

**TENNESSEE
ATHLETIC COMMISSION
MINUTES**

DATE: July 8, 2010

PLACE: Andrew Johnson Tower, 2nd Floor Conference Room
710 James Robertson Parkway
Nashville, Tennessee

PRESENT: Commission Members:
Joe Smith, Chairman
Steve Hannah, Vice-Chairman
Chuck Clark (via teleconference)
R. Warne Fitch, M.D.
Neal Frauwirth, M.D. (via teleconference)
Stuart Howard (via teleconference)
Teri Mast
Scott White

PRESENT: Staff Members:
Steve Majchrzak, Assistant Commissioner
Jeff Mullen, Executive Director
Ed Scudder, Assistant General Counsel
Susan Lockhart, Executive Administrative Assistant

ABSENT: Commission Members:
Jack Sammons

CALL TO ORDER

Chairman Smith called the meeting to order at 1:10 p.m. and the following business was transacted:

ROLL CALL

Mr. Mullen called the roll. Five (5) Commission members were present, three (3) were present via teleconference, and one (1) was absent.

MINUTES

Ms. Mast made a motion to approve the minutes of the last meeting, seconded by Mr. Hannah.
Motion Carried.

EXECUTIVE DIRECTOR'S UPDATE

Mr. Mullen gave an oral report regarding the revenues generated. He also gave an update of events that are scheduled for the remainder of July 2010 and August 2010.

Ms. Mast inquired about the events page of the Commission's web site and Mr. Mullen advised that the goal is to keep it current but it only reflects events that have been issued permits.

Chairman Smith inquired about the fees due from the New Daisy Fight and Mr. Mullen advised that he is still working on it.

Mr. Mullen presented a report of the fees received after May 14, 2010 for the Commission's review.

LEGAL REPORT

Mr. Scudder advised that Consent Orders and payments for three (3) of the complaints presented at the last meeting have been received. They included Nick Diaz - \$7500 civil penalty and three (3) month suspension; Jason Miller - \$5000 civil penalty and three (3) month suspension; and Jake Shields - \$5000 civil penalty and three (3) month suspension. He further advised that he expects to receive another Consent Order in the next few days and one complaint is awaiting response.

Mr. Hannah inquired about the suspensions and Mr. Scudder advised that the suspensions begin from the date that the Consent Orders and payments are received, and the Executive Director signs them. He further advised that the suspensions are only effective for Tennessee although most states will recognize them.

After some discussion, the Commission advised that they will continue to authorize Consent Orders and authorizations for formal hearings without prior negotiations.

OLD BUSINESS

No old business was discussed.

NEW BUSINESS

Rule meeting date – Mr. Mullen advised that the November 11, 2010 meeting is scheduled on a holiday and needs to be rescheduled. The Commission agreed to move the meeting to November 18, 2010 and to begin at 11:00 a.m. in lieu of 1:00 p.m. to discuss proposed rules.

Discuss Rules to be Proposed at Rule Meeting – Commission members were given a draft of the rules with highlighted areas for discussion.

Mr. Scudder suggested that the definitions for contest, permit, and professional be changed to reflect the statutory language.

Mr. Mullen suggested that Rule 0145-01.10 regarding referees be changed concerning the “standing eight count.” Dr. Frauwirth and Mr. Smith recommended that it be left in the rules for flexibility. The Commission decided to leave it in.

Mr. Howard participated in the meeting via teleconference until he arrived at the meeting at 1:45 p.m.

Mr. Mullen suggested that Rule 0145-02-.13 regarding knock down-knock outs be consistent with Association of Boxing Commission’s rules. The Commission accepted his recommendation.

Mr. Mullen advised that boxing coach, Christy Halbert, submitted a written recommendation to the Commission asking that Rule 0145-02-.19 be eliminated and any necessary rules be moved to the general rules section. The Commission suggested that the breast protectors be made optional; bouts between opposite sexes still be prohibited; and both sections to be moved to the general rules.

Chairman Smith recommended that staff use the “common sense” approach in approving referees for boxing if there will be multiple bouts at an event.

Mr. Mullen advised that the Commission’s MMA/Kickboxing Rules do not define the “back of the head” concerning fouls. He recommended that the Commission adopt the Association of Boxing Commission’s “Hybrid Rule.” Mr. Howard made a motion to adopt the “Hybrid Rule” as policy, seconded by Dr. Frauwirth. **Motion Carried.**

Mr. White suggested that a book of policies be created and posted to the Commission’s web site. Mr. Mullen advised that he would work on putting one together.

The Commission advised Mr. Mullen to check with other states to determine the differentials used in other states for weight classifications for MMA and kickboxing before the next Commission meeting.

Mr. Mullen presented information regarding national identification cards for MMA. The Commission tabled the discussion until the next meeting and asked for more information regarding what other states are doing.

The use of lubricating substances to the hair and body for MMA was discussed. The Commission decided to leave it in policy as it relates strictly to MMA and not boxing and asked Mr. Mullen to have the information posted to their web site.

Mr. Scudder asked if the Commission wants to discuss rules regarding “manning the gate” at events and suggested that it be added to the rules as a responsibility of the promoter. Mr. Scudder was advised to check with other states to determine what they are doing and to present the information at the next meeting.

Insurance for amateur MMA combatants was discussed. Mr. Hannah advised that he will obtain more information and present it at the next meeting. Dr. Frauwirth advised that he may try to collect some billing information for catastrophic injuries to present at the next meeting as well.

Assistant Commissioner Steve Majchrzak joined the meeting at 3:05 p.m.

Mr. Mullen asked if the Commission should have certain requirements before a fighter can “ground and pound” (hit a fighter while on the ground). The Commission advised him to research this matter further for their meeting.

Other New Business – Mr. Mullen advised that when he was hired, he accepted less than the salary offered if he would be allowed to work in Memphis. He asked the Commission’s consideration to increase his salary to the original offer and suggested that the part-time positions previously approved be combined to one full-time position to handle events and clerical work. Mr. Majchrzak reported to the Commission regarding their current revenues and expenditures and advised them of their authority regarding this Mr. Mullen’s request. Chairman Smith asked that the latest report and projections be presented at the next meeting for their consideration.

Discuss Rules to be Proposed at Rule Meeting Continued – Mr. Hannah made a motion to adopt a policy that blood work cannot be more than thirty (30) days old prior to licensure and cannot be more than six (6) months old prior to a fight, seconded by Ms. Mast. **Motion Carried.** The Commission requested that this be proposed for discussion as a rule.

Adjourn – There being no further business to discuss, Mr. Howard made a motion to adjourn, seconded by Mr. White. **Motion Carried**, meeting adjourned at 3:45 p.m.