

MINUTES

FLORIDA STATE BOXING COMMISSION GENERAL BUSINESS MEETING

**Department of Business and Professional Regulation
Professions Conference Room
1940 North Monroe Street
Tallahassee, Florida 32399**

Conference Call Number 888.808.6959

March 24, 2009 at 10:00 a.m.

CALL TO ORDER

Mr. Ortiz called the meeting to order March 24, 2009 at 10:00 a.m.

MEMBERS PRESENT:

Ramiro Ortiz, Chair
Donald E. Bowen, Vice Chair
Dr. Melody Jurado
Dr. James Stelnicki
Dr. Mark Williams

OTHERS PRESENT

Tom Molloy, Executive Director
Christa Patterson, Assistant Executive Director
April Skilling, Deputy General Counsel
Philip Monte, General Counsel
Mary Horne, Government Analyst

REVIEW AND APPROVAL OF THE OCTOBER 17, 2008 GENERAL BUSINESS MEETING MINUTES

The Commission reviewed the minutes and after discussion the following motion was made.

MOTION: Dr. Stelnicki made a motion to approve the October 17, 2008 minutes with changes.

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

DISCUSSION OF RULE

61K1-1.003, F.A.C. – Licenses, Permits, Requirement, Procedure and Period, Fee

Ms. Skilling provided the Commission with an overview of the SERC process and explained that the form was to capture the estimate of regulatory cost. Ms. Skilling advised the Commission that Ms. Patterson would complete the Proposed Rule: Determination of Impact on Small Business form, Commission's counsel will review and determine if SERC is necessary and once this process is completed Ms. Patterson will notice a meeting for the Commission to review, approve or deny.

Mr. Ortiz asked if the SERC is to be in compliance with the "Accelerate Florida" prospective. Ms. Skilling answered, "No". The SERC is independent of the Accelerate Florida program. Ms. Skilling explained the difference between the two and gave a brief history of the SERC and the Accelerate Florida items.

Mr. Ortiz asked if there was any discussion for Rule 61K1.003, F.A.C. Dr. Stelnicki asked Ms. Patterson to explain the license procedure for applicants. Ms. Patterson provided an overview of the application process.

Dr. Stelnicki stated that the rules read that the "Executive Director shall deny an application for permit if another program of matches has previously been scheduled for the same date" and suggested that the word "shall" should be changed to "may". Ms. Skilling stated that the change could be made. Ms. Patterson stated that she would amend that section to read "may".

Dr. Stelnicki asked if someone could explain to him why the Mixed Martial Arts fee would be \$5,000. Mr. Molloy stated that during the legislative session the statute was changed and the permit fee for Mixed Martial Arts and Boxing is \$1,800.00. Ms. Patterson advised Dr. Stelnicki that the request for amending the rules was due to the statute change.

Mr. Ortiz stated that he was aware that the permit fee change had passed and it was in place, but he had a problem with the major increase to boxing. Mr. Ortiz mentioned that he knows of four small boxing businesses that have gone out of business because of the increase. Mr. Ortiz asked how to adjust or fix the problem, because the change could be the end of small time boxing.

Mr. Molloy advised the Commission that he met with Senator Aaronberg last week regarding another matter and during that meeting the permit fees were discussed. Mr. Molloy stated that he shared the Commission's concerns with Senator Aaronberg and after discussion he stated that he would support proposed legislation to change the boxing permit fee to \$800.00 and the mixed martial arts permit fee to \$2,500.00.

Mr. Ortiz proposed that the Commission focus on the change to the permit fees and to make mixed martial arts a safer sport. Mr. Ortiz asked what the next steps needed to be

taken to make these items happen this session. Mr. Molloy stated that he would again speak with the Deputy Secretary. Mr. Ortiz stated to let him know if there is anything he or the Commissioners needed to do to help.

Dr. Jurado inquired to the reason why Senator Aaronberg requested a meeting. Ms. Patterson stated that the meeting was scheduled to discuss pay-per-view tax fees. Ms. Patterson stated that during the meeting with Senator Aaronberg it was determined that his question was not related to pay-per-view tax fees, but to Florida's general tax fees which do not relate to the Commission.

Mr. Ortiz stated that he still had concerns with major changes made to the permit fees without anyone consulting the State Boxing Commission. Dr. Jurado agreed. Dr. Jurado suggested that the Commission needed a champion that would work to the Commission's benefit to help change the permit fees. Dr. Stelnicki stated that the permit fee changes would not be in effect until a year and a half from now.

Mr. Ortiz asked if the Commission could introduce a change to the statute. Ms. Skilling stated that Commissioners were able to go outside of the department and seek support of legislative change. Ms. Skilling explained the process of a legislative amendment and how it moves through the process of approval for statutory change. She stated that the Department receives the request from the Commission and if the department is in agreement the request moves on to the Governor. The Governor then reviews the request submitted by all the agencies and decides whether he can support the changes. Ms. Skilling advised the Commission that the Department was not moving forward with any changes with regards to the fiscal impact due to the climate now in our State. Ms. Skilling stated that this does not mean that the Commission can not seek support outside of the Department.

Mr. Ortiz stated that it is precisely because of the economic times we are under that we should do more to encourage small business. He further stated this is very punitive to the small business promoters. Dr. Jurado advised the Commission she would follow up on some legislative leads she had.

MOTION: Mr. Bowen made the motion to approve the proposed text with changes.

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

61K-1.0031, F.A.C. – Application Approval, Application Denial, and Disciplinary Action for Amateur Sanctioning Organizations in Boxing and Kickboxing

Ms. Patterson reviewed the proposed rule language with the Commission and after discussion the following motion was made

MOTION: Dr. Jurado made a motion to adopt the new language.

SECOND: Mr. Bowen seconded the motion and it passed unanimously.

61K1-1.004, F.A.C. – Weight Classes; Weigh-In; Pre-Match Physical of Participant and Referee

Ms. Patterson reviewed the proposed language with the Commission and after discussion it was the consensus of the Commission to include in the proposed language the word “rapid”.

MOTION: Dr. Stelnicki made a motion to adopt the proposed language with a change to include the word “rapid” in front of test.

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

61K1-1.006, F.A.C. – Arena Equipment; Ring Requirements; Fenced Area Requirements for Mixed Martial Arts; Other Mediums; Floor Plan and Apron Seating; Emergency Medical and Other Equipment and Services

Ms. Patterson reviewed the proposed language with the Commission and after discussion the following motion was made.

MOTION: Dr. Williams made a motion to adopt the new language.

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

61K1.011, F.A.C. – Manager; License; Contract Between Manager and Participant

Ms. Patterson reviewed the proposed language with the Commission and after discussion the following motion was made.

MOTION: Dr. Stelnicki made a motion to adopt the new language.

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

61K1.012, F.A.C. – Participant; License; Conduct and Other Requirements

Ms. Patterson reviewed the proposed language with the Commission. During the review of the proposed language the Commission shared their concerns regarding the limited number of amateur events being held in Florida and how the limited number of events could cause a hardship for a participant wanting to turn Professional.

Mr. Ortiz stated he did not have a problem with the process. Mr. Ortiz did state that he would rather have the number of required amateur fights be five than ten. Mr. Molloy agreed. Ms. Skilling stated that Ms. Patterson will have to prepare a SERC for this rule change since it has an impact on the fighter. Ms. Skilling asked if the Commissioners had any idea of what the cost would be to the fighters moving from amateur to professional. Mr. Ortiz stated that it would be a delay of eight to fourteen months for the amateur fighter to move to professional. Mr. Ortiz asked if the staff would be able to research that information for the SERC. Ms. Patterson said “yes”. Dr. Jurado stated for the record that she agreed with five amateur fights. It was the consensus of the

Commission that the health, safety and welfare of the participants are very important and following that discussion the following motion was made.

MOTION: Dr. Williams made a motion to adopt the new language with a change from 10 amateur fights to five amateur fights.
SECOND: Dr. Jurado seconded the motion and it passed unanimously.

61K1.013, F.A.C. – Judge; License and Duties

Ms. Patterson reviewed the proposed language with the Commission and after discussion it was the consensus of the Commission not to make any changes and the following motion was made.

MOTION: Mr. Bowen made a motion for no changes in the language.
SECOND: Dr. Williams seconded the motion and it passed unanimously.

NEW/OLD BUSINESS

Mr. Ortiz asked the Commission if they had any comments or questions regarding the Revenue and Expenditures for the six months ending December 31, 2008. No one had any comments or questions.

Ms. Skilling stated that from the rules that were reviewed, five rules need SERC forms completed. Ms. Skilling advised the Commission that she would assist Ms. Patterson with completion of the SERC forms. Mr. Ortiz asked that a conference call be held to review and approve the SERC forms. Ms. Patterson stated that April 9, 2009 would be the earliest the rules could be posted in F.A.W. All of the Commissioners were in agreement to meet on April 9, 2009, concerning the rules and if the SERC's would be ready for Commission review.

Dr. Jurado and Mr. Ortiz commended Mr. Molloy and the event staff for their outstanding performance at the events. Mr. Molloy stated that he appreciated the comments and he would continue to strive for better from the staff.

Mr. Molloy asked the Commission to consider charging a fee for persons applying to the Commission as an amateur sanctioning organization. The Commission asked Mr. Molloy to research other Commission State to see if they are charging an application fee and provide the Commission with a report at the next meeting.

There being no other business the meeting adjourned at 11:35 a.m.