

**Study Committee on the Uniform Athlete Agents Act**  
**Meeting Minutes**  
*May 7, 2012 via Conference Call*

**Call to order**

**Chair Dale Higer** called to order the first meeting of the **Study Committee on the Uniform Athlete Agents Act** at **2:00 pm (Central Time)** on **May 7, 2012** via **teleconference**.

**Roll call**

Chair Higer conducted a roll call. The following persons were present: Commissioners Robert Bailey, Jerry Bassett, John McGarvey, Robert Mulle, Frank Perez, Rebecca Rockwell, ABA Advisor Michael Maciszewski, and ULC staff members Katie Robinson and Nicole Julal.

**Opening remarks**

Chair Higer welcomed the committee members and introduced himself. He gave an overview of the Uniform Athlete Agents Act (UAAA) and the circumstances leading to the appointment of the study committee. There were several documents distributed prior to the call that provided the committee members with additional information.

The UAAA has been widely adopted across the country with 43 enactments to date. However, in recent years there has been legislative activity in some states seeking to amend or repeal the UAAA for the purpose of addressing continued violations of the act, loop holes and new issues.

The NCAA sponsored a meeting in Washington, D.C. last fall to address the trend of some states deviating from the uniform act, as well as to discuss new issues that have arisen since the completion of the UAAA. That meeting led to a proposal to the Uniform Law Commission (ULC) requesting the creation of this committee. ULC Executive Committee's charge to the study committee is to determine if the UAAA should be revised and, if so, in what areas.

**Discussion**

Commissioner Bassett gave a report on the Summit Meeting. The attendees were from five distinct groups: representatives from the states' offices of the Attorney General and Secretary of State, athlete agents, various players associations, and the Uniform Law Commission. The attendees mirrored the stakeholders that participated in the UAAA drafting process. The NCAA has indicated a willingness to assist with the work of the study committee.

The committee reviewed and discussed the issues identified in the scope proposal to be considered by the committee. There were no objections to any of the issues listed. Commissioner Mulle suggested addressing the issues with a multi-level

approach by utilizing other tools besides legislation to address the issues identified.

Question posed by a committee member: *should the definition of agent in the UAAA be expanded?* A brief discussion of the Cam Newton case ensued. It was decided that this is an important issue the committee will likely have to address.

The committee discussed the efficacy of the UAAA registration provision. At least two states, Colorado and Montana, have repealed the UAAA registration provision. One commissioner noted that the rationale for doing away with the registration provision in these states is that it is more effective to criminalize acts that are undesired and prosecute violators than to require registration by the actors. This is an important issue that will be revisited by the committee.

The committee also discussed the lack of resources to enforce the UAAA. Registration fees do not generate enough funds in the states to fund enforcement. Chair Higer encouraged committee members to think outside the box for solutions to deal with the lack of resources available for enforcement of the UAAA.

A discussion ensued regarding new issues that have arisen since the completion on the UAAA. One issue discussed at some length by the committee concerned runners. The NFL Players Association recently implemented a new rule with respect to runners. The committee members would like to review the rule and perhaps consider the use of similar institutional rules to address some of the issues.

The Committee discussed the need for a stakeholders meeting as well as identifying the participants. Suggested participants include the NCAA, NFL, NBA, MLB, NHL, the National Association of Collegiate Athletic Directors, various coaches associations, athlete agents and their associations, and various players associations.

### **Action items**

ULC Staff will prepare a list of potential stakeholders and their contact information.

Chair Higer will draft a status report for consideration at next Scope and Program Committee meeting.

ULC Staff will make arrangements for the Study Committee to meet during the Uniform Law Commission's 2012 Annual Meeting.

### **Adjournment**

**Chair Dale Higer** adjourned the meeting at **2:50 pm**. The next meeting will take place at a date and time to be determined.