



South Dakota Athletic Commission

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South Dakota Athletic Commission
Regular Meeting
Kneip Building, Conference Room #3, Pierre
October 24, 2014

Commissioner Mike Kilmer, Chair, called the meeting to order at 11:00 am (central).

Present in person: Commissioners Mike Kilmer, Chair, Commissioner Richard Little, Jennifer Stalley, Executive Secretary and Amber Mulder, legal counsel.

Present via telephone: Commissioner Lee Lohff, Vice Chair, Commissioner Michael Bergeron, Commissioner Margaret Gillespie, and Bobby Wombacher.

Kilmer called for public testimony. There was no comment.

Commissioner Lohff moved to approve the Minutes of September 2, 2014.

Commissioner Bergeron seconded. The Commission voted by roll call. Commissioners Bergeron, Gillespie, Little, Lohff and Kilmer voted Yes. Motion carried.

Commissioner Lohff move to approve the Financial Summary as of September 30, 2014. Commissioner Gillespie seconded. The Commission voted by roll call. Commissioners Bergeron, Gillespie, Little, Lohff and Kilmer voted Yes. Motion carried.

Ms. Stalley provided the Commission with the FY2015/FY2016 Projected Financial Condition Statement for the Commission for informational purposes.

Ms. Stalley provided the Commission with the most recent and updated versions of the Commissions statutes, administrative rules, and Commission policies for informational purposes.

Ms. Stalley provided the Commission with an update on the August 22, 2014 mixed martial arts event held in Sioux Falls. The final event fee for the event was \$6,382 for the 12 bout event.

Ms. Stalley provided the Commission with an update on the November 1, 2014 mixed martial arts event scheduled for Rapid City. The event weigh in is scheduled for October 31, 2014 and the event will take place on November 1, 2014. The Notice of Contest proposed 12 bouts, with 10 amateur and 2 professional bouts.

Ms. Stalley provided the Commission with an update on the December 13, 2014 mixed martial arts event scheduled for Brookings. The promoter, Fury Fights, Inc., has requested to withdraw the application for the event and the application for his promoter's license.

Commissioner Gillespie moved to withdraw the Commission's conditional approval for the mixed martial arts event by Fury Fights, Inc. on December 13, 2014 in Brookings. Commissioner Little seconded. The Commission voted by roll call. Commissioners Bergeron, Gillespie, Little, Lohff and Kilmer voted Yes. Motion carried.

Commissioner Gillespie moved to purchase drug testing kits consistent with testing for the prohibited substances provided in administrative rule and randomly test participants in accordance with administrative rule. Commissioner Lohff seconded. The Commission voted by roll call. Commissioners Bergeron, Gillespie, Little, Lohff and Kilmer voted Yes. Motion carried.

Commissioner Lohff moved to defer assignment of inspectors for events to the next meeting when standards and requirements for inspectors can be considered. Commissioner Little seconded. The Commission voted by roll call. Commissioners Bergeron, Gillespie, Little, Lohff and Kilmer voted Yes. Motion carried.

Commissioner Bergeron moved to purchase two medical quality scales for use at weigh-ins and events. Commissioner Little seconded. The Commission voted by roll call. Commissioners Bergeron, Gillespie, Little, Lohff and Kilmer voted Yes. Motion carried.

The Commission discussed possible training opportunities for Commissioners and Commission designees. The Association of Boxing Commissions and Association of Ringside Physicians conferences were noted as good training opportunities. The possibility of having the Association of Boxing Commissions provide training to the Commission in conjunction with a Commission meeting was also discussed. Additional resources will continue to be identified to train Commissioners. Given the financial constraints of the Commission, no trainings were approved.

The Commission reviewed the Petition for Review and Amendment of Administrative Rules submitted by the South Dakota Chiropractors' Association. The Commission reviewed and considered the requirements and procedures set out in SDCL 1-26-13 and the contents of the Petition, including the reasons advanced by Petitioner in support of the suggested amendment the definition of "Physician" to include doctors of chiropractic in South Dakota Administrative Rule 20:81:01:01(10).

Commissioner Gillespie moved the Petition for Review and Amendment of Administrative Rules be denied for the following reasons: (1) the Commission is authorized to promulgate administrative rules to govern boxing, kickboxing and mixed martial arts competitions and promulgated rules defining ringside physicians in conformance with this authority and the statutory requirements for promulgating such rules; (2) the issue of including chiropractors in the definition of a ringside physician was considered and denied by the Commission during the public hearing on the promulgation of the rules governing boxing, kickboxing and mixed martial arts competitions; (3) pursuant to administrative rule, a ringside physician is responsible not

only for pre-fight physicals, but also for rendering emergency treatment at ringside as be needed during a competition; (4) the Association of Ringside Physicians does not endorse chiropractors or mid-level providers for ringside coverage; (5) the Association of Boxing Commissions does not allow chiropractors to serve as ringside physicians; (6) the Commission is unaware of any state or similar regulatory body that allows chiropractors to serve as ringside physicians; and (7) the Commission is unaware of chiropractic training that encompasses training in emergencies sustained in combative sports; and that the Commission adopt a Resolution to this effect for purposes of denying the Petition for Review and Amendment of Administrative Rules. Commissioner Lohff seconded. The Commission voted by roll call. Commissioners Bergeron, Gillespie, Little, Lohff and Kilmer voted Yes. Motion carried.

Commissioner Bergeron moved to approve the application of Alliance Media Group, LLC for a mixed martial arts competition on April 10, 2015 in Sioux Falls, conditional on receiving the \$1,000 registration fee within 14 business days. Commissioner Little seconded. The Commission voted by roll call. Commissioners Bergeron, Gillespie, Little, Lohff and Kilmer voted Yes. Motion carried.

Commissioner Bergeron moved to approve the application of Alliance Media Group, LLC for a mixed martial arts competition on August 21, 2015 in Sioux Falls, conditional on receiving the \$1,000 registration fee within 14 business days. Commissioner Little seconded. The Commission voted by roll call. Commissioners Bergeron, Gillespie, Little, Lohff and Kilmer voted Yes. Motion carried.


Commissioner Gillespie moved the Commission go into Executive Session for consideration of a proposed contested case at 12:26 pm. Commissioner Lohff seconded. The Commission voted by roll call. Commissioners Bergeron, Gillespie, Little, Lohff and Kilmer voted Yes. Motion carried.

Commissioner Lohff moved the Commission move out of Executive Session and into General Session at 12:46 pm. Commissioner Little seconded. The Commission voted by roll call. Commissioners Bergeron, Gillespie, Little, Lohff and Kilmer voted Yes. Motion carried.

Commissioner Kilmer reminded the Commission of the upcoming meeting dates.

There being no other business before the Commission, Commissioner Lohff moved the Commission adjourn at 12:50 pm. Commissioner Little seconded. The Commission voted by roll call. Commissioners Bergeron, Gillespie, Little, Lohff and Kilmer voted Yes. Motion carried.

Respectfully Submitted,



Commissioner Richard Little
Secretary