, "from using" should replace "to use."

d. The department's analysis of SECTION 15 does not accurately reflect the content of the rule.

e. In the department's analysis of SECTION 16, "participate" should be "participates."

f. In the department's analysis of SECTION 18, "from competing" should replace "to compete."

g. In the department's analysis of SECTION 22, last sentence, "commits" should replace "caused" and "it" should be deleted.

h. In the department's analysis of SECTION 29, "from giving" should replace "to give." Further, note that the current rule already prohibits a second from giving a boxer a stimulant during a bout.

i. In s. RL 110.02 (11), "round by round" should be hyphenated.

j. Section RL 110.04 (2) repeals the current provision that the department may grant a permit for the show, but withhold approval of one or more of the boxers to fight in the show. Is

that provision replaced in the rule or contained elsewhere? If not, should the deletion be mentioned in the analysis?

k. In s. RL 111.04 (1), the word "a" should be inserted before the first occurrence of the word "judge" in the last sentence. Further, this section provides that the department may refuse to approve a person to act as a judge if the department has reasonable proof that the person is not competent, has a conflict of interest or is subject to a disciplinary action. The point at which the department may make this determination is not clear from the rule. If a professional club is authorized to assign judges, when will the department be made aware of the assignments and have an opportunity to object?

l. In s. RL 112.04 (3), should reference to "any other boxer" be to the "opponent"? (Or opposing boxer.) Compare the department's analysis.

m. In s. RL 112.05 (3), reference to a "nonexcessive amount of Vaseline" is awkward and lacks specificity.

n. In s. RL 112.05 (4), can some specificity be provided for "long hair"?

o. In s. RL 113.04, reference to "male or female" is unnecessary. If there is concern regarding whether the rule will be interpreted as applying to bouts of mixed genders, perhaps a note to the provision could be added.

p. In s. RL 114.03 (1) (a), consideration should be given to replacing "the injury is severe enough to terminate a bout" with "the bout is not allowed to continue."

q. In s. RL 114.03 (1) (d), is the modifier "any" too limiting?

r. Section RL 114.03 (2) and (3) should be reorganized and redrafted for better flow and clarity. Why is reference made to both "partial or incomplete" rounds? What is the difference between a partial round and an incomplete round? The phrase probably should refer to a "round" rather than "rounds." Why is an accidental low blow treated differently than other accidental fouls? In sub. (3), last sentence, when is a referee to stop action in a bout?

s. In s. RL 114.06 (2) (a), first sentence, "has been" should be stricken and replaced by "is" and "during a bout" should not be stricken.

t. Section RL 114.06 (2) (d) makes reference to any "requirements" imposed by the ring-side physician under s. RL 114.065. Under s. RL 114.065 (1), the ring-side physician only makes recommendations; apparently, the department prescribes the examination or medical procedure.

u. In s. RL 114.065 (1), first two sentences, "shall" following "boxer" may be eliminated. Also, in the second sentence, it appears that "technical" should be deleted as a modifier of "knock-out." There is no specific requirement that the department ever actually prescribe what the ring-side physician recommends.

v. Section RL 114.07 (2) provides that, in the circumstances described in that subsection, the injured boxer shall lose the bout by a technical knock-out. Will that always be the case? What about situations in which the injury is due to an intentional or accidental foul?

w. Section RL 114.085 provides that the department may make exceptions to certain rules for a championship bout and may substitute currently approved "unified championship rules" of the Association of Boxing Commissions. There are a number of questions regarding this provision. First, should the second occurrence of the word "may" be replaced by the word "shall"? Unless this change is made, the department would have unfettered authority to make any determination once an exception to ss. RL 114.04 and 114.05 is made. Second, the use of the term "currently-approved" may result in an unlawful delegation of authority to the Association of Boxing Commissions when it makes changes in the future to rules that are now in place. The preferred method of incorporating standards by reference is to include a citation to a dated volume of the materials. Finally, if standards are incorporated by reference, the department should ensure that the requirements of s. 227.21 (2), Stats., are met.

STATE OF WISCONSIN
DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF RULE-MAKING : PROPOSED ORDER OF THE
PROCEEDINGS BEFORE THE : DEPARTMENT OF REGULATION AND
DEPARTMENT OF REGULATION : LICENSING ADOPTING RULES
AND LICENSING : (CLEARINGHOUSE RULE 01-)

PROPOSED ORDER

An order of the Department of Regulation and Licensing to renumber and amend RL 111.04; to amend RL 110.03 (title), 110.04 (2) (intro.), 112.01 (2), 112.03 (1), 112.05 (3), 112.06, 112.07 (intro.), 113.04, 114.05 (3) and (7), 114.06 (2) (a) to (d), 114.07 (2) and 114.09; to repeal and recreate RL 112.04 (1) and 114.03; and to create RL 110.02 (10) and (11), 110.025 and Note, 110.04 (1) (em) and (2) (a) to (d), 111.04 (2), 112.04 (3), 112.05 (4), 112.08 (3), 113.01 (4), 113.05, 113.06 (5), 114.05 (8), 114.065 and 114.085 and Note, relating to the regulation of professional boxing.

Analysis prepared by the Department of Regulation and Licensing.

ANALYSIS

Statutes authorizing promulgation: ss. 227.11 (2), 444.02 and 444.05, Stats.

Statutes interpreted: ss. 444.02, 444.03, 444.06, 444.09, 444.10, 444.11 and 444.12, Stats.

SECTION 1 defines "technical knock-out" to include situations when a boxer discontinues boxing or a referee terminates the bout because the boxer is incapable of continuing.

SECTION 1 also defines "10-point must scoring," a scoring system used by the judges at a professional boxing show.

SECTION 2 requires licensed boxing officials to comply with the federal Professional Safety Act which was enacted several years ago and amended in 2000. The Act grants authority and responsibilities to the entity authorized in each state to regulate professional boxing in that state.

SECTION 2 also creates a note that provides a citation for the Professional Boxing Safety Act. ✓

SECTION 3 amends a section title to more appropriately identify the contents of that section.

SECTION 4 requires promoters to include in an application for a permit to conduct a professional boxing show information about the number of rounds for which each bout is scheduled.

SECTIONS 5 and 6 expand the reasons for which an application for a permit to conduct a professional boxing show may be denied. The additional reasons include having a license

suspended or revoked in another state, ^{and} having certain medical problems ^{or} falsifying information provided to the department. The changes correspond with causes for denial stated in the Professional Boxing Safety Act. ✓

SECTION 7 requires that professional bouts be judged by 3 judges whose names must be submitted to the department by a promoter. SECTION 7 also permits the department to allow a professional boxing club to assign the judges and it authorizes the department to refuse to approve certain persons to act as a judge for lack of competence, a conflict of interest or disciplinary action against the person in Wisconsin or another state. No, it doesn't

SECTION 8 requires judges to use the 10-point must scoring system.

SECTION 9 Removes the prohibition against ropes made of metal. The rule does require that the ropes be wrapped with soft material. continues to

SECTION 10 distinguishes between male boxers and female boxers, as well as heavier and lighter boxers, relating to the weight of gloves to be used in a bout.

SECTION 11 replaces the current provision concerning hand bandages with language suggested by the Association of Boxing Commissions, which is identified in the Note at SECTION 28.

SECTION 12 requires hand bandages to be put on under the supervision of a representative of the department. A representative of the opposing boxer may also be present.

SECTION 13 prohibits boxers ^{from using} to use cosmetics or an excessive amount of vaseline.

SECTION 15 requires boxers to wear a form-fitted mouthpiece during a bout. A referee may deduct points from a boxer who fails to comply. → that's not what the rule says ✓

SECTION 16 requires a boxer at a professional show who participate in a sparring bout to wear ^{SC} headgear. X

SECTION 17 describes the medications that a boxer's seconds may use when the boxer has sustained a cut.

SECTION 18 prohibits a male and a female boxer to compete against each other in a boxing ^{from competing} show. X

SECTION 19 states that the same weight differences between boxers apply for both male and female boxers.

SECTION 20 states that female boxers may be scheduled for no more than ten 2-minute rounds with a one-minute rest between rounds. Male boxers may be scheduled for no more than twelve 3-minute rounds with a one-minute rest between rounds. These differences were recommended by the Association of Boxing Commissions.

SECTION 21 prohibits a second from attempting to stop a bout by throwing a towel or anything else into the ring.

SECTION 22 amends the language pertaining to injuries sustained by fouls. This SECTION distinguishes between an intentional foul and an accidental foul. This SECTION provides guidance to the referee and judges concerning the action to be taken following a foul and how the bout should be scored. This SECTION also includes requirements relating to the deduction of points from the boxer who ~~caused an intentional foul and~~ ^{committed} it states that the winner will be declared as such by a "technical decision."

SECTION 23 requires a mandatory 8 count when a boxer is down. The referee shall continue to count, even if the bell sounds, indicating the end of the round.

SECTION 24 states that a referee may not stop a bout solely because a boxer has been knocked down 3 times in one round.

SECTION 25 prohibits a boxer who was knocked out from participating in competitive boxing or sparring for a period of at least 60 days. A boxer who sustained a technical knock-out may not participate in competitive boxing or sparring for a period of at least 30 days. Other timelines are specified for boxers who have been knocked out several times within certain time periods.

SECTION 26 requires a boxer who sustained a technical knock-out to undergo a medical procedure or examination, as recommended by the ringside physician and prescribed by the department, before being permitted to box again.

SECTION 27 states that a bout that is terminated by the ringside physician shall be scored as a technical knock-out.

SECTION 28 permits the department to make exceptions to certain rules for a bout that has been designated a championship bout and to substitute the currently-approved "Unified Championship Rules" of the Association of Boxing Commissions. SECTION 28 also creates a note concerning the authority and address of the Association of Boxing Commissions.

SECTION 29 prohibits a second to give a boxer a stimulant during a bout and permits the department to require a boxer to submit to a drug test or HIV exam before a scheduled bout.

TEXT OF RULE

SECTION 1. RL 110.02 (10) and (11) are created to read:

RL 110.02 (10) "Technical knock-out" means that a boxer loses a bout because the boxer discontinues boxing for any reason or because the referee terminates the bout because the boxer is defenseless or incapable of continuing. "Technical knock-out" does not include a situation when a boxer is down for a 10-count by the referee.

(11) "10-point must scoring system" means a system for scoring each round of a bout in such a way that the winner is awarded 10 points and the loser is awarded 9 points or less. Under this system each judge renders his or her score to the official scorekeeper for a round-by-round tally of points for each boxer. At the end of the bout, the scorekeeper adds the points that each judge gave for each boxer for each round. The winner of the bout is the boxer who receives the higher score from a majority of the judges. *cf. SEC. 8*

SECTION 2. RL 110.025 and Note are created to read:

RL 110.025 Compliance with federal laws. Professional clubs, promoters, seconds and boxers shall comply with the professional boxing safety act and provide the department with information, copies of documents, identification cards, copies of contracts, disclosures and notifications, as required by the Act. *Is this Act consistent w/ US laws?*

Note: The Professional Boxing Safety Act may be found in 15 USC §§ 6301 et seq.

SECTION 3. RL 110.03 (title) is amended to read:

RL 110.03 (title) Professional club record license.

SECTION 4. RL 110.04 (1) (em) is created to read:

Application for permit to conduct prof. show shall include:
RL 110.04 (1) (em) The number of rounds for which each bout is scheduled.

SECTION 5. RL 110.04 (2) (intro.) is amended to read:

RL 110.04 (2) (intro.) After receipt of an application for a permit to conduct a professional boxing show, the department may deny the application if the applicant does not provide all the required information, if the department does not have a referee, inspector or ringside physician available on that date or if one or more boxers are not licensed or otherwise eligible to fight, due to failure to comply with conditions in s. RL 114.06. The department may grant a permit for the show, but withhold approval of one or more boxers to fight in the show or due to being under a suspension or revocation order issued by another licensing jurisdiction for one of the following reasons: *revoked*

SECTION 6. RL 110.04 (2) (a) to (d) are created to read:

RL 110.04 (2) (a) A recent knock-out or series of consecutive losses.

(b) An injury, a requirement for a medical procedure, or a physician's denial of certification.

(c) Failure of a drug test.

(d) The use of false aliases, or falsifying, or attempting to falsify, official identification cards or documents issued pursuant to ch. 444, Stats., or 15 USC s. 6305.

(e) Unprofessional conduct or other inappropriate behavior inconsistent with generally accepted methods of competition in a professional boxing show.

SECTION 7. RL 111.04 is renumbered RL 111.04 (1) and amended to read:

RL 111.04 Judges and judging. (1) ~~Judges are assigned by the~~ The department may permit a professional club conducting a show to assign the judges for a show. Any professional boxing club applying for a permit shall provide the names of the judges, if known, at the time of application and shall describe in the application the procedure to be used for selecting judges and for judging and scoring bouts. The department may refuse to approve a person to act as judge if the department has reasonable proof that the person is not competent to act as a judge, that the person has a conflict of interest or that the person is subject to a disciplinary action taken by the department or another licensing jurisdiction that prohibits the person from acting as a judge.

cf. 44-19(7)
when no dept. yet chosen
officer

SECTION 8. RL 111.04 (2) is created to read:

RL 111.04 (2) ^{cf. def.} The 10-point system shall be used to determine the winner of a bout. _{must scoring}

SECTION 9. RL 112.01 (2) is amended to read:

RL 112.01 (2) The ring shall be circumscribed with at least 4 ropes. Ropes may not be less than one inch in diameter. Ropes ~~may not be made of metal.~~ shall be wrapped securely with soft material. The lowest rope shall be 18 inches above the ring floor, the second rope 30 inches, the third rope 42 inches, and the fourth rope 54 inches above the ring floor. The ropes shall be secured with 2 spacer ties on each side of the ring. The ring floor shall be padded with a one-inch layer of padding of felt, rubber or other similar material, placed on a one-inch base of building board or similar supporting base. Padding shall be covered with canvas duck, or similar material tightly stretched and laced securely in place, preferably under the apron.

SECTION 10. RL 112.03 (1) is amended to read:

RL 112.03 (1) Boxing gloves for male boxers may be not less than 5 oz. each in weight when worn by a boxer under 140 pounds, and not less than 6 oz. when worn by other boxers a boxer weighing 140 pounds or more. Boxing gloves for female boxers may be not less than 8 oz. each in weight when worn by a boxer under 154 pounds, and not less than 10 oz. when worn by a boxer weighing 154 pounds or more.

cf. 44-19(3)

SECTION 11. RL 112.04 (1) is repealed and recreated to read:

RL 112.04 Bandage specifications. (1) Boxers may wear a bandage on each hand that consists of no more than 20 yards of soft gauze that is not more than 2 inches wide and that is held in place by not more than 8 feet of adhesive tape that is not more than 1 1/2 inches wide. The tape may not cover any part of the knuckles when the hand is clenched to make a fist. Boxers may not use water or any other liquid or material on the tape.

SECTION 12. RL 112.04 (3) is created to read:

RL 112.04 (3) Bandages that cover a boxer's hand shall be put on under the supervision of the department's inspector or a person delegated by the inspector and one representative of any other boxer, if any other boxer so requests.

opponent, or anybody? cf analysis

SECTION 13. RL 112.05 (3) is amended to read:

RL 112.05 (3) Boxers may not use any type of grease, cosmetics or other substance on the body, except that a non-excessive amount of vaseline may be used.

who decides?

SECTION 14. RL 112.05 (4) is created to read:

RL 112.05 (4) Boxers with long hair shall have their hair secured with soft, non-abrasive material.

*107
hand
analysis*

SECTION 15. RL 112.06 is amended to read:

RL 112.06 Mouthpieces. Boxers shall wear an individually form-fitted mouthpiece during each round. If a boxer loses his or her mouthpiece during a round, the referee shall have it replaced during the first break in the action. The referee may deduct points from a boxer who demonstrates a continued pattern of losing a mouthpiece during a bout.

SECTION 16. RL 112.07 (intro.) is amended to read:

RL 112.07 Headgear. (intro.) Boxers, other than those who are participating in a sparring bout, may wear headgear. Boxers who are participating in a sparring bout shall wear headgear. Headgear shall be approved by the inspector and meet substantially the following specifications:

→ de jure

SECTION 17. RL 112.08 (3) is created to read:

RL 112.08 (3) In case of a cut, a boxer's seconds may only make topical use of the following:

- (a) A solution of adrenaline 1/1000.
- (b) Avetine.
- (c) Thrombin.

SECTION 18. RL 113.01 (4) is created to read:

RL 113.01 (4) A female boxer and a male boxer may not compete against each other in a bout.

↑

10113 = prof. shows

SECTION 19. RL 113.04 is amended to read:

unnecessary (mention in Note?)

RL 113.04 Weight limitations. No boxer may participate in a show where the weight difference of the boxers exceeds the allowance shown in the schedule below. When approving pairings between male or female boxers and applying these allowances, the department shall first determine which boxer weighs less than the other. The maximum allowable weight difference shall be that which relates to the category in which the lower weight boxer falls.

Weight	Allowance
135 lbs. or under.....	not more than 6 lbs.
136-175 lbs.....	not more than 10 lbs.
176-190 lbs.....	not more than 15 lbs.
191 lbs. or over no limit	

SECTION 20. RL 113.05 is created to read:

RL 113.05 Number of rounds in a bout. (1) No bout involving female boxers may be scheduled for more than 10 rounds with each round lasting 2 minutes and with a one-minute rest between rounds.

cl. 44-1.59(1)

(2) No bout involving male boxers may be scheduled for more than 12 rounds with each round lasting 3 minutes and with a one-minute rest between rounds.

same

SECTION 21. RL 113.06 (5) is created to read:

RL 113.06 (5) A second may not attempt to stop a bout by throwing a towel, a sponge or any other thing into the ring.

*115 amended
OK
Yes*

SECTION 22. RL 114.03 is repealed and recreated to read:

RL 114.03 Injuries sustained by fouls. (1) **INTENTIONAL FOUL.** (a) If an intentional foul causes an injury and the injury is severe enough to terminate a bout, the boxer causing the injury shall lose by disqualification.

new word

(b) If an intentional foul causes an injury and the bout is allowed to continue, the referee shall notify the boxer and the judges that 2 points shall be deducted from the score of the boxer who caused the foul.

not allowed to continue - cl. (c)

(c) If an intentional foul causes an injury and the injury results in the bout being stopped in a later round, the injured boxer shall win by "technical decision" if the boxer is ahead on the scorecards, or the bout shall result in a "technical draw" if the injured boxer is behind on the scorecards.

(d) If a boxer injures himself or herself while attempting to intentionally foul an opponent, the referee may not take any action in the boxer's favor. The injury shall be considered the same as one produced by a fair blow.

(e) If the referee decides that a boxer has conducted himself or herself in an unsportsmanlike manner, the referee may stop the bout and disqualify the boxer.

(2) ACCIDENTAL FOUL. If an accidental foul occurs before the completion of 4 rounds of a bout and the injured boxer is not able to continue the fight, the fight shall be declared a "no contest." If the accidental foul occurs after the completion of 4 rounds of a bout and the fouled boxer is not able to continue, the judges shall score the bout as a "technical knock-out" and the boxer who is ahead on points shall be declared the winner. In determining the points, the judges shall score the completed rounds and the partial or incomplete rounds. If no action has occurred in a partial or incomplete round, the round shall be scored as an even round. When a boxer is not able to continue boxing, the referee shall stop the action and inform the department's inspector, the judges and both boxers that the foul was accidental. If in the later rounds the injury has worsened as a result of legal blows, and the injured boxer is not able to continue, the judges shall score the bout based on the completed rounds and the partial or incomplete rounds. A referee, in consultation with the ringside physician, shall allow the injured boxer up to 5 minutes to recover from the foul.

(3) ACCIDENTAL LOW BLOW. A boxer who is hit with an accidental low blow, shall continue after a reasonable amount of time, not exceeding 5 minutes, or the boxer shall lose the bout. The referee shall stop the action in a bout and inform the judges of any deduction of points made by the referee.

SECTION 23. RL 114.05 (3) and (7) are amended to read:

RL 114.05 (3) COUNT. When a boxer is down, the referee shall ~~count aloud from one to 10 with~~ give a mandatory 8 count and shall continue to count to 10 if the downed boxer is not able to continue fighting after the mandatory 8 count. The referee shall count aloud and provide intervals of one second between the numbers, and shall indicate each second with his or her hand in a manner such that the boxer who has been knocked down is aware of the count. Before the number "one" is counted, an interval of one second shall have elapsed from the time the boxer went down and the time of announcing "one." The referee shall continue counting, even if the bell sounds, indicating the end of the round.

(7) FAILURE TO BOX. A boxer who fails to resume boxing immediately after the termination of the rest interval, who sustains an injury from a fair blow and the injury is severe enough to terminate a bout, or who, when knocked down by a fair blow, fails to resume within 10 seconds, shall lose the bout. A referee may not give a standing 8 count.

SECTION 24. RL 114.05 (8) is created to read:

RL 114.05 (8) THREE KNOCKDOWNS. The referee may not stop a bout solely because a boxer has been knocked down 3 times in one round.

SECTION 25. RL 114.06 (2) (a) to (d) are amended to read:

RL 114.06 (2) PERIODS OF REST REQUIRED AFTER KNOCK-OUT OR HEAD BLOWS TECHNICAL KNOCK-OUT. (a) A boxer who has been knocked out as a result of head blows during a bout or who has received hard blows to the head, making the boxer defenseless or incapable of continuing, may not take part in competitive boxing or sparring for a period of at least 30 60 days from the date of the bout. A boxer whose bout was terminated by a technical knock-out may not take part in competitive boxing or sparring for a period of at least 30 days from the date of the bout.

(b) A boxer who, twice in a period of 3 months, has either been knocked out as a result of head blows during a bout or who has received hard blows to the head, making the boxer defenseless or incapable of continuing, may not take part in competitive boxing or sparring during a period of 6 months from the second bout.

(c) A boxer who has been knocked out as a result of head blows three 3 times in a period of 12 months or who has in 3 consecutive bouts, received hard blows to the head, making the boxer defenseless or incapable of continuing, may not take part in competitive boxing or sparring for a period of one year from the third knock-out.

(d) Before resuming boxing after any of the periods of rest prescribed in the pars. (a) to (c), a boxer shall be given a special examination by a qualified physician which includes an electroencephalogram (EEG), a computerized axial tomography (CAT) scan, a magnetic resonance imaging scan (MRI), or any other scan which a physician believes is as reliable or more reliable than an EEG or a CAT scan for determining the presence of brain damage. The special examination shall include a certification by the examining physician that the boxer is fit to take part in competitive boxing satisfy any requirements imposed by the ringside physician pursuant to s. RL 114.065.

(e) The requirements and conditions enumerated in this subsection subs. (a) and (d) apply to knock-outs and hard blows to the head regardless of whether the technical knock-outs in bouts that occurred in Wisconsin or another jurisdiction. The requirements and conditions enumerated in subs. (b) and (c) apply to knock-outs and technical knock-outs regardless of whether the bouts occurred in Wisconsin or another jurisdiction.

SECTION 26. RL 114.065 is created to read:

RL 114.065 Ringside physician's requirements relating to injuries. (1) A ringside physician may recommend to the department that the department prescribe that a boxer shall obtain an examination or a medical procedure following a technical knock-out. A ringside physician shall recommend to the department that the department prescribe that a boxer shall obtain an examination or a medical procedure following a technical knock-out. The medical procedure may include an electroencephalogram (EEG), a computerized axial tomography (CAT) scan, a magnetic resonance imaging scan (MRI), or any other scan which the examining

Dept. may prescribe

physician believes is as reliable or more reliable than an EEG or a CAT scan for determining the presence of brain damage.

(2) A boxer whose bout was terminated by a technical knock-out or by a knock-out may not take part in competitive boxing or sparring until the boxer has completed a medical procedure or an examination that was recommended by the ringside physician and prescribed by the department following the bout in which the injury or action occurred, and has submitted the results of the medical procedure or physical examination to the department.

SECTION 27. RL 114.07 (2) is amended to read:

RL 114.07 (2) The attending ringside physician may on his or her own initiative enter the ring between rounds and, at the request of the referee, during the round for the purpose of examining an injured boxer. If in the opinion of the ringside physician a boxer is in danger of further physical injury, the ringside physician shall notify the referee to terminate the bout. The injured boxer shall lose the bout by a "technical knock-out."

always ✓
what about
intentional
blows - see
114.03

SECTION 28. RL 114.085 and Note are created to read:

RL 114.085 Exceptions to rules for the conduct of boxing. The department may make exception to the rules in ss. RL 114.04 to 114.05 for a bout that has been designated a championship bout by a professional boxing sanctioning organization and may substitute the currently-approved "unified championship rules" of the association of boxing commissions.

Note: The Association of Boxing Commissions has certain responsibilities relating to professional boxing in the United States, as provided in 15 USC, Chapter 89. The address of the Association is 116 Pine Street, Harrisburg, PA 17101. Telephone: (717) 787-5720.

shall
227.21

SECTION 29. RL 114.09 is amended to read:

RL 114.09 Stimulants prohibited. A second may only give a boxer water to drink during a bout. No manager or second may give stimulants, of any kind any drug, narcotic or stimulant to boxers a boxer before or during a bout. The department may require a boxer to submit to a drug test or HIV examination before a scheduled bout.

after?

(END OF TEXT OF RULE)

The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin administrative register, pursuant to s. 227.22 (2) (intro.), Stats.

Dated _____ Agency _____

Secretary

Department of Regulation and Licensing

FISCAL ESTIMATE

1. The anticipated fiscal effect on the fiscal liability and revenues of any local unit of government of the proposed rule is: \$0.00.
2. The projected anticipated state fiscal effect during the current biennium of the proposed rule is: \$0.00.
3. The projected net annualized fiscal impact on state funds of the proposed rule is: \$0.00.

INITIAL REGULATORY FLEXIBILITY ANALYSIS

These proposed rules will be reviewed by the department through its Small Business Review Advisory Committee to determine whether there will be an economic impact on a substantial number of small businesses, as defined in s. 227.114 (1) (a), Stats.

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1/16/2001

MAR 29 2001

STATE OF WISCONSIN
DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF RULE-MAKING : PROPOSED ORDER OF THE
PROCEEDINGS BEFORE THE : DEPARTMENT OF REGULATION AND
DEPARTMENT OF REGULATION : LICENSING ADOPTING RULES
AND LICENSING : (CLEARINGHOUSE RULE 01-003)

TO: Senator Judy Robson, Senate Co-Chairperson
Joint Committee for the Review of Administrative Rules
Room 15 South, State Capitol
Madison, Wisconsin 53702

PLEASE TAKE NOTICE that the DEPARTMENT OF REGULATION AND LICENSING is submitting in final draft form rules relating to the regulation of professional boxing.

Please stamp or sign a copy of this letter to acknowledge receipt. If you have any questions concerning the final draft form or desire additional information, please contact Pamela Haack at 266-0495.

**STATE OF WISCONSIN
DEPARTMENT OF REGULATION AND LICENSING**

**IN THE MATTER OF RULE-MAKING : REPORT TO THE LEGISLATURE
PROCEEDINGS BEFORE THE : ON CLEARINGHOUSE RULE 01-003
DEPARTMENT OF REGULATION : (s. 227.19 (3), Stats.)
AND LICENSING :**

I. THE PROPOSED RULE:

The proposed rule, including the analysis and text, is attached.

II. REFERENCE TO APPLICABLE FORMS:

No new or revised forms are required by these rules.

III. FISCAL ESTIMATES:

These rules will have no significant impact upon state or local units of government.

IV. STATEMENT EXPLAINING NEED:

In 1996 Congress enacted the Professional Boxing Safety Act of 1996. This act was amended a few years later. As a result of the new federal boxing laws, the Association of Boxing Commissions (ABC) was given broad authority to create guidelines for the regulation of professional boxing in each state.

Wisconsin is a member of the ABC and has participated in meetings that resulted in new guidelines for adoption by the individual states.

Many of the rule changes in this proposed rule were intended to bring the department's rules into conformity with the ABC guidelines. Other changes were made in order to clarify or revise provisions that were causing regulatory difficulties.

V. NOTICE OF PUBLIC HEARING:

A public hearing was conducted by Cletus J. Hansen, on behalf of Secretary Marlene A. Cummings, on February 14, 2001. Three persons testified at the hearing.

Gary Pliner, Janesville, WI, representing Battle Promotions.

Mr. Pliner referred to the current ss. RL 113.01 (2), 113.02 (1), 115.02 (1) (a) and 115.04, and recommended the repeal of these sections that require an annual physical examination. Mr. Pliner stated that a person could have an examination on a given date and receive an original or a renewal license within the next 15 days, but still would be eligible to fight during the next 11 months, even though the person could have contracted

an illness during that time. Mr. Pliner suggested that the physical examination conducted by the ringside physician before a bout is sufficient to protect the health and safety of the boxer. Mr. Pliner also stated that he would not oppose an AIDS test if the department wanted to require such a test. No change was made to the current rule that requires an annual physical examination, because Mr. Pliner's suggestion was not germane to this specific rule proposal.

Mr. Pliner referred to the current s. RL 114.06 (2) and suggested that Wisconsin should change its rule that requires a boxer who was knocked out by a technical knockout due to head blows in another state to obtain a CAT scan or an EKG before being permitted to box in Wisconsin. Mr. Pliner stated that Wisconsin sometimes requires the CAT scan or the EKG, even though the boxer may have satisfied the requirements of the state in which the TKO occurred and the boxer may have fought a number of fights in other states without having had a CAT scan or an EKG. The department amended the proposed s. RL 114.06 (2) (e) to more clearly respond to Mr. Pliner's suggestion in a manner that it had intended when drafting the initial proposal.

Mr. Pliner suggested that, if Wisconsin is going to follow the guidelines of the Association of Boxing Commissions, it should follow all of the guidelines, not just a selected number of them. The department made no changes to the rule proposal, because the proposed rules will enable the department to enforce the guidelines of the Association of Boxing Commissions.

Dennis Sprague, Oshkosh, WI

Mr. Sprague agreed with Gary Pliner that the annual physical examination requirement should be repealed.

Mr. Sprague recommended that the department not permit ring ropes made of metal, even though wrapped securely with soft material, as proposed in s. RL 112.01 (2). The department removed the proposed amendment to s. RL 112.01 (2) from the rule proposal.

Mr. Sprague suggested that the department should license judges and timekeepers. This suggestion requires an amendment to s. 444.11, Stats.

Mr. Sprague stated that the weight limits in s. RL 133.04 are not practical. The limits should be repealed. The department consulted with the President of the ABC and made no change to the proposal, because the weight limits are similar to those in other states.

Robert Lynch, Madison, WI

Mr. Lynch did not formally testify; however, he did offer comments on the suggestions of Mr. Pliner and Mr. Sprague.

VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:

The following comments specifically respond to certain recommendations suggested in the Clearinghouse Report or provide a lengthier explanation of the changes made by the department:

Response to Comment 1.a. The department believes that the Professional Boxing Safety Act preempts Wisconsin law, except where the act specifically states otherwise.

Response to Comment 1.c. The department also believes that s. RL 112.03 (1) is consistent with s. 440.09 (3), Stats. Therefore, the department has retained this provision in the final draft of the rule.

Response to Comment 2.c. Yes, s. RL 113.01 (4) is located in the correct chapter. It is the department's intent to limit the provision of s. RL 113.01 (4) to professional shows and to not address the issue in ch. RL 103, relating to amateur boxing shows.

Response to Comment 2.d. The department has moved s. RL 114.03 (1) (e) to a newly-created s. RL 114.02 (6m).

Response to Comment 5.j. The provision replaced in the rule should not have been deleted. This provision may now be found in newly-created s. RL 110.04 (4).

Response to Comment 5.w. Section RL 114.085 has been removed from the draft. The department determined that all of the provisions of the unified champion rules are already adequately provided for in the proposed rules, except one. This one provision was created as s. RL 114.05 (8).

All of the recommendations suggested in the Clearinghouse Report were accepted in whole.

VII. FINAL REGULATORY FLEXIBILITY ANALYSIS:

These rules will have no significant economic impact on a substantial number of small businesses, as defined in s. 227.114 (1) (a), Stats.

STATE OF WISCONSIN
DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF RULE-MAKING : PROPOSED ORDER OF THE
PROCEEDINGS BEFORE THE : DEPARTMENT OF REGULATION AND
DEPARTMENT OF REGULATION : LICENSING ADOPTING RULES
AND LICENSING : (CLEARINGHOUSE RULE 01-003)

PROPOSED ORDER

An order of the Department of Regulation and Licensing to repeal RL 114.02 (8); to renumber and amend RL 111.04; to amend RL 110.03 (title), 110.04 (2) (intro.), 112.03 (1), 112.05 (3), 112.06, 112.07 (intro.), 114.05 (3) and (7), 114.06 (2) (a) to (e), 114.07 (2) and 114.09; to repeal and recreate RL 112.04 (1) and 114.03; and to create RL 110.02 (10) and (11), 110.025 and Note, 110.04 (1) (em), (2) (a) to (e) and 110.04 (4), 111.04 (2), 112.04 (3), 112.05 (4), 112.08 (3), 113.01 (4), 113.05, 113.06 (5), 114.02 (6m), 114.05 (8) and (9) and 114.065, relating to the regulation of professional boxing.

Analysis prepared by the Department of Regulation and Licensing.

ANALYSIS

Statutes authorizing promulgation: ss. 227.11 (2), 444.02 and 444.05, Stats.

Statutes interpreted: ss. 444.02, 444.03, 444.06, 444.09, 444.10, 444.11 and 444.12, Stats.

SECTION 1 defines "technical knock-out" to include situations when a boxer discontinues boxing or a referee terminates the bout because the boxer is incapable of continuing.

SECTION 1 also defines "10-point must scoring," a scoring system used by the judges at a professional boxing show.

SECTION 2 requires licensed boxing officials to comply with the federal Professional Safety Act which was enacted several years ago and amended in 2000. The Act grants authority and responsibilities to the entity authorized in each state to regulate professional boxing in that state. SECTION 2 also creates a note that provides a citation for the Professional Boxing Safety Act.

SECTION 3 amends a section title to more appropriately identify the contents of that section.

SECTION 4 requires promoters to include in an application for a permit to conduct a professional boxing show information about the number of rounds for which each bout is scheduled.

SECTIONS 5, 6 and 7 expand the reasons for which an application for a permit to conduct a professional boxing show may be denied. The additional reasons include having a license suspended or revoked in another state, having certain medical problems and falsifying

information provided to the department. The changes correspond with causes for denial stated in the Professional Boxing Safety Act.

SECTION 8 requires the department to assign the judges for a show. SECTION 8 also prohibits the department from assigning a person to act as a judge for lack of competence, a conflict of interest or when the person is subject to a disciplinary action in Wisconsin or another state.

SECTION 9 requires judges to use the 10-point must scoring system.

SECTION 10 distinguishes between male boxers and female boxers, as well as heavier and lighter boxers, relating to the weight of gloves to be used in a bout.

SECTION 11 replaces the current provision concerning hand bandages with language suggested by the Association of Boxing Commissions, which is identified in the Note at SECTION 2.

SECTION 12 requires hand bandages to be put on under the supervision of a representative of the department. A representative of the opposing boxer may also be present.

SECTION 13 prohibits boxers from using cosmetics or an excessive amount of vaseline.

SECTION 14 requires boxers with long hair to have their hair secured with soft, non-abrasive material.

SECTION 15 requires boxers to wear a form-fitted mouthpiece during each round. If a boxer loses the mouthpiece during a round, the referee shall have it replaced during the first break in the action. A referee may deduct points from a boxer who demonstrates a continual pattern of losing a mouthpiece during a bout.

SECTION 16 requires a boxer at a professional show who participates in a sparring bout to wear headgear.

SECTION 17 describes the medications that a boxer's seconds may use when the boxer has sustained a cut.

SECTION 18 prohibits a male and a female boxer from competing against each other in a boxing show.

SECTION 19 states that female boxers may be scheduled for no more than ten 2-minute rounds with a one-minute rest between rounds. Male boxers may be scheduled for no more than twelve 3-minute rounds with a one-minute rest between rounds. These differences were recommended by the Association of Boxing Commissions.

SECTION 20 prohibits a second from attempting to stop a bout by throwing a towel or anything else into the ring.

SECTION 21 creates a subsection that the referee may stop a bout and disqualify a boxer who has conducted himself or herself in an unsportsmanlike manner.

SECTION 22 repeals a referee's duty to stop a bout if a boxer is down three times in one round as a result of blows and creates this duty in SECTION 25.

SECTION 23 amends the language pertaining to injuries sustained by fouls. This SECTION distinguishes between an intentional foul and an accidental foul. This SECTION provides guidance to the referee and judges concerning the action to be taken following a foul and how the bout should be scored. This SECTION also includes requirements relating to the deduction of points from the boxer who commits an intentional foul and the rule states that the winner will be declared as such by a "technical decision."

SECTION 24 requires a mandatory 8 count when a boxer is down. The referee shall continue to count, even if the bell sounds, indicating the end of the round. This SECTION also addresses situations when a boxer is knocked out of a ring and onto the floor.

SECTION 25 states that a referee may not stop a bout solely because a boxer has been knocked down 3 times in one round.

SECTION 26 prohibits a boxer who was knocked out from participating in competitive boxing or sparring for a period of at least 60 days. A boxer who sustained a technical knock-out may not participate in competitive boxing or sparring for a period of at least 30 days. Other timelines are specified for boxers who have been knocked out several times within certain time periods.

SECTION 27 requires a boxer who sustained a knock-out or a technical knock-out to undergo a medical procedure or examination, as recommended by the ringside physician and prescribed by the department, before being permitted to box again.

SECTION 28 states that a bout that is terminated by the ringside physician, except in 3 specific circumstances, shall be scored as a technical knock-out.

SECTION 29 prohibits a second from giving a boxer any drug or narcotic during a bout and permits the department to require a boxer to submit to a drug test or HIV exam before a scheduled bout.

TEXT OF RULE

SECTION 1. RL 110.02 (10) and (11) are created to read:

RL 110.02 (10) "Technical knock-out" means that a boxer loses a bout because the boxer discontinues boxing for any reason or because the referee terminates the bout because the boxer is defenseless or incapable of continuing. "Technical knock-out" does not include a situation when a boxer is down for a 10-count by the referee.

(11) "10-point must scoring system" means a system for scoring each round of a bout in such a way that the winner is awarded 10 points and the loser is awarded 9 points or less. Under this system each judge renders his or her score to the official scorekeeper for a round-by-round tally of points for each boxer. At the end of the bout, the scorekeeper adds the points that each judge gave for each boxer for each round. The winner of the bout is the boxer who receives the higher score from a majority of the judges.

SECTION 2. RL 110.025 and Note are created to read:

RL 110.025 Compliance with federal laws. Professional clubs, promoters, seconds and boxers shall comply with the professional boxing safety act and provide the department with information, copies of documents, identification cards, copies of contracts, disclosures and notifications, as required by the Act.

Note: The Professional Boxing Safety Act may be found in 15 USC §§ 6301 et seq.

SECTION 3. RL 110.03 (title) is amended to read:

RL 110.03 (title) Professional club ~~record~~ license.

SECTION 4. RL 110.04 (1) (em) is created to read:

RL 110.04 (1) (em) The number of rounds for which each bout is scheduled.

SECTION 5. RL 110.04 (2) (intro.) is amended to read:

RL 110.04 (2) (intro.) After receipt of an application for a permit to conduct a professional boxing show, the department may deny the application if the applicant does not provide all the required information, if the department does not have a referee, inspector or ringside physician available on that date or if one or more boxers are not licensed or otherwise eligible to fight, due to failure to comply with conditions in s. RL 114.06. ~~The department may grant a permit for the show, but withhold approval of one or more boxers to fight in the show or~~ due to being under a suspension or revocation order issued by another licensing jurisdiction for one of the following reasons:

SECTION 6. RL 110.04 (2) (a) to (e) are created to read:

RL 110.04 (2) (a) A recent knock-out or series of consecutive losses.

(b) An injury, a requirement for a medical procedure, or a physician's denial of certification.

(c) Failure of a drug test.

(d) The use of false aliases, or falsifying, or attempting to falsify, official identification cards or documents issued pursuant to ch. 444, Stats., or 15 USC s. 6305.

(e) Unprofessional conduct or other inappropriate behavior inconsistent with generally accepted methods of competition in a professional boxing show.

SECTION 7. RL 110.04 (4) is created to read:

RL 110.04 (4) The department may grant a permit for the show, but withhold approval of one or more boxers to fight in the show.

SECTION 8. RL 111.04 is renumbered RL 111.04 (1) and amended to read:

RL 111.04 Judges and judging. (1) Judges are assigned by the professional club conducting a show. Any professional boxing club applying for a permit shall describe in the application the procedure to be used for selecting judges and for judging and scoring bouts. The department shall assign the judges for a show. The department may not assign a person to act as a judge if the department has reasonable proof that the person is not competent to act as a judge, that the person has a conflict of interest or that the person is subject to a disciplinary action taken by the department or another licensing jurisdiction that prohibits the person from acting as a judge.

SECTION 9. RL 111.04 (2) is created to read:

RL 111.04 (2) The 10-point must scoring system shall be used to determine the winner of a bout.

SECTION 10. RL 112.03 (1) is amended to read:

RL 112.03 (1) Boxing gloves for male boxers may be not less than 5 oz. each in weight when worn by a boxer under 140 pounds, and not less than 6 oz. when worn by other boxers a boxer weighing 140 pounds or more. Boxing gloves for female boxers may be not less than 8 oz. each in weight when worn by a boxer under 154 pounds, and not less than 10 oz. when worn by a boxer weighing 154 pounds or more.

SECTION 11. RL 112.04 (1) is repealed and recreated to read:

RL 112.04 Bandage specifications. (1) Boxers may wear a bandage on each hand that consists of no more than 20 yards of soft gauze that is not more than 2 inches wide and that is held in place by not more than 8 feet of adhesive tape that is not more than 1 ½ inches wide. The tape may not cover any part of the knuckles when the hand is clenched to make a fist. Boxers may not use water or any other liquid or material on the tape.

SECTION 12. RL 112.04 (3) is created to read:

RL 112.04 (3) Bandages that cover a boxer's hand shall be put on under the supervision of the department's inspector or a person delegated by the inspector and one representative of the opposing boxer, if the opposing boxer so requests.

SECTION 13. RL 112.05 (3) is amended to read:

RL 112.05 (3) Boxers may not use any type of grease, cosmetics or other substance on the body, except that a small amount of vaseline may be used.

SECTION 14. RL 112.05 (4) is created to read:

RL 112.05 (4) Boxers shall secure their hair with soft, non-abrasive material if the referee informs them that their hair interferes with their vision.

SECTION 15. RL 112.06 is amended to read:

RL 112.06 Mouthpieces. Boxers shall wear an individually form-fitted mouthpiece during each round. If a boxer loses his or her mouthpiece during a round, the referee shall have it replaced during the first break in the action. The referee may deduct points from a boxer who demonstrates a continued pattern of losing a mouthpiece during a bout.

SECTION 16. RL 112.07 (intro.) is amended to read:

RL 112.07 Headgear. (intro.) Boxers, other than those who are participating in a sparring bout, may wear headgear. Boxers who are participating in a sparring bout shall wear headgear. Headgear shall be approved by the inspector and meet substantially the following specifications:

SECTION 17. RL 112.08 (3) is created to read:

RL 112.08 (3) In case of a cut, a boxer's seconds may only make topical use of the following:

- (a) A solution of adrenaline 1/1000.
- (b) Avetine.
- (c) Thrombin.

SECTION 18. RL 113.01 (4) is created to read:

RL 113.01 (4) A female boxer and a male boxer may not compete against each other in a bout.

SECTION 19. RL 113.05 is created to read:

RL 113.05 Number of rounds in a bout. (1) No bout involving female boxers may be scheduled for more than 10 rounds with each round lasting 2 minutes and with a one-minute rest between rounds.

(2) No bout involving male boxers may be scheduled for more than 15 rounds with each round lasting 3 minutes and with a one-minute rest between rounds.

SECTION 20. RL 113.06 (5) is created to read:

RL 113.06 (5) A second may not attempt to stop a bout by throwing a towel, a sponge or any other thing into the ring.

SECTION 21. RL 114.02 (6m) is created to read:

RL 114.02 (6m) If the referee decides that a boxer has conducted himself or herself in an unsportsmanlike manner, the referee may stop the bout and disqualify the boxer.

SECTION 22. RL 114.02 (8) is repealed.

SECTION 23. RL 114.03 is repealed and recreated to read:

RL 114.03 Injuries sustained by fouls. (1) **INTENTIONAL FOUL.** (a) If an intentional foul causes an injury and the injured boxer is not able to continue, the boxer causing the injury shall lose by disqualification.

(b) If an intentional foul causes an injury and the bout is allowed to continue, the referee shall notify the boxer and the judges that 2 points shall be deducted from the score of the boxer who caused the foul.

(c) If an intentional foul causes an injury and the injury results in the bout being stopped in a later round, the injured boxer shall win by technical decision if the boxer is ahead on the scorecards, or the bout shall result in a technical draw if the injured boxer is behind on the scorecards.

(d) If a boxer injures himself or herself while attempting to intentionally foul an opponent, the referee shall consider the injury the same as one produced by a fair blow.

(2) **ACCIDENTAL FOUL.** If an accidental foul occurs before the completion of 4 rounds of a bout and the injured boxer is not able to continue the fight, the fight shall be declared a no contest. If the accidental foul occurs after the completion of 4 rounds of a bout and the fouled boxer is not able to continue, the judges shall score the bout as a technical knock-out and the boxer who is ahead on points shall be declared the winner. In determining the points, the judges shall score the completed rounds and the incomplete round. If no action has occurred in an incomplete round, the round shall be scored as an even round. When a boxer is not able to continue boxing, the referee shall stop the action and inform the department's inspector, the judges and both boxers that the foul was accidental. If in the later rounds the injury has worsened as a result of legal blows, and the injured boxer is not able to continue, the judges shall score the bout based on the completed rounds and the incomplete round. A referee, in consultation with the ringside physician, shall allow the injured boxer up to 5 minutes to recover from the foul. A boxer who is hit with an accidental low blow, shall continue after a reasonable

amount of time, not exceeding 5 minutes, or the boxer shall lose the bout. If a boxer is hit with an accidental low blow, the referee shall stop the action in a bout and inform the judges of any deduction of points made by the referee.

SECTION 24. RL 114.05 (3) and (7) are amended to read:

RL 114.05 (3) COUNT. When a boxer is down, the referee shall ~~count aloud from one to 10 with~~ give a mandatory 8 count and shall continue to count to 10 if the downed boxer is not able to continue fighting after the mandatory 8 count. The referee shall count aloud and provide intervals of one second between the numbers, and shall indicate each second with his or her hand in a manner such that the boxer who has been knocked down is aware of the count. Before the number "one" is counted, an interval of one second shall have elapsed from the time the boxer went down and the time of announcing "one." The referee shall continue counting, even if the bell sounds, indicating the end of the round.

(7) FAILURE TO BOX. A boxer who fails to resume boxing immediately after the termination of the rest interval, who sustains an injury from a fair blow and the injury is severe enough to terminate a bout, or who, when knocked down by a fair blow, fails to resume within 10 seconds, shall lose the bout. A referee may not give a standing 8 count.

SECTION 25. RL 114.05 (8) and (9) are created to read:

RL 114.05 (8) THREE KNOCKDOWNS. The referee may not stop a bout solely because a boxer has been knocked down 3 times in one round.

(9) TWENTY-SECOND COUNT. The referee shall give a 20-second count to a boxer who is knocked out of the ring and onto the floor. The boxer shall return to the ring with assistance from his or her seconds. Otherwise, the referee shall disqualify the boxer.

SECTION 26. RL 114.06 (2) (a) to (e) are amended to read:

RL 114.06 (2) PERIODS OF REST REQUIRED AFTER KNOCK-OUT OR HEAD BLOWS TECHNICAL KNOCK-OUT. (a) A boxer who ~~has been~~ is knocked out as a result of ~~head blows during a bout or who has received hard blows to the head, making the boxer defenseless or incapable of continuing,~~ may not take part in competitive boxing or sparring for a period of at least ~~30~~ 60 days from the date of the bout. A boxer whose bout was terminated by a technical knock-out may not take part in competitive boxing or sparring for a period of at least 30 days from the date of the bout.

(b) A boxer who, twice in a period of 3 months, has ~~either been knocked out as a result of head blows during a bout or who has received hard blows to the head, making the boxer defenseless or incapable of continuing,~~ may not take part in competitive boxing or sparring during a period of 6 months from the second bout.

(c) A boxer who has been knocked out as a result of head blows ~~three~~ 3 times in a period of 12 months ~~or who has in 3 consecutive bouts, received hard blows to the~~

~~head, making the boxer defenseless or incapable of continuing, may not take part in competitive boxing or sparring for a period of one year from the third knock-out.~~

~~(d) Before resuming boxing after any of the periods of rest prescribed in the par. (a), a boxer shall be given a special examination by a qualified physician which includes an electroencephalogram (EEG), a computerized axial tomography (CAT) scan, a magnetic resonance imaging scan (MRI), or any other scan which a physician believes is as reliable or more reliable than an EEG or a CAT scan for determining the presence of brain damage. The special examination shall include a certification by the examining physician that the boxer is fit to take part in competitive boxing satisfy any requirements imposed by the department after receiving the recommendations of the ringside physician under s. RL 114.065.~~

~~(e) The requirements and conditions enumerated in this subsection pars. (a) and (d) apply to knock-outs and hard blows to the head regardless of whether the technical knock-outs in bouts that occurred in Wisconsin or another jurisdiction. The requirements and conditions enumerated in pars. (b) and (c) apply to knock-outs and technical knock-outs regardless of whether the bouts occurred in Wisconsin or another jurisdiction.~~

SECTION 27. RL 114.065 is created to read:

RL 114.065 Ringside physician's requirements relating to injuries. (1) A ringside physician may recommend to the department that the department prescribe that a boxer obtain an examination or a medical procedure following a technical knock-out. A ringside physician shall recommend to the department that the department prescribe that a boxer obtain an examination or a medical procedure following a knock-out. The medical procedure may include an electroencephalogram (EEG), a computerized axial tomography (CAT) scan, a magnetic resonance imaging scan (MRI), or any other scan which the examining physician believes is as reliable or more reliable than an EEG or a CAT scan for determining the presence of brain damage.

(2) A boxer whose bout was terminated by a technical knock-out or by a knock-out may not take part in competitive boxing or sparring until the boxer has completed a medical procedure or an examination that was recommended by the ringside physician and prescribed by the department following the bout in which the injury or action occurred, and has submitted the results of the medical procedure or physical examination to the department.

SECTION 28. RL 114.07 (2) is amended to read:

RL 114.07 (2) The attending ringside physician may on his or her own initiative enter the ring between rounds and, at the request of the referee, during the round for the purpose of examining an injured boxer. If in the opinion of the ringside physician a boxer is in danger of further physical injury, the ringside physician shall notify the referee to terminate the bout. Except for those situations when a fight is terminated under s. RL 114.03 (1) (a), results in a technical draw under s. RL 114.03 (1) (c), or is declared a no contest under s. RL 114.03 (2), the injured boxer shall lose the bout by a technical knock-out.

SECTION 29. RL 114.09 is amended to read:

RL 114.09 Stimulants prohibited. A second may only give a boxer water to drink during a bout. No manager or second may give stimulants, of any kind any drug, narcotic or stimulant to boxers a boxer before or during a bout. The department may require a boxer to submit to a drug test or HIV examination before a scheduled bout.

(END OF TEXT OF RULE)

The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin administrative register, pursuant to s. 227.22 (2) (intro.), Stats.

Dated _____

Agency _____

William Conway, Acting Secretary
Department of Regulation and Licensing

FISCAL ESTIMATE

1. The anticipated fiscal effect on the fiscal liability and revenues of any local unit of government of the proposed rule is: \$0.00.
2. The projected anticipated state fiscal effect during the current biennium of the proposed rule is: \$0.00.
3. The projected net annualized fiscal impact on state funds of the proposed rule is: \$0.00.

FINAL REGULATORY FLEXIBILITY ANALYSIS

These rules will have no significant economic impact on a substantial number of small businesses, as defined in s. 227.114 (1) (a), Stats.

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3/28/01