

NEVADA

ATHLETIC

COMMISSION

Nevada Revised Statutes 467.020

EXHIBIT H - SUNSET SUBCOMMITTEE
Document consists of 36 pages.
Entire Exhibit Provided
Meeting Date: 02-27-12

March 6, 2012

Mr. Keith Kizer, Executive Director
Nevada Athletic Commission
555 East Washington Avenue, Suite 3200
Las Vegas, NV 89101-1098

Dear Mr. Kizer:

I am writing to inform you that the Nevada Athletic Commission has been scheduled for a public hearing concerning its termination, modification, consolidation or continued operation pursuant to *Nevada Revised Statutes* (NRS) 232B.240. The Sunset Subcommittee of the Legislative Commission will meet on Monday, February 27, 2012, at 9:00 a.m. to conduct the public hearing. The meeting is in Room 3138 of the Legislative Building in Carson City with a simultaneous videoconference to Room 4401 of the Grant Sawyer State Office Building, at 555 East Washington Avenue in Las Vegas.

We have received the materials that you sent concerning the Nevada Athletic Commission. In addition, the Sunset Subcommittee will be provided with any other materials submitted by members of the public, as well as copies of applicable laws and regulations. Please present any other materials to the Sunset Subcommittee that you feel would be helpful to this review. Keep in mind that pursuant to NRS 232B.240, “[a] board or commission has the burden of proving that there is a public need for its continued existence.” However, the purpose of the Sunset Subcommittee is not solely to determine whether to “sunset” an entity. The reviews conducted by the Subcommittee must also include:

(a) An evaluation of the major policies and programs of the board or commission, including, without limitation, an examination of other programs or services offered in this State to determine if any other provided programs or services duplicate those offered by the board or commission;

(b) Any recommendations for improvements in the policies and programs offered by the board or commission; and

Page 2
Keith Kizer, Executive Director
Nevada Athletic Commission
February 3, 2012

(c) A determination of whether any statutory tax exemptions, abatements or money set aside to be provided to the board or commission should be terminated, modified or continued. (subsection 1 of NRS 232B.220)

Please feel free to contact me if you have any questions concerning the review of the Nevada Athletic Commission.

Sincerely,

Lorne J. Malkiewich, Director
Legislative Counsel Bureau

LM/jp
cc: Terry Johnson, Director, Department of Business and Industry
L03



**Information concerning Board or Commission
Subject to Review by the
Sunset Subcommittee of the Legislative Commission**



as required by section 10 of S.B. 251 of the 2011 Legislative Session

Board or Commission Name: Nevada Athletic Commission

Members' Names: The Chairman is Raymond "Skip" Avansino Jr. The other members are Francisco V. Aguilar, Bill D. Brady, T. J. Day and Pat Lundvall.

Web site Address (if any): boxing.nv.gov

Web site Developer
(if not DoIT, please indicate if DoIT approved the web site): DoIT

Executive Director's Name and Contact Information: Keith Kizer
702-486-2582
kkizer@boxing.nv.gov

Staff Members' Names: Olive Aure, Colleen Patchin, Barbara Barrios and Deisi Negron (all are Administrative Assistants)

Created by what Authority: NRS 467.020

Authority to adopt regulations (NRS) and citation to regulations (NAC): NRS 467.030(3), NRS 467.100, NRS 467.107, NRS 467.108, NRS 467.125 and NRS 467.136; NAC chapter 467

Any required regulations that have not been adopted: N/A

Governing structure of the Board or Commission: The Commission is made up of five part-time members, each of whom is appointed by the Governor for a three-year term. The Commission appoints an executive director to conduct the day-to-day operations of the Commission. The executive director does not have a vote on actions taken by the Commission. In addition to the executive director, the Commission has a staff of four full-time employees. The Office of the Attorney General serves as legal counsel to the Commission.

**Information concerning Board or Commission
Subject to Review by the
Sunset Subcommittee of the Legislative Commission (Continued)**

Duties of the Board or Commission:

The Commission regulates all contests and exhibitions of unarmed combat, including licensure and supervision of promoters, boxers, mixed martial artists, kickboxers, seconds, ring officials, managers, and matchmakers. The Commission is the final authority on licensing matters, having the ability to approve, deny, revoke, or suspend all licenses for unarmed combat.

Dates of the Immediately Preceding Six Meetings:

January 11, 2012; December 12, 2011; November 16, 2011; October 20, 2011; September 28, 2011; and September 8, 2011

Statement of the objectives and programs of the Board or Commission:

Along with collecting fees from the sale of tickets, and the sale or lease of radio, television, and motion picture rights, the Commission works with the venues that host events throughout the state. The responsibilities of the Commission also include ruling in disciplinary cases, and arbitrating disputes between boxers and managers brought pursuant to NAC 467.102(4). Additionally, the Commission is charged with the responsibility of promulgating regulations to implement and enforce the State laws governing unarmed combat.

For all championship bouts and special events, the Commission must approve the contest, and must assign the judges and referee to work the contest. In all other contest or exhibitions, the executive director is responsible for assigning the judges, and referees, approving each bout, ensuring that a contestant is not on suspension status in Nevada or another jurisdiction, and determining that a contestant is not being mismatched with a superior opponent.

Statutory tax exemptions, abatements, or money set aside for the Board or Commission:

None

Conclusion concerning the effectiveness of the objectives and programs of the Board or Commission:

The effectiveness is of the highest quality. The Commission is recognized as the premier regulator of the sports of unarmed combat (boxing, mixed martial arts and kickboxing) in the world (and in the history of the world).

**Information concerning Board or Commission
Subject to Review by the
Sunset Subcommittee of the Legislative Commission (Continued)**

Any duplication of services with those offered by another Board or Commission or recommendation for consolidation with another Board or Commission:

None

Any recommendations for statutory changes which are necessary for the Board or Commission to carry out its objectives and programs:

None

If additional space is necessary, please attach additional pages and refer to the attachments on the form. Please include with this form:

1. The operating budget of the Board or Commission.
2. A statement setting forth the income and expenses of the Board or Commission for at least 3 years immediately preceding the date on which the Board or Commission submits this form, including the balances of any fund or account maintained by or on behalf of the Board or Commission.
3. The most recent legislative audit or other audit of the Board or Commission, and any efficiency studies or constituent or staff surveys conducted in the past 3 years.
4. Any reports required to be filed with the Legislative or Executive Branch over the past 3 years. Please indicate if any reports were filed late or have not been filed.
5. The minutes of any meetings of the Board or Commission in the past year, if any.

Please forward all documents to: jeanne.peyton@lcb.state.nv.us



Brian Sandoval
Governor

Terry Johnson
Department Director

STATE OF NEVADA
DEPARTMENT OF BUSINESS AND INDUSTRY
ATHLETIC COMMISSION

Keith Kizer
Executive Director

Chairman: Bill Brady

Members: Francisco V. Aguilar, Raymond "Skip" Avansino Jr., T. J. Day, Pat Lundvall

Minutes of September 8, 2011 Meeting:

A duly authorized telephone meeting of the Nevada State Athletic Commission was held on Thursday, **September 8, 2011**, at 9:00 a.m. at the Grant Sawyer State Office Building, 555 East Washington Avenue, Suite 3200, Third Floor, Las Vegas, NV 89101.

1. Call to order. Deputy Chairman Aguilar called the meeting to order.
2. Roll Call. Keith Kizer called the roll. Those commissioners attending were Francisco Aguilar, Raymond Avansino Jr., T.J. Day, Pat Lundvall and Chairman Brady. Attending on behalf of the Attorney General's office were Deputy Attorneys General Christopher Eccles and David Pope. Dr. Timothy Trainor, Commission Consulting Research Physician also attended. The recording secretary was Olive Aure.
3. Approval of the minutes of the meeting of July 22, 2011 and August 11, 2011, *for possible action*. Action on the August 21, 2011 minutes was tabled for the next commission meeting. **Commissioner Lundvall made a motion for approval of July 22, 2011 Minutes, seconded by Chairman Brady and unanimously approved.**
4. Adoption of the agenda for this meeting, *for possible action*. Mr. Kizer stated that Mr. Erik Morales currently has no opponent as according to Mr. Eric Gomez, Golden Boy Matchmaker, Mr. Lucas Matthyse is out of the fight because of a virus and he has been bedridden for three days already; the world title is up in the air until they find an opponent. Mr. Kizer said that with the Commission's approval, selection of officials for the Morales bout can still move forward as Golden Boy does plan to find an opponent. Commissioner Avansino asked Mr. Kizer what procedures apply for the new opponent and Mr. Kizer said that it must be a legitimate matchup to get administrative approval of the bout, and then the new opponent has the right to object to the Chairman for the selection of officials and the Chairman will handle it as we would not have time for a full meeting. Commissioner Lundvall asked Mr. Kizer if there is an opportunity for the new opponent to object in the selection of official and Mr. Kizer said that if it is a legitimate objection, the Chairman and another Commissioner could make a ruling on it. **Commissioner Lundvall made a motion for approval, seconded by Commissioner Day and unanimously approved.**
5. Disclosures per NRS 281/281A. None.
6. Public comment. None.

OLD BUSINESS:

1. Discussion regarding steroid and drug testing, including out-of-competition testing, and using independent sample collectors for in-competition testing. Mr. Kizer stated that he wants to inform the Commission about being able to bring in certified specimen collectors during weigh-ins or events to collect urine samples from the fighters so we will have those professionals involved in the process making it better collection and to free our inspectors so they can do other important assigned tasks during weigh-ins and fight nights. Years ago, there

used to be three fights a month as compare to present, averaging a card every weekend. Commissioner Avansino asked Mr. Kizer if we have collectors in place, will they follow the Commission's outline procedures for taking urine samples and Mr. Kizer said yes and he will make sure that the same standard or higher will be followed. Presently, we collect the urine samples and at the end of the event, a courier picks up the samples to deliver to Quest Laboratories. With the professional collectors, they will take the samples back to Quest Lab. This gives us two benefits: 1) freeing up our inspectors so they can do other important tasks assigned, and 2) we have professional collectors involved with the collection, which of the same standard or better because of their additional training. Commissioner Lundvall said that it is a savings to the State because of the number of fights we have, we have to bring in additional inspectors but now, professional collectors will do the urine collection, rather than training additional inspectors. Mr. Kizer said that if possible, it may be advisable to do the collection during weigh-ins as it will cost only an extra \$20 per test and it will be 24 hour closer to anybody taking drugs like steroids and masking agents so it is a benefit to us and the promoter for a cleaner sport. There is no issue if professional collectors are unavailable for an event because inspectors will be able to do the collections as they are trained already. Mr. Lato commented that he went to UFC event in Brazil and he observed that the pre-bout tests are done as soon as fighters enter the arena, before they go to the locker room, and two Quest personnel handle that collection as well as the post-fight test. Commissioner Avansino asked Mr. Lato as to what will be the process for inspectors and Mr. Lato said that an inspector will go and stay with the fighter until urine collection is done. Mr. Kizer said that the plan is to have two locker rooms set up, one for the blue corner and the other one for the red corner during the weigh-in; after weighing in, whoever is selected by us will go to the respective locker room to give a sample and the Quest personnel will take over from there. Deputy Chairman Aguilar directed Mr. Kizer to move forward.

NEW BUSINESS:

1. Request by boxer Velvet Malone for a license per NAC 467.017 (inactive for more than 36 consecutive months), *for possible action*. (Record 0-3). Mr. Malone was present and he is doing his best and looking forward to be approved. Mr. Malone said he is only 26 years old and he is a very good fighter. Mr. Malone said that he has trained hard every day for 2 ½ years, non-stop. Chairman Brady said Mr. Malone fought three times and gave up and asked him for the reason. Mr. Malone said that he was in a relationship and his girlfriend was living the wrong life that he did not approve of so it kept him from focusing as he could not keep up with training and relationship. He does not do drugs, alcohol, marijuana, or steroids. Mr. Ed Bean, his manager from Sacramento, stated that he has a group home for boys and Mr. Malone was one of the residents for 3 ½ years, one of the toughest kids, no drug problems, so he got him involved in boxing, everyday, religiously he went and trained. **Chairman Brady made a motion for approval, seconded by Commissioner Day and unanimously approved.**
2. Request by boxer Hector Ferreyro for a license per NAC 467.017 (attained the age of 35 years or over), *for possible action*. (Record 21-10-2). Mr. Ferreyro was on the telephone and said boxing is his life as he is a full time boxer training in Laredo, Texas, Monday thru Friday. He is scheduled fight on September 16th at Texas Station if approved. **Commissioner Lundvall made a motion for approval, seconded by Chairman Brady and unanimously approved.**
3. Request by Golden Boy Promotions for the date of September 16, 2011 to promote a professional boxing event at the Texas Station Casino Hotel in North Las Vegas and to be televised on Telefutara and Fox Sports Net, *for possible action*. Mr. Kizer stated that we have couple of fights at Texas Station and they are doing a professional job and he recommended approval. Chairman Brady inquired as to who is in charge of the television network and producer because the commission expects the fight to start on time and run on a good schedule. Mr. Eric Gomez stated that they put pressure on TV network and producers and they support the commission. Mr. Kizer stated that Golden Boy was able to fix the TV network problem at the South Point Casino during the last event. **Commissioner Lundvall made a motion for approval, seconded by Commissioner Brady and unanimously approved.**
4. Request by Goossen Tutor Promotions for the date of September 17, 2011 to co-promote a professional boxing event at the MGM Grand Garden Arena in Las Vegas and to be televised on PPV, *for possible action*. Mr. Kizer stated that they have a fighter on the Mayweather-Ortiz undercard and asking for a permit. **Commissioner**

Lundvall made a motion for approval, seconded by Commissioner Day and unanimously approved.

5. Request by Richard Steele Promotions for the date of October 15, 2011 to promote a professional mixed martial arts event at Edgewater Hotel in Laughlin, *for possible action*. Mr. Kizer stated that Mr. Steele's show at Sparks last month had a technical difficulty and due to Mr. Steele's efficiency, the show went very well. Commissioner Avansino suggested that there should be a discussion on a future agenda to establish procedures in regards to setting certain amount of time in between bouts and starting time of the event. Chairman Brady asked Mr. Kizer to get information in case a traumatic care is needed during the event and Mr. Kizer will check the flight for life in Kingman and the emergency hospital in Boulder City. Mr. Steele is happy to hear that something will be done for the safety of the fighters. **Chairman Brady made a motion for approval, seconded by Commissioner Lundvall and unanimously approved.**
6. Request by Superior Cage Combat for the date of November 4, 2011 to promote a professional mixed martial arts event at the Orleans Arena in Las Vegas, *for possible action*. Mr. Kizer stated that Mr. Ryan Langmaid, match-maker, is present. SCC has done two shows now and they went very good and moved from Bally's to Orleans. Mr. Langmaid stated that there was a glitch in the production company in the last event but they were able to fix it but they will be using a production truck on the next show to reassure that it won't happen again; although it is a greater cost but it is worth because the show will go on smoothly. **Chairman Brady made a motion for approval, seconded by Commissioner Lundvall and unanimously approved.**
7. Request by Top Rank for the date of November 11, 2011 to promote a professional boxing event at Mandalay Bay Events Center in Las Vegas and to be televised on Fox/FSN, *for possible action*. Mr. Kizer stated that this is a companion show the night before the big event of Pacquiao vs. Marquez and recommended approval. **Commissioner Lundvall made a motion for approval, seconded by Chairman Brady and unanimously approved.**
8. Request by Forza, LLC dba Strikeforce for the date of November 18, 2011 to promote a professional mixed martial arts event called Strikeforce Challengers Show at the Palms Hotel in Las Vegas and to be televised on Showtime, *for possible action*. Mr. Kizer stated that this is the third Nevada Strikeforce show and recommended approval. **Commissioner Avansino made a motion for approval, seconded by Commissioner Lundvall and unanimously approved.**
9. Request by Lion Fight Promotions for the date of November 19, 2011 to promote a professional kickboxing event and an amateur kickboxing event at the Hard Rock Hotel in Las Vegas, *for possible action*. Mr. Kizer stated that Mr. Scott Kent had a couple of shows at Primm, and now is working with the Hard Rock, and recommended approval. **Commissioner Lundvall made a motion for approval, seconded by Commissioner Avansino and unanimously approved.**
10. Request by Millennium Entertainment for the date of September 16, 2011 to promote an amateur mixed martial arts event at the Hard Rock Hotel in Las Vegas, *for possible action*. Mr. Kizer stated this is an amateur show Millennium hold about every three months and recommended approval. **Commissioner Lundvall made a motion for approval, seconded by Commissioner Day and unanimously approved.**
11. Request by One Kicks Gym for the date of October 14, 2011 to promote an amateur mixed martial event at Carson City Harley-Davidson, *for possible action*. Mr. Kizer stated that Mr. Nick Blomgren's group has been doing amateur kickboxing shows in Las Vegas for 10 years or so and found a sponsor in Carson City and wants to try the amateur market in Carson City and recommended approval. **Commissioner Lundvall made a motion for approval, seconded by Commissioner Day and unanimously approved.**
12. Request by One Kicks Gym for the date of October 15, 2011 to promote an amateur kickboxing event, proceeds to benefit Nevada Youth Outreach, at Sports Center of Las Vegas, *for possible action*. Mr. Kizer stated that this charity event is done once a year and recommended approval. **Commissioner Lundvall made a motion for approval, seconded by Commissioner Day and unanimously approved.**
13. Selection of officials, and setting of fees, to work September 17, 2011 at the MGM Grand Garden Arena in Las Vegas for the WBC Welterweight title bout between Victor Ortiz and Floyd Mayweather, Jr., *for possible action*.

Keith Kizer stated that the slate of officials to be considered is: referees to be considered: Kenny Bayless, Robert Byrd, Joe Cortez, Tony Weeks; judges to be considered: Adalaide Byrd, Burt Clements, Duane Ford, Dick Houck, C.J. Ross, Jerry Roth, Glenn Trowbridge. Fees to be \$8,150 for the referee and \$5,150 for the judges. Deputy Chairman Aguilar asked both camps if there were any legitimate concerns about the slate of officials. Mr. Eric Gomez said no objection and everything is in order. Hearing none, Deputy Chairman Aguilar asked Keith Kizer for his recommendations. Keith Kizer recommended the following officials: referee to be Joe Cortez; judges to be Adalaide Byrd, Jerry Roth, and Glenn Trowbridge. **Commissioner Day made a motion for approval, seconded by Chairman Brady and unanimously approved.**

14. Selection of officials, and setting of fees, to work September 17, 2011 at the MGM Grand Garden Arena in Las Vegas for the WBC Super Lightweight title bout between TBA and Erik Morales, *for possible action*. Keith Kizer stated that the slate of officials to be considered is: referees to be considered: Kenny Bayless, Robert Byrd, Vic Drakulich; judges to be considered: Burt Clements, Duane Ford, Robert Hoyle, Patricia Morse Jarman, Dave Moretti, Ricardo Ocasio, C.J. Ross, Glenn Trowbridge. Fees to be \$3,150 for the referee and \$2,450 for the judges. Available Ringside Physicians to be considered: Al Capanna, Todd Chapman, Rodney Courson, Michael Enrico, James Game, Michael Gunter, Steven Leibowitz, Vicki Mazzorana, Anthony Ruggeroli, David Watson and Damon Zavala. Deputy Chairman Aguilar asked both camps if there were any legitimate concerns about the slate of officials. Hearing none, Deputy Chairman Aguilar asked Keith Kizer for his recommendations. Keith Kizer recommended the following officials: referee to be Kenny Bayless; judges to be Dave Moretti, Ricardo Ocasio, and Tom Miller from Ohio; doctors to be James Game, Al Capanna, Vicki Mazzorana, and Anthony Ruggeroli. Chairman Brady commented that the Commission supports all the referees and judges for the work they do integrity-wise, they desire to do the very best they can. **Commissioner Avansino made a motion for approval, seconded by Commissioner Lundvall and unanimously approved.**
15. Request by Elite Boxing Club of Reno, NV for a grant from NRS 467.108 for travel to Las Vegas to participate in the Golden Gloves State Tournament on February 11-13, 2011 for 2 boxers and 2 coaches for per diem of \$240, hotel expenses of \$262.17, car rental of \$81.41, and mileage reimbursement of \$225, total of **\$808.58**, *for possible action*. **Commissioner Avansino made a motion for approval, seconded by Chairman Brady and unanimously approved.**
16. Request by Bruno's Boxing for a grant from NRS 467.108 for travel to Reno, NV to participate in the Club Invitational on August 6, 2011 for 3 boxers and 2 coaches, for per diem of \$100, and fuel reimbursement of \$24, total of **\$124.00**, *for possible action*. **Commissioner Avansino made a motion for approval, seconded by Chairman Brady and unanimously approved.**
17. Request by Henderson Police Athletic League for a grant from NRS 467.108 for travel to Cottonwood, AZ to participate in the Green and Gold 3 Tournament on August 20-21, 2011 for 2 boxers and 1 coach for per diem of \$120, hotel expenses of \$158.64, car rental of \$205.67, and fuel reimbursement of \$60, total of **\$544.31**, *for possible action*. **Commissioner Avansino made a motion for approval, seconded by Chairman Brady and unanimously approved.**
18. Request by North Las Vegas Center Ring for a grant from NRS 467.108 for travel to Mobile, AL to participate in the USA National Jr. Olympics Championship on July 30, 2011 - August 7, 2011 for 1 boxer and 1 coach for hotel expenses of \$260.56, taxi reimbursement of \$80, air fare of \$770.60 and bag fees of \$170, total of **\$1,281.16**, (per diem were paid by USA Nationals), *for possible action*. **Commissioner Lundvall made a motion to postpone for the next commission meeting, and seconded by Commissioner Avansino and unanimously approved.**
19. Request by North Las Vegas Center Ring for a grant from NRS 467.108 for travel to Hurricane, UT to participate in the Washington County Fair Boxing Show on August 12-14, 2011 for 9 boxers and 1 coach for hotel expenses of \$178.36, per diem of \$500, fuel reimbursement of \$120, total of **\$798.36**, *for possible action*. **Commissioner Avansino made a motion for approval, seconded by Chairman Brady and unanimously approved.**
20. Request by Richard Steele Boxing Club for a grant from NRS 467.108 for travel to Coachella, CA to participate in the 10th Annual Desert Showdown on July 13-16, 2011 for 2 boxers and 1 coach for hotel expenses of \$260,

per diem of \$300, car rental and fuel reimbursement of \$379.39, total of **\$939.39**, *for possible action*. **Commissioner Avansino made a motion for approval, seconded by Chairman Brady and unanimously approved.**

21. Request by Richard Steele Boxing Club for a grant from NRS 467.108 for travel to Mesquite, NV to participate in the 2011 National Jr. Golden Gloves on July 18-23, 2011 for 2 boxers and 2 coaches for hotel expenses of \$526.20, per diem of \$400, total of **\$926.20**, *for possible action*. **Commissioner Avansino made a motion for approval, seconded by Chairman Brady and unanimously approved.**
22. Request by Mity Mites Boxing Club for a grant from NRS 467.108 for travel to Mobile, AL to participate in the 2012 US Olympics Team Trials on July 29 –August 7, 2011 for 3 boxers, 1 coach, and 1 chaperone for hotel expenses of \$873.69, air fare of \$2,182 (4 travelers) and bag fees of \$185, total of **\$3,240.69** (the Club raised \$540 and applied against per diem of \$400 for coach and chaperone, shuttle fees of \$100, and \$40 baggage fees), *for possible action*. The applicant has to be present for justification why the Commission should go outside the normal amount. **Commissioner Lundvall made a motion to postpone until the next commission meeting, and seconded by Commissioner Avansino and unanimously approved.**
23. Request for approval by Forza, LLC dba Strikeforce for permission to exceed the 4% limit per NAC 467.332 on 100 complimentary tickets on August 12, 2011 at the Palms Resort and Casino in Las Vegas for donation, given to Firefighters of Southern NV Burn Foundation, *for possible action*. Mr. Kizer stated that we have the required papers and Commissioner Avansino requested Mr. Marc Ratner to comment on the donation. Mr. Ratner stated that the organization donates tickets to local charity, firefighters, policemen, and sometimes Boys and Girls Club. **Commissioner Avansino made a motion for approval, seconded by Commissioner Day and unanimously approved.**
24. Request for approval by Golden Boy Promotions for permission to exceed the 4% limit per NAC 467.332 on 165 complimentary tickets on August 13, 2011 at the Hard Rock Hotel in Las Vegas for donation, given to Nellis Air Force Base, *for possible action*. Mr. Kizer said all paper work is in. **Chairman Brady made a motion for approval, seconded by Commissioner Avansino and unanimously approved.**
25. Request for approval by AmeriSwede dba Superior Cage Combat for permission to exceed the 4% limit per NAC 467.332 on 800 complimentary tickets on August 20, 2011 at the Orleans Arena for donation, given to Nellis Air Force, Clark County Fire Department, and Las Vegas Police, *for possible action*. Mr. Kizer stated all paper work is in and recommended approval. **Commissioner Lundvall made a motion for approval, seconded by Chairman Brady and unanimously approved.**
26. Request for approval by Tuff-N-Uff Productions for permission to exceed the 4% limit per NAC 467.332 on 1,266 complimentary tickets on August 26, 2011 at the Cox Pavilion for donation, given to Nellis Air Force, Clark County Fire Department, and Las Vegas Metropolitan Police Department, *for possible action*. Mr. Kizer recommended approval. **Commissioner Avansino made a motion for approval, seconded by Commissioner Day and unanimously approved.**
27. Request for approval of Fuel Fighter Gear X2 Pro Fight gloves for competition in professional boxing and kickboxing events in Nevada, *for possible action*. Mr. Kizer introduced Mr. Ali Mahvan, the President/Owner of the Fuel Fighter Gear Gloves. Mr. Mahvan explained the gloves processing; that the gloves are manufactured in Pakistan, the different materials come from several different places, the manufacturer collects the materials together, checks them twice, weighs the materials, put them together, and once constructed, weigh the gloves. Upon receipt in the United States, they are being double checked before they are put to use in any pro fight. As far as quality control, Mr. Mahvan tries to use the best laces as possible, the ones that don't break easily, which means they are a little bit wider. Deputy Chairman Aguilar asked if the gloves were used in any fights and Mr. Mahvan said not in Nevada, but they have been sanctioned in New York State, North Carolina, Maryland, Washington, D.C., and Delaware. Chairman Brady asked what they are built with and Mr. Mahvan said three types of foam: 1) rubbery type of foam composite to absorb shock 2) softer foam in the interior, and 3) a little harder foam on the outside. **Commissioner Avansino made a motion for the approval, seconded by Chairman Brady and unanimously approved.**

28. Hearing of temporary suspension of boxer Warren Shane Browning, *for possible action*. Mr. Browning was on the telephone. Deputy Chairman Aguilar asked Mr. Browning if he understand that the Commission is moving forward for his temporary suspension, and he said he understood. Mr. Eccles stated the basis of the request for temporary suspension: Mr. Browning is licensed by the Commission as professional boxer, who competed on August 13th in Las Vegas, Nevada; he gave a pre-fight urine sample for testing that was sent to Quest Laboratories and the result came back positive of anabolic agent called Nandrolone Metabolite. We filed a formal complaint in this matter and Mr. Browning still has time to file an answer to this complaint that is the reason why we are asking for a temporary suspension at this point until the formal disciplinary hearing, likely for next agenda. The request is made pursuant to NRS 467.117 which gives the Commission the authority to grant a temporary suspension and to do so until formal disciplinary hearing. Deputy Chairman Aguilar asked if the counsel of Mr. Browning is objecting for the request for temporary suspension, and answered yes, we would like to request is to expedite as quickly as possible the hearing for this matter. The counsel said that if Mr. Browning has to submit to an independent drug testing here in Kentucky and Commissioner Lundvall said not acceptable. The only issue now is the temporary suspension. **Commissioner Lundvall made a motion for temporary suspension until a disciplinary hearing on the complaint, seconded by Chairman Brady and unanimously approved.**

PUBLIC COMMENT: Mr. Kizer stated that in regards to Item #13, we received all the necessary documentation regarding the contestants.

CHAIRMAN'S REPORT: None.

MATTERS FOR FUTURE AGENDAS: The next commission meeting will be near the end of the month.

ADJOURNMENT: **Commissioner Lundvall made a motion for adjournment, seconded by Chairman Brady and unanimously approved. Deputy Chairman Aguilar adjourned the meeting.**

RESPECTFULLY SUBMITTED:

KEITH KIZER, EXECUTIVE DIRECTOR

APPROVED BY:

BILL BRADY, CHAIRMAN



Brian Sandoval
Governor

Keith Kizer
Executive Director

STATE OF NEVADA
DEPARTMENT OF BUSINESS AND INDUSTRY
ATHLETIC COMMISSION

Chairman: Bill Brady

Members: Francisco V. Aguilar, Raymond "Skip" Avansino Jr., T. J. Day, Pat Lundvall

MINUTES OF SEPTEMBER 28, 2011 MEETING:

A duly authorized telephone meeting of the Nevada State Athletic Commission was held on **Wednesday, September 28, 2011**, at **9:00 a.m.** at the Grant Sawyer State Office Building, 555 East Washington Avenue, **Suite 3200, Third Floor**, Las Vegas, NV 89101.

1. Call to order. Chairman Bill Brady called the meeting to order.
2. Roll Call. Mr. Keith Kizer called the roll. Those commissioners attending were Francisco Aguilar, Raymond Avansino Jr., T.J. Day, Pat Lundvall, and Chairman Bill Brady. Attending on behalf of the Attorney General's office were Deputy Attorneys General Christopher Eccles and Kimberly A. Arguello. Dr. Timothy Trainor, the Commission's Consulting Research Physician, attended in person. Olive Aure was the recording secretary.
3. Approval of the minutes of the meeting of August 11, 2011, *for possible action*. **Commissioner Avansino made a motion for approval with adjustments made, seconded by Commissioner Lundvall and unanimously approved.**
4. Adoption of the agenda for this meeting, *for possible action*. Chairman Brady moved Old Business #1 & 2 with New Business Item #12. Mr. Kizer said to delete Item #10 as it has been approved from August 11th meeting. **Commissioner Lundvall made a motion for approval as amended, seconded by Commissioner Aguilar and unanimously approved.**
5. Disclosures per NRS 281/281A. None.
6. Public comment. None.

OLD BUSINESS:

1. Request by Mity Mites Boxing Club for a grant from NRS 467.108 for travel to Mobile, AL to participate in the 2012 US Olympics Team Trials on July 29 –August 7, 2011 for 3 boxers, 1 coach, and 1 chaperone for hotel expenses of \$873.69, air fare of \$2,182 (4 travelers) and bag fees of \$185, total of **\$3,240.69** (the Club raised \$540 and applied against per diem of \$400 for coach and chaperone, shuttle fees of \$100, and \$40 baggage fees), *for possible action*. Mr. Donald Fain, Mighty Mite President was on the telephone. Commissioner Lundvall stated that this was brought forward from previous meeting because there were no representatives from either clubs to speak in behalf of their application. Club representatives must be present whenever their requests are outside the standard normal amount the Commission approves. Mr. Kizer mentioned that Items #1 & 2 are not a lot more of our normal amount, its \$650 per person; the Olympic Trial is the biggest game, the Jr Olympic, unfortunately, they were held in the East Coast; in the past there were East and West Tournament and they combined it to one in the East Coast this year. Next year. The Golden Gloves will be held in Mesquite so our costs will be lower. These amounts were not out-of-line to what was approved in August meeting. Commissioner Avansino concurred with Mr. Kizer's statement, the Commission has to boost the Olympic participation, and for specific and special occasion like these, these are reasonable.

Commissioner Avansino made a motion for approval, seconded by Commissioner Aguilar and unanimously approved.

2. Request by North Las Vegas Center Ring for a grant from NRS 467.108 for travel to Mobile, AL to participate in the USA National Jr. Olympics Championship on July 30, 2011 - August 7, 2011 for 1 boxer and 1 coach for hotel expenses of \$260.56, taxi reimbursement of \$80, air fare of \$770.60 and bag fees of \$170, total of **\$1,281.16**, (per diem were paid by USA Nationals), *for possible action*. Mr. Jose Banales, North Las Vegas Center Ring contact person was on the telephone. He mentioned that the athlete is being prepared for advance division and this is an opportunity to do it. **Commissioner Avansino made a motion for approval, seconded by Commissioner Aguilar and unanimously approved.**

NEW BUSINESS:

1. Request by boxer Rafael Marquez for a license per NAC 467.017 (attained the age of 35 years or over), *for possible action*. (Record 40-6). No one from Top Rank or Team Marquez was available. Mr. Kizer stated that Mr. Marquez will be the headliner on Saturday's fight with Commission's approval and the Commission has the application, record, and Dr. Trainor's letter. **Commissioner Lundvall made a motion for approval, seconded by Commissioner Aguilar and unanimously approved.**
2. Request by boxer Jermain Taylor for a license per NAC 467.017 (serious head injury), *for possible action*. (Record 28-4-1). Mr. Taylor appeared in person together with Mr. Alan Haymon. Chairman Brady commented that he looks very good. Mr. Kizer stated that the Commission has the voluminous amount of materials plus the application, medical records from Arkansas, Mayo Clinic in Arizona, and Lou Ruvo Center for Brain Health in Las Vegas and Dr. Trainor's updated September 26 letter. On September 22, 2011 meeting, the Medical Advisory Board recommended to the Commission to grant Mr. Taylor a license.

Dr. Trainor said that based on medical reports and testing, Mr. Taylor is medically fit for licensure. Mr. Taylor is above and beyond demonstrated his medical fitness; he was examined by multiple doctors like neurologist and neuro-surgeon in Arkansas, went to Mayo Clinic, seen at Lou Ruvo Center for Brain Health in Las Vegas for multiple testing and neuro-psychological testing; multiple MRI examinations are essentially normal, no evidence of bleeding of brain or subdural hematoma. Mr. Taylor has not fought for two years due to 2009 head injury in Germany. From all current medical testing and summary of Medical Advisory Board, no scientific data on subdural hematoma so there is no good data to decide based on that data. Mr. Taylor has proven from medical stand point that his problem is completely restored at this point; the consensus of all doctors for medical stand point is to grant him a license. According to Chairman Brady, he learned a lot just listening. Dr. Trainor said that he was very impressed as well as the other physicians present during the meeting, the serious nature of the problem and the fact that Mr. Taylor and his representatives are concerned about the medical issue, they went to different institutions for testing; his team seems using intelligent decision on how to go forward. Chairman Brady asked Mr. Taylor's weight and training. Mr. Taylor said that he weighed 168 lbs. on the last fight; his current weight is 165 going back to 160. He is refocusing on boxing and looking forward and hoping to go back to the ring. He does not have any fight schedule. Chairman Brady asked who is concerned as he went on repeated testing; Mr. Taylor said everybody, Mr. Haymon, his family, he wants to go home to his family that he is clear and nothing is wrong with him. Chairman Brady explained that the Commission is concerned about all fighters' health safety and no one can predict the future. Mr. Taylor said that boxing is dangerous if not prepared; do what need to suppose to do.

Commissioner Lundvall is hugely impressed for the extensiveness of the medical records and reviews that he brought to the table. I am not qualified to substitute my opinion for the recommendation of the MAB for medical issues, I applaud your efforts. I am interested in standard review; you are up for couple of years so make sure you have a regimen that will prepare you. Mr. Taylor said in the morning, run 6 miles ever other day, 11:00 go to the gym hit the bag, shadow boxing everyday, and spinning class, this is everyday, this is my job, boxing is what I do. This is what I want to do. He said he has not sparred yet because he is not training for fight, no need if not training for fight. Commissioner Lundvall asked if he could turn around the two losses in his record and Mr. Taylor said yes. Mr. Taylor said that the rapid weight lose contributed to the two losses. Commissioner

Lundvall if he could be the spoke person in boxing about rapid weight loses and he said yes.

Commissioner Avansino asked Dr. Trainor with benefit of Commissioner Lundvall's analysis, not to second guess the decision recommended to us, since I was not present, my question is: where is subdural hematoma if he is again hit or knock-out or some concussion to the head, is there no likelihood can reemerge or reopen.

Dr. Trainor said that there is no scientific data to say that Mr. Taylor takes a blow in the head that will get a subdural hematoma again. Years ago, we have CT scanner on the fight, some people did, 1 in 8 people with small subdural it is likely that things occur much more often than we know about because we are not testing people. Having said that, boxers do not dropped dead in matches all the time, we do not have hard data to say that if Mr. Taylor fights again, he will have subdural hematoma. Dr. Capanna points out that small subdural do occurs much more frequently obviously fighters are ok, they don't know about it, we do not have scientific evidence that Mr. Taylor will have one once he fights again.

Dr. Trainor mentioned that in his first clearance letter, given the seriousness of the injury, maybe a restricted license and the end of his letter, he mentioned that there is no scientific data to use to decide about subdural hematoma. In his updated clearance letter dated September 26th, he feels that Mr. Taylor is medically fit to be licensed as Mr. Taylor clearly understand the serious nature of the injury, he is an intelligent person, there are good people around him, his family is concerned about his health, and for sure, he will follow-up his health issue without us telling him.

Commissioner Avansino's last question to Dr. Trainor - if given a license and to fight in the State of Nevada, would you recommend to have CT scan or other review after the fight? Dr. Trainor said not necessarily; it depends on the Ringside Physician to evaluate him after the fight; if having any symptoms after the fight, he should be evaluated.

Commissioner Day stated that he is concerned about Mr. Taylor's condition even the panel cleared him.

Commissioner Avansino commented that years ago we have a contestant named Joe Masi; we have a regulation that if a contestant has cerebral hemorrhage or subdural, the Commission has no choice but denies the application. Mr. Mesi contested against Medical Advisory Board as well as Mr. Taylor. It was unanimously too dangerous for Mr. Mesi to continue boxing. Irrelevant here for me is two years ago, we changed the regulation to allow discretion due to medical advancement as recommended by Dr. Trainor. I am prepared to rely on Medical Advisory Board medically cleared the boxer as well all beneficial data that Mr. Taylor presented us as well as the comments today. Chairman Brady explained to Mr. Taylor the benefit of Lou Ruvo Brain Health program and Mr. Taylor said that he signed-up already. **Commissioner Lundvall made a motion for approval, seconded by Commissioner Day and unanimously approved.**

3. Request by Golden Boy Promotions for the date of October 7, 2011 to promote a professional boxing event at Texas Station in Las Vegas and to be televised on Showtime (Shobox), *for possible action*. **Commissioner Aguilar made a motion for approval, seconded by Commissioner Lundvall and unanimously approved.**
4. Request by Crown Boxing for the date of October 21, 2011 to promote a professional boxing event at the Las Vegas Hilton, *for possible action*. Mr. Kizer stated that he talked to Mr. Luca and everything seems to be in order and moved to LV Hilton and he recommended approval. **Commissioner Lundvall made a motion for approval, seconded by Commissioner Aguilar and unanimously approved.**
5. Request by Zuffa, LLC for the date of December 3, 2011 to promote a professional mixed martial arts event at the Palms Hotel in Las Vegas and to be televised on Spike Television, *for possible action*. Mr. Kizer stated that this is the Season 14 Finale for the Ultimate Fighting and recommended approval. **Commissioner Lundvall made a motion for approval, seconded by Commissioner Aguilar and unanimously approved.**
6. Request by Zuffa, LLC for the date of December 30, 2011 to promote a professional mixed martial arts event at the MGM Grand Garden Arena in Las Vegas and to be televised on PPV, *for possible action*. Mr. Kizer stated that this is the normal New Year's Eve show which is Friday and should have been in Dubai but moved in here, the fight capital of the world, this is a 5-rounds non-title fight main event and recommended approval. Chairman Brady thanked Zuffa for bringing in the fights here. **Commissioner Lundvall made a motion for approval, seconded by Commissioner Aguilar and unanimously approved.**

7. Selection of officials, and setting of fees, to work October 1, 2011 at the MGM Grand Garden Arena in Las Vegas for the WBC Super Bantamweight title bout between Toshiaki Nishioka and Rafael Marquez, *for possible action*.
Keith Kizer stated that the slate of officials to be considered is: referees to be considered: Kenny Bayless, Robert Byrd, Vic Draculich, Tony Weeks; judges to be considered: Dick Houck, Robert Hoyle, Patricia Morse Jarman, Dave Moretti, Ricardo Ocasio, C.J. Ross. Available Ringside Physicians to be considered: William Berliner, Steve Brown, Al Capanna, Jay Coates, Michael Gunter, Steven Leibowitz, Vicki Mazzorana, Anthony Ruggeroli, and David Watson. Fees to be \$1,900 for the referee and \$1,600 for the judges. Chairman Brady asked both camps if there were any legitimate concerns in the slate of officials. Hearing none, Chairman Brady asked Keith Kizer for his recommendations. Keith Kizer recommended the following officials: referee to be Kenny Bayless; judges to be Robert Hoyle, Dave Moretti, and C.J. Ross; doctors to be William Berliner, David Watson, Jay Coates, and Steven Leibowitz. **Commissioner Avansino made a motion for approval, seconded by Commissioner Lundvall and unanimously approved.**
8. Selection of officials, and setting of fees, to work October 7, 2011 at the Texas Station in Las Vegas for the NABO Lightweight title bout between Sharif Bogere and Francisco Contreras, *for possible action*.
Keith Kizer stated that the slate of officials to be considered is: referees to be considered: Kenny Bayless, Vick Draculich, Jay Nady, Tony Weeks; judges to be considered: Adalaide Byrd, Duane Ford, Dick Houck, Robert Hoyle, Dave Moretti, Ricardo Ocasio, C.J. Ross, and Glenn Trowbridge. Fees to be \$550 for the referee and \$450 for the judges. Available Ringside Physicians to be considered: William Berliner, Steve Brown, Al Capanna, Jay Coates, Michael Enrico, James Game, Michael Gunter, Anthony Ruggeroli, and Damon Zavala. Chairman Brady asked both camps if there were any legitimate concerns in the slate of officials. Hearing none, Chairman Brady asked Keith Kizer for his recommendations. Keith Kizer recommended the following officials: referee to be Jay Nady; judges to be Adalaide Byrd, Dick Houck, and Ricardo Ocasio; doctors to be Anthony Ruggeroli, Al Capanna, and James Game. **Commissioner Day made a motion for approval, seconded by Commissioner Aguilar and unanimously approved.**
9. Request by Tuff-N-Uff for the date of November 11, 2011 to promote an amateur mixed martial arts event at the Treasure Island in Las Vegas, *for possible action*. Mr. Kizer said that this is their monthly show and he got good reports from inspectors, sanctioning body, and all that had been in their shows; they moved from Cox Pavilion back to the Strip and recommended approval. **Commissioner Aguilar made a motion for approval, seconded by Commissioner Lundvall and unanimously approved.**
10. Request by Ultimate Reno Combat for the date of December 2, 2011 to promote an amateur mixed martial event at the Grand Sierra Hotel in Reno, *for possible action*. **Deleted. Approved on August 11th meeting.**
11. Request by Sin City Fight Promotions for the date of December 16, 2011 to promote an amateur mixed martial arts event at South Point Hotel and Casino in Las Vegas, *for possible action*. Mr. Kizer stated that this is the every three months show at South Point; getting good reviews from inspectors and sanctioning body, and recommended approval. **Commissioner Aguilar made a motion for approval, seconded by Commissioner Lundvall and unanimously approved.**
12. Request by Arce Boxing Club for a grant from NRS 467.108 for travel to Mobile, AL to participate in the USA National Jr. Olympics Championship on July 30 - August 7, 2011 for 1 boxer and 1 coach for hotel expenses of \$260.48, per diem of \$360, air fare of \$2,095.40, total of **\$2,355.88**, *for possible action*.
Mr. Manuel Arce, the President of Arce Boxing Club was on the telephone. Mr. Kizer reminded the Amateur Club representatives not to do double dipping. The grant request was approved for \$1,300 and it was agreed that the check was to be paid to USA Boxing Nevada and Mr. Ken Davis, Ken Davis Jr. Coach, will be reimbursed by USA Boxing Nevada. **Commissioner Avansino made a motion for approval for \$1,300.00, seconded by Commissioner Lundvall and unanimously approved.**
13. Request by Arce Boxing Club for a grant from NRS 467.108 for travel to Las Vegas to participate in the CRB Night of Boxing at Silver Nugget Casino on July 30-31, 2011 for 9 boxers, 3 coaches, and 1 chaperone for hotel

expenses of \$111.98, per diem of \$520, and mileage reimbursement of \$240, total of **\$871.98**, *for possible action*. Mr. Kizer stated that all receipts are in file and the request is for thirteen people and recommended approval. **Commissioner Day made a motion for approval, seconded by Commissioner Avansino and unanimously approved.**

- 14.** Hearing of complaint for disciplinary action against boxer Warren Shane Browning, *for possible action*. Mr. Browning and Mr. Conrad Cessna were on the telephone. Chairman Brady asked Mr. Browning if he will tell the truth and nothing but the truth and he said yes. Mr. Eccles stated the basis of the case was the positive test result of anabolic agent called Nandrolone; Mr. Browning is licensed by the Commission as professional boxer, who competed on August 13th in Hard Rock Hotel in Las Vegas, Nevada; it was before that competition that he provided a urine sample for testing, voluntarily did so, and the sample was sent to Quest Laboratories for steroid testing, and the result came back for positive of Nandrolone Metabolite and it was prohibited by the regulations of the Commission specifically NAC 467-850 and that regulations incorporate the World Anti-Doping Agency prohibited list of drugs and Nandrolone is on that list under Section 1 anabolic steroid. That is the basis of the complaint. After I filed a complaint together with Mr. Kizer in this case, the counsel of Mr. Browning submitted an answer. My job is to prove what is alleged in the complaint. And you can see on the answer on the complaint filed on September 19th that on the first page the answer provides respondent will admit all factual allegations including that urinalysis in which the respondent voluntarily submitted reflected the presence of Nandrolone. So for today's hearing, my understanding is that he is not contesting any of the allegations in the complaint, in fact he admitted all of them in his answer. That meets my burden of proof that substantial evidence that the allegations in the complaint are true. Because he is not contesting anything I have prepared a packet of exhibits and at this time after Mr. Cessna has the opportunity, I will move for the admission of those documents, they are public documents, it is Mr. Browning's application for a license, will move for the admission of his drug detail report and for pre-fight medical questionnaire, I think that is a basis to enter a finding.

Chairman Brady asked the counsel if there has any objection to that being admitted and said no. Mr. Eccles said that his understanding as you can see in his answers that he wishes to explain the circumstances of the positive test and to ask the Commission to be lenient, if you have any questions I would leave to you to ask the fighter's counsel at this point. Mr. Cessna, counsel for Mr. Browning said that as Mr. Eccles pointed out that Mr. Browning voluntarily submitted to the drug screen prior to his fight these was a presence of Nandrolone Metabolite in his blood stream however, Mr. Browning denied that he took or knowingly took the banned substance; he was taking an over the counter drug supplements called P6 Extreme and C4 Extreme manufactured by Cellucor and he listed those substances on the medical questionnaire that he submitted before the fight; I believe that is the cause of the positive test.

Commissioner Lundvall asked Mr. Browning that he acknowledged that he had taken various supplements to gain weight; acknowledge that it is his responsibility as athlete to know the contents of the supplements; it is the athlete's responsibility to know what prohibited drugs this Commission will not permit as well as supplements that may contain prohibited substances; the supplement that you were taking, do you find successful in gaining weight and Mr. Browning answered Yes, Ma'am to all questions. Chairman Brady asked Mr. Browning what is the conviction of his Probation in Kentucky and Mr. Cessna said it was drug trafficking.

Dr. Trainor stated that the two substances P6 Extreme and C4 Extreme, C4 Extreme is not consider a gain weight product; P6 product may potentially gain weight; there were couple of substances that they may cause increase of testosterone level, I extensively research this product and two specific substances – placenta powder and tribulus extract may cause increase in testosterone level. There is absolutely no scientific or paper data on the placenta powder but on the tribulus extract, there was a scientific study in Cairo, Egypt in 2007 performed in male rats that they had increased in testosterone after taking tribulus. It is possible that it could potentially cause gain weight. There is no study in humans, "over the counter" products have no FDA study. It is possible that P6 Extreme may increase testosterone and may cause gain weight.

Commissioner Lundvall made a motion for approval to penalize Mr. Browning:

- a) **Fine of \$3,200 from his Purse;**
- b) **Suspension for nine months effective the day of the fight of August 13, 2011; and**
- c) **Provide negative drug test result for re-licensing,**

seconded by Commissioner Aquilar and unanimously approved.

Commissioner Lundvall stated that she spoke at Nevada Orthopedic Society last week and talked to lots of doctors and she heard lot of great reviews about Dr. Trainor and the great selection this Commission made for the purpose of his retention.

PUBLIC COMMENT: None.

CHAIRMAN'S REPORT: None.

MATTERS FOR FUTURE AGENDAS: Election of next chairman.

ADJOURNMENT: For possible action. Commissioner Lundvall made a motion for adjournment, seconded by Commissioner Aguilar and unanimously approved. Chairman Brady adjourned the meeting.

RESPECTFULLY SUBMITTED:

KEITH KIZER, EXECUTIVE DIRECTOR

APPROVED BY:

BILL BRADY, CHAIRMAN



Brian Sandoval
Governor

STATE OF NEVADA
DEPARTMENT OF BUSINESS AND INDUSTRY
ATHLETIC COMMISSION

Keith Kizer
Executive Director

Chairman: Bill Brady

Members: Francisco V. Aguilar, Raymond "Skip" Avansino Jr., T. J. Day, Pat Lundvall

MINUTES OF OCTOBER 20, 2011 MEETING:

A duly authorized telephone meeting of the Nevada State Athletic Commission was held on **Thursday, October 20, 2011**, at 8:00 a.m. at the Grant Sawyer State Office Building, 555 East Washington Avenue, Suite 3200, Third Floor, Las Vegas, NV 89101.

1. Call to order. Chairman Bill Brady called the meeting to order.
2. Roll Call. Executive Director Keith Kizer called the roll. Those commissioners attending were Francisco Aguilar, Raymond Avansino Jr., T.J. Day, Pat Lundvall, and Chairman Bill Brady. Attending on behalf of the Attorney General's office were Deputy Attorneys General Christopher Eccles and Vivienne Rakowsky. Dr. Timothy Trainor, the Commission's Consulting Research Physician, also attended. Olive Aure was the recording secretary.
3. Approval of the minutes of the meetings of September 8 and 28, 2011, *for possible action*. **Commissioner Avansino made a motion for approval, seconded by Commissioner Aguilar and unanimously approved.**
4. Adoption of the agenda for this meeting, *for possible action*. Mr. Kizer stated that New Business Item #11 is deleted due to the bout has been canceled and Item #17 should be postponed until the next meeting. **Commissioner Aguilar made a motion for approval, seconded by Commissioner Lundvall and unanimously approved.**
5. Disclosures per NRS 281/281A. **None.**
6. Public comment. **None.**

NEW BUSINESS:

1. Request by kickboxer Anthony Newman for a license per NAC 467.017 (attained the age of 35 years or over), *for possible action*. (Record 6-2-1). Mr. Newman was present. Mr. Kizer said that the Commission has his application and kickboxing record, and clearance letter from Dr. Trainor. Mr. Newman went over his training regimen. **Commissioner Lundvall made a motion for approval, seconded by Commissioner Aguilar and unanimously approved.**
2. Request by kickboxer Rick Roufus for a license per NAC 467.017 (attained the age of 35 years or over), *for possible action*. (Record 63-9-1). Mr. Roufus was on the telephone. Mr. Kizer said that the Commission has his application and kickboxing record, and clearance letter from Dr. Trainor, also the Wikipedia report about his achievements. Mr. Roufus said that his training regimen for the last three months has been great – he is going to the gym everyday, his running varies from three miles everyday to up to six miles on weekends, and he is sparring boxing and Thai boxing. **Commissioner Lundvall made a motion for approval, seconded by Commissioner Aguilar and unanimously approved.**
3. Request by kickboxer Siala-Mou "Mighty Mo" Siliga for a license per NAC 467.017 (attained the age of 35 years

or over), *for possible action*. (Record 16-15). Mr. Siliga and Mr. Dennis Warner were present. Mr. Kizer said that the Commission has his application and kickboxing record, and clearance letter from Dr. Trainor. The Commission is concerned about the previous knockouts of the applicant during recent bouts. Commissioner Lundvall stated that she has difficulty supporting the application and Commissioner Avansino stated that his concern is for the safety of the contestant as Mr. Siliga is vulnerable to knockout based on past experiences. Mr. Siliga claimed that he was stopped in many of those bouts because he was not in the right frame of mind going into the bouts. **Commissioner Lundvall made a motion to postpone this item subject to the Medical Advisory Panel review of the applicant's medical records and for the Panel to recommend to the Commission if Mr. Siliga is fit for licensing, seconded by Commissioner Aguilar and unanimously approved.**

4. Request by mixed martial artist Cheick Ouedraogo, aka Cheick Kongo, for a license per NAC 467.017 (attained the age of 35 years or over), *for possible action*. (Record 16-6-2). Mr. Kongo was on the telephone from France. Mr. Kizer said that the Commission has his application and MMA record, and clearance letter from Dr. Trainor. With Commission approval, Mr. Kongo will be fighting on the October 29 UFC card. Mr. Kongo said that he feels very good and went over his training regimen. **Commissioner Lundvall made a motion for approval, seconded by Commissioner Avansino and unanimously approved.**
5. Request by mixed martial artist Mirko "Cro Cop" Filipovic for a license per NAC 467.017 (attained the age of 35 years or over), *for possible action*. (Record 27-9-2). Mr. Filipovic was on the telephone from Croatia. Mr. Kizer said that the Commission has his application and MMA record, and clearance letter from Dr. Trainor. Mr. Filipovic stated that he has been training for six months now and is in good condition. **Commissioner Lundvall made a motion for approval, seconded by Commissioner Aguilar and unanimously approved.**
6. Request by mixed martial artist Sidney Silva for a license per NAC 467.017 (attained the age of 35 years or over), *for possible action*. (Record 8-3). Mr. Silva was present. Mr. Kizer said that the Commission has his application and MMA record, and clearance letter from Dr. Trainor. Mr. Silva went over his training regimen. **Commissioner Day made a motion for approval subject to Dr. Trainor's review of the medical records, seconded by Commissioner Lundvall and unanimously approved.**
7. Request by boxer Juan Manuel Marquez for a license per NAC 467.017 (attained the age of 35 years or over), *for possible action*. (Record 53-5-1). Mr. Marquez (in Mexico) and his interpreter, Mr. Carlo Jimenez from Top Rank, were on the telephone. Mr. Kizer said that the Commission has his application and boxing record, and clearance letter from Dr. Trainor. Mr. Marquez said that he is ready for the November 12th fight against Manny Pacquiao. **Commissioner Lundvall made a motion for approval subject to Dr. Trainor's final review and approval of the medical records, seconded by Commissioner Avansino and unanimously approved.**
8. Request by Banner Promotions for the date of November 12, 2011 to co-promote a professional boxing event at the MGM Grand Garden Arena in Las Vegas, *for possible action*. **Commissioner Aguilar made a motion for approval, seconded by Commissioner Lundvall and unanimously approved.**
9. Request by Warriors Boxing Promotions for the date of November 12, 2011 to co-promote a professional boxing event at the MGM Grand Garden Arena in Las Vegas, *for possible action*. **Commissioner Aguilar made a motion for approval, seconded by Commissioner Lundvall and unanimously approved.**
10. Request by Sampson Boxing for the date of November 20, 2011 to promote a professional boxing event at the Texas Station in North Las Vegas, *for possible action*. Mr. Sampson Lewkowicz, promoter, was present. He stated that there were no other dates available for venues and Sunday is a big challenge and he is ready for it. **Commissioner Lundvall made a motion for approval, seconded by Commissioner Aguilar and unanimously approved.**
11. Selection of officials, and setting of fees, to work October 29, 2011 at the Mandalay Bay Events Center in Las Vegas for the UFC Welterweight title bout between Georges St. Pierre and Carlos Condit, *for possible action*. **Deleted due to the bout cancellation.**

12. Selection of officials, and setting of fees, to work November 11, 2011 at the Mandalay Bay in Las Vegas for the NABF Super Featherweight title bout between Diego Magdaleno and Emmanuel Lucero, *for possible action*. Keith Kizer stated that the slate of officials to be considered - referees to be considered: Kenny Bayless, Robert Byrd, Vic Draculich, Tony Weeks; judges to be considered: Adalaide Byrd, Burt Clements, Duane Ford, Lisa Giampa, Dick Houck, Patricia Morse Jarman, Ricardo Ocasio, C.J. Ross, Jerry Roth, Glenn Trowbridge, John McKaie (NY). Available Ringside Physicians to be considered: William Berliner, Steve Brown, Al Capanna, Todd Chapman, Jay Coates, James Dettling, Michael Enrico, Michael Gunter, Steven Leibowitz, Vicki Mazzorana, Anthony Ruggeroli, David Watson, Damon Zavala. Fees to be \$550 for the referee and \$450 for the judges. Chairman Brady asked both camps if there were any legitimate concerns in the slate of officials. Hearing none, Chairman Brady asked Keith Kizer for his recommendations. Keith Kizer recommended the following officials: referee to be Robert Byrd; judges to be Duane Ford, Dick Houck, and John McKaie (NY); doctors to be Al Capanna, Vicki Mazzorana, and William Berliner. **Commissioner Avansino made a motion for approval, seconded by Commissioner Aguilar and unanimously approved.**
13. Selection of officials, and setting of fees, to work November 12, 2011 at the MGM Grand Garden Arena in Las Vegas for the WBO Welterweight title bout between Manny Pacquiao and Juan Manuel Marquez, *for possible action*. Keith Kizer stated that the slate of officials to be considered - referees to be considered: Robert Byrd, Vic Draculich, Tony Weeks; judges to be considered: Adalaide Byrd, Dick Houck, Robert Hoyle, Patricia Morse Jarman, Dave Moretti, C.J. Ross, Glenn Trowbridge. Fees to be \$8,150 for the referee and \$5,150 for the judges. Chairman Brady asked both camps if there were any legitimate concerns in the slate of officials. Hearing none, Chairman Brady asked Keith Kizer for his recommendations. Keith Kizer recommended the following officials: referee to be Kenny Bayless; judges to be Robert Hoyle, Dave Moretti, and Glenn Trowbridge. **Commissioner Lundvall made a motion for approval, seconded by Commissioner Aguilar and unanimously approved.**
14. Selection of officials, and setting of fees, to work November 12, 2011 at the MGM Grand Garden Arena in Las Vegas for the WBO Junior Welterweight title bout between Timothy Bradley and Joel Casamayor, *for possible action*. Keith Kizer stated that the slate of officials to be considered - referees to be considered: Kenny Bayless, Robert Byrd, Vic Draculich, Tony Weeks; judges to be considered: Adalaide Byrd, Burt Clements, Duane Ford, Dick Houck, Robert Hoyle, Dave Moretti, Ricardo Ocasio, C.J. Ross, Jerry Roth, Glenn Trowbridge, Levi Martinez (NM), Clark Sammartino (RI). Available Ringside Physicians to be considered: William Berliner, Steve Brown, Al Capanna, Todd Chapman, Jay Coates, Rodney Courson, James Dettling, Michael Enrico, Michael Gunter, Steven Leibowitz, Vicki Mazzorana, Anthony Ruggeroli, David Watson, and Damon Zavala. Fees to be \$2,800 for the referee and \$2,000 for the judges. Chairman Brady asked both camps if there were any legitimate concerns in the slate of officials. Hearing none, Chairman Brady asked Keith Kizer for his recommendations. Keith Kizer recommended the following officials: referee to be Vic Draculich; judges to be Adalaide Byrd, Burt Clements, Levi Martinez (NM); doctors to be Anthony Ruggeroli, David Watson, and Jay Coates. **Commissioner Aguilar made a motion for approval, seconded by Commissioner Lundvall and unanimously approved.**
15. Request by Millennium Events for the date of October 21, 2011 to promote an amateur mixed martial arts event at the Hard Rock Casino in Las Vegas, *for possible action*. **Deleted due to the event being cancelled.**
16. Request by Let's Get It On Promotions for the date of November 4, 2011 to promote an amateur mixed martial arts event at the Harrah's Hotel in Reno, *for possible action*. **Commissioner Aguilar made a motion for approval, seconded by Commissioner Lundvall and unanimously approved.**
17. Request by North Las Vegas Center Ring Boxing for a grant from NRS 467.108 for travel to Kansas City, MO to participate in the Ringside World Championship on August 15-20, 2011 for 1 boxer and 1 coach for hotel expenses of \$1,212.20, per diem of \$280, air fare of \$834.36, total of **\$2,326.56**, *for possible action*. **Postponed until next meeting.**
18. Request by Johnny Tocco's Amateur Boxing Club for a grant from NRS 467.108 for travel to Indio, CA to participate in the 10th Annual Desert Showdown Lonsdale World Amateur Boxing Championship on July 13-16,

2011 for 1 boxer and 1 coach for hotel expenses of \$538, per diem of \$160, and fuel reimbursement of \$195.55, total of **\$893.55**, *for possible action*. **Commissioner Day made a motion for approval, seconded by Commissioner Aguilar and unanimously approved.**

19. Request by Reno Jets Boxing Club for a grant from NRS 467.108 for travel to Sacramento, CA to participate in the Club Invitational on August 20, 2011 for 1 boxer, 1 chaperone, and 1 coach for per diem of \$60 and \$69.75 mileage reimbursement, total of **\$129.75**, *for possible action*. **Commissioner Day made a motion for approval, seconded by Commissioner Aguilar and unanimously approved.**
20. Request for approval by Golden Boy Promotions for permission to exceed the 4% limit per NAC 467.332 on 500 complimentary tickets on September 16, 2011 at the Texas Station Casino in Las Vegas for donation, given to Nellis Air Force Base, *for possible action*. Commissioner Day mentioned looking at a rate change above 4% and Mr. Kizer stated that he is waiting for regulatory change approval from the Governor so the Commission can consider such a change. **Commissioner Lundvall made a motion for approval, seconded by Commissioner Aguilar and unanimously approved.**
21. Request for approval by Forza, LLC dba Strikeforce for permission to exceed the 4% limit per NAC 467.332 on 100 complimentary tickets on September 23, 2011 at the Palms Resort in Las Vegas for donation, given to Nellis Air Force Base and Firefighters of So. Nevada Burn Foundation, *for possible action*. **Commissioner Lundvall made a motion for approval, seconded by Commissioner Avansino and unanimously approved.**
22. Hearing of temporary suspension of mixed martial artist Nick Rossborough, *for possible action*. Mr. Rossborough was on the telephone. Mr. Eccles stated that Mr. Rossborough competed on September 23rd, provided urine sample for testing, results came back positive/abnormal Testosterone to Epitestosterone Ratio; requirements have been met and a complaint has been filed pending next meeting for full hearing of the disciplinary complaint. Mr. Eccles requested the grant of a temporary suspension until the full hearing of the case. Mr. Rossborough did not object. **Commissioner Lundvall made a motion for approval for the temporary suspension, seconded by Commissioner Avansino and unanimously approved.**
23. Election of next Chairman, *for possible action*. Commissioner Lundvall thanked Chairman Brady for continued active participation and Chairman Brady thanked the Commission for the opportunity and support. **Commissioner Lundvall made a motion to elect Commissioner Avansino as next Chairman, seconded by Commissioner Day and unanimously approved.**

PUBLIC COMMENT: None.

CHAIRMAN'S REPORT: None.

MATTERS FOR FUTURE AGENDAS: None.

ADJOURNMENT: For possible action. Commissioner Aguilar made a motion for adjournment, seconded by Commissioner Lundvall and unanimously approved.

RESPECTFULLY SUBMITTED:

KEITH KIZER, EXECUTIVE DIRECTOR

APPROVED BY:

BILL BRADY, CHAIRMAN



Brian Sandoval
Governor

STATE OF NEVADA
DEPARTMENT OF BUSINESS AND INDUSTRY
ATHLETIC COMMISSION

Keith Kizer
Executive Director

Chairman: Skip Avansino

Members: Francisco V. Aguilar, Bill Brady, T. J. Day, Pat Lundvall

MINUTES OF NOVEMBER 16, 2011 MEETING:

A duly authorized meeting of the Nevada State Athletic Commission was held on Wednesday, **November 16, 2011**, at 9:00 a.m. at the Grant Sawyer State Office Building, 555 East Washington Avenue, Suite 3200, Third Floor, Las Vegas, NV 89101.

AGENDA

1. Call to order. Chairman Avansino called the meeting to order.
2. Roll Call. Executive Director Keith Kizer called the roll. Those commissioners attending were Francisco Aguilar, Bill Brady, T.J. Day, Pat Lundvall, and Chairman Skip Avansino. Attending on behalf of the Attorney General's office were Deputy Attorneys General Christopher Eccles and Vivienne Rakowsky. Dr. Timothy Trainor, the Commission's Consulting Research Physician, was on the telephone. Olive Aure was the recording secretary.
3. Approval of the minutes of the meetings of October 20, 2011, *for possible action*. **Commissioner Day made a motion for approval, seconded by Commissioner Aguilar and unanimously approved.**
4. Adoption of the agenda for this meeting, *for possible action*. **Commissioner Brady made a motion for approval, seconded by Commissioner Aguilar and unanimously approved.**
5. Disclosures per NRS 281/281A. **None.**
6. Public comment. Commissioner Lundvall asked for the voluntary participation of the professional fighters who have not signed up yet for the Cleveland Clinic and Lou Ruvo Institute research study, which is a three-year study, free of charge to the contestants, for their health and safety.

NEW BUSINESS:

1. Request by kickboxer Vivian Leung for a license per NAC 467.017 (not competed for at least 36 consecutive months), *for possible action*. (Record 1-0). Ms. Leung was present and said she used to live in Canada and there was no opportunity to compete, which was the reason for her five-year lay-off. She is always training and Mr. Scott Kent, promoter, had good comments about her skills. Mr. Kizer stated that the Commission has her application, record, and a letter from Dr. Trainor. Dr. Trainor opined she is medically fit to fight. **Commissioner Day made a motion for approval, seconded by Commissioner Aguilar and unanimously approved.**
2. Request by boxer Stacey Reile for a license per NAC 467.017 (attained the age of 35 years or over), *for possible action*. (Record 10-3-0). Ms. Reile was on the telephone. Mr. Kizer stated that the Commission has her application, record, and a letter from Dr. Trainor. Ms. Reile said that she is ready to go. Dr. Trainor opined she is medically fit to fight. **Commissioner Aguilar made a motion for approval, seconded by Commissioner Day and unanimously approved.**

3. Request by boxer Ada Velez for a license per NAC 467.017 (attained the age of 35 years or over), *for possible action*. (Record 19-3-3). Ms. Velez was on the telephone. Mr. Kizer stated that the Commission has her application, record, and a letter from Dr. Trainor. Dr. Trainor stated that the medical records looked good. Commissioner Lundvall asked Ms. Velez about the 3-year layoff period and Ms. Velez said that she was incarcerated and Commissioner Lundvall stated that such criminal activities are not condoned by the Commission, and Ms. Velez said that it will not happen again. **Commissioner Brady made a motion for approval, seconded by Commissioner Day and unanimously approved.**
4. Request by Sampson Boxing for the date of December 16, 2011 to promote a professional boxing event at the Mandalay Bay Hotel in Las Vegas, *for possible action*. Mr. Kizer said this card will be held in conjunction with the WBC convention. **Commissioner Brady made a motion for approval, seconded by Commissioner Aguilar and unanimously approved.**
5. Request by Top Rank for the date of January 12, 2012 to promote a professional boxing event at the Las Vegas Convention Center and to be shown in ESPN, *for possible action*. **Commissioner Brady made a motion for approval, seconded by Commissioner Aguilar and unanimously approved.**
6. Request by Top Rank for the date of January 13, 2012 to promote a professional boxing event at the Hard Rock Hotel in Las Vegas and to be shown in ESPN, *for possible action*. **Commissioner Brady made a motion for approval, seconded by Commissioner Aguilar and unanimously approved.**
7. Request by One Kicks Gym for the date of December 17, 2011 to promote an amateur Muay Thai kickboxing event at the Gym in Las Vegas, *for possible action*. **Commissioner Brady made a motion for approval, seconded by Commissioner Aguilar and unanimously approved.**
8. Request by Carson City Boxing Club for a grant from NRS 467.108 for travel to Reno, NV to participate in the Club Invitational hosted by Reno Jets Boxing Club on July 17-18, 2011 for 3 boxers and 2 coaches for per diem of \$200 and fuel reimbursement of \$60, total of **\$260.00**, *for possible action*. **Commissioner Brady made a motion for approval, seconded by Commissioner Day and unanimously approved.**
9. Request by Carson City Boxing Club for a grant from NRS 467.108 for travel to Reno, NV to participate in the Club Invitational hosted by Arce Boxing Club on October 18, 2011 for 1 boxer and 1 coach for per diem of \$25.92 and fuel reimbursement of \$40, total of **\$65.92**, *for possible action*. **Commissioner Brady made a motion for approval, seconded by Commissioner Day and unanimously approved.**
10. Request by Nevada LBC for a grant from NRS 467.108 for travel to Toledo, Ohio to participate in the National PAL Tournament on October 1-5, 2011 for 1 boxer and 1 coach for per diem of \$100, hotel expenses of \$250, car rental of \$196.92, air fare of \$861.60, total of **\$1,408.52**, *for possible action*. **Commissioner Aguilar made a motion for approval as recommended by the Executive Director for the amount of \$900, seconded by Commissioner Day and unanimously approved.**
11. Request by Pound 4 Pound Boxing for a grant from NRS 467.108 for travel to Tolleson, AZ to participate in the Club Invitational hosted by Sony's Boxing Gym on September 24, 2011 for 5 boxers and 2 coaches for per diem of \$87.85, car rental of \$123.32 and fuel reimbursement of \$94.18, total of **\$305.35**, *for possible action*. **Commissioner Brady made a motion for approval, seconded by Commissioner Day and unanimously approved.**
12. Request by Mity Mites Boxing Club for a grant from NRS 467.108 for travel to Carson City, NV to participate in the Club Invitational hosted by Carson City Boxing Club on July 16, 2011 for 5 boxers and 2 coaches for per diem of \$140, total of **\$140.00**, *for possible action*. (Mileage reimbursement of \$14.70 was paid by the Club). **Commissioner Brady made a motion for approval, seconded by Commissioner Day and unanimously approved.**
13. Request for approval by Golden Boy Promotions for permission to exceed the 4% limit per NAC 467.332 on 400 complimentary tickets on October 7, 2011 at the Texas Station Casino in North Las Vegas for donation, given to Nellis Air Force Base, *for possible action*. **Commissioner Day made a motion for approval,**

seconded by Commissioner Aguilar and unanimously approved.

14. Request for approval by Superior Cage Combat for permission to exceed the 4% limit per NAC 467.332 on 800 complimentary tickets on November 4, 2011 at the Orleans Arena in Las Vegas for donation, given to Nellis Air Force Base, Clark County Fire Department, and Police Department, *for possible action.* **Commissioner Day made a motion for approval, seconded by Commissioner Aguilar and unanimously approved.**

15. Complaint for disciplinary action against mixed martial artist Nick Rossborough, *for possible action.* Mr. Rossborough was on the telephone from Utah, and said he was not represented by a professional lawyer but he consulted with a lawyer and he waived the right to have a lawyer in this meeting. Deputy Attorney General Eccles stated that Mr. Rossborough is licensed in Nevada as a professional mixed martial artist and competed on September 23, 2011 at Palms Resort in Las Vegas, where he lost by unanimous decision; he voluntarily submitted to a urinalysis and provided a urine sample for testing before the contest; the result came back with an elevated Testosterone to Epitestosterone Ratio (T/E ratio) as reflected in the Laboratory Report, attached to the complaint. Mr. Rossborough answered the complaint, referencing a medical condition that he allegedly has and the medical records for which were forwarded to the Commission. Mr. Eccles asked the Commission that the toxicology report and the Pre-fight Medical Questionnaire be admitted as evidence. Mr. Rossborough's Patient Chart showed that he has been on topical testosterone for 3 years; he agreed that his Medical Patient Record be admitted as evidence too. He failed to disclose in the pre-fight medical questionnaire that he was taking any prescribed medication or any over-the-counter medication/products in the last 2 weeks before the bout. There are a number of medications used by Mr. Rossborough, and two of them are listed under the 2011 prohibited substances lists by WADA (World Anti-Doping Agency). Mr. Rossborough was not aware that those medications were included in the prohibited list. Commissioner Brady asked Mr. Rossborough if he is aware of using testosterone is against the regulations and he said yes; Commissioner Brady also asked if he is aware that there are rules posted in the Commission's website under Frequently Asked Questions in obtaining therapeutic use exemption and he said no.

There are rules for obtaining a therapeutic use exemption for an unarmed combatant in Nevada and it is the responsibility of any licensed contestant, if he or she believes for the therapeutic use of such substance to apply for a therapeutic exemption before that contestant can use such prohibited substances. Failure to obtain a therapeutic use exemption for a prohibited substance that is detected after the fact will be considered a violation of NRS Chapter 467, which may be grounds for a disciplinary complaint if a contestant is already licensed, or denial of a license.

Commissioner Lundvall asked Mr. Rossborough what the contract weight on the fight was and he said 205 lbs. and he weighed 232 lbs. 2 weeks before the fight and lost weight by dieting. Commissioner Lundvall commented that she was not persuaded by Mr. Rossborough's explanation based on the review of his medical records. Commissioner Brady commented that he does not accept Mr. Rossborough's rationale on using testosterone and that the violation is of a serious nature. **Commissioner Aguilar made a motion to**

penalize Mr. Rossborough:

- a) **Fine of \$1,000;**
- b) **Suspension for nine months, effective the day of the September 23, 2011 bout; and**
- c) **Provide negative drug test result for re-licensing,**

seconded by Commissioner Lundvall and unanimously approved.

16. Tribute to former heavyweight boxing champion Joe Frazier. A statement was read by Chairman Avansino and a proclamation will be sent to the family of the late Joe Frazier.

PUBLIC COMMENT: None.

CHAIRMAN'S REPORT: Chairman Avansino thanked Commissioner Brady for professionalism and direction over the last year.

MATTERS FOR FUTURE AGENDAS: None.

ADJOURNMENT: For possible action. Commissioner Aguilar made a motion for approval, seconded by Commissioner Brady and unanimously approved.

RESPECTFULLY SUBMITTED:

KEITH KIZER, EXECUTIVE DIRECTOR

APPROVED BY:

SKIP AVANSINO, CHAIRMAN



Brian Sandoval
Governor

STATE OF NEVADA
DEPARTMENT OF BUSINESS AND INDUSTRY

Keith Kizer
Executive Director

ATHLETIC COMMISSION

Chairman: Skip Avansino

Members: Francisco V. Aguilar, Bill Brady, T. J. Day, Pat Lundvall

Minutes of December 12, 2011 Meeting:

A duly authorized meeting of the Nevada State Athletic Commission was held on **Monday, December 12, 2011**, at 3:00 p.m. at the Grant Sawyer State Office Building, 555 East Washington Avenue, Suite 4401, Fourth Floor, Las Vegas, NV 89101.

1. Call to order. Chairman Avansino called the meeting to order.
2. Roll Call. Keith Kizer called the roll. Those commissioners attending were Bill Brady, T.J. Day, Pat Lundvall, and Chairman Skip Avansino. Attending on behalf of the Attorney General's office were Deputy Attorneys General Christopher Eccles and Vivienne Rakowsky. Dr. Timothy Trainor, the Commission Consulting Research Physician, attended too. The recording secretary was Olive Aure.
3. Approval of the minutes of the meeting of November 16, 2011, *for possible action*. **Commissioner Lundvall made a motion for approval of the minutes, seconded by Commissioner Brady and unanimously approved.**
4. Adoption of the agenda for this meeting, *for possible action*. **Commissioner Brady made a motion for approval of the agenda, seconded by Commissioner Lundvall and unanimously approved.**
5. Disclosures per NRS 281/281A. None.
6. Public comment. Commissioner Lundvall suggested to all professional unarmed combatant licensees to participate in the brain study program being conducted by Cleveland Clinic Lou Ruvo Center for Brain Health as it is for the benefit of the fighters. Fighters can pick up brochures at the Commission's Office or call the Lou Ruvo Center for information.

OLD BUSINESS:

1. Discussion regarding steroid and drug testing, including out-of-competition testing, and using independent sample collectors for in-competition testing. Chairman Avansino stated that this is a continuation of the previous discussion under then-Chairman Lundvall in 2009. The result from this discussion will update a memorandum for distribution to all licensees as well as update our website. Mr. Kizer relayed to the Commission the basic procedures currently in place for out-of-competition drug testing; he stated that there had been close to 50 such tests performed since the program's inception:
 - a. Mr. Kizer calls the laboratory > gives athlete's name, date of birth and other pertinent information the laboratory needs;
 - b. He calls the fighter or the manager/trainer and tells him or her to call the laboratory ASAP so the fighter can give the laboratory the current ZIP Code where he or she is at;
 - c. The laboratory will find the closest location of the laboratory where the fighter can drop urine sample and gives to the fighter the information;

d. The fighter has to drop the urine sample at the laboratory within 48 hours.

The above procedures work well within the United States but not necessarily when the fighter is in a foreign country. Commissioner Lundvall suggested giving licensees instructions in writing as well so they know exactly what is requested of them. Mr. Kizer said he will do so in the future. The Commissioners also want the fighters to provide an email address on their applications for licensure.

NEW BUSINESS:

1. Request by boxer Laura Serrano for a license per NAC 467.017 (attained the age of 35 years or over, and has not competed in over 36 consecutive months), *for possible action*. (Record 17-4-2). Ms. Serrano was present. Mr. Kizer stated that the Commission has her application, record, and clearance letter from Dr. Trainor. Ms. Serrano stated that she has been training hard for the last four months, running 4-5 miles a day and accumulated over 200 rounds of sparring with different partners. Her years of lay-off were due to the birth of her child. **Commissioner Brady made a motion for approval, seconded by Commissioner Lundvall and unanimously approved.**
2. Request by mixed martial artist Vladimir Matyushenko for a license per NAC 467.017 (attained the age of 35 years or over), *for possible action*. (Record 26-5). Mr. Matyushenko was on the telephone. Mr. Kizer stated that the Commission has his application, record, and clearance letter from Dr. Trainor. Mr. Matyushenko said he has been training hard and is ready to compete in Nevada again. **Commissioner Brady made a motion for approval, seconded by Commissioner Lundvall and unanimously approved.**
3. Request by mixed martial artist Keith Jardine for a license per NAC 467.017 (attained the age of 35 years or over), *for possible action*. (Record 17-9-2). Mr. Jardine was on the telephone. Mr. Kizer stated that the Commission has his application, record, and clearance letter from Dr. Trainor. Mr. Jardine said he has been training hard and is ready to compete in Nevada again. He also explained the particulars regarding his discipline by the Texas Commission. **Commissioner Brady made a motion for approval, seconded by Commissioner Lundvall and unanimously approved.**
4. Request by mixed martial artist Alistair Overeem for a license, *for possible action*. (Record 35-11). Mr. Overeem was on the telephone from Holland. Mr. Kizer stated that the Commission has his application, record, and clearance letter from Dr. Trainor. Mr. Kizer requested out-of-competition steroid testing from Mr. Overeem on November 17, 2011 but it was not until December 7th that Mr. Overeem submitted to the test. Mr. Overeem said that the delay was due to the failure of his representative to get him the information, and the fact he had to fly back to Holland to attend to his ill mother. **Commissioner Lundvall made a motion for a conditional license approval subject to the following requirements:**
 1. **within 72 hours, the applicant has to submit to another drug testing to an independent laboratory in the United Kingdom or Netherlands;**
 2. **upon arrival in the United States before the fight of December 30, 2011, the applicant has to drop a urine sample at a Quest Laboratory or LabCorp;**
 3. **Mr. Overeem has to submit to two steroid and dug tests at his own expense within 6 months after the December 30, 2011 bout, as set forth by the Commission. Failure to provide samples will be reported in the national MMA database.****seconded by Commissioner Brady and unanimously approved.**
5. Request by Forza, LLC dba Strikeforce for the date of January 7, 2012 to promote a professional mixed martial arts event at the Hard Rock Hotel in Las Vegas and to be shown on Showtime, *for possible action*. **Commissioner Brady made a motion for approval, seconded by Commissioner Lundvall and unanimously approved.**
6. Request by Zuffa, LLC dba UFC for the date of February 4, 2012 to promote a professional mixed martial arts event at the Mandalay Bay Event Center and to be shown on Pay-Per-View, *for possible action*. **Commissioner Brady made a motion for approval, seconded by Commissioner Lundvall and unanimously approved.**

7. Request by Golden Boy Promotions for the date of February 11, 2012 to promote a professional boxing event at the MGM Grand Garden Arena in Las Vegas and to be shown on Showtime, *for possible action*. **Commissioner Brady made a motion for approval, seconded by Commissioner Lundvall and unanimously approved.**
8. Selection of officials, and setting of fees, to work December 16, 2011 at the Mandalay Bay for the WBC Latino Middleweight title bout between Marco Antonio Rubio and Matt Vanda, *for possible action*. Keith Kizer stated the slate of officials to be considered - referees to be considered: Kenny Bayless, Robert Byrd, Joe Cortez; judges to be considered: Duane Ford, Dick Houck, Robert Hoyle, Dave Moretti, C.J. Ross, Jerry Roth, Anek Hongtongkam (Thailand) Juergen Langos (Germany), John Keane (UK). Fees to be \$550 for the Referee and \$450 for the Judges. Available Ringside Physicians to be considered: William Berliner, Steve Brown, Al Capanna, Jay Coates, Michael Gunter, Vicki Mazzorana, and Anthony Rugggeroli. Chairman Avansino asked both camps if there were any legitimate concerns in the slate of officials. Hearing none, Chairman Avansino asked Keith Kizer for his recommendations. Keith Kizer recommended the following officials: referee to be Kenny Bayless; judges to be Dick Houck, Jerry Roth and Juergen Langos (Germany); doctors to be Jay Coates, Al Capanna, Vicki Mazzorana, and William Berliner. **Commissioner Lundvall made a motion for approval, seconded by Commissioner Brady and unanimously approved.**
9. Selection of officials, and setting of fees, to work December 30, 2011 at the MGM Grand Garden Arena for the UFC special event bout between Brock Lesnar and Alistair Overeem, *for possible action*. Keith Kizer stated that the slate of officials to be considered is: referees to be considered: Herb Dean, Yves Lavigne, Mario Yamasaki; judges to be considered: Adalaide Byrd, Patricia Morse Jarman, Glenn Trowbridge, Tony Weeks, Douglas Crosby, Sal D'Amato. Fees to be \$1,200 for the referee and \$950 for the judges. Available Ringside Physicians to be considered: William Berliner, Steve Brown, Al Capanna, Jay Coates, Michael Enrico, James Game, Michael Gunter, Steven Leibowitz, Vicki Mazzorana, and Anthony Rugggeroli. Chairman Avansino asked both camps if there were any legitimate concerns in the slate of officials. Hearing none, Chairman Avansino asked Keith Kizer for his recommendations. Keith Kizer recommended the following officials: referee to be Mario Yamasaki; judges to be Patricia Morse-Jarman, Glenn Trowbridge, and Douglas Crosby; doctors to be William Berliner, Vicki Mazzorana, Michael Gunter, and Al Capanna. **Commissioner Day made a motion for approval, seconded by Commissioner Lundvall and unanimously approved.**
10. Selection of officials, and setting of fees, to work January 7, 2012 at the Hard Rock Hotel for the Strikeforce Middleweight title bout between Luke Rockhold and Keith Jardine, *for possible action*. Keith Kizer stated that the slate of officials to be considered is: referees to be considered: Herb Dean, Steve Mazzagati, Josh Rosenthal; judges to be considered: Adalaide Byrd, Patricia Morse Jarman, Junichiro Kamijo, Glenn Trowbridge, Tony Weeks, Marcos Rosales. Fees to be \$800 for the referee and \$650 for the judges. Available Ringside Physicians to be considered: William Berliner, Steve Brown, Al Capanna, Jay Coates, James Dettling, Michael Enrico, James Game, Vicki Mazzorana, Anthony Rugggeroli, and David Watson. Chairman Avansino asked both camps if there were any legitimate concerns in the slate of officials. Hearing none, Chairman Avansino asked Keith Kizer for his recommendations. Keith Kizer recommended the following officials: referee to be Herb Dean; judges to be Adalaide Byrd, Junichiro Kamijo and Marcos Rosales; doctors to be Anthony Rugggeroli, Steve Brown, James Dettling, and James Game. **Commissioner Lundvall made a motion for approval, seconded by Commissioner Day and unanimously approved.**
11. Request by Let's Get It On Promotions, LLC for the date of January 20, 2012 to promote an amateur mixed martial arts event at Harrah's Reno, *for possible action*. **Commissioner Brady made a motion for approval, seconded by Commissioner Lundvall and unanimously approved.**
12. Request by Las Vegas MMA for the date of February 3, 2012 to promote an amateur mixed martial arts event at Las Vegas Hilton, *for possible action*. **Commissioner Brady made a motion for approval, seconded by Commissioner Lundvall and unanimously approved.**
13. Request by Bruno's Boxing Club for a grant from NRS 467.108 for travel to Las Vegas to participate in the Silver Gloves State Tournament at Barry's Boxing Center on November 19-20, 2011 for 1 boxer and 2 coaches

for per diem of \$120, hotel expenses of \$268.78, and mileage reimbursement of \$259, total of **\$647.78**, *for possible action*. **Commissioner Lundvall made a motion for approval, seconded by Commissioner Day and unanimously approved.**

14. Request by Henderson PAL a grant from NRS 467.108 for travel to Mesa, AZ to participate in the 36th Annual Gene Lewis Tournament on November 10-12, 2011 for 3 boxers and 1 coach for per diem of \$240, hotel expenses of \$414, car rental of \$280.13 and fuel reimbursement of \$126.42, total of **\$1,060.55**, *for possible action*. **Commissioner Lundvall made a motion for approval, seconded by Commissioner Day and unanimously approved.**
15. Request by Johnny Tocco's Amateur Boxing Club for a grant from NRS 467.108 for travel to Mesa, AZ to participate in the 36th Annual Gene Lewis Tournament on November 10-12, 2011 for 7 boxers and 3 coaches for per diem of \$600, hotel expenses of \$896.48, 15-passenger van rental of \$508.59 and fuel reimbursement of \$210.02, total of **\$2,215.09**, *for possible action*. **Commissioner Lundvall made a motion for approval, seconded by Commissioner Day and unanimously approved.**
16. Request by Richard Steele Boxing Club for a grant from NRS 467.108 for travel to Mesa, AZ to participate in the 36th Annual Gene Lewis Tournament on November 10-12, 2011 for 1 boxer and 1 coach for per diem of \$120, hotel expenses of \$211.86, and fuel reimbursement of \$149, total of **\$480.86**, *for possible action*. **Commissioner Lundvall made a motion for approval, seconded by Commissioner Day and unanimously approved.**
17. Request by Reno Jets Amateur Boxing Club for a grant from NRS 467.108 for travel to Las Vegas to participate in the Silver Gloves State Tournament at Barry's Boxing Center on November 19-20, 2011 for 2 boxers, 1 coach, and 1 chaperone for per diem of \$240, hotel expenses of \$483.48, and mileage reimbursement of \$223.75, total of **\$947.23**, *for possible action*. **Commissioner Lundvall made a motion for approval, seconded by Commissioner Day and unanimously approved.**
18. Appointment of arbitrator for hearing between of boxer Juan Heraldez and manager Pat Barry, *for possible action*. **Chairman Avansino appointed Commissioner Aguilar as arbitrator for the hearing.**
19. Request for temporary suspension against mixed martial artist Shawn Fitzsimmons, *for possible action*. Deputy Eccles set forth the complaint against Mr. Fitzsimmons. **Commissioner Lundvall made a motion for approval of a temporary suspension until the full hearing of the complaint, seconded by Commissioner Day and unanimously approved.**
20. Request for temporary suspension against boxer Joel Casamayor, *for possible action*. **Commissioner Lundvall made a motion for approval of a temporary suspension until the full hearing of the complaint, seconded by Commissioner Brady and unanimously approved.**
21. Re-licensing of ring officials for calendar year 2012, *for possible action*. Mr. Kizer thanked the ring officials for another year of good performances and availability when needed and recommended approval. **Commissioner Lundvall made a motion for approval, seconded by Commissioner Brady and unanimously approved.**

PUBLIC COMMENT: Commissioner Brady thanked the UFC management for doing its own drug sampling for the safety of the fighters.

CHAIRMAN'S REPORT: None.

MATTERS FOR FUTURE AGENDAS: None.

ADJOURNMENT: *For possible action*. **Commissioner Lundvall made a motion for adjournment, seconded by Commissioner Brady and unanimously approved. Chairman Avansino adjourned the meeting.**

RESPECTFULLY SUBMITTED:

KEITH KIZER, EXECUTIVE DIRECTOR

APPROVED BY:

SKIP AVANSINO, CHAIRMAN

Business and Industry Department
Nevada State Athletic Commission
Statement of Revenues/Expenditures
For Fiscal Years 2009 through 2011

Budget Acct.	GL	Description	FY 2009	FY 2010	FY 2011
		Revenue:			
9749	3102 & 3103	Fees/Licenses	3,608,756	3,125,217	3,062,779
3952	4283	Ticket Surcharge	134,763	113,136	92,083
		Total Revenue	3,743,519	3,238,353	3,154,862
3952	Category	Expenditures:			
3952	01	Personnel Svcs	386,127	363,240	361,157.88
3952	02	Out of State Travel	0	706	0
3952	03	In State Travel	6,321	4,663	5,100.42
3952	04	Operating	162,214	158,335	147,748.84
3952	11	Amateur Boxing Program	96,570	116,584	114,046.1
3952	26	Information Services	3,230	2,666	2,410
3952	59	Utilities	251	184	202.69
3952	87	Purchasing Assessment	296	158	152.28
		Total Expenditures	655,008	646,535	630,818
		Excess Revenue Over Expenditures before Reversion	3,088,511	2,591,818	2,524,044
3952	93	Reserve for Reversion (Budget Cut)	194,371	29,500	7,653
		Excess Revenue after Reversion	2,894,140	2,562,318	2,516,391

SUMMARY

	2009-2010 ACTUAL	2010-2011 WORK PROGRAM	2011-2012 LEGISLATIVEL Y APPROVED	2012-2013 LEGISLATIVEL Y APPROVED
RESOURCES:				
2501 APPROPRIATION CONTROL	543,850	542,589	527,768	533,448
2510 REVERSIONS	-13,898	0	0	0
2511 BALANCE FORWARD FROM PREVIOUS YEAR	194,058	161,110	161,110	161,110
2512 BALANCE FORWARD TO NEW YEAR	-161,110	0	0	0
4283 TICKET SURCHARGE	113,136	128,530	113,136	113,136
TOTAL RESOURCES:	676,036	832,229	802,014	807,694
EXPENDITURES:				
CATEGORY 01 PERSONNEL:				
5100 SALARIES	251,455	254,946	252,691	252,042
5120 FURLOUGH ADJUSTMENT	-12,391	0	0	0
5200 WORKERS COMPENSATION	4,613	4,774	3,286	2,684
5300 RETIREMENT	38,178	37,230	40,515	40,436
5400 PERSONNEL ASSESSMENT	1,338	1,139	1,188	1,114
5500 GROUP INSURANCE	37,647	35,805	38,690	44,135
5660 FURLOUGH LEAVE	12,391	0	0	0
5700 PAYROLL ASSESSMENT	535	456	404	380
5750 RETIRED EMPLOYEES GROUP INSURANCE	5,713	-2,500	5,431	6,804
5800 UNEMPLOYMENT COMPENSATION	1,864	894	796	958
5810 OVERTIME PAY	15,944	16,382	15,944	15,944
5820 HOLIDAY PAY	257	0	0	0
5840 MEDICARE	3,843	2,988	3,665	3,655
5860 BOARD AND COMMISSION PAY	0	1,200	1,200	1,200
5927 AEGIS - PART TIME SUBSIDY RATE CHANGE	0	5,045	0	0
5928 REGI - SAGE REC RATE CHANGE	0	4,199	0	0
5929 SUSPEND LONGEVITY FOR FY12 & FY13	0	-4,525	-2,425	-2,725
5930 LONGEVITY PAY	0	4,525	2,425	2,725
5975 FORFEITED ANNUAL LEAVE PAYOFF	1,854	0	0	0
TOTAL FOR CATEGORY 01:	363,241	362,558	363,810	369,352
CATEGORY 02 OUT-OF-STATE TRAVEL:				
6100 PER DIEM OUT-OF-STATE	614	296	951	951
6101 PER DIEM OUT-OF-STATE-A	12	0	30	30

B&I - ATHLETIC COMMISSION
101-3952

	2009-2010 ACTUAL	2010-2011 WORK PROGRAM	2011-2012 LEGISLATIVEL Y APPROVED	2012-2013 LEGISLATIVEL Y APPROVED
6130 PUBLIC TRANS OUT-OF-STATE	38	0	40	40
6140 PERSONAL VEHICLE OUT-OF-STATE	32	15	95	95
6150 COMM AIR TRANS OUT-OF-STATE	11	273	377	347
TOTAL FOR CATEGORY 02:	707	584	1,493	1,463
CATEGORY 03 IN-STATE TRAVEL:				
6200 PER DIEM IN-STATE	892	2,396	892	892
6201 PER DIEM IN-STATE-A	60	0	60	60
6210 MP DAILY RENTAL IN-STATE	0	71	0	0
6230 PUBLIC TRANSPORTATION IN-STATE	20	61	20	20
6240 PERSONAL VEHICLE IN-STATE	3,014	3,867	3,014	3,014
6250 COMM AIR TRANS IN-STATE	677	1,597	677	677
TOTAL FOR CATEGORY 03:	4,663	7,992	4,663	4,663
CATEGORY 04 OPERATING EXPENSES:				
7020 OPERATING SUPPLIES	2,918	5,082	2,918	2,918
7040 NON-STATE PRINTING SERVICES	1,881	2,252	1,881	1,881
7045 STATE PRINTING CHARGES	127	198	127	127
7050 EMPLOYEE BOND INSURANCE	14	14	14	14
7051 AGENCY OWNED - PROP. & CONT. INSURANCE	392	0	0	0
7054 AG TORT CLAIM ASSESSMENT	655	655	644	644
705B B&G - PROP. & CONT. INSURANCE	0	392	234	234
7060 CONTRACTS	36,131	37,138	36,131	36,131
7061 CONTRACTS - A	0	75,000	0	0
7070 CONTRACTS - J	175	175	175	175
7075 MED/HEALTH CARE CONTRACTS	75,507	600	75,507	75,507
7100 STATE OWNED BLDG RENT-B&G	28,716	26,322	27,026	27,026
7240 HOST FUND	0	64	0	0
7280 OUTSIDE POSTAGE	23	115	23	23
7285 POSTAGE - STATE MAILROOM	3,321	4,103	3,321	3,321
7291 CELL PHONE/PAGER CHARGES	905	691	600	600
7292 DOIT VOICE MAIL	104	97	97	92
7294 CONFERENCE CALL CHARGES	455	925	455	455
7295 DOIT STATE PHONE LINE	1,853	1,834	1,036	935
7296 DOIT LONG DISTANCE CHARGES	1,100	984	1,100	1,100
7301 MEMBERSHIP DUES	200	200	200	200

B&I - ATHLETIC COMMISSION
101-3952

	2009-2010 ACTUAL	2010-2011 WORK PROGRAM	2011-2012 LEGISLATIVE Y APPROVED	2012-2013 LEGISLATIVE Y APPROVED
7302 REGISTRATION FEES	175	135	175	175
7460 EQUIPMENT PURCHASES < \$1,000	414	0	0	0
7630 MISCELLANEOUS GOODS, MATERIALS	27	70	27	27
7635 MISCELLANEOUS SERVICES	178	432	178	178
7980 OPERATING LEASE PAYMENTS	3,063	3,063	3,063	3,063
TOTAL FOR CATEGORY 04:	158,334	160,541	154,932	154,826
CATEGORY 11 AMATEUR BOXING PROGRAM:				
7060 CONTRACTS	8,435	0	8,435	8,435
8750 AID TO PRIVATE ORGANIZATIONS	108,148	128,530	84,701	84,701
TOTAL FOR CATEGORY 11:	116,583	128,530	93,136	93,136
CATEGORY 15 NON FIGHT NIGHT RANDOM DRUG TESTING:				
7075 MED/HEALTH CARE CONTRACTS	0	0	20,000	20,000
TOTAL FOR CATEGORY 15:	0	0	20,000	20,000
CATEGORY 26 INFORMATION SERVICES:				
7532 DOIT WEB HOSTING	1,761	1,628	627	373
7533 DOIT EMAIL SERVICE	303	214	183	86
7554 DOIT INFRASTRUCTURE ASSESSMENT	354	339	574	579
7556 DOIT SECURITY ASSESSMENT	248	229	263	241
TOTAL FOR CATEGORY 26:	2,666	2,410	1,647	1,279
CATEGORY 59 UTILITIES:				
7138 OTHER UTILITIES	184	683	203	203
TOTAL FOR CATEGORY 59:	184	683	203	203
CATEGORY 82 DEPARTMENT COST ALLOCATIONS:				
5450 CENTRALIZED PERSONNEL SERVICES COST ALLOCATION	0	0	934	1,576
TOTAL FOR CATEGORY 82:	0	0	934	1,576
CATEGORY 86 RESERVE:				
9178 RESERVE - BAL FWD TO SUBSEQUENT FY	0	161,110	161,110	161,110

	2009-2010 ACTUAL	2010-2011 WORK PROGRAM	2011-2012 LEGISLATIVEL Y APPROVED	2012-2013 LEGISLATIVEL Y APPROVED
TOTAL FOR CATEGORY 86:	0	161,110	161,110	161,110
CATEGORY 87 PURCHASING ASSESSMENT:				
7393 PURCHASING ASSESSMENT	158	168	86	86
TOTAL FOR CATEGORY 87:	158	168	86	86
CATEGORY 93 RESERVE FOR REVERSION TO GENERAL FUND:				
9169 TRANSFER OF GENERAL FD APPROPS	29,500	7,653	0	0
TOTAL FOR CATEGORY 93:	29,500	7,653	0	0
TOTAL EXPENDITURES:	676,036	832,229	802,014	807,694
PERCENT CHANGE:		23.10%	-3.63%	0.71%
TOTAL POSITIONS:	5.00	5.00	5.00	5.00