STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

2ND CONFERENCE COMMITTEE SUBSTITUTE
FOR ENGROSSED
HOUSE BILL NO. 1355

By: Bryant, Satterfield and Cox of the House

and

Douglass of the Senate

2ND CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to amusements and sports; amending Section 4, Chapter 240, O.S.L. 1994, as amended by Section 2, Chapter 202, O.S.L. 1995 (3A O.S. Supp. 1996, Section 604), which relates to the Oklahoma Professional Boxing Advisory Committee; placing the Committee under the Oklahoma Sunset Law; modifying termination date of Committee and membership appointments and terms; modifying qualifications of certain members; specifying chairperson of Committee; modifying and limiting term of vice-chairperson; modifying meeting schedule; providing for terms; modifying powers and duties of the Committee and the Commissioner of Labor; modifying date of submission of certain report; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY Section 4, Chapter 240, O.S.L. 1994, as amended by Section 2, Chapter 202, O.S.L. 1995 (3A O.S. Supp. 1996, Section 604), is amended to read as follows:

Section 604. A. There is hereby ~~created~~ re-created, until July 1, ~~1997~~ 2003, in accordance with the Oklahoma Sunset Law, the Oklahoma Professional Boxing Advisory Committee, which shall be composed of nine (9) members appointed by the Commissioner of Labor. Each member shall be appointed for a term ending ~~July 1~~ June 30, 1997.

B. ~~The membership shall include~~ On or after July 1, 1997, the Commissioner of Labor shall appoint the membership as follows:

1. One person with experience in professional boxing promotions or other business enterprises, who shall serve until July 1, 1998;

2. One person who is a cable system operator, who shall serve until July 1, 1998;

3. One person who is a member of the Athletic Trainers Advisory Committee of the State Board of Medical Licensure and Supervision, who shall serve until July 1, 1998;

4. One person with experience in sports medicine, who shall serve until July 1, 1999;

5. One person with experience in ~~professional boxing~~ sports organizations as an athlete, trainer or coach, who shall serve until July 1, 1999;

6. One person with experience in ~~professional athletics~~ marketing, who shall serve until July 1, 1999;

7. Two lay members, who shall serve until July 1, 2000; and

8. One member who shall be the administrator of professional boxing licensing of the Department. The administrator shall serve at the pleasure of the Commissioner.

After the initial appointments as provided for in this section, each member, except for the administrator, shall serve for a three-year period.

Each member shall be a citizen or a permanent resident of the United States and shall be a resident of this state.

C. No member of the Committee or any person related to a member within the third degree by consanguinity or affinity shall promote, sponsor or have any financial interest in the promotion or sponsorship of any professional boxing contest or professional exhibition while a member of the Committee.

D. The Commissioner may remove any member of the Committee for incompetence, wilful neglect of duty, corruption in office, or malfeasance in office. A vacancy on the Committee for an unexpired term shall be filled by appointment made by the Commissioner within thirty (30) days of such vacancy to complete the term of the member whose position was vacated.

E. ~~The Commissioner shall hold an initial organizational meeting of the Committee by November 1, 1994, and the~~ The administrator shall serve as chairperson of the Committee. The members of the Committee shall elect from their membership ~~a chairperson and~~ a vice-chairperson to serve for one (1) year. Thereafter, ~~officers~~ the vice-chairperson shall be elected annually. No member of the Committee shall serve more than two successive terms as ~~chairperson~~ vice-chairperson.

F. A majority of the appointed membership shall constitute a quorum for the purpose of conducting the business of the Committee.

G. The Committee shall meet at least ~~monthly~~ quarterly, and special meetings may be called by the chairperson or the Commissioner.

H. Regular meetings shall be held at the established offices of the Department. Provided however, the Commissioner may authorize

that meetings, hearings or proceedings may be held at any other designated place within this state.

I. The proceedings of all meetings of the Committee shall comply with the provisions of the Oklahoma Open Meeting Act, Section 301 et seq. of Title 25 of the Oklahoma Statutes.

J. Except as otherwise provided by law, all proceedings by the Committee shall be subject to the provisions of the Administrative Procedures Act.

K. Members of the Committee shall be reimbursed for expenses incurred in the performance of their duties as provided in the State Travel Reimbursement Act.

L. The Committee shall:

1. Assist and advise the Commissioner on all matters pertaining to the formation of rules necessary to carry out the purposes of the Oklahoma Professional Boxing Licensing Act;

2. Assist and advise the Department on all matters relating to the licensing of professional boxers, trainers, managers, corner persons, matchmakers, promoters, referees, judges, timekeepers, clubs, corporations or any other individuals or entities associated with boxing, sparring, contests and exhibitions related thereto;

3. Assist and advise the Department in the formulation of license and permit fees pursuant to the requirements of the Oklahoma Professional Boxing Licensing Act;

4. Conduct investigations into the qualifications of applicants for licensure and registration at the request of the Department;

5. Conduct investigations and proceedings, at the request of the Department, for alleged violations of the Oklahoma Professional Boxing Licensing Act;

6. Develop and administer examinations for applicants for licenses and permits at the request of the Department;

7. Assist and advise the Department in such other matters upon request of the Department; and

8. By July 1 of each year ~~until July 1, 1997~~, the Committee shall propose revisions to such rules to the Commissioner necessary to carry out the purpose of the Oklahoma Professional Boxing Licensing Act.

M. ~~The Committee shall also:~~

~~1. Study the feasibility and advisability of creating a boxing commission within an appropriate agency or department or as an agency for the purpose of fully regulating and licensing professional boxing in Oklahoma. In developing its recommendations, the Committee shall consider but not be limited to studying the authority, responsibilities and jurisdiction of such commission, the necessary cost and funding requirements of such commission and the potential revenue which may result from regulating and licensing professional boxing in Oklahoma;~~

~~2. Submit a report of its findings and recommendations to the Commissioner by July 1, 1997; and~~

~~3.~~ The Commissioner shall report the findings and recommendations of the Committee along with ~~his~~ the Commissioner's own recommendations to the Governor, the President Pro Tempore of the Senate and the Speaker of the House of Representatives by November 1~~, 1997~~ of each year.

SECTION 2. This act shall become effective July 1, 1997.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

46-1-7869 MCD