

NOTICES OF EXEMPT RULEMAKING

The Administrative Procedure Act requires the *Register* publication of the rules adopted by the state's agencies under an exemption from all or part of the Administrative Procedure Act. Some of these rules are exempted by A.R.S. §§ 41-1005 or 41-1057; other rules are exempted by other statutes; rules of the Corporation Commission are exempt from Attorney General review pursuant to a court decision as determined by the Corporation Commission.

NOTICE OF FINAL EXEMPT RULEMAKING

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 3. STATE BOXING AND MIXED MARTIAL ARTS COMMISSION

Editor's Note: The following Notice of Final Exempt Rulemaking is exempt from Executive Order 2012-03 as issued by Governor Brewer. (See the text of the executive order on page 3586.)

[R13-176]

PREAMBLE

- 1. Article, Part, or Section Affected (as applicable) Rulemaking Action**
R4-3-413 Amend
- 2. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific), and the statute or session law authorizing the exemption:**
Authorizing statute: A.R.S. § 5-225(D)
Implementing statute/authority: A.R.S. § 5-224(C) and 2013 Arizona Session Laws, Ch. 72, §10 (HB 2263)
- 3. The effective date of the rule and the agency's reason it selected the effective date:**
September 12, 2013. Simultaneous with the effective date of legislative changes in HB 2263, signed by the Governor on April 10, 2013.
- 4. A list of all notices published in the Register as specified in R1-1-409(A) that pertain to the record of the exempt rulemaking:**
None
- 5. The agency's contact person who can answer questions about the rulemaking:**
Name: Dennis O'Connell
Address: Arizona Boxing and Mixed Martial Arts Commission
1110 W. Washington St., Ste. 260
Phoenix, AZ 85007
Telephone: (602) 364-1727
Fax: (602) 364-1703
E-mail: doconnell@azboxingandmma.gov
Web site: www.azboxingandmma.gov
- 6. An agency's justification and reason why a rule should be made, amended, repealed, or renumbered to include an explanation about the rulemaking:**
The Boxing and Mixed Martial Arts Commission is initiating this exempt rulemaking to establish uniform fees for boxing and mixed martial arts events which will support the Commission's statutory regulatory and oversight activity.
- 7. A reference to any study relevant to the rule that the agency reviewed and either relied on or did not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:**
None
- 8. A showing of good cause why the rulemaking is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:**
Not applicable
- 9. The summary of the economic, small business, and consumer impact, if applicable:**

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The rules will establish uniform fees for both boxing and mixed martial arts events to offset Commission costs and also ensure that the event requests represent firm commitments on the part of the promoters to stage events on the dates requested.

10. A description of any changes between the proposed rulemaking, including any supplemental proposed rulemaking, and the final rulemaking package (if applicable):

Not applicable

11. An agency's summary of the public or stakeholder comments made about the rulemaking and the agency response to the comments, if applicable:

None have been received.

12. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules. When applicable, matters shall include, but not be limited to:

a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:

Not applicable

b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than the federal law and if so, citation to the statutory authority to exceed the requirements of federal law:

Not applicable

c. Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:

None submitted

13. A list of any incorporated by reference material and its location in the rule:

None

14. Whether the rule was previously made, amended, repealed or renumbered as an emergency rule. If so, the agency shall state where the text changed between the emergency and the exempt rulemaking packages:

Not applicable

15. The full text of the rules follows:

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 3. STATE BOXING AND MIXED MARTIAL ARTS COMMISSION

ARTICLE 4. ADMINISTRATION

Section

R4-3-413. License Fees

ARTICLE 4. ADMINISTRATION

R4-3-413. License Fees

A. No change

1. No change
 - a. No change
 - b. No change
2. No change
3. No change
4. No change
5. No change
6. No change

B. At the time an event request is submitted for Commission approval; the following fees for mixed martial arts and boxing events shall be paid to the Commission:

1. \$500.00 for non-live televised events at a venue seating 5000 persons or less;
2. \$1000.00 for:
 - a. Non-live televised events at a venue seating more than 5000 persons;
 - b. Events streamed live for a charge on Facebook or other equivalent Internet broadcast;
 - c. Live televised events on cable or satellite television. (e.g., Friday Night Fights on ESPN); and
3. \$1500.00 for live televised events on cable or satellite television that include a recognized world title bout (e.g., WBA, WBC, IBF, WBO, UFC, IBO).

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4. \$2000.00 for live pay-per-view events on cable or satellite television (e.g., HBO, Showtime).
5. If an event has been previously approved by the Commission, at any time an event date change request is submitted for Commission approval, an additional fee of \$250.00 shall be paid to the Commission.
6. The Executive Director may establish a fee not to exceed \$2000.00 for an event that is not within the categories set forth in subsections (1) through (4). If a fee is initially paid for a type of event and that event type later changes to a higher fee category, the promoter shall pay the difference in fees prior to the event date.