

**Meeting Agenda**  
**SOUTH DAKOTA ATHLETIC COMMISSION**

Via Zoom

<https://us02web.zoom.us/j/84727194561?pwd=TWFTM1hMdGJQclRMNmIpdVA2WkZSUT09>

or call 1-312-626-6799

Meeting ID: 847 2719 4561

Passcode: 882104

Friday, January 15, 2021

12:00 pm. (CST)

*Proposed Agenda*

- A. Call to Order
- B. Approval of the Agenda
- C. Open Forum: 5 minutes for the public to address the Commission
- D. Approval of Meeting Minutes of October 2, 2020
- E. Approval of Public Hearing Minutes of October 2, 2020
- F. Approval of Financial Report as of December 31, 2020
- G. Old Business
  - 1) Policy for approval of multiple events for the same promoter in a calendar year
  - 2) COVID 19 update
- H. New Business
  - 1) Event applications
  - 2) Legalized medical marijuana impacts on Commission
  - 3) Legalized sports betting impact on Commission
- I. Other Business
- J. Executive Session pursuant to SDCL 1-25-2(3) to consult with legal counsel regarding proposed or pending litigation
- K. Announcements
- L. Adjourn

**Meeting Minutes**  
**SOUTH DAKOTA ATHLETIC COMMISSION**  
Via Teleconference  
October 2, 2020 12:00 p.m. Central

Vice Chairman Lohff called the meeting to order at 12:16 p.m. Stalley called the roll. A quorum was present.

**Members Present via Telephone:** Mike Kilmer, Lee Lohff, Margaret Gillespie, Richard Little and Verle Valentine

**Members Absent:** None

**Others Present via Telephone:** Jennifer Stalley, executive secretary; Amber Mulder, Department of Labor Legal Counsel; and Bob Mercer, KELO Land Media Group

Kilmer made a motion to approve the agenda. Gillespie seconded the motion. The Commission voted by roll call. Kilmer, Lohff, Gillespie and Little voted aye. Valentine was absent. **MOTION PASSED.**

Lohff asked for any public comments. There were no comments offered.

Kilmer made a motion to approve the August 14, 2020 meeting minutes with a grammatical correction. Little seconded the motion. The Commission voted by roll call. Kilmer, Lohff, Gillespie and Little voted aye. Valentine was absent. **MOTION PASSED.**

Kilmer made a motion to accept the August 31, 2020 financial report. Gillespie seconded the motion. The Commission voted by roll call. Kilmer, Lohff, Gillespie and Little voted aye. Valentine was absent. **MOTION PASSED.**

Stalley provided the Commission with an update on previously approved events. All events approved for 2020 have either taken place or are cancelled due to COVID-19 concerns. The promoters of approved events have indicated they will look for 2021 dates and resubmit applications to the Commission in 2021.

Gillespie made a motion to approve the 2021 exempt organization request from South Dakota USA Boxing on the condition South Dakota USA Boxing inform the Commission of any sanctioned events in South Dakota before the event takes place and South Dakota USA Boxing report all event results and any contestant injuries to the Commission within 30 days of the event. Little seconded the motion. The Commission voted by roll call. Kilmer, Lohff, Gillespie, Little and Valentine voted aye. **MOTION PASSED.**

The Commission discussed a proposed policy for allowing the executive secretary to approve multiple events from a promoter with a previously approved event in the same calendar year. The Commission deferred action for further discussion at the next meeting.

Gillespie made a motion to set the 2021 Commission meeting schedule for January 15, 2021; April 16, 2021; July 9, 2021; and October 15, 2021 with meetings at 12:00 pm (central). Little seconded the motion. The Commission voted by roll call. Kilmer, Lohff, Gillespie, Little and Valentine voted aye. **MOTION PASSED.**

Gillespie made a motion to elect Kilmer as Chair of the Commission for a one-year term. Little seconded the motion. There were no other nominations. The Commission voted by roll call. Lohff, Gillespie, Little and Valentine voted aye. Kilmer abstained. **MOTION PASSED.**

Gillespie made a motion to elect Lohff as Vice Chair of the Commission for a one-year term. Kilmer seconded the motion. There were no other nominations. The Commission voted by roll call. Kilmer, Gillespie, Little and Valentine voted aye. Lohff abstained. **MOTION PASSED.**

Kilmer made a motion to elect Little as Secretary of the Commission for a one-year term. Gillespie seconded the motion. There were no other nominations. The Commission voted by roll call. Kilmer, Lohff, Gillespie, and Valentine voted aye. Little abstained. **MOTION PASSED.**

Lohff noted the executive session noticed on the agenda was not necessary.

Lohff noted the next Commission meeting is scheduled for January 15, 2021 via teleconference.

There being no other business before the Commission, Lohff adjourned the meeting at 12:47 pm.

Respectfully Submitted,

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Richard Little, Secretary



**South Dakota Athletic Commission  
Minutes of Public Hearing  
October 2, 2020**

Vice Chairman Lee Lohff called the public hearing to order at 12:08 p.m. on Friday, October 2, 2020 and noted that this was time and place for the public hearing on the proposed rules of the South Dakota Athletic Commission numbered §§ 20:81:02:03 and 20:81:05:14.

Lohff noted that statements made during the hearing were being recorded in the minutes and due notice of this public hearing was published in three South Dakota newspapers and was made to interested parties in advance of the hearing. Lohff noted the recommended edits for compliance with the requirements for form, style and legality made by the South Dakota Legislative Research Council pursuant to SDCL 1-26.

**Hearing Officer:** Lee Lohff, Commission Vice Chairman.

**Members of the Commission in attendance:** Mike Kilmer, Lee Lohff, Margaret Gillespie, Richard Little, and Verle Valentine

**Commission staff in attendance:** Jennifer Stalley

**Legal Counsel in attendance:** Amber Mulder

**Others in attendance:** Bob Mercer, KELO Land Media Group

**Written Testimony:** None.

**Oral Testimony:** None

Lohff confirmed with Commission staff that no written testimony was received by the Commission. The Commission received no written testimony. Lohff asked for any oral public testimony. There was no public testimony.

Lohff closed testimony and opened the public hearing to Commission discussion and/or action.

Gillespie moved that the South Dakota Athletic Commission approve the adoption of the proposed amended rules ARSD §§20:81:02:03 and 20:81:05:1, including the Legislative Research Council's edits for compliance with the requirements for form, style and legality. Second by Kilmer. Kilmer, Lohff, Gillespie, and Little voted aye. Valentine was absent. Motion carried.

There being no further business, the public hearing was adjourned at 12:16 p.m.

Respectfully submitted,

  
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Jennifer Stalley, Executive Secretary

BAL409R1

STATE OF SOUTH DAKOTA  
CASH CENTER BALANCES  
AS OF: 12/31/2020

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AGENCY: 10 LABOR & REGULATION  
BUDGET UNIT: 1039 SOUTH DAKOTA ATHLETIC COMMISSION - INFO

COMPANY	CENTER	ACCOUNT	BALANCE	DR/CR	CENTER DESCRIPTION
6503	1039000887	1140000	128,774.62	DR	BOXING COMMISSION FUND
COMPANY/SOURCE TOTAL 6503 887			128,774.62	DR *	
COMP/BUDG UNIT TOTAL 6503 1039			128,774.62	DR **	
BUDGET UNIT TOTAL 1039			128,774.62	DR ***	

STATE OF SOUTH DAKOTA  
 REVENUE SUMMARY BY BUDGET UNIT  
 FOR PERIOD ENDING: 12/31/2020

AGENCY BUDGET UNIT	COMPANY NO	COMP	ACCOUNT	DESCRIPTION	CURRENT MONTH	YEAR-TO-DATE
10 1039	LABOR & REGULATION	6503				
	SOUTH DAKOTA ATHLETIC COMMISSION - INFO					
	PROFESSIONAL & LICENSING BOARDS					
1039000887	6503	4293070		PROMOTER LICENSE	.00	600.00
ACCT: 4293				BUSINESS & OCCUP LICENSING (NON-GOVERNMENTAL)	.00	600.00
1039000887	6503	4299080		EVENT FEE	.00	24,000.00
1039000887	6503	4299081		CONTESTANT REGIST FEE	.00	5,100.00
1039000887	6503	4299082		JUDGE REGISTRATION FEE	.00	100.00
1039000887	6503	4299083		REFEREE REGISTRATION FEE	.00	50.00
1039000887	6503	4299084		SECOND REGISTRATION FEE	.00	2,450.00
1039000887	6503	4299087		AMATEUR EXEMPTION FEE	.00	100.00
ACCT: 4299				OTHER LIC, PRMTS, & FEES (NON-GOVERNMENTAL)	.00	31,800.00
ACCT: 42				LICENSES, PERMITS & FEES	.00	32,400.00
1039000887	6503	4920045		NONOPERATING REVENUES	.00	3,525.33
ACCT: 4920				NONOPERATING REVENUE	.00	3,525.33
ACCT: 49				OTHER REVENUE	.00	3,525.33
CNTR: 1039000887					.00	35,925.33
COMP: 6503					.00	35,925.33
B UNIT: 1039					.00	35,925.33

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BUDGET UNIT 1039

AVAILABLE FUNDS  
AS OF: 12/31/2020  
FY YEAR REMAINING: 50.0%  
PAY DAYS REMAINING: 12

MONTHLY

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DATE 01/02/2021

CENTER NAME SOUTH DAKOTA ATHLETIC COMMISSION - INFO

COMP	ORIGINAL APPROPRIATION	APPROPRIATION TRANSFERS	YEAR-TO-DATE COMMITMENTS	YEAR-TO-DATE ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	AVAILABLE APPROPRIATIONS	CASH BALANCE
6503-I	59,000.00	0.00	0.00	14,329.73	42,642.70	2,027.57	128,774.62
BUDGETED TOT	59,000.00	0.00	0.00	14,329.73	42,642.70	2,027.57	
ALL COMP TOT	59,000.00	0.00	0.00	14,329.73	42,642.70	2,027.57	

TOTAL BUDGETED:

OBJECT OF EXPENDITURE	AMOUNT BUDGETED	COMMITMENTS YEAR-TO-DATE	ENCUMBRANCES YEAR-TO-DATE	MONTHLY EXPENDITURES YEAR-TO-DATE	BUDGET AVAILABLE	PCT AVL
5101 EMPLOYEE SALARIES	9,677.00	0.00	0.00	3,024.76	6,652.24	68.7
5102 EMPLOYEE BENEFITS	1,566.00	0.00	0.00	351.74	1,214.26	77.5
5203 TRAVEL	3,877.00	0.00	0.00	5,720.80	1,843.80-	0.0
5204 CONTRACTUAL SVCS	42,780.00	0.00	14,329.73	33,327.01	4,876.74-	0.0
5205 SUPPLIES & MATRLS	1,100.00	0.00	0.00	218.39	881.61	80.1
TOTALS	59,000.00	0.00	14,329.73	42,642.70	2,027.57	3.4

BREAKOUT BY COMPANY:

COMPANY	PROFESSIONAL & LICENSING BOARDS	AMOUNT BUDGETED	COMMITMENTS YEAR-TO-DATE	ENCUMBRANCES YEAR-TO-DATE	MONTHLY EXPENDITURES YEAR-TO-DATE	BUDGET AVAILABLE	PCT AVL
COMPANY 6503-I	OE SUBTOTALS	47,757.00	0.00	14,329.73	1,693.15	39,266.20	0.0
COMPANY 6503-I	TOT	59,000.00	0.00	14,329.73	1,693.15	42,642.70	3.4

COMPANY	PROFESSIONAL & LICENSING BOARDS	AMOUNT BUDGETED	COMMITMENTS YEAR-TO-DATE	ENCUMBRANCES YEAR-TO-DATE	MONTHLY EXPENDITURES YEAR-TO-DATE	BUDGET AVAILABLE	PCT AVL
5101000	EMPLOYEE SALARIES	9,677.00	0.00	0.00	0.00	3,024.76	68.7
5102000	EMPLOYEE BENEFITS	1,566.00	0.00	0.00	0.00	351.74	77.5
5303000	TRAVEL	3,877.00	0.00	0.00	0.00	5,720.80	0.0
5204000	CONTRACTUAL SVCS	42,780.00	0.00	14,329.73	1,693.15	33,327.01	0.0
5205000	SUPPLIES & MATRLS	1,100.00	0.00	0.00	0.00	218.39	80.1
	PS SUBTOTALS	11,243.00	0.00	0.00	0.00	3,376.50	70.0
	OE SUBTOTALS	47,757.00	0.00	14,329.73	1,693.15	39,266.20	0.0
	COMPANY 6503-I	TOT	0.00	14,329.73	1,693.15	42,642.70	3.4

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STATE OF SOUTH DAKOTA  
MONTHLY OBJECT/SUB-OBJECT REPORT BY BUDGET UNIT  
FOR PERIOD ENDING: 12/31/2020

AGENCY BUDGET CENTER	UNIT	COMP	ACCOUNT	DESCRIPTION	CURRENT MONTH	YEAR-TO-DATE	
1039000887	10390	6503	51010100	F-T EMP SAL & WAGES	.00	684.76	
1039000887	10390	6503	51010300	BOARD & COMM MERS FEES	.00	2,340.00	
ACCT: 5101				EMPLOYEE SALARIES	.00	3,024.76	*
1039000887	6503	51020100		OASI-EMPLOYER'S SHARE	.00	230.61	
1039000887	6503	51020200		RETIREMENT-ER SHARE	.00	41.11	
1039000887	6503	51020600		HEALTH/LIFE INS.-ER SHARE	.00	78.12	
1039000887	6503	51020800		WORKER'S COMPENSATION	.00	1.24	
1039000887	6503	51020900		UNEMPLOYMENT COMPENSATION	.00	.66	
ACCT: 5102				EMPLOYEE BENEFITS	.00	351.74	*
ACCT: 51				PERSONAL SERVICES	.00	3,376.50	**
1039000887	6503	52030300		AUTO-PRIV (IN-ST.) H/RTE	.00	2,620.80	
1039000887	6503	52031000		LODGING/IN-STATE	.00	2,028.00	
1039000887	6503	52031500		NON-TAKABLE MEALS/IN-ST	.00	1,072.00	
ACCT: 5203				TRAVEL	.00	5,720.80	*
1039000887	6503	52040900		MANAGEMENT CONSULTANT	.50	5,207.00	
1039000887	6503	52042000		CENTRAL SERVICES	.05	1,499.74	
1039000887	6503	52043600		ADVERTISING-NEWSPAPER	.00	103.69	
1039000887	6503	52049600		OTHER CONTRACTUAL SERVICE	.60	26,516.58	
ACCT: 5204				CONTRACTUAL SERVICES	1,693.15	33,327.01	*
1039000887	6503	52050200		OFFICE SUPPLIES	.00	127.97	
1039000887	6503	52053500		POSTAGE	.00	90.42	
ACCT: 5205				SUPPLIES & MATERIALS	.00	218.39	*
1039000887	6503	5228000		OPER TRANS OUT -NON BUDGT	14.69	170.51	*
ACCT: 5228				NONOP EXP/NONBGTD OP TR	14.69	170.51	*
ACCT: 52				OPERATING EXPENSES	1,707.84	39,436.71	**
COMP: 6503				PROFESSIONAL & LICENSING BOARDS	1,707.84	42,813.21	***
CENTER: 1039000887					1,707.84	42,813.21	****
B UNIT: 1039					1,707.84	42,813.21	*****



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STATE OF SOUTH DAKOTA  
MONTHLY EXPENDITURE REPORT  
FOR PERIOD ENDING: 12/31/2020

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AGENCY UNIT 10 LABOR & REGULATION  
BUDGET UNIT 1039 SOUTH DAKOTA ATHLETIC COMMISSION - INFO  
CENTER-5 10390 SD ATHLETIC COMMISSION

COMP	CENTER	ACCOUNT	DOCUMENT NUMBER	POSTING DATE	JV APPL OR PAYMENT #	SHORT NAME	VENDOR NUMBER	VENDOR GROUP	AMOUNT	DR/CR
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COMPANY NO		6503								
COMPANY NAME		PROFESSIONAL & LICENSING BOARDS								

6503	1039000887	52040900	21-1000-001	1611	12/09/2020	00689540	MIDWESTSOL	12199902	1,045.50	DR
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OBJSUB: 5204090		MANAGEMENT CONSULTANT								
OBJSUB: 1039000887		FMI09081								
			01/01/2021							

6503	1039000887	52049600	21-1000-001	1611	12/09/2020	00689540	MIDWESTSOL	12199902	1,045.50	DR
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OBJSUB: 5204960		OTHER CONTRACTUAL SERVICE								
OBJSUB: 1039000887		CONTRACTUAL SERVICES								
		T101-077								
			12/11/2020							

OBJSUB: 5228000		OPER TRANS OUT -NON BUDGT								
OBJSUB: 5228		NONOP EXP/NONBGTD OP TR								
GROUP: 52		OPERATING EXPENSES								

COMP: 6503										
CNTR: 1039000887										
B. UNIT: 1039										
									14.69	DR
									14.69	DR
									1,707.84	DR
									1,707.84	DR
									1,707.84	DR
									1,707.84	DR
									1,707.84	DR

## **Proposed Athletic Commission Policy Regarding Multiple Events by a Promoter in a Calendar Year**

The Commission delegates to the executive secretary the authority to approve additional event(s) for a licensed promoter who has already had at an event approved by Commissioners in a calendar year under the same conditions imposed by the Commissioners on the first approved event, provided the licensed promoter complies with the submission timeline of ARSD 20:81:01:03.

### **Effect:**

Delegation of this authority allows the Commission staff to approve additional events for a promoter in a calendar year without the need for special meetings of the Commission to consider the event application. If the event will follow the same process as the previously approved event, the additional date would be confirmed with the requirements of the first event. If circumstances change for a promoter or event, Commissioners would need to be involved in the approval of additional events.

**20:81:01:03. Contest approval required.** No contest may be held without the approval of the Commission. Requests for approval of a contest must be submitted to the Commission at least thirty business days prior to the date of the contest. A request for approval must be submitted on a form prescribed by the Commission.

**Source:** 41 SDR 7, effective July 28, 2014; 42 SDR 101, effective January 7, 2016.

**General Authority:** SDCL 42-12-10(1).

**Law Implemented:** SDCL 42-12-10(1).