

FLORIDA STATE BOXING COMMISSION
GENERAL BUSINESS MEETING

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
BOARD CONFERENCE ROOM
1940 NORTH MONROE STREET
TALLAHASSEE, FL 32399-1016

February 28, 2014 at 9:00 a.m.

CALL TO ORDER

Dr. Williams called the meeting to order on February 28, 2014 at 9:00 a.m.

MEMBERS PRESENT BY PHONE

Dr. Wayne Kearney, Vice Chair
Frank Gentile, Assistant Executive Director

OTHERS PRESENT

Dr. Mark Williams, Chair
Mr. Tirso Martinez
Cynthia Hefren, Executive Director
Lina Hurtado, Government Analyst II
Robert Milne, Assistant Attorney General
Tony Camarata
John MacIver
Mark Miller, Prosecuting Attorney

WORKSHOP RULES 61K1- 3.007, 61K1- 3.016, 61K1- 3.0165, 61K1- 3.017, FLORIDA ADMINISTRATIVE CODE

61K1- 3.007 F.A.C. Participant; License; Conduct and Other Requirements

Mr. Robert Milne opened the floor for public comments and comments were taken.

61K1- 3.016, F.A.C. Pre-match Physical of Participant and Referee

Mr. Robert Milne opened the floor for public comments and comments were taken.

61K1 – 3.0165, F.A.C. Weigh-in

Mr. Robert Milne opened the floor for public comments and comments were taken.

61K1- 3.017, F.A.C. Drugs and Foreign Substances; Penalties

Mr. Robert Milne opened the floor for public comments and comments were taken.

The workshop adjourned at 9:50 a.m.

Dr. Williams called the general business meeting to order at 10:00 a.m.

REVIEW AND APPROVAL OF THE SEPTEMBER 13, 2013 GENERAL BUSINESS MEETING MINUTES

The Commission reviewed the September 13, 2013 general business meeting minutes, and after discussion, the following motion was made.

MOTION: Mr. Martinez made a motion to approve the September 13, 2013 general business meeting minutes.

SECOND: Dr. Kearney seconded the motion and it passed unanimously.

REVIEW AND APPROVAL OF THE DECEMBER 13, 2013 GENERAL BUSINESS MEETING MINUTES

The Commission reviewed the December 13, 2013 general business meeting minutes, and after discussion, the following motion was made.

MOTION: Mr. Martinez made a motion to approve the December 13, 2013 general business meeting minutes.

SECOND: Dr. Kearney seconded the motion and it passed unanimously.

REVIEW AND CONSIDERATION OF AMATEUR SANCTIONING ORGANIZATION BOXING APPLICATION- Mitch Meller

The Commission reviewed the application. Dr. Williams asked for staff recommendations regarding the Florida Combative Sports Boxing application.

Ms. Hurtado reported that staff recommendation was to approve the application for Florida Combative Sports as an amateur boxing organization.

After discussion, the following motion was made.

MOTION: Mr. Martinez made a motion to approve the application for Florida Combative Sports as an amateur boxing organization.

SECOND: Dr. Kearney seconded the motion and it passed unanimously.

REVIEW AND CONSIDERATION OF AMATEUR SANCTIONING ORGANIZATION BOXING APPLICATION- Chuck Nelson

The Commission reviewed the amateur sanctioning organization application. Dr. Williams asked staff for recommendations.

Ms. Hurtado reported that the application was incomplete and recommended that Mr. Nelson withdraw his application and resubmit with the requested health and safety standards.

Mr. Nelson withdrew his application for amateur boxing sanctioning organization.

REVIEW AND CONSIDERATION OF PROMOTER APPLICATION- Caribe Promotions

Ms. Hefren addressed the Commission with a brief update on this application and recommended that Mr. Arincibia address the Commission and provide more information about his criminal background.

After discussion, the following motion was made.

MOTION: Mr. Martinez made a motion to approve the Promoter application for Caribe Promotions.

SECOND: Dr. Kearney seconded the motion and it passed unanimously.

INFORMAL HEARING - NOTICE OF INTENT TO SUSPEND- Rene's Dynamic Sports- amateur boxing license.

Dr. Williams asked Mr. Milne to address the Commission with a brief update on this notice of intent to suspend.

Mr. Milne addressed the Commission and stated that the notice of intent to suspend was issued during the December 13, 2013 general business meeting and recommended that other than the no lab results complaint everything else should be taken in consideration.

After discussion, the following motion was made.

MOTION: Mr. Martinez made a motion to approve the facts of the suspension without the lab results.

SECOND: Dr. Kearney seconded the motion and it passed unanimously.

Mr. Rene was sworn in and addressed the Commission. Comments were taken.

After discussion, the following motion was made.

MOTION: Mr. Martinez made a motion to suspend Rene's Dynamic Sports for 60 days.

SECOND: Dr. Kearney seconded the motion and it passed unanimously.

HEARING NOT INVOLVING DISPUTED MATERIAL FACTS- Roy Cruz (Promoter's application)

Dr. Williams asked Mr. Miller to address the Commission with a brief update on this application. Mr. Miller presented case No. 2013-011766 and provided detailed information for the Commission's review.

Dr. Williams asked Mr. Miller for his recommendation.

Mr. Miller recommended that the Commission accept the allegations of fact as stated on the administrative complaint.

After discussion, the following motion was made.

MOTION: Mr. Martinez made a motion to accept the facts as presented by Mr. Miller.
SECOND: Dr. Kearney seconded the motion and it passed unanimously.

Mr. Miller requested that the Commission accept the violations of law as stated in the administrative complaint as the conclusions of law.

MOTION: Mr. Martinez made a motion to accept the violations of law as stated in the administrative complaint.
SECOND: Dr. Kearney seconded the motion and it passed unanimously.

Mr. Cruz addressed the Commission and comments were taken.

Dr. Williams asked Mr. Miller for his recommendation. Mr. Miller recommended that the Commission deny Mr. Cruz's application for Promoter's license and suggested that Mr. Cruz wait for a period of 10 years from the time of conviction in order to apply for a license from the Florida State Boxing Commission (September 27, 2020).

In addition, Mr. Miller also recommended that the Commission charge Mr. Cruz with investigative costs in the amount of \$444.38

After discussion, the following motion was made.

MOTION: Mr. Martinez made a motion to deny Mr. Cruz's application and to charge him with investigative costs.
SECOND: Dr. Kearney seconded the motion and it passed unanimously.

HUMBERTO TOLEDO- INFORMAL HEARING- PURSE WITHHOLDING

Ms. Hefren asked Mr. Gentile to address the Commission and provide a brief description and more information in reference to Mr. Toledo's suspension and purse withholding.

Mr. Gentile and Referee Frank Santore provided their statements about Mr. Toledo's bout, and comments were taken.

After discussion, the following motion was made.

MOTION: Mr. Martinez made a motion to withhold Mr. Toledo's purse.

SECOND: Dr. Kearney seconded the motion and it passed unanimously.

REVIEW OF TRAINER'S LICENSE APPLICATION- William Joseph Chrisley

Ms. Hefren addressed the Commission in reference to Mr. Chrisley's trainer's license application.

Mr. Chrisley was on the phone and he was given the opportunity to explain his case to the Commission.

Mr. Milne explained to Mr. Chrisley the reason why the Commission denied his license application for a trainer's license.

After discussion, the following motion was made.

MOTION: Mr. Martinez made a motion to deny Mr. Chrisley's trainer's license application.

SECOND: Dr. Kearney seconded the motion and it passed unanimously.

DELAGATION OF AUTHORITY

After discussion, the following motion was made.

MOTION: Mr. Martinez made a motion to accept the delegation of authority as drafted.

SECOND: Dr. Kearney seconded the motion and it passed unanimously.

REVIEW AND VOTE ON AMENDMENTS 61K1-4.008, Florida Administrative Code.

After discussion, the following motion was made.

MOTION: Mr. Martinez made a motion to accept 61K1-4.008, F.A.C. with the recommended changes.

SECOND: Dr. Kearney seconded the motion and it passed unanimously.

SERC Amendments 61K1- 4.008, F.A.C.

After discussion, the following motion was made.

MOTION: Mr. Martinez made a motion to accept the SERC as amended.

SECOND: Dr. Kearney seconded the motion and it passed unanimously.

MOTION: Mr. Martinez made a motion to promulgate Rule 61K1-4.008, F.A.C.
SECOND: Dr. Kearney seconded the motion and it passed unanimously.

REVIEW AND VOTE ON AMENDMENTS 61K1-4.014, Florida Administrative Code.

After discussion, the following motion was made.

MOTION: Mr. Martinez made a motion to accept Rule 61K1-4.014, F.A.C. with the recommended changes.

SECOND: Dr. Kearney seconded the motion and it passed unanimously.

SERC Amendments 61K1- 4.014, F.A.C.

After discussion, the following motion was made.

MOTION: Mr. Martinez made a motion to accept the SERC as amended.

SECOND: Dr. Kearney seconded the motion and it passed unanimously.

MOTION: Mr. Martinez made a motion to promulgate Rule 61K1-4.014, F.A.C.

SECOND: Dr. Kearney seconded the motion and it passed unanimously.

REVIEW AND VOTE ON AMENDMENTS 61K1-4.028, Florida Administrative Code.

After discussion, the following motion was made.

MOTION: Mr. Martinez made a motion to withdraw this rule.

SECOND: Dr. Kearney seconded the motion and it passed unanimously.

DISCUSSION REGARDING 61K1-4.025, Florida Administrative Code.

After discussion, the following motion was made.

MOTION: Mr. Martinez made a motion to table this discussion of the next commission meeting.

SECOND: Dr. Kearney seconded the motion and it passed unanimously.

PRIORITIZING OF RULES

Mr. Milne asked the Commission to prioritize the rules to be reviewed at the next rules workshop.

After discussion, the following motion was made.

MOTION: Mr. Martinez made a motion to prioritize the rules as discussed.

SECOND: Dr. Kearney seconded the motion and it passed unanimously.

**REVIEW AND DISCUSSION OF STATEMENT OF RULE LANGUAGE
AND ESTIMATED REGULATORY COST (SERC)**

61K1-3.007, F.A.C. Participant; License; Conduct and Other Requirements

After discussion, the following motion was made.

MOTION: Mr. Martinez made a motion to accept Rule 61K1-3.007, F.A.C. as amended.

SECOND: Dr. Kearney seconded the motion and it passed unanimously.

SERC Amendments 61K1- 3.007, F.A.C.

After discussion, the following motion was made.

MOTION: Mr. Martinez made a motion to accept the SERC as amended.

SECOND: Dr. Kearney seconded the motion and it passed unanimously.

MOTION: Mr. Martinez made a motion to promulgate Rule 61K1-3.007, F.A.C.

SECOND: Dr. Kearney seconded the motion and it passed unanimously.

61K1-3.016, F.A.C. Pre- Match Physical of Participant and Referee

After discussion, the following motion was made.

MOTION: Mr. Martinez made a motion to accept Rule 61K1-3.016, F.A.C. as amended.

SECOND: Dr. Kearney seconded the motion and it passed unanimously.

SERC Amendments 61K1- 3.016, F.A.C.

After discussion, the following motion was made.

MOTION: Mr. Martinez made a motion to accept the SERC as amended.

SECOND: Dr. Kearney seconded the motion and it passed unanimously.

MOTION: Mr. Martinez made a motion to promulgate Rule 61K1-3.016, F.A.C.

SECOND: Dr. Kearney seconded the motion and it passed unanimously.

61K1-3.0165, F.A.C. Weigh-In

After discussion, the following motion was made.

MOTION: Mr. Martinez made a motion to accept Rule 61K1-3.0165, F.A.C. as amended.

SECOND: Dr. Kearney seconded the motion and it passed unanimously.

SERC Amendments 61K1- 3.0165, F.A.C.

After discussion, the following motion was made.

MOTION: Mr. Martinez made a motion to accept the SERC as amended.

SECOND: Dr. Kearney seconded the motion and it passed unanimously.

MOTION: Mr. Martinez made a motion to promulgate Rule 61K1-3.0165, F.A.C.

SECOND: Dr. Kearney seconded the motion and it passed unanimously.

61K1-3.017, F.A.C. Drugs and foreign Substances; Penalties

After discussion, the following motion was made.

MOTION: Mr. Martinez made a motion to accept Rule 61K1-3.017, F.A.C. as amended.

SECOND: Dr. Kearney seconded the motion and it passed unanimously.

SERC Amendments 61K1- 3.017, F.A.C.

After discussion, the following motion was made.

MOTION: Mr. Martinez made a motion to accept the SERC as amended.

SECOND: Dr. Kearney seconded the motion and it passed unanimously.

MOTION: Mr. Martinez made a motion to promulgate Rule 61K1-3.017, F.A.C.

SECOND: Dr. Kearney seconded the motion and it passed unanimously.

61K1-4.008, F.A.C. Pre-Match Physical of Amateur

After discussion, the following motion was made.

MOTION: Mr. Martinez made a motion to accept Rule 61K1-4.008, F.A.C. as amended.

SECOND: Dr. Kearney seconded the motion and it passed unanimously.

SERC Amendments 61K1- 4.008, F.A.C.

After discussion, the following motion was made.

MOTION: Mr. Martinez made a motion to accept the SERC as amended.

SECOND: Dr. Kearney seconded the motion and it passed unanimously.

MOTION: Mr. Martinez made a motion to promulgate Rule 61K1-4.008, F.A.C.

SECOND: Dr. Kearney seconded the motion and it passed unanimously.

61K1-4.014, F.A.C. Records

After discussion, the following motion was made.

MOTION: Mr. Martinez made a motion to accept Rule 61K1-4.014, F.A.C. as amended.

SECOND: Dr. Kearney seconded the motion and it passed unanimously.

SERC Amendments 61K1- 4.014, F.A.C.

After discussion, the following motion was made.

MOTION: Mr. Martinez made a motion to accept the SERC as amended.

SECOND: Dr. Kearney seconded the motion and it passed unanimously.

MOTION: Mr. Martinez made a motion to promulgate Rule 61K1-4.014, F.A.C.

SECOND: Dr. Kearney seconded the motion and it passed unanimously.

NEW/ OLD BUSINESS

Attorney General Report.

Mr. Milne advised the Commission that there was a hearing held in December, but the case was closed due to the death of the applicant.

Prosecuting Attorney Status Report

Mr. Miller, Prosecuting Attorney, was present and advised the Commission that there were 13 cases of the 13 cases one was brought in front of the Commission today for a informal hearing.

Executive Director Report

Ms. Hefren advised the Commission that the Department held training for Commissioners, which was attended by Dr. Williams and Mr. Martinez.

Ms. Hefren advised the Commission that there were two Senate bills and two House bills filed that impact the Commission (SB 808, SB 810 and HB773, HB775). The Department is in the process of drafting bill analyses.

The meeting adjourned at 2:48 p.m.