

STAND. COM. REP. NO. **1265**

Honolulu, Hawaii

MAR 23 2007

RE: H.B. No. 1866
H.D. 3
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Madam:

Your Committee on Commerce, Consumer Protection, and Affordable Housing, to which was referred H.B. No. 1866, H.D. 3, entitled:

"A BILL FOR AN ACT RELATING TO MIXED MARTIAL ARTS,"

begs leave to report as follows:

The purpose of this measure is to provide for the regulation of mixed martial arts by the Department of Commerce and Consumer Affairs. This measure also prohibits no rules combat, extreme or ultimate fighting, and similar contests.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs (DCCA) and Icon Sport.

Your Committee finds that mixed martial arts events are one of the fastest growing sporting events in the country. In Hawaii, the events are currently permitted under an exemption from the prohibition against no rules combat, or extreme fighting, and without any type of regulations in place, there is the potential for fraudulent events which is detrimental to both participants in the sport and the general public.

During the 2006 Legislative Session, the Legislature passed Senate Concurrent Resolution No. 37, Senate Draft 1, to request the Office of the Auditor, pursuant to section 26H-6, Hawaii Revised Statutes, to evaluate proposals to regulate mixed martial

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arts events. Two options were proposed to the Office of the Auditor for regulating mixed martial arts. The first proposal was to create a Mixed Martial Arts Commission and the second proposal was to expand the jurisdiction of the Boxing Commission to include mixed martial arts.

In February 2007, the Office of the Auditor issued its report recommending a third alternative which, in part, suggested the creation of a regulatory program to be placed directly under the Director of Commerce and Consumer Affairs (Director).

Your Committee has amended this measure by:

- (1) Removing the assignment of an executive officer to carry out the Director's duties;
- (2) Revising the definition of "mixed martial arts contest" to clarify the requirement that some type of compensation be exchanged;
- (3) Adding a definition for "mixed martial arts event" to distinguish between a single contest and an event which may consist of more than one contest;
- (4) Adding directors to the list of entities precluded from licensure or subject to licensure revocation under certain circumstances;
- (5) Allowing the Director to make the determination as to assessing an applicant's fitness for licensure, either through an examination or evaluation process;
- (6) Allowing the Director to adopt rules regarding automatic medical suspensions;
- (7) Allowing the Director to adopt rules regarding eye and neurological examinations;
- (8) Allowing the Director to adopt rules regarding any licensure fees;
- (9) Requiring at least one physician to immediately examine a contestant when the contestant is knocked down or is severely injured during a contest and requiring that physician to file a medical report with the Director;



- (10) Eliminating the compensation requirement from the definition of "no rules combat, extreme or ultimate fighting, or similar contest";
- (11) Adding referees and judges to the list of those persons who may be exempt from examination or evaluation if they hold a valid license in another jurisdiction;
- (12) Requiring that promoters authorize the release of their criminal history record to the Director;
- (13) Appropriating \$130,000 for fiscal year 2007-2008, and appropriating \$205,000 for fiscal year 2008-2009, for the implementation and administrative costs to be incurred by the DCCA as a result of this measure being enacted;
- (14) Specifying that the sums appropriated by this measure may be used for the hiring of an administrative assistant, secretary, and clerks; and
- (15) Making technical, nonsubstantive changes for the purposes of clarity and style.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Affordable Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1866, H.D. 3, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1866, H.D. 3, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Commerce, Consumer
Protection, and Affordable
Housing,


BRIAN T. TANIGUCHI, Chair



The Senate
 Twenty-Fourth Legislature
 State of Hawaii

Record of Votes
Committee on Commerce, Consumer Protection and Affordable Housing
CPH

Bill / Resolution No.:* HB 1866 HD3	Committee Referral: CPH, NAM	Date: 3/14/07		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
IGE, David Y. (VC)				✓
ESPERO, Will	✓			
IHARA, Jr., Les				✓
SAKAMOTO, Norman	✓			
SLOM, Sam	✓			
TOTAL	4			2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center;"><i>Will Espero</i></div>				
Distribution: Original Yellow Pink File with Committee Report Clerk's Office Drafting Agency				