



EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

July 11, 2007

The Honorable Colleen Hanabusa, President
and Members of the Senate
Twenty-Fourth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

Dear Madam President and Members of the Senate:

Re: House Bill No. 1866 HD3 SD2 CD1

On July 10, 2007, House Bill No. 1866, entitled "A Bill for an Act Relating to Mixed Martial Arts" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to establish a new, comprehensive regulatory scheme for professional mixed martial arts contests and participants.

Mixed martial arts contests are growing in popularity throughout Hawaii with eight such events held in 2000 and 29 events held in 2005. Thus the need to regulate these contests is apparent and I have therefore allowed this bill to become law as a matter of public safety in order to best protect those engaged in mixed martial arts activities.

This bill is objectionable because it finances the start-up costs of mixed martial arts regulation from the Compliance Resolution Fund (CRF). General funds should be used to defray the start-up costs of implementing new professional or vocational regulatory programs. By using CRF funds, this bill forces licensees from other professional and vocational licensing programs who pay into the CRF (e.g., certified public accountants, nurses, emergency medical technicians, social workers) to subsidize the start-up costs of another profession.

The manner in which the source of funding in this bill was decided is also troubling. From its introduction in January through the end of April, the language in the first six versions of this bill was consistent in sourcing the appropriations for the start-up costs of the mixed martial arts regulatory scheme from the general fund. Only in Conference Committee was the source of funding switched from general funds to the CRF. While such legislative action is not unprecedented, it is nevertheless unfortunate.

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Additionally, I am troubled that the regulations the Department of Commerce and Consumer Affairs develops to protect the participants of this sport will not be allowed to take effect until July 1, 2009.

For the foregoing reasons, I allowed House Bill No. 1866 to become law as Act 279, effective July 10, 2007, without my signature.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Lingle", written in a cursive style.

LINDA LINGLE