

SOUTH DAKOTA ATHLETIC COMMISSION  
MINUTES OF PUBLIC HEARING

The South Dakota Athletic Commission convened at 10:00 a.m. on Thursday, June 12, 2014, at Kneip Building, Conference Room #3, 700 Governors Drive, Pierre, South Dakota.

The purpose of the meeting was to conduct a public hearing on the proposed rules of the Commission numbered 20:81:01:01 to 20:81:09:10, inclusive, adopted under the authority of SDCL 42-12-10 and 1-26-6.9.

**Hearing Officer:** Jennifer Stalley, Pierre, South Dakota.

**Commissioners in Attendance via telephone:** Commissioners Michael Bergeron, Margaret Gillespie, Mike Kilmer, Richard Little, Lee Lohff.

**Commissioners Absent:** None

**Others in Attendance:** Jennifer Stalley, Executive Director, and Amber Mulder, Legal Counsel, and Leon Jorgenson, Waubay, SD, and Jim Erickson, Brainerd, MN, via telephone.

**Written Testimony**

The hearing officer marked and entered into the record four e-mails with comments which had been received by the Commission prior to the hearing. These e-mails were received from Robert Wombacher, Tim Luekenhoff, Mike Kilmer, and Loren Jorgenson.

**Oral Testimony**

Oral testimony concerning the proposed rules was received from Jim Erickson, Executive Director of the Mille Lacs Band of Ojibwe Indians Athletic Regulation and Loren Jorgenson, promoter.

**Jim Erickson** provided testimony in support of the proposed rules with suggestions for additional regulations regarding the approval of events and subsequent cancellations by a promoter, requiring a medical information release form from contestants, requiring promoters to cover the costs of fight fax requisitions, and allowing negotiation of weight differences if weight is not met. Erickson also supported recommendations on listing specific testing for HIV, Hepatitis B and Hepatitis C in rule and clarification on which glove weight is used if contestants span two weight classes after weigh in. Erickson also noted that it is not customary to have the promoter cover the deductible of the primary insurance policy of a contestant, but there is no prohibition on it. Erickson expressed his appreciation for the Commission's work in putting the rules together and in moving the Commission forward in South Dakota.

**Loren Jorgenson** addressed the Commission regarding the written comments he provided. Jorgenson expressed concerns about amateur versus professional status for contestants who may

not be ready to be professional fighters but have fought in North Dakota where all fighters compete as a professional. Jorgenson questioned the need to limit the number of amateur rounds on a card and limiting a promoter from acting as a matchmaker. Jorgenson recommended that a chiropractor be allowed to serve in the role of physician. Jorgenson also recommended the rule requiring the promoter to provide gloves be removed so fighters can provide approved gloves if desired. Jorgenson questioned the fees for licensing and registration, noting they are higher than surrounding states. Jorgenson addressed his other concerns and suggestions through his written comments.

Stalley informed the Commission the Legislative Research Council reviewed the draft rules and recommended style and format changes throughout, but no substantive changes.

Stalley called for any additional public comment. There being no other public comment, Stalley closed the public hearing to comment, and the Commission proceeded to discussion and action.

Commissioner Kilmer moved the Commission adopt the proposed rules with the style and form changes recommended by the Legislative Research Council, the addition of specific language requiring HIV, Hepatitis B and C testing for contestants, the clarification of language that all fees from previous shows must be paid before approval of future shows, allowance of a licensed MD, DO, optometrist or ophthalmologist from any state to perform the required exams of contestants, removal of the prohibition on a promoter from acting as a matchmaker, removal of the limitation on amateur bouts on a card, removal of the requirement that timekeepers wear gloves, and allowance for gloves approved by the Commission. Commissioner Lohff seconded. Motion carried by roll call vote: Bergeron – Yes; Gillespie – Yes; Kilmer – Yes; Little – Yes; Lohff – Yes.

Commissioner Bergeron moved to adjourn the meeting. Commissioner Little seconded. Motion carried by unanimous vote.

Respectfully submitted,

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Jennifer Stalley  
Executive Director  
South Dakota Athletic Commission

**Adjournment:** 11:17 a.m.