

## **TITLE 17 - HEALTH AND SAFETY**

### **CHAPTER 5 - BOXING AND UNARMED COMBAT**

#### **ARTICLE 1 - BOXING AND UNARMED COMBAT**

*Legislative History: "Boxing and Unarmed Combat" was enacted and codified as 17 T.O.C. Chapter 5, Article 1 by Resolution No. 08-512 effective September 12, 2008.*

*Related History: Resolution No. 08-512 repealed Ordinance No. 02-01, "Ordinance for the Regulation of Professional Boxing Matches Within the Tohono O'odham Nation," which was enacted by Resolution No. 02-599 on December 9, 2002, and amended by Resolution No. 02-604 on December 13, 2002.*

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#### **TABLE OF CONTENTS**

Section 5101	Definitions	1
Section 5102	Application of this Chapter; definition	1
Section 5103	Tohono O'odham Boxing Commission; appointment; conflict of interest; emergency ringside meetings	2
Section 5104	Commission; powers and duties	3
Section 5105	Regulation of Boxing Contests	3
Section 5106	Regulation of Unarmed Combat Competitions	3
Section 5107	Jurisdiction of Commission	4
Section 5108	Persons required to procure licenses; requirements; background information; fee; bond	4
Section 5109	Promoters; licenses; bond; proof of financial responsibility	5
Section 5110	License fees; expiration; renewal	6
Section 5111	Financial interest in boxers and Contestants prohibited	6
Section 5112	Age of participants	6
Section 5113	Boxers, Contestants and referees; physical examination; attendance of physician; payment of fees; insurance	6
Section 5114	Attendance by peace officers	7
Section 5115	Disciplinary action; grounds; emergency suspension; injunction	7
Section 5116	Violation; classification	8
Section 5117	Selection of referees	8
Section 5118	Sham boxing; withholding a purse	8
Section 5119	Judicial review	9
Section 5120	Reciprocity	9
Section 5121	Severability	10
Section 5131	Construction	10

## **TITLE 17 - HEALTH AND SAFETY**

### **CHAPTER 5 - BOXING AND UNARMED COMBAT**

#### **ARTICLE 1 - BOXING AND UNARMED COMBAT**

##### **Section 5101 Definitions**

In this Chapter, unless the context otherwise requires:

- (A) "Boxing" means the act of attack and defense with the fists, using padded gloves, that is practiced as a sport. Where applicable, boxing includes Kickboxing.
- (B) "Commission" means (i) the Tohono O'odham Boxing Commission or (ii) the person or entity with whom the Tohono O'odham Nation has contracted to carry out the functions and duties of the Tohono O'odham Boxing Commission.
- (C) "Boxing contest" means any professional Boxing contest, match or exhibition.
- (D) "Contestant" means any individual who competes in an Unarmed Combat competition.
- (E) "Contest" means any Boxing contest or Unarmed Combat competition.
- (F) "Kickboxing" means a form of boxing in which blows are delivered with any part of the arm below the shoulder, including the hand, and any part of the leg below the hip, including the foot.
- (G) Reserved.
- (H) "Professional" means any person who competes for any money prize or a prize that exceeds the value of \$35 or teaches or pursues or assists in the practice of boxing as a means of obtaining a livelihood or pecuniary gain.
- (I) "Secretary" means the executive secretary of the Commission.
- (J) "Unarmed Combat" means any form of competition, other than Boxing and Kickboxing, in which blows are delivered.
- (K) "Fraternal benefit society" means a society, order or supreme lodge without capital stock, including an incorporated or unincorporated society, that is conducted solely for the benefit of its members and their beneficiaries, is not for profit, operates on a lodge system with a ritualistic form of work, has a representative form of government.

##### **Section 5102 Application of this Chapter; definition**

This Chapter does not apply to any amateur boxing contest conducted by or participated in by the following institutions or organizations:

(A) Any school, community college, college or university or an association or organization composed exclusively of schools, community colleges, colleges or universities when each contestant is a student enrolled in a school, community college, college or university. As used in this section, "school, community college, college or university" means every school, community college, college or university and every other school, community college, college or university maintained primarily for the giving of general academic education.

(B) A government unit or agency of the Tohono O'odham Nation or United States, or of the State of Arizona or its subdivisions.

(C) A nonprofit interstate association or intrastate association which has standards and regulations for the physical safety of the participants at least equal to the requirements of this Chapter, including such bona fide amateur associations or organizations.

(D) A fraternal benefit society.

(E) Any bona fide private school whose primary purpose is instruction in the martial arts provided that the contests held in conjunction with such instruction are amateur

**Section 5103 Tohono O'odham Boxing Commission; appointment; conflict of interest; emergency ringside meetings**

(A) Commission

(1) The Commission shall consist of three commissioners appointed by the Chairman of the Nation with the approval of the Legislative Council. The term of office of commissioners shall be three years, except that the terms of the initial commissioners may be for shorter or longer terms to implement the staggered terms. The term of one member shall expire on the third Monday in January each year. A commissioner may be removed by the Chairman of the Nation for cause. A recommendation by a majority of the commissioners to remove a commissioner shall constitute cause for removal. A commissioner may resign at any time by giving written notice to the Chairman of the Nation. Resignations shall become effective at the time specified in said notice, or if no time is specified, on the date of receipt. Any vacancy in the commission because of death, resignation, removal, or any other cause shall be filled for the unexpired portion of the term in the manner prescribed for the appointment of commissioners.

(2) Two members of the Commission constitute a quorum for conducting business. A concurrence of two members is necessary to render a decision by the Commission. Emergency ringside meetings may be held immediately prior and subsequent to a scheduled Contest for the purpose of determining whether or not there has been a violation of the rules and regulations of the Commission or the provisions of this Chapter.

(3) A commissioner shall not during his term of office promote, sponsor or have any financial interest in a boxer, a contest or in the premises leased for a boxing contest.

(B) Contract in Lieu of Commission. In lieu of appointing the Commission, the Nation may contract with the Arizona State Boxing Commission, or with one or more qualified persons or entities, to carry out the functions and duties of the Commission and to regulate Contests consistent with this Chapter.

#### **Section 5104 Commission; powers and duties**

(A) The Commission shall be permitted to waive any portion of the regulations relating to the manner in which Contests are conducted, provided the waiver does not diminish the effectiveness of this Chapter with regard to protecting the health and safety of boxers or Contestants. Any such waiver shall be limited in applicability to a particular Contest and shall be documented by the Commission and accompanied by an explanation of the purpose for granting the waiver.

(B) The Commission shall obtain from a licensed physician rules and standards for the physical examination of boxers, Contestants, and referees. A schedule of fees to be paid physicians by the promoter or matchmaker for the examination shall be set by the Commission.

(C) Reserved.

(D) Reserved.

(E) The Commission shall:

(1) Make and maintain a record of the acts of the Commission, including the issuance, denial, renewal, suspension or revocation of licenses.

(2) Keep records of the Commission.

(3) Except as provided in subsection (A) above, conform to the rules adopted under this Chapter.

#### **Section 5105 Regulation of Boxing Contests**

(A) All Boxing contests are subject to the provisions of this Chapter. Every boxer in a Boxing contest shall wear padded gloves that weigh at least eight ounces.

(B) The Commission shall for every contest:

(1) Direct a deputy to be present.

(2) Direct the deputy to make a written report.

#### **Section 5106 Regulation of Unarmed Combat Competitions**

(A) All Unarmed Combat competitions, including amateur Unarmed Combat competitions, are subject to the provisions of this Chapter. Contestants in Unarmed Combat shall not strike other Contestants in the spinal column or in the back of the head. Contestants shall not strike with their knees or elbows unless specified by rule.

(B) The Commission may establish a fee for Unarmed Combat events in an amount determined by the Commission. In determining the amount of the fee, the Commission may consider factors including the amount of time likely to be expended in processing the event application and the complexity of the application.

(C) Until the Association of Boxing Commissions approves standardized rules that are implemented in states that use rules identical or substantially similar to the rules adopted by the New Jersey State Athletic Control Board, the Commission shall use health and safety regulations for Unarmed Combat that are consistent with the Mixed Martial Arts Unified Rules of Conduct adopted by the New Jersey State Athletic Control Board. After the Association of Boxing Commissions approves standardized rules that are implemented in states that use rules identical or substantially similar to the rules adopted by the New Jersey State Athletic Control Board, the Commission shall use the Association of Boxing Commissions' standardized rules for Unarmed Combat. Any rules adopted by the Commission shall be codified in Article 3 of this Chapter. Nothing in this subsection prevents a promoter of an Unarmed Combat event held within the territorial jurisdiction of the Tohono O'odham Nation from prohibiting specific types of conduct for that particular event that are allowed under the rules adopted by the New Jersey State Athletic Control Board, the Association of Boxing Commissions, or the Arizona State Boxing Commission.

#### **Section 5107 Jurisdiction of Commission**

(A) The Commission shall:

(1) Have sole direction, management, control and jurisdiction over all Contests held on lands over which the Nation exercises governmental jurisdiction, unless exempt from the application of this Chapter by section 5102.

(2) Have sole control, authority and jurisdiction over all licenses required by this Chapter.

(B) The Commission shall grant a license to an applicant if, in the judgment of the Commission, the financial responsibility, experience, character and general fitness of the applicant are such that his participation is consistent with the public interest, convenience or necessity and the best interests of the sport and in conformity with the purposes of this Chapter. The Commission may delegate the Commission's licensing authority to the Commission's executive director.

#### **Section 5108 Persons required to procure licenses; requirements; background information; fee; bond**

(A) All referees, judges, matchmakers, promoters, trainers, ring announcers, timekeepers, ringside physicians, Contestants, boxers, boxers'/Contestants' managers and boxers' seconds are required to be licensed by the Commission. The Commission shall not permit any of these persons to participate in the holding of any Contest unless the person has first procured a license.

(B) Before participating in the holding of any Contest, a corporation, its officers and directors and any person holding 25 percent or more of the ownership of the corporation shall obtain a license from the

Commission. Such a corporation must be authorized to do business under the laws of the State of Arizona or of the Tohono O'odham Nation.

(C) The Commission shall require referees, judges, matchmakers, promoters and boxers'/Contestants' managers to furnish fingerprints and background information before licensure. The Commission shall charge a fee for fingerprints and background information in an amount determined by the Commission. The Commission may require referees, judges, matchmakers, promoters and boxers'/Contestants' managers to furnish fingerprints and background information in accordance with applicable law before license renewal if the Commission determines the fingerprints and background information are necessary. The fee may include a reasonable charge for expenses incurred by the Commission or by a criminal justice agency.

(D) Before the Commission issues a license to a promoter, matchmaker or corporation, the applicant shall:

(1) Provide the Commission with a copy of any agreement between any boxer or Contestant and the applicant which binds the applicant to pay the boxer or Contestant a certain fixed fee or percentage of the gate receipts.

(2) Show on the application the owner or owners of the applicant entity and the percent interest if they hold 25 percent or more interest in the applicant.

(3) Provide the Commission with a copy of the latest financial statement of the entity, unless the entity is the Nation or an enterprise of the Nation.

(4) Provide the Commission with a copy of the insurance contract required by this Chapter.

(E) Before the Commission issues a license to a promoter, the applicant shall deposit with the Commission a cash bond or surety bond in an amount set by the Commission. The bond shall be executed in favor of the Commission or the Tohono O'odham Nation and shall be conditioned on the faithful performance by the promoter of the promoter's obligations pursuant to this Chapter and the rules adopted pursuant to this Chapter.

(F) Before the Commission issues a license to a boxer or Contestant, the applicant shall submit to the Commission the results of a current medical examination on forms furnished or approved by the Commission. The medical examination must include an ophthalmological examination.

#### **Section 5109 Promoters; licenses; bond; proof of financial responsibility**

(A) The Commission may issue a license to conduct, hold or give Contests to any qualified person or to a corporation duly authorized to do business under the laws of the State of Arizona or of the Tohono O'odham Nation. The Commission may in its discretion withhold the granting of a license to a promoter until the applicant furnishes proof of his financial responsibility to promote Contests in accordance with this section and the rules adopted under this Chapter.

(B) The promoter of each Contest shall be responsible for paying all fees and expenses associated with the Contest, including all fees charged by the Commission and the fees and expenses of physicians,

referees, judges, timekeepers, and announcers. The Commission will determine its fee for each fight based a percentage of the projected ticket sales, with the percentage set by the Commission. The promoter will be required to pay the required fees and expenses no less than 24 hours before the Contest. In addition, the promoter will be responsible for providing the Commission with all requisite documentation to ensure proper payment of all fees and expenses due and owing. If a promoter defaults in paying the required fees and expenses, in whole or in part, the Commission may initiate administrative regulatory action against the promoter and/or commence a civil action to recover any fees or expenses owed. The exercise of one legal remedy by the Commission shall not preclude the exercise of other remedies.

(C) The Commission may require a person or corporation licensed under this Chapter to supply a certified financial audit to the Commission, unless the entity licensed is the Nation or an enterprise of the Nation. The financial statements prepared pursuant to this section shall be prepared in accordance with generally accepted accounting principles and shall include any additional schedules the Commission may require. A person subject to a financial audit under this section shall afford reasonable and needed facilities and make returns and exhibits to the Commission in the form and at the time prescribed by the Commission.

(D) In addition to the cash bond or surety bond required pursuant to section 5108(E), the Commission may require a promoter to deposit with the Commission prior to each Contest a cash bond or surety bond in an amount set by the Commission as a guarantee for the fulfillment of the promoter's contract obligations for that Contest, the payment of licenses and taxes that may be imposed by the Nation on gross receipts of that Contest, and reimbursement to ticket purchasers if the Contest is not held as advertised .

#### **Section 5110 License fees; expiration; renewal**

(A) The Commission may establish and issue annual licenses, provided that the fees do not exceed the following amounts:

- (1) Promoters, \$200.
- (2) Matchmakers, \$100.
- (3) Managers, \$50.
- (4) Judges, referees, announcers and ringside physicians, \$25.
- (5) Timekeepers, boxers, Contestants, boxers' trainers and boxers' seconds, \$10.
- (6) For a corporation filing for a license to participate in the holding of any Contest, \$400.
- (7) Officer, director or other person affiliated with a corporation, \$50.

(B) A license expires December 31 at midnight in the year of its issuance and may be renewed on filing an application for renewal of a license with the Commission and payment of the license fee prescribed in subsection (A). The application for renewal of a license shall be on a form provided by the



Commission. There is a thirty day grace period during which a license may be renewed if a late filing penalty fee equal to the license fee is submitted with the regular license fee. A licensee that files late shall not conduct any activity regulated by this chapter until the Commission has renewed the license. If the licensee fails to apply to the Commission within the 30-day grace period the licensee must apply for a new license pursuant to subsection (A).

**Section 5111 Financial interest in boxers and Contestants prohibited**

A person shall not have, either directly or indirectly, any financial ownership interest in a boxer or Contestant competing on premises owned or leased by the person, or in which the person is otherwise interested.

**Section 5112 Age of participants**

A person under the age of 18 years shall not participate in any Contest.

**Section 5113 Boxers, Contestants and referees; physical examination; attendance of physician; payment of fees; insurance**

(A) All boxers, Contestants, and referees shall be examined by a licensed physician immediately prior to the first bout of a scheduled Contest, and the examining physician shall immediately file with the Commission a written report of the examination. The physician's report of the examination shall include specific mention as to the condition of the boxer's/Contestant's heart and general physical condition. The physician's report may include specific mention as to the condition of the boxer's/Contestant's nerves and brain as required by the Commission. The cost of the examination is payable by the person conducting the Contest.

(B) Every person holding or sponsoring any Contest shall have in attendance at every Contest a licensed physician. The Commission may establish a schedule of fees to be paid to each physician by the person or by the promoter.

(C) The Commission shall:

(1) Require insurance coverage for a boxer or Contestant to provide for medical, surgical and hospital care for injuries sustained in the ring in an amount of \$20,000 with \$25 deductible and payable to the boxer or Contestant as beneficiary.

(2) Require life insurance for a boxer or Contestant in the amount of \$50,000 payable in case of accidental death resulting from injuries sustained in the ring or Unarmed Combat area.

(D) The cost of the insurance required by this section is payable by the promoter.

(E) The promoter shall provide adequate parking facilities, security personnel, desk space, and telephone services to the Commission or its authorized representative for the purpose of regulating Contests. The promoter shall provide adequate space and rooms for conducting weigh-ins and the required medical examinations, including restroom facilities that may be used to collect biological fluid

samples for drug testing. The promoter also shall provide, during the day of each Contest, an office for the use of the Commissioners or their authorized agent.

**Section 5114 Attendance by peace officers**

The Chief of the Tohono O'odham Police Department shall provide at least one officer to attend each Contest to prevent disturbances amounting to breach of the peace by spectators. The cost of providing the officer or officers shall be paid by the promoter.

**Section 5115 Disciplinary action; grounds; emergency suspension; injunction**

(A) The Commission may take any one or a combination of the following disciplinary actions:

- (1) Revoke a license.
- (2) Suspend a license.
- (3) Impose a civil penalty in an amount of not to exceed \$1,000 per violation of this Chapter.

(B) The Commission may take disciplinary action or refuse to issue or renew a license for any of the following causes:

- (1) Committing an act involving dishonesty, fraud or deceit with the intent to substantially benefit oneself or another or substantially injure another.
- (2) Advertising by means of known false, misleading, deceptive or fraudulent statements through any communication media.
- (3) Violating any provision of this Chapter or any rule adopted pursuant to this Chapter.
- (4) Making oral or written false statements to the Commission.
- (5) Failing to complete the license application as prescribed by the Commission.

(C) In case of emergency, a member of the Commission may, on his own motion or on the verified complaint of any person charging a violation of this Chapter or of the rules adopted under this Chapter, suspend for a period of not to exceed ten days any license until final determination by the Commission, if in his opinion the action is necessary to protect the public welfare and the best interests of Tohono O'odham Boxing Commission.

(D) The Commission or the Attorney General of the Tohono O'odham Nation may apply to the Tohono O'odham Judicial Court for an order enjoining the acts or practices of any person which constitute a violation of this Chapter or the rules adopted pursuant to this Chapter.

**Section 5116 Violation; classification**

(A) A person has committed a civil violation who:

(1) Conducts, holds or gives Contests or participates in any Contest without first having procured an appropriate license as prescribed in this Chapter.

(2) Violates any provision of this Chapter or any rule or regulation adopted pursuant to this Chapter.

(B) A person found responsible for a violation under subsection (A) of this section shall be fined not more than \$5,000 for each violation.

### **Section 5117 Selection of referees**

The Commission shall select and assign referees. The matchmaker may protest the assignment of a referee and in such event the Commission shall furnish a list of all licensed referees within the State to the protesting matchmaker. The protesting matchmaker shall have the right to select another referee from such list.

### **Section 5118 Sham boxing; withholding a purse**

(A) The Commission may withhold all or part of a purse or other monies payable to any boxer, Contestant, manager or second if in the judgment of the Commission a boxer or Contestant is participating in a sham or fake Contest, or is otherwise not competing honestly or to the best of his ability.

(B) If the Commission withholds a purse or part of a purse or other monies the Commission shall give notice to all interested parties and hold a hearing upon the matter within ten days.

(C) If the Commission determines that a boxer, Contestant, manager or second is not entitled to a purse, part of a purse or other monies the promoter shall turn such monies over to the Commission.

### **Section 5119 Judicial review**

(A) Final decisions of the Commission are subject to judicial review in the Tohono O'odham Judicial Court. Any person or entity desiring to appeal a final decision of the Commission must file an application for judicial review within 15 days after receiving notice from the Commission of its final decision.

(B) A person or entity aggrieved by a summary action taken by the Commission under section 5115

(C) may seek an interlocutory review of the Commission's action by filing an application for judicial review in the Tohono O'odham Judicial Court. The application for judicial review must be filed within 15 days after receiving notice of the Commission's action.

(C) The reviewing court shall decide all relevant questions of law presented, interpret constitutional and statutory provisions, and determine the basis for the action of the Commission. The reviewing court shall uphold the action of the Commission unless the court determines that the Commission's action was:

(1) Arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law;

(2) Contrary to constitutional right, power, privilege, or immunity;

- (3) In excess of statutory jurisdiction, authority, or limitations, or in violation of statutory right;
- (4) Without observance of procedure required by law; or
- (5) Unsupported by substantial evidence.

**Section 5120 Reciprocity**

(A) If the Nation contracts with one or more qualified persons or entities to carry out the functions and duties of the Commission and to regulate Contests in accordance with section 5103, then the person or entity may accept a current, validly issued, and equivalent license from the Arizona State Boxing Commission in lieu of the license that otherwise would be required under section 5108 and the state license shall be treated as a license validly issued by the Commission under section 5108.

Notwithstanding the foregoing, the person or entity may still require any person or entity required to be licensed under section 5108 to provide any information, proof of financial responsibility, bonds, deposits, etc. required to obtain a license under section 5108.

(B) Notwithstanding sections 5109 and 5110, a person is entitled to receive a license under this Chapter if he complies with the requirements of each of the following:

- (1) Submits to the Commission under oath an application for a license on a form supplied by the Commission.
- (2) Holds an equivalent license in a state in which the licensing requirements are at least substantially equivalent to those of the Tohono O'odham Nation.
- (3) Pays the prescribed fees.

(C) The Commission shall have the power to waive any time requirements in this Chapter or the regulations of the Commission for good cause.

**Section 5121 Severability**

If any provision of this Chapter or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Chapter which can be given effect without the invalid provision or application, and to this end the provisions of this Chapter are severable.

**Section 5131 Construction**

Nothing in this Chapter or its accompanying regulations shall be construed as extending the authority of the State of Arizona or any other state over activities taking place within the territorial jurisdiction of the Tohono O'odham Nation; as limiting the sovereign authority of the Tohono O'odham Nation; or as waiving the Nation's sovereign immunity.

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Adopting and Codifying Tohono O'odham Code Title 17, Chapter 5, Boxing and**  
**Unarmed Combat)**

**RESOLUTION NO. 08-512**

- 1 **WHEREAS, the Tohono O'odham Legislative Council is vested with the power to provide laws "to**  
2 **promote, protect and provide for public health" (Constitution of the Tohono O'odham**  
3 **Nation, Article VI, Section 1(c)(2)); and**
- 4 **WHEREAS, Ordinance No.02-01, the "Ordinance for the Regulation of Professional Boxing**  
5 **Matches Within the Tohono O'odham Nation" and its implementing regulations were**  
6 **adopted to govern professional boxing matches on the Nation and establish health**  
7 **and safety standards for the protection of boxers and participants (Resolution No. 02-**  
8 **599, as amended by Resolution No. 02-604); and**
- 9 **WHEREAS, by Resolution No. 02-599, the Legislative Council authorized the Chairman of the**  
10 **Nation to negotiate an intergovernmental agreement to allow the Arizona State Boxing**  
11 **Commission to carry out the regulation of professional boxing matches on the Nation's**  
12 **lands on the Nation's behalf; and**
- 13 **WHEREAS, over the past several years "mixed martial arts" contests and "unarmed combat"**  
14 **competitions have gained in popularity across the country as both competitive sports**  
15 **and an entertainment event that generates revenue for venues that offer them; and**
- 16 **WHEREAS, the Tohono O'odham Gaming Enterprise wishes to offer unarmed combat contests at**  
17 **its facilities to generate revenue for the Nation; and**
- 18 **WHEREAS, it is in the interests of the Nation to assert civil regulatory jurisdiction over unarmed**  
19 **combat contests conducted within the Nation's lands through the adoption of rules**  
20 **and regulations to protect the health and safety of contestants, as well as ensure the**  
21 **fairness and integrity of the contests; and**
- 22 **WHEREAS, the Nation may choose to enter into an intergovernmental agreement with the Arizona**  
23 **State Boxing Commission to regulate such contests in the future; and**
- 24 **WHEREAS, the Legislative Commerce Committee has reviewed the new and amended laws**  
25 **governing such contests and recommends the adoption and codification of (1) Tohono**  
26 **O'odham Code Title 17, Chapter 5, Article 1, "Boxing and Unarmed Combat"; (2)**  
27 **Tohono O'odham Code Title 17, Chapter 5, Article 2, "Boxing Regulations"; and (3)**  
28 **"Unarmed Combat Regulations," which are dated for reference "September 2008" and**  
29 **which are hereby incorporated by this reference.**
- 30 **NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council that it hereby**  
31 **approves and adopts**

**RESOLUTION NO. 08-512**

**(Adopting and Codifying Tohono O'odham Code Title 17, Chapter 5, Boxing and Unarmed Combat)**

**Page 2 of 3**

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1. Tohono O'odham Code Title 17, Chapter 5, Article 1, "Boxing and Unarmed Combat."
2. Tohono O'odham Code Title 17, Chapter 5, Article 2, "Boxing Regulations."
3. Tohono O'odham Code Title 17, Chapter 5, Article 3, "Unarmed Combat Regulations."

**BE IT FURTHER RESOLVED** by the Tohono O'odham Legislative Council that it hereby repeals Ordinance No. 02-01, the "Ordinance for the Regulation of Professional Boxing Matches Within the Tohono O'odham Nation," and the "Regulations Adopted under the Ordinance for the Regulation of Professional Boxing Matches Within the Tohono O'odham Nation," as adopted by Resolution No. 02-599 and amended by Resolution No. 02-604.

**BE IT FINALLY RESOLVED** that the Nation's Chairman is authorized to take all reasonable and necessary steps to implement this Resolution, including to negotiate and execute an intergovernmental agreement with the Arizona State Boxing Commission to carry out the regulation of professional boxing matches and unarmed combat competitions on the Nation's lands on behalf of the Nation.

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 12<sup>TH</sup> Day of SEPTEMBER, 2008 at a meeting at which a quorum was present with a vote of 2,216.05 FOR; -0- AGAINST; 318.45 NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1 (c)(2) of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

**TOHONO O'ODHAM LEGISLATIVE COUNCIL**

  
Verlon M. Jose, Legislative Chairman

11 day of September, 2008

**ATTEST:**

  
Lucille Lopez, Acting Legislative Secretary

12 day of September, 2008.

1 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham**  
2 **Nation on the 11 day of September, 2008 at 3:56 o'clock, P..M.,**  
3 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective**  
4 **upon his approval or upon his failure to either approve or disapprove it within 48 hours of**  
5 **submittal.**

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7 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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11 **Verlon M. Jose, Legislative Chairman**

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15  **APPROVED**

on the 12<sup>th</sup> day of September, 2008

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17  **DISAPPROVED**

at 2:20 o'clock, P..M.

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21 **NED NORRIS, JR., CHAIRMAN**  
22 **TOHONO O'ODHAM NATION**

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26 **Returned to the Legislative Secretary on the 12 day of**

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28 September, 2008, at 2:47 o'clock, P..M.

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32 **Lucille Lopez, Acting Legislative Secretary**

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