

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION
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ROLL NUMBER

DESCRIPTION

2161

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Deanne Hall
Operator's Signature

10/17/03
Date

2003 SENATE POLITICAL SUBDIVISIONS

SB 2161

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10/17/03
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2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2161

Senate Political Subdivisions Committee

☐ Conference Committee

Hearing Date **January 16, 2003**

Tape Number	Side A	Side B	Meter #
1		X	3207 - end
2	X		0- 2690
Committee Clerk Signature			

Minutes:

CHAIRMAN COOK opened the hearing on SB 2161. All Senators (6) were present. SB 2161 relates to the regulation of mixed fighting style competitions.

Testimony in support of SB 2161

SENATOR JUDY LEE introduced SB 2161. (See attached testimony)

Chris Nelson , West Fargo appeared in support of SB 2161. Mr Nelson explained mixed martial arts. The sport takes place in a boxing ring or some events take place in an octagon cage type arena. The rules are there are punching, kicking, just like kick boxing except you incorporate grappling into it. It is a professional sport. The people that fight are very well trained and prepare for the fight. One of the reasons for being well trained is that a lot of places that you fight, like Indian reservations, Minnesota, South Dakota, there are no regulations, so there is no one looking out for you. This is one of the reasons he would like to see the sport regulated. To make sure there is medical attention there, a referee that knows what is going on so he can stop the fight.

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12/17/03
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Page 2

Senate Political Subdivisions Committee

Bill/Resolution Number SB 2161

Hearing Date January 16, 2003

He thinks it would be beneficial for North Dakota to have this sport. It would increase interest in the martial arts and it would bring in money like any other event or concert.

SENATOR COOK asked if you could step in a ring with two participants and practice martial arts legally in North Dakota.

Chris Nelson answered that it is not legal in North Dakota. On the reservation they are their own independent nation so they can do what ever they want as long as the tribal council allows it. They would dictate the rules.

Jeff Gumringer appeared in support of SB 2161 Meter # 0 Tape 2

No testimony in opposition of SB 2161

No Neutral Testimony

Al Jaeger, Secretary of State and State Athletic Director (See attached testimony)

Ken Sorensen, Bismarck ND, Assistant Attorney General, appeared on his own with a concern about the way the definition is written for mixed fighting style competition including all martial arts. He feels the definition needs clarification.

CHAIRMAN COOK closed the Hearing on SB 2161

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2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2161

Senate Political Subdivisions Committee

☐ Conference Committee

Hearing Date January 17, 2003 (Discussion)

Tape Number	Side A	Side B	Meter #
2	X		3499- End
Committee Clerk Signature			

Minutes:

SENATOR COOK called the committee to order for discussion on SB 2161

SENATOR COOK asked for questions on the bill.

SENATOR JUDY LEE has confidence in the testimony of Mr. Gummering. The idea that they are trying to promote martial arts fighting to be an honorable sport by doing it legally and to make sure it is done safely and within perimeters is good. If there is a way that it can be done, she would like to have the committee move forward on the bill. She does not want the Secretary of State to have any issues with the bill. She felt there needs to be an amendment.

SENATOR COOK asked if Senator J Lee would talk with Mr Jaeger.

SENATOR J LEE said she would be glad to do that.

The bill will be held for further discussion.

SENATOR COOK adjourned the meeting.

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2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2161

Senate Political Subdivisions Committee

☐ Conference Committee

Hearing Date: January 23, 2003 (Discussion and Action)

Tape Number	Side A	Side B	Meter #
1		X	990 - 4389
Committee Clerk Signature			

Minutes:

CHAIRMAN COOK called the committee ot order. All were in attendance.

Al Jaeger, Secretary of State, explained the amendments to SB 2161. (See attachment)

He used some information from Nevada. A young man who is into the martial arts and works for the attorneys generals office, also offered some information.

SENATOR COOK asked if the change from 1% to within 5% applied to boxing also.

Mr. Jaeger replied that it did not. There would have to be a hearing process to let the chapter know to change boxing percentage.

Mr. Jaeger said if the bill gets passed they would have a vehicle to regulate martial arts with the amendments.

SENATOR JUDY LEE moved amendments to SB 2161 be approved.

SENATOR POLOVITZ Second the motion.

Roll call vote 6 Yes 0 No 0 Absent

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Senate Political Subdivisions Committee

Bill/Resolution Number SB 2161

Hearing Date January 23, 2003

SENATOR JUDY LEE moved a DO PASS as Amendment on SB 2161.

SENATOR POLOVITZ seconded the motion.

Discussion:

SENATOR JUDY LEE said she was not a fan of violent sports, and doesn't care for those kind of sports personally but knowing Jeff Gummeringer for twenty years or more she is convinced that their goal is to raise the standards so that they don't have a free for all. Because of that I introduced the bill and supported it with the Secretary of States help in trying to put together rules that will make sure that it is safe and that the fight is medically attended and all those things. I think there is an important differentiation between supporting the concept of some of these activities and whether or not we like them. She thinks we have responsibility to regulate something that might be harmful, so that we try to avoid that as we have for boxing.

SENATOR COOK asked Senator Lee if the bill was passed, would it have any effect on this type of activity on Indian Reservations.

SENATOR JUDY LEE replied her hope would be to regulate this activity also.

SENATOR COOK said the amendments improve the bill.

SENATOR CHRISTENSON agreed with Senator Judy Lee in many ways. The best of the worst worlds is to try and regulate something that is not particularly appealing. The other side of that argument and the way Senator Christenson stands on it is that simply by sanctioning any kind of regulation, we are in effect putting a legislative stamp of approval on it. Sanctioning it in a way that is perhaps so much legal as it is moral and ethical in the community. She will not go for a Do Pass.

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Senate Political Subdivisions Committee

Bill/Resolution Number SB 2161

Hearing Date January 23, 2003

SENATOR GARY LEE concurs with Senator Christenson in that he appreciated what the gentlemen were trying to do. He can not personally put an endorsement on that kind of activity.

Roll on **Do Pass as Amended** Yes 2 No 4 Absent 0 Bill Failed

SENATOR COOK: Committee we still have before us SB 2161

SENATOR CHRISTENSON made a motion of DO NOT PASS on SB 2161

SENATOR GARY LEE second the motion.

Roll Call Vote Yes 4 No 2 Absent 0

CARRIER: **SENATOR CHRISTENSON**

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FISCAL NOTE
Requested by Legislative Council
01/03/2003

Bill/Resolution No.: SB 2161

1A. State fiscal effect: Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$7,000	\$0	\$0	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

1B. County, city, and school district fiscal effect: Identify the fiscal effect on the appropriate political subdivision.

2001-2003 Biennium			2003-2005 Biennium			2005-2007 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

2. Narrative: Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.

Mixed fighting styles is a relatively new competition that has evolved from ultimate fighting type of competition (fight-to-the-death format with few rules) that is currently prohibited by rule in North Dakota. New Jersey and Nevada were the first states in 2001 to establish rules. Therefore, the mixed fighting style of competition is very new with few states having had experience and a track record as to the regulation of these types of events.

3. State fiscal effect detail: For information shown under state fiscal effect in 1A, please:

A. Revenues: Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.

It is not known what type of revenue might be generated if this bill became law or how often these events might be held. The only "mixed martial arts" events to date that have been held in North Dakota have been on Indian reservations, which, because of sovereign immunity issues, are not subject to the state's rules. We have no information as to how well those events have been attended.

B. Expenditures: Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.

Initially, the agency would need to use its general fund appropriation to provide the funding to develop the rules, procedures, and programming required for the regulation of mixed fighting styles. The agency estimates that the cost of the programming would be approximately \$4,000 and the cost to promulgate the rules, i.e., advertising, research, and staff time, would be approximately \$3,000.

C. Appropriations: Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.

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To regulate the sport of boxing, the athletic commissioner has the use of a special fund, which has a continuing appropriation. This fund usually contains only a minimum balance of available funds to cover the expenses incurred by the athletic commission.

Therefore, the agency will request a legislative "statement of intent" that the rules established for mixed fighting style competition will include a fee structure, which will adequately cover all of the expenses associated with the regulation of mixed fighting style competitions, i.e., without drawing on those revenues generated by boxing and without any additional support (besides initial setup) from the agency's general fund appropriation.

Name:	Al Jaeger	Agency:	Secretary of State
Phone Number:	328-2900	Date Prepared:	01/11/2003

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01/17/03
Date

Some of the
have
Amendments

Section 1

Text Now in Bill

DB 2161

Definition of mixed fighting style competition. As used in this chapter, "mixed fighting style competition" means an exhibition or a contest where participants inflict kicks, punches, blows, and other techniques to injure or disable an opponent. The techniques may include a combination of boxing, kick boxing, wrestling, grappling, or martial arts.

Proposed Amendments

Page 1, line 8, before "mixed" remove "

Page 2, line 9, after "competition" remove "

Page 1, line 9, after "contest" remove "where participants inflict kicks, punches, blows, and other techniques to injure or disable an opponent. The techniques may include a combination of boxing, kick boxing, wrestling, grappling, or martial arts," and after "contest" replace with ", subject to any applicable limitations set forth in rules established under section 53-01-07(1), where participants use a combination of techniques from different martial arts, boxing, kickboxing, wrestling, and grappling."

Proposed end result

Definition of mixed fighting style competition. As used in this chapter, mixed fighting style competition means an exhibition or a contest, subject to any applicable limitations set forth in rules established under section 53-01-07(1), where participants use a combination of techniques from different martial arts, boxing, kickboxing, wrestling, and grappling.

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Deanne Hall

10/17/03

Date

SB 2161

Section 4

Text Now In Bill

53-01-07. Duties of state athletic commissioner. The secretary of state shall supervise all boxing, kickboxing, mixed fighting style competitions, or sparring exhibitions held in the state and may:

1. Adopt rules governing the conduct of boxing, kickboxing, and sparring exhibitions.
2. Establish license fees for all boxers, kickboxers, mixed style fighters, boxing and, kickboxing, and mixed fighting style competition promoters, managers, judges, timekeepers, cornerpersons, knockdown counters, matchmakers, and referees.
3. Establish by rule a fee based on the percentage of gross revenues from any boxing, kickboxing, mixed fighting style competition, or sparring exhibition held in this state to pay for the expenses of members of the athletic advisory board. A fee established under this subsection may not exceed one percent of the gross revenues of the exhibition from any and all sources including cable television and pay-per-view telecasts of the event, exclusive of any federal tax thereon.

Proposed Amendments

Page 2, line 11, after "1." remove "Adopt rules governing the conduct of boxing, kickboxing, and sparring exhibitions." and replace with "Issue rules and regulations governing these exhibitions, which shall be consistent with the provisions of chapter 53-01, and adopted and published in accordance with chapter 28-32."

Page 2, line 12, after "Establish" remove "license fees for all boxers, kickboxers, mixed style fighters, boxing and, kickboxing, and mixed fighting style competition promoters, managers, judges, timekeepers, cornerpersons, knockdown counters, matchmakers, and referees." and replace with "by rule license fees for individuals and organizations associated with these exhibitions."

Page 2, line 16, remove "boxing, kickboxing, mixed fighting style competition, or sparring"

Page 2, line 16, after "held" remove "in this state to pay for the expenses of members of the athletic advisory board." and replace with "according to this chapter."

Page 2, line 18, after "exceed" remove "one" and insert "five"

Doyle Page

Deanne Hall
Operator's Signature

10/17/03
Date

30274.0101
Title.0200

Adopted by the Political Subdivisions
Committee

January 23, 2003

JB
1-24-03

PROPOSED AMENDMENTS TO SENATE BILL NO. 2161

Page 1, line 9, replace "where participants inflict kicks," with "subject to any applicable limitations set forth in rules established under section 53-01-07, in which participants use a combination of techniques from different martial arts, boxing, kickboxing, wrestling, and grappling,"

Page 1, remove lines 10 and 11

Page 2, line 11, overstrike "Adopt" and insert immediately thereafter "issue" overstrike "the conduct of boxing, kickboxing, and sparring" and insert immediately thereafter "these", and after "exhibitions" insert "which must be consistent with chapter 53-01 and published in accordance with chapter 28-32"

Page 2, line 12, overstrike "license fees for all boxers, kickboxers," remove "mixed style fighters,", overstrike "boxing", and remove the second underscored comma

Page 2, line 13, overstrike "kickboxing", remove "mixed fighting style competition", and overstrike "promoters, managers, judges,"

Page 2, line 14, overstrike timekeepers, cornerpersons, knockdown counters, matchmakers, and referees" and insert immediately thereafter "by rule license fees for individuals and organizations associated with these exhibitions"

Page 2, line 16, overstrike "boxing, kickboxing," remove "mixed fighting style competition", overstrike "or sparring", and overstrike "in"

Page 2, line 17, overstrike "this state to pay for the expenses of members of the athletic advisory board" and insert immediately thereafter "according to this chapter"

Page 2, line 18, overstrike "one" and insert immediately thereafter "five"

Renumber accordingly

Page No. 1

30274.0101

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Date: 1-23-03
Roll Call Vote #: 1

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2161 Amendments

Senate Political Subdivisions Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 30274.0101

Action Taken Motion to Pass Amendments

Motion Made By Senator Judy Lee Seconded By Senator Polovitz

Senators	Yes	No	Senators	Yes	No
Senator Dwight Cook, Chairman	✓				
Senator John O. Syverson, V C	✓				
Senator Gary A. Lee	✓				
Senator Judy Lee	✓				
Senator Linda Christenson	✓				
Senator Michael Polovitz	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

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10/17/03
Date

Date: 1-23-03
Roll Call Vote #: 2

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES Do Pass
BILL/RESOLUTION NO. SB 2161 as Amended

Senate Political Subdivisions Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken DO Pass as Amended

Motion Made By Senator Judy Lee Seconded By Senator Robvitz

Senators	Yes	No	Senators	Yes	No
Senator Dwight Cook, Chairman		X			
Senator John O. Syverson, V C		X			
Senator Gary A. Lee		X			
Senator Judy Lee	X				
Senator Linda Christenson		X			
Senator Michael Polovitz	X				

Total (Yes) 2 No 4

Absent 0

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Failed

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Date

Date: 1-23-03
Roll Call Vote #: 3

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO.

SB 161 Do Not Pass as Amended

Senate Political Subdivisions

Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 30274.0101

Action Taken Do Not Pass as Amended

Motion Made By Senator Christenson Seconded By Senator Gary Lee

Senators	Yes	No	Senators	Yes	No
Senator Dwight Cook, Chairman	X				
Senator John O. Syverson, V C	X				
Senator Gary A. Lee	X				
Senator Judy Lee		X			
Senator Linda Christenson	X				
Senator Michael Polovitz		X			

Total (Yes) 4 No 2

Absent 0

Floor Assignment Senator Christenson

If the vote is on an amendment, briefly indicate intent:

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REPORT OF STANDING COMMITTEE (410)
January 27, 2003 9:12 a.m.

Module No: SR-15-1095
Carrier: Christenson
Insert LC: 30274.0101 Title: .0200

REPORT OF STANDING COMMITTEE

SB 2161: Political Subdivisions Committee (Sen. Cook, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends **DO NOT PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2161 was placed on the Sixth order on the calendar.

Page 1, line 9, replace "where participants inflot kicks," with "subject to any applicable limitations set forth in rules established under section 53-01-07, in which participants use a combination of techniques from different martial arts, boxing, kickboxing, wrestling, and grappling."

Page 1, remove lines 10 and 11

Page 2, line 11, overstrike "Adopt" and Insert immediately thereafter "Issue", overstrike "the conduct of boxing, kickboxing, and sparring" and Insert immediately thereafter "these", and after "exhibitions" Insert "which must be consistent with chapter 53-01 and published in accordance with chapter 28-32"

Page 2, line 12, overstrike "license fees for all boxers, kickboxers," remove "mixed style fighters", overstrike "boxing", and remove the second underscored comma

Page 2, line 13, overstrike "kickboxing", remove "mixed fighting style competition", and overstrike "promoters, managers, judges,"

Page 2, line 14, overstrike timekeepers, cornerpersons, knockdown counters, matchmakers, and referees" and Insert immediately thereafter "by rule license fees for individuals and organizations associated with these exhibitions"

Page 2, line 16, overstrike "boxing, kickboxing," remove "mixed fighting style competition", overstrike "or sparring", and overstrike "in"

Page 2, line 17, overstrike "this state to pay for the expenses of members of the athletic advisory board" and Insert immediately thereafter "according to this chapter"

Page 2, line 18, overstrike "one" and Insert immediately thereafter "five"

Renumber accordingly

2003 TESTIMONY

SB 2161

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(For Sen. J. Lee)

Scratch Pad for Bill: SB 2161

SB 2161
Political Subdivisions Committee
January 16, 2003

SB 2161 was introduced at the request of a constituent who is a participant in martial arts training and who would like to see ND permitted to host mixed martial arts competitions.

It will come as no surprise to you that I am not an expert in mixed martial arts. But the daughter of one of my work colleagues participates in these events in the Minneapolis area and enjoys them very much.

The bill asks that the Secretary of State establish rules which will regulate such events, much as the boxing commission does for its events.

The cost would have to be covered by fees which participants would pay. The Secretary of State's office has been working on an estimate of those costs, and I am support any amendment which would clarify that it should not be a burden to his office.

I ask the committee to support the establishment of a commission to regulate mixed fighting style competitions in a manner that will guarantee that safety and sportsmanship is a part of the rules and that is not an additional cost to the Secretary of State's office.

<http://auth.intranetapps.nd.gov/lr/legislature/laws?request=LRLawsPrintScratchPad&memb...> 1/15/2003

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1/17/03
Date

ALVIN A. JAEGER
SECRETARY OF STATE

HOME PAGE www.state.nd.us/seo



SECRETARY OF STATE

STATE OF NORTH DAKOTA
600 EAST BOULEVARD AVENUE DEPT 108
BISMARCK ND 58505-0500

January 16, 2003

PHONE (701) 328-2900
FAX (701) 328-2992

E-MAIL seo@state.nd.us

TO: Senator Cook, Chairman, and Members of the Senate Political Subdivisions Committee

FR: Al Jaeger, Secretary of State

RE: SB 2161 - Mixed fighting styles

Mixed fighting styles, also known as Mixed Martial Arts, is a relatively new event in the area of regulation for states and athletic (boxing) commissions. It also has been a topic of discussion at a regional meeting of the Association of Boxing Commissions, held last October in Omaha, which a member of the Athletic Commission, my Director of Licensing, and I attended.

Only a handful of states currently regulate these events. As well, a few states specifically prohibit these types of events. Currently, Subsection 4 of Section 72-02.2-01.1-04 of the North Dakota Administrative Rules prohibits, "Any barroom type brawls, "so you think you're tough" type contests, roughneck type matches, or matches of a similar character or nature if any contestant receives remuneration directly or indirectly whether or not a contestant has prior organized amateur or professional training." This regulation does not apply to events of this type that are held on reservations, which is considered sovereign territory.

Based on information provided to us, the mixed fighting style of competition has evolved from the types of events just described and prohibited by our rules. In order to provide a historical account of its evolution, I have attached an article that was published on Multichannel News last October.

My two major concerns related to the inclusion of fixing fighting styles under the jurisdiction of the Athletic Commissioner are related to the financial and time commitment. Currently, the expense of administering boxing is covered by a continuing appropriation authorized by N.D.C.C. § 53-01-09. Today, that account has a balance of \$828.24. These funds are used to pay for the expenses of the members of the Athletic Advisory Board. The travel and lodging expense for my staff and I, as well as the wages for my staff, is paid for by the agency's general fund appropriation. Combined, approximately \$1,000 to \$1,500 is expended to regulate each boxing event that is held outside the immediate area.

If this bill passes, I am not prepared to cover any of the expenses related to its regulation from the agency's general fund appropriation. Therefore, I respectfully request that the committee change page 2, line 18, from one to five. And, with a statement of Intent (or whatever is appropriate) make it clear that the Secretary of State is to promulgate rules covering mixed fighting styles that provide for an adequate source of revenue to pay for all of the expenses of regulation associated with mixed fighting style competitions.

One of the goals of the proponents of this bill, many others, and me is that these particular competitive events be conducted in such a manner that assures, as much as possible, the safety of the participants. Therefore, it will take time to research the existing regulations of other states, which already have regulations in place. This type of competition is an unknown and we will want to do it right if it is to take place in North Dakota. For your review, I have also attached an excerpt from Nevada's rules related to this type of competition.

Deanne Hall
Operator's Signature

10/17/03
Date

Jury Still Out on UFC's Facelift

By R. Thomas Umstead
Multichannel News
10/28/2002

A decade after the Ultimate Fighting Championship mixed martial arts franchise burst on the pay-per-view sports scene — amid controversy and eventual condemnation from cable operators — a new, more rules-dominated version is quietly trying to recapture some of the sport's old PPV glory.

With six events a year — including its 40th iteration in November — and ongoing negotiations for a new television deal, UFC executives are hoping to once again become a major player in the PPV category.

Initially launched by Semaphore Entertainment Group in November 1992, the UFC, which touts a no-holds barred, fight-to-the death format with very few rules, quickly became an immediate PPV hit in terms of buy-rate — often rivaling more established franchises like boxing and professional wrestling.

"It was a novelty that generated a lot of fanfare and media interest," said TVN Entertainment Inc. senior vice president of PPV and sports programming Michael Klein.

But the franchise ran into political trouble in 1997, when the New York State Athletic Commission became the first of several regulators to ban UFC events due to excessive violence, even though none of the fighters had ever been seriously hurt.

Subsequently, operators, one by one, refused to offer UFC. Eventually, In Demand LLC — then called Viewer's Choice — dropped the sport altogether.

"The early owners really did the franchise a disservice because they marketed the extreme angle too much, to the point that operators began to worry about community pressure," said Klein, who, as the programming executive at Viewer's Choice, made the decision to pull the plug on the UFC.

For several years, the UFC could only be seen on direct-broadcast satellite services. But Nevada-based, independently owned Zuffa LLC bought the franchise from SEG in January 2001 and totally revamped the organization.

Once a renegade outfit, the UFC is now billed as a leading mixed martial-arts association in which athletes combine fighting techniques such as jujitsu, judo, karate, boxing, kickboxing and wrestling.

Self policing

The new UFC now adheres to a "stringent" set of rules, which include commission-approved gloves, weight classes and mandatory drug testing.

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To make the competition even more uniform, only commission-approved MMA shorts and kickboxing trunks are allowed in the ring.

Yet even with the changes, UFC president Dana White said the organization initially had a difficult time shedding its no-holds-barred image. The major breakthrough came during the summer of 2001, when two powerful and influential regulators — the New Jersey Athletic Commission and Nevada Athletic Commission — both recognized the UFC as a legitimate sport.

The Louisiana and Florida athletic commissions also sanction UFC events. Another sign that the sport is gaining legitimacy: Las Vegas casinos are taking lines on the organization's Nov. 22 PPV event, according to White.

Within nine months of its revamping, In Demand began carrying the new and improved UFC franchise.

"We were very pleased with a lot of the moves that the company made to nurture its growth," In Demand senior vice president of programming development Dan York said.

To further boost awareness, UFC hired PPV marketing firm Team Services to tout its product to cable operators.

While UFC's five PPV events in 2002 have performed decently — averaging from 50,000 to 60,000 buys, Team said — the company hopes to break the 100,000 mark within the next year.

Team Services president Bonnie Werth admits the organization faces an uphill battle to shed its outlaw brand within the industry, adding that many operators don't even know the UFC is back on pay-per-view.

"Zuffa has worked hard to create rules and regulations to give it more credibility and viability," Werth said. "The challenge is to build mixed martial arts as a legitimate sport and to build UFC as the premiere mixed martial arts organization in the process."

While it's still too early to judge the PPV appeal of the new UFC, Millenium Digital Media senior vice president of marketing and programming Peter Smith said the more sanitized version certainly makes it easier for the MSO to distribute the events.

"We have a duty to our customers to provide responsible programming," Smith said. "The fact that the UFC is a more orderly event makes it easier for us to sell."

Another operator executive who wished to remain anonymous added that he'd trade a few less buys for the lack of controversy that the new UFC garners.

"The numbers that we've seen in the new format have been respectable, but there's certainly less controversy surrounding the event," the executive said. "I can see it becoming a consistent source of [PPV] revenue for us."

Seeking viewers

In order to achieve its goals, the UFC will have to market to an audience that is decidedly

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different from those that found its former form appealing.

Instead of the young, predominantly male audience drawn to popular "sports-entertainment" entities like World Wrestling Entertainment, White said the UFC's audience is the true sports fan — a bit older and interested in competitive pursuits like boxing and collegiate and Olympic wrestling.

"The people who purchase our events are boxing fans and combat fans," White said. "The WWE fans are more into the soap-opera aspect of the event."

Added Werth: "Those who really wanted the blood sport of the old UFC are not our audience. I certainly expect to capture the imagination of the boxing fan."

UFC has already attempted to reach out to sports fans by airing two events nationally on Fox Sports Net last August — the first time the organization has appeared on television outside of PPV.

The shows performed well, averaging around a 0.8 between them, and generating higher ratings than FSN's regularly scheduled boxing series.

The organization also received top billing during a summer episode of FSN's sports-talk show *The Best Damn Sports Show Period*.

UFC wants to have a network distribution deal in place by first-quarter 2003 to supplement its PPV shows, said White.

"We're talking to two or three networks about a television deal and we hope to have one in place by March," said White, although he refused to reveal specific details. "We have to get our guys on free TV and build up their awareness."

Fox Sports Net confirmed that is considering an expanded role with the UFC.

"We were happy with the results and we're evaluating what we're going to do in 2003," Fox Sports Net director of media relations Tom Chiappetta said. "We know there's an audience out there."

Going beyond cable

The organization also plans to build awareness for what it considers its highly skilled athletes through other non-cable ventures, White said.

UFC has already launched a line of video games that have become strong sellers on both the Microsoft Corp.'s Xbox and Sony Corp.'s PlayStation consoles, he said. Several UFC stars will also appear in an upcoming film starring international martial arts star Jet Li.

"Right now, we have seven or eight guys that we've determined could be breakout stars," White said. Those names include Tito Ortiz, Ricco Rodriguez and Matt Hughes.

Given its ambitious plans, In Demand's York believes the organization has a tremendous amount

of upside, which will ultimately benefit the cable industry.

"The product is far more sophisticated than it was during its first incarnation," he said. "The first UFC was like *Toughman*, but this version is much more polished and there's no doubt that if it stays the course, it can become a major PPV player again."

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NAC 467.00285 "Mixed martial arts" defined. (NRS 467.030) "Mixed martial arts" means unarmed combat involving the use, subject to any applicable limitations set forth in this chapter, of a combination of techniques from different disciplines of the martial arts, including, without limitation, grappling, kicking and striking.

MIXED MARTIAL ARTS CONTESTS AND EXHIBITIONS

NAC 467.795 Conduct of contests and exhibitions; applicability of provisions.
(NRS 467.030)

1. All contests and exhibitions of mixed martial arts must be conducted under the supervision and authority of the commission.
2. Except as otherwise provided by specific statute or regulation, the provisions of this chapter and chapter 467 of NRS apply to a contest or exhibition of mixed martial arts.
(Added to NAC by Athletic Comm'n by R070-01, eff. 8-31-2001)

NAC 467.7952 Requirements for ring or fenced area; use of video screens. (NRS 467.030)

1. Mixed martial arts contests and exhibitions may be held in a ring or in a fenced area.
2. A ring used for a contest or exhibition of mixed martial arts must meet the following requirements:
 - (a) The ring must be no smaller than 20 feet square and no larger than 32 feet square within the ropes.
 - (b) The ring floor must extend at least 18 inches beyond the ropes. The ring floor must be padded with ensolite or another similar closed-cell foam, with at least a 1-inch layer of foam padding. Padding must extend beyond the ring ropes and over the edge of the platform, with a top covering of canvas, duck or similar material tightly stretched and laced to the ring platform. Material that tends to gather in lumps or ridges must not be used.
 - (c) The ring platform must not be more than 4 feet above the floor of the building and must have suitable steps for the use of the unarmed combatants.
 - (d) Ring posts must be made of metal, not more than 3 inches in diameter, extending from the floor of the building to a minimum height of 58 inches above the ring floor, and must be properly padded in a manner approved by the commission. Ring posts must be at least 18 inches away from the ring ropes.
 - (e) There must be five ring ropes, not less than 1 inch in diameter and wrapped in soft material. The lowest ring rope must be 12 inches above the ring floor.
 - (f) There must not be any obstruction or object, including, without limitation, a triangular border, on any part of the ring floor.
3. A fenced area used in a contest or exhibition of mixed martial arts must meet the following requirements:
 - (a) The fenced area must be circular or have at least eight equal sides and must be no smaller than 20 feet wide and no larger than 32 feet wide.
 - (b) The floor of the fenced area must be padded with ensolite or another similar closed-cell foam, with at least a 1-inch layer of foam padding, with a top covering of canvas, duck or similar material tightly stretched and laced to the platform of the fenced area. Material that tends to gather in lumps or ridges must not be used.
 - (c) The platform of the fenced area must not be more than 4 feet above the floor of the building and must have suitable steps for the use of the unarmed combatants.
 - (d) Fence posts must be made of metal, not more than 6 inches in diameter, extending from the floor of the building to between 5 and 7 feet above the floor of the fenced area, and must be properly padded in a manner approved by the commission.

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(e) The fencing used to enclose the fenced area must be made of a material that will prevent an unarmed combatant from falling out of the fenced area or breaking through the fenced area onto the floor of the building or onto the spectators, including, without limitation, chain link fence coated with vinyl.

(f) Any metal portion of the fenced area must be covered and padded in a manner approved by the commission and must not be abrasive to the unarmed combatants.

(g) The fenced area must have two entrances.

(h) There must not be any obstruction on any part of the fence surrounding the area in which the unarmed combatants are to be competing.

4. The promoter of a program of unarmed combat that consists of contests or exhibitions of mixed martial arts shall hang at least two video screens which meet the approval of the commission or its executive director and which allow patrons to view the action inside the ring or fenced area.

(Added to NAC by Athletic Comm'n by R070-01, eff. 8-31-2001)

NAC 467.7954 Duration. (NRS 467.030) Except with the approval of the commission or its executive director:

1. A nonchampionship contest or exhibition of mixed martial arts must not exceed three rounds in duration.

2. A championship contest of mixed martial arts must be five rounds in duration.

3. A period of unarmed combat in a contest or exhibition of mixed martial arts must be 5 minutes in duration. A period of rest following a period of unarmed combat in a contest or exhibition of mixed martial arts must be 1 minute in duration.

(Added to NAC by Athletic Comm'n by R070-01, eff. 8-31-2001)

NAC 467.7956 Weight classes of unarmed combatants; weight loss after weigh-in. (NRS 467.030)

1. Except with the approval of the commission or its executive director, the classes for unarmed combatants competing in contests or exhibitions of mixed martial arts and the weights for each class are shown in the following schedule:

Flyweight.....	up to 125 lbs.
Bantamweight.....	over 125 to 135 lbs.
Featherweight.....	over 135 to 145 lbs.
Lightweight.....	over 145 to 155 lbs.
Welterweight.....	over 155 to 170 lbs.
Middleweight.....	over 170 to 185 lbs.
Light Heavyweight.....	over 185 to 205 lbs.
Heavyweight.....	over 205 to 265 lbs.
Super Heavyweight.....	all over 265 lbs.

2. After the weigh-in of an unarmed combatant competing in a contest or exhibition of mixed martial arts:

(a) Weight loss in excess of 2 pounds is not permitted for an unarmed combatant who weighed in at 145 pounds or less.

(b) Weight loss in excess of 3 pounds is not permitted for an unarmed combatant who weighed in at over 145 pounds.

3. The weight loss described in subsection 2 must not occur later than 2 hours after the initial weigh-in.

(Added to NAC by Athletic Comm'n by R070-01, eff. 8-31-2001)

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NAC 467.7958 Proper attire for unarmed combatants. (NRS 467.030) An unarmed combatant competing in a contest or exhibition of mixed martial arts:

1. Must wear shorts approved by the commission or the commission's representative.
2. May not wear shoes or any padding on his feet during the contest.

(Added to NAC by Athletic Comm'n by R070-01, eff. 8-31-2001)

NAC 467.796 Method of judging. (NRS 467.030)

1. Each judge of a contest or exhibition of mixed martial arts that is being judged shall score the contest or exhibition and determine the winner through the use of the following system:

(a) The better unarmed combatant of a round receives 10 points and his opponent proportionately less.

(b) If the round is even, each unarmed combatant receives 10 points.

(c) No fraction of points may be given.

(d) Points for each round must be awarded immediately after the end of the period of unarmed combat in the round.

2. After the end of the contest or exhibition, the announcer shall pick up the scores of the judges from the commission's desk.

3. The majority opinion is conclusive and, if there is no majority, the decision is a draw.

4. When the commission's representative has checked the scores, he shall inform the announcer of the decision. The announcer shall inform the audience of the decision over the speaker system.

(Added to NAC by Athletic Comm'n by R070-01, eff. 8-31-2001)

NAC 467.7962 Acts constituting fouls. (NRS 467.030) The following acts constitute fouls in a contest or exhibition of mixed martial arts:

1. Butting with the head.
2. Eye gouging of any kind.
3. Biting.
4. Hair pulling.
5. Fishhooking.
6. Groin attacks of any kind.
7. Putting a finger into any orifice or into any cut or laceration on an opponent.
8. Small joint manipulation.
9. Striking to the spine or the back of the head.
10. Striking downward using the point of the elbow.
11. Throat strikes of any kind, including, without limitation, grabbing the trachea.
12. Clawing, pinching or twisting the flesh.
13. Grabbing the clavicle.
14. Kicking the head of a grounded opponent.
15. Kneeing the head of a grounded opponent.
16. Stomping a grounded opponent.
17. Kicking to the kidney with the heel.
18. Spiking an opponent to the canvas on his head or neck.
19. Throwing an opponent out of the ring or fenced area.
20. Holding the shorts or gloves of an opponent.
21. Spitting at an opponent.
22. Engaging in any unsportsmanlike conduct that causes an injury to an opponent.
23. Holding the ropes or the fence.
24. Using abusive language in the ring or fenced area.
25. Attacking an opponent on or during the break.

26. Attacking an opponent who is under the care of the referee.
27. Attacking an opponent after the bell has sounded the end of the period of unarmed combat.
28. Flagrantly disregarding the instructions of the referee.
29. Timidity, including, without limitation, avoiding contact with an opponent, intentionally or consistently dropping the mouthpiece or faking an injury.
30. Interference by the corner.
31. Throwing in the towel during competition.

(Added to NAC by Athletic Comm'n by R070-01, eff. 8-31-2001)

NAC 467.7964 Fouls: Deduction of points; effect of low blow. (NRS 467.030)

1. If an unarmed combatant fouls his opponent during a contest or exhibition of mixed martial arts, the referee may penalize him by deducting points from his score, whether or not the foul was intentional. Except as otherwise provided in subsection 2 of NAC 467.698, the referee may determine the number of points to be deducted in each instance and shall base his determination on the severity of the foul and its effect upon the opponent.
2. When the referee determines that it is necessary to deduct a point or points because of a foul, he shall warn the offender of the penalty to be assessed.
3. The referee shall, as soon as is practical after the foul, notify the judges and both unarmed combatants of the number of points, if any, to be deducted from the score of the offender.
4. Any point or points to be deducted for any foul must be deducted in the round in which the foul occurred and may not be deducted from the score of any subsequent round.
5. An unarmed combatant may not be declared the winner of a contest or exhibition of mixed martial arts on the basis of his claim that his opponent fouled him by hitting him in the groin. If an unarmed combatant falls to the floor of the ring or fenced area or otherwise indicates that he is unwilling to continue because of a claim of being hit in the groin, the contest or exhibition must be declared to be a technical knockout in favor of the unarmed combatant who is willing to continue.

(Added to NAC by Athletic Comm'n by R070-01, eff. 8-31-2001)

NAC 467.7966 Fouls: Accidental. (NRS 467.030)

1. If a contest or exhibition of mixed martial arts is stopped because of an accidental foul, the referee shall determine whether the unarmed combatant who has been fouled can continue or not. If the unarmed combatant's chance of winning has not been seriously jeopardized as a result of the foul and if the foul did not involve a concussive impact to the head of the unarmed combatant who has been fouled, the referee may order the contest or exhibition continued after a recuperative interval of not more than 5 minutes. Immediately after separating the unarmed combatants, the referee shall inform the commission's representative of his determination that the foul was accidental.
2. If the referee determines that a contest or exhibition of mixed martial arts may not continue because of an injury suffered as the result of an accidental foul, the contest or exhibition must be declared a no contest if the foul occurs during:
 - (a) The first two rounds of a nonchampionship contest or exhibition; or
 - (b) The first three rounds of a championship contest or exhibition.
3. If an accidental foul renders an unarmed combatant unable to continue the contest or exhibition after:
 - (a) The completed second round of a nonchampionship contest or exhibition; or
 - (b) The completed third round of a championship contest or exhibition,
 the outcome must be determined by scoring the completed rounds and the round during which the referee stops the contest or exhibition.

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4. If an injury inflicted by an accidental foul later becomes aggravated by fair blows and the referee orders the contest or exhibition stopped because of the injury, the outcome must be determined by scoring the completed rounds and the round during which the referee stops the contest or exhibition.

(Added to NAC by Athletic Comm'n by R070-01, eff. 8-31-2001)

NAC 467.7968 Results of contests. (NRS 467.030) A contest of mixed martial arts may end under the following results:

1. Submission by:
 - (a) Physical tap out.
 - (b) Verbal tap out.
2. Technical knockout by the referee stopping the contest.
3. Decision via the scorecards, including:
 - (a) Unanimous decision.
 - (b) Split decision.
 - (c) Majority decision.
 - (d) Draw, including:
 - (1) Unanimous draw.
 - (2) Majority draw.
 - (3) Split draw.
4. Technical decision.
5. Technical draw.
6. Disqualification.
7. Forfeit.
8. No contest.

(Added to NAC by Athletic Comm'n by R070-01, eff. 8-31-2001)

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