

1 (4a) One member shall be appointed by the Tribal Council of the Eastern
2 Band of the Cherokee for an initial term of three years.

3 (5) One nonvoting advisory member shall be appointed by the General
4 Assembly upon the recommendation of the Speaker of the House of
5 Representatives for an initial term of one year, in accordance with
6 G.S. 120-121, from nominations made by the North Carolina Medical
7 Society, which shall nominate two licensed physicians for the position.

8 (6) One nonvoting advisory member shall be appointed by the General
9 Assembly upon the recommendation of the President Pro Tempore of
10 the Senate for an initial term of one year, in accordance with
11 G.S. 120-121, from nominations made by the North Carolina Medical
12 Society, which shall nominate two licensed physicians for the position.

13 The member appointed pursuant to subdivision (5) of subsection (a) of this section
14 may serve on the Commission only if an agreement exists and remains in effect between
15 the Tribal Council of the Eastern Band of the Cherokee and the Commission authorizing
16 the Commission to regulate professional boxing matches within the Cherokee Indian
17 Reservation as provided by the Professional Boxing Safety Act of 1996.

18 The two nonvoting advisory members appointed pursuant to subdivisions (6) and (7)
19 of subsection (a) of this section shall advise the Commission on matters concerning the
20 health and physical condition of boxers and health issues relating to the conduct of
21 exhibitions and boxing matches. They may prepare and submit to the Commission for
22 its consideration and approval any rules that in their judgment will safeguard the
23 physical welfare of all participants engaged in boxing.

24 Terms for all members of the Commission except for the initial appointments shall
25 be for three years.

26 The Secretary of Crime Control and Public Safety shall designate which member of
27 the Commission is to serve as chair. A member of the Commission may be removed
28 from office by the Secretary of Crime Control and Public Safety for cause. Each
29 member before entering upon the duties of a member shall take and subscribe an oath to
30 perform the duties of the office faithfully, impartially, and justly to the best of the
31 member's ability. A record of these oaths shall be filed in the Department of Crime
32 Control and Public Safety.

33 (b) Vacancies. – Members shall serve until their successors are appointed and
34 have been qualified. Any vacancy in the membership of the Commission shall be filled
35 in the same manner as the original appointment. Vacancies for members appointed by
36 the General Assembly shall be filled in accordance with G.S. 120-122. A vacancy in the
37 membership of the Commission other than by expiration of term shall be filled for the
38 unexpired term only.

39 (c) Meetings. – Meetings of the Commission shall be called by the chair or by
40 any two members of the Commission, and meetings shall be held at least quarterly. Any
41 three voting members of the Commission shall constitute a quorum at any meeting.
42 Action may be taken and motions and resolutions adopted by the Commission at any
43 meeting by the affirmative vote of a majority of the members of the Commission
44 present at a meeting at which a quorum exists. Any or all members may participate in a

1 regular or special meeting by, or conduct the meeting through the use of, any means of
2 communication by which all members participating may simultaneously hear each other
3 during the meeting. A member participating in the meeting by this means is deemed to
4 be present in person at the meeting.

5 (d) Rule-Making Authority of the Commission. – The Commission shall have the
6 exclusive authority to approve and issue rules for the regulation of the conduct,
7 promotion, and performances of live boxing, kickboxing, sanctioned amateur, amateur,
8 and toughman matches and exhibitions in this State. The rules shall be issued pursuant
9 to the provisions of Chapter 150B of the General Statutes and may include, without
10 limitation, the following subjects:

- 11 (1) Requirements for issuance of licenses and permits required by this
12 Article.
- 13 (2) Regulation of ticket sales.
- 14 (3) Physical requirements for contestants, including classification by
15 weight and skill.
- 16 (4) Supervision of matches and exhibitions by licensed physicians and
17 referees.
- 18 (5) Insurance and bonding requirements.
- 19 (6) Compensation of participants and licensees.
- 20 (7) Contracts and financial arrangements.
- 21 (8) Prohibition of dishonest, unethical, and injurious practices.
- 22 (9) Facilities.
- 23 (10) Approval of sanctioning amateur sports organizations.
- 24 (11) Procedures and requirements for compliance with the Professional
25 Boxing Safety Act of 1996.

26 (e) Compensation. – None of the members of the Commission shall receive
27 compensation for serving on the Commission. However, members of the Commission
28 may be reimbursed for their expenses in accordance with the provisions of Chapter 138
29 of the General Statutes.

30 (f) Staff Assistance. – The Secretary of Crime Control and Public Safety shall
31 hire a person to serve as Executive Director of the Commission and shall provide staff
32 assistance to the Executive Director. The Executive Director shall enforce this Article
33 through the Division of Alcohol Law Enforcement. If necessary, the Executive Director
34 may train and contract with independent contractors for the purpose of regulating and
35 monitoring events, issuing licenses, collecting fees, and enforcing rules of the
36 Commission. The Executive Director may initiate criminal background checks on
37 persons requesting to work as independent contractors for the Commission or persons
38 applying to be licensed by the Commission.

39 (g) Initial appointments to the Commission under this reenacted section shall be
40 for terms commencing July 1, 2006. The Commission may reestablish any rules in
41 effect on the date of the prior abolition of the Commission without following any
42 requirements of Chapter 150B of the General Statutes other than publishing the rules.
43 Any rules of the Alcohol Law Enforcement Division relating to the subject shall remain
44 in effect until new or amended rules are adopted by the Commission."

1 **SECTION 3.** There is appropriated from the General Fund to the
2 Department of Crime Control and Public Safety for the 2006-2007 fiscal year the sum
3 of one hundred thirty-one thousand four hundred forty-nine dollars (\$131,449) to restore
4 budget cuts for the North Carolina State Boxing Commission.

5 **SECTION 4.** This act becomes effective July 1, 2006.