



California State Athletic Commission

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CALIFORNIA STATE ATHLETIC COMMISSION

Friday, September 19, 2008

10:00 A.M. – 12:15 P.M.

**Van Nuys State Building
 Conference Room
 6150 Van Nuys Blvd.
 Van Nuys, CA 91401**

Minutes

Commissioners Present:

Timothy Noonan, Chairman	June Collison
Dr. Christopher Giza	Peter Lopez
Howard Rose	

Commissioners Absent:

John Frierson
 Mario Rodriguez

Staff Present:

Armando Garcia, Executive Officer	Karen Chappelle, Deputy Attorney General
Don Chang, Legal Counsel, DCA	Dean Lohuis, Chief Athletic Inspector
James Maynard, Legal Counsel, DCA	Mohammad Noor
Bill Douglas	

The minutes reflect the order in which the agenda items were heard.

Agenda Item 1. The meeting was called to order at 10:00 a.m. Executive Officer, Armando Garcia, called the roll. Commissioners present and accounted for: Collison, Giza, Lopez, Noonan, and Rose. Commissioners absent: Frierson and Rodriguez.

Agenda Item 2. Commissioner Collison led the attendees in the Pledge of Allegiance.

Agenda Item 3. Executive Officer Armando Garcia recommended the postponement of this agenda item until the full Commission was available to vote on the election of a new Vice-Chairperson. The Commissioners in attendance agreed to table this item until the November 2008 meeting.

Agenda Item 4. Approval of Meeting Minutes

A motion was made, seconded, and carried unanimously to approve the meeting minutes for the June 17, 2008 Commission Meeting.

Agenda Item 5. Appeals of Suspensions and Fines

John George was not in attendance at his license revocation hearing so Chairman Noonan granted Mr. George additional time to arrive at the venue for his hearing.

Pedro Valero

Mr. Valero sent a letter of apology and made payment arrangements for his fine. Executive Officer Garcia recommended that the apology was accepted and immediate removal from suspension be granted to Mr. Valero.

A motion was made, seconded, and carried unanimously to remove Pedro Valero from suspension.

Agenda Item 6. Request for Regulatory Hearing on Proposed Regulations

Rule 315 (new): Technical Area

Executive Officer Garcia took previous comments from Roy Englebrecht into consideration for this proposal. Chairman Noonan asked for clarification regarding sold vs. unsold seats pertaining to Rule 315.

Rule 371: Referee's License

Public Comment:

Marty Denkin made personal comments in relation to Rule 371.

Commissioner Collison asked Executive Officer Garcia for clarification on Rule 371.

Executive Officer Garcia explained that the process of making rule changes is discussed with DCA Legal. The elimination of certain words does not eliminate licensed referees from performing any training. The language has been changed to read "commission representative" as part of the "cleanup" language being performed on the rules and regulations.

Chairman Noonan asked if the language exists to clarify what a "commission representative" is.

Executive Officer Garcia stated that a "commission representative" is someone designated by the Commission or Executive Officer to perform a specific function. He further clarified that one does not have to be a good judge to be a good referee and vice versa.

Mr. Maynard address the regulations pertaining to the separation of referee and judge licenses.

Chairman Noonan asked what is being accomplished by these rule changes.

Executive Officer Garcia stated that if a candidate only wants to be a referee then he or she should not have to demonstrate judge's proficiency in order to be a referee.

Commissioner Giza asked for clarification on the current practices of refereeing and judging.

Mr. Maynard recommended that separation should occur between the referee and judge license thus requiring an individual to hold two licenses in order to perform both functions at regulated events.

Mr. Chang suggested that action on these items should be tabled until a later meeting.

Public Comment:

Jack Reiss asked for clarification on new officials being brought in to California.

Rule 372: Referee's Uniform

The rule does not preclude officials from wearing contact lenses.

Rule 375: Referee's Physical Examination

The rule adds vision requirements for officials.

Rule 379: Judge's License

Executive Officer Garcia stated that approved training seminars have to be assigned for at least three years anywhere in the world. Additionally, this rule adds vision requirements for officials.

Chairman Noonan asked for the language in this rule to be cleared up.

Rule 379.1: Hearing to Remove Judge's License

Chairman Noonan asked for the language in this rule to be cleared up.

Agenda Item 7. Update on Proposed Regulatory Package Approved on February 5, 2008

Executive Officer Garcia stated that the current regulatory package approved on February 5, 2008 is currently with the Department of Finance pending approval.

Executive Officer Garcia stated that Agenda Item 8 should be tabled until the end of the meeting to accommodate the arrival of Dr. Paul Wallace to expand on the issue.

Agenda Item 9. Update on Anti-Doping Program

Executive Officer Garcia stated the problem is concerning drug use in California. He discussed the new contracts being approved for the new drug testing vendors as well as initial thoughts regarding proposed legislative changes for an increase in fines.

Agenda Item 5. Appeals of Suspensions and Fines (con't)

John George

Chairman Noonan called for John George. Mr. George was not present for the hearing. Executive Officer Garcia recommended license revocation for Mr. George citing Mr. George's second violation of anabolic steroid use in one year.

A motion was made, seconded, and carried unanimously to revoke the license of John George as a professional athlete.

Agenda Item 10. Pension Plan Update

Chairman Noonan directed Executive Officer Garcia to consult with DCA Legal to perform the regulatory changes for the pension plan.

A motion was made, seconded, and carried unanimously to move forward with regulatory changes to the pension plan.

Agenda Item 11. Pregnancy Testing Statutory Changes

Executive Officer Garcia discussed the process to change legislation regarding pregnancy testing in the State of California.

Agenda Item 12. Public Comment on Matters Not on the Agenda

Paul Nave – Mr. Nave stated his last fight was December 19, 1999 but he was planning on fighting again. He stated he was 48 years old and asked what he would need to do to fight again. Mr. Nave made claims that Executive Officer Garcia stated that he would need a comprehensive neurological exam and a full cardio exam. Mr. Nave stated he had all of his medical exams performed and he passed all exams. He claimed he was ready to fight ten rounds because of his past experience. Mr. Nave stated that he asked to be considered for today's agenda but Executive Officer Garcia never responded to his inquiries.

Executive Officer Garcia stated that health and safety is only a portion of the license approval process. Ability to perform is also of great consideration and a critical part of the evaluation process. Executive Officer Garcia stated that a gym evaluation would be performed. Executive Officer Garcia stated that Mr. Nave's case should be tabled for a future meeting and/or a special meeting. Furthermore, he stated that a decision should not be made solely by the office but a recommendation should be presented to the Commission for their decision.

Chairman Noonan stated there is a process and the Commission will move forward on this item.

Executive Officer Garcia stated the drop dead date of the gym evaluation for Mr. Nave would be October 15.

Agenda Item 8. Physician's Malpractice Insurance Update

Dr. Giza, having spoken with Dr. Wallace, advised the physicians have organized and will be the primary entity that will carry an insurance policy.

Agenda Item 13. Agenda Items for Future Meetings

- Appeal hearing – Antonio Silva
- Election of Vice-Chair position
- Pension regulations and new regulation packet
- Promoter Summit Workshop – October 18
- Physician's malpractice insurance update
- Legislative changes
- Strategic Plan
- Anti-Doping update

Agenda Item 14. Future Meeting Dates

- November 18, Los Angeles, California (PACT Summit)
- January 20, TBD

Agenda Item 15. Adjournment

The meeting was adjourned at 12:11 p.m.