

PETE SUAZO UTAH ATHELETIC COMMISSION (PSUAC)

Friday August 17, 2018

Attending Commissioners: Commissioner Bruce Baird in attendance with Director Scott Bowler and Admin. Assistant Tracy Pattillo. Taylor Leavitt (Commission Chair), Commissioners Troy Walker, Mike Deaver joined via teleconference. Director Scott Bowler facilitated the call from the Bryce Canyon Conference Room #369. Also joining via teleconference; and Contestant Julian Ruiz and trainer Ramsey Nijem also in attendance.

Commission Chairman Leavitt called the meeting to order at 12:10pm at the Governor's Office of Economic Development in the "Bryce Canyon Conference Room."

Sign Per Diem Sheet

Director Bowler informed the Commissioners that attended via teleconference, that Tracy Pattillo would email the Per Diem forms to be signed and returned.

Approval of Meeting Minutes

Commissioner Troy Walker made a motion to approve the meeting minutes from 07-20-2018, Taylor Leavitt seconded the motion. Troy Walker and Taylor Leavitt voted to approve the motion. Bruce Baird abstained from the vote, as he was not in attendance on 07-20-2018.

Contestant Julian Ruiz appeal to the PSUAC regarding suspension:

Director Bowler explained to the Commission members that in accordance with the R359-1-506 on July 14, 2018, prior to the Fierce Fighting Championships contest with Justin Erickson, Contestant Julian Ruiz was selected for a drug screening. The results of the test indicated "Positive" for THC/ Marijuana. Redwood Toxicology verified the test result on July 20, 2018; the Contestant Ruiz urine specimen contained a detected amount of THC-COOH at the 10ng/mL level. Currently, the State of Utah recognizes "ANY" detectable level of THC as a violation of R359-1-102(6) (d), R359-1-403(1) and R359-1-506 (8) (a). Since this was a second violation for Mr. Ruiz, his unarmed combat license is hereby suspended for 12 months effective July 14, 2018 and you are hereby fined \$200, and the result of the contest shall be overturned. Mr. Ruiz is **not** eligible to take part in any combat sports events as a licensed participant for the term of 12 months and until payment of the fine listed. Mr. Ruiz is eligible for reinstatement after 07-14-2019.

Contestant Julian Ruiz spoke in his defense in the matter; stating that He in fact did partake in Marijuana while on vacation in Las Vegas several weeks prior to the contest (and after his previous fight) He was not attempting to circumvent the rules but felt that he had given himself ample time to have it clear his system. He did not enter into the contest impaired in anyway, and asked that the board consider reducing his suspension.

Commissioner Bruce Baird began the discussion asking Director Bowler as to the date of the "First Violation" which was a few years ago. A lengthy discussion ensued regarding the language of the rule. The rule states:

(next page)

R359-1-506. Drug Testing.

In accordance with Section 63C-11-309, the following shall apply to drug testing:

(1) The administration of or use of any:

- (a) Alcohol;
- (b) Illicit drug;
- (c) Stimulant; or

(d) Drug or injection that has not been approved by the Commission, including, but not limited to, the drugs or injections listed R359-1-506(2), in any part of the body, either before or during a contest or exhibition, to or by any unarmed combatant, is prohibited.

(e) Any over-the-counter drug for colds, coughs or sinuses other than those drugs listed in R359-1-506 (4). This paragraph includes, but is not limited to, Ephedrine, Phenylpropanolamine, and Mahuang and derivatives of Mahuang.

(f) Any drug or substance identified on the 2012 edition of the Prohibited List published by the World Anti-Doping Agency, which is hereby incorporated by reference. The 2012 edition of the Prohibited List may be obtained, free of charge, at www.wada-ama.org.

(5) At the request of the Commission, the designated Commission member, or the ringside physician, a licensee shall submit to a test of body fluids to determine the presence of drugs or other prohibited substances. A licensee shall give an adequate sample or it will deem to be a denial. The promoter shall be responsible for any costs of testing.

(6) If the test results in a finding of the presence of a prohibited substance or metabolite or if the licensee is unable or unwilling to provide a sample of body fluids for such a test within 60 minutes of notification, the Commission may take one or more of the following actions:

- (a) immediately suspend the licensee's license in accordance with Section R359-1-403;
- (b) stop the contest in accordance with Subsection 63C-11-316(2);
- (c) initiate other appropriate licensure action in accordance with Section 63C-11-303; or
- (d) withhold the contestant's purse in accordance with Subsection 63C-11-303.

(7) A contestant who is disciplined pursuant to the provisions of this Rule and who was the winner of a contest shall be disqualified and the decision of the contest shall be changed to "no contest" and shall be fined a minimum of their win bonus.

(8) Unless the commission determines otherwise at a scheduled meeting, a licensee who tests positive for prohibited substances or their metabolites shall be penalized as follows:

(a) First offense - 180 day suspension.

(b) Second offense - 1 year suspension, and mandatory completion of a supervisory treatment program approved by the commission that licensed the event.

(c) Third offense - 2 year suspension, and mandatory completion of a supervisory treatment program approved by the commission that licensed the event.

(d) Failure by the contestant to fully disclose all medications taken within 30 days of their pre- fight physical, prior to their bout, shall be deemed unprofessional conduct and double the length of any applicable suspension.

Commissioner Bruce Baird stated that he felt due to the length of time between violations and minimal amount of THC (10ng/ml) in his system, the punishment was too severe.

Commissioner Bruce Baird made a motion to uphold the suspension for a reduced term, which would end on November 15 2018, uphold the \$200 fine, but dismiss the requirement of completion of a supervisory treatment program approved by the commission. Commissioner Troy Walker seconded the motion, which passed by a vote of three to one with Mike Deaver voting to affirm and Taylor Leavitt in opposition.

Review and discussion of fee schedule change:

Director Bowler opened the discussion by explaining that the License Application fee schedule had not been changed since 2011, and that due to increased cost to rural events a minimal increase in fees could help offset the cost to the PSUAC. A review of several of the similar size and active State Athletic Commissions revealed that the PSUAC was still below the average in License fees. Director Bowler suggested a fee increase of either \$5 or \$10 per annual License could generate enough revenue to financially support the PSUAC cost of coverage for shows in the rural markets such as; Price, Logan, Wendover, and St. George.

The Commission asked that Director Bowler put together a full report to include proposed fee increase, impact study on the Licensees, potential revenue generated by the increase, and a report as to the nation standards for similarly active State Commissions.

Discussion regarding USA Boxing grant for the National Tournament:

The discussion initiated by Commissioner Mike Deaver who related that this was the second year that USA Boxing was scheduled to hold the National Championship Boxing tournament in Salt Lake City, Utah. Last year over 600 boxers from around the nation came to Utah to compete. The grant that the PSUAC awarded USA Boxing last year helped to provide these young athletes a safe and fair environment in which to develop and display their skills. USA Boxing is a “not for profit” organization that regulates amateur boxing and is a qualifying tournament for American athletes looking to represent the USA in the 2019 Summer Olympic games in Tokyo, Japan. Commissioner Deaver asked the board to consider such a grant again this year to continue that same level of excellence in work.

The PSAUC Commissioners asked Director Bowler to gather the appropriate materials for this grant consideration from the USA Boxing organization. This item shall be continued to further meetings for discussion and vote prior to granting these funds.

Review and Discussion regarding Director Incentive Package:

Upon appointment to the Director position Scott Bowler was provided an incentive package that would include quarterly review of goals. Quarter #1 and #2 goals were met and awarded. This discussion was for quarters #3 and #4. Chairman Taylor Leavitt reviewed the incentives for each quarter respectively.

Quarter #3 “All Commission stipends be paid in timely fashion”

Quarter #4 “The PSUAC Financials reflect a monetary surplus”

Commissioner Bruce Baird made a motion to approve the bonus from Quarter #3 and Quarter #4 for Director Bowler, The motion was seconded by Commissioner Troy Walker, The motion passed unanimously without opposition.

Review of Upcoming Events:

September 2018

Friday - September 22nd, 2018 @ 6:30 PM **FitCon Fights** Riverbend Sports Complex 1085 Winding River Cove W. Salt Lake City, UT 84104 – FitCon – MMA Pro-Am Event

Saturday - September 29th, 2018 @ 7pm **MOUNTAIN FORCE MMA** Eccles Ice Center 2825 N. 200 E. N. Logan, UT 841341 – MTF MMA – Pro/Am MMA

October 2018

Friday – October 12, 2018 @ 7:00 PM, **SteelFist Fight Night 61**, The Union Event Center, 235 N 500 W, Salt Lake City, UT 84116 – SteelFist – MMA Event.

November 2018

Friday – November 16, 2018 @ 7:00 PM, **SteelFist Fight Night 62**, The Union Event Center, 235 N 500 W, Salt Lake City, UT 84116 – SteelFist – MMA Event

Director Bowler related to the group that several other events are currently in discussion but not official yet. Once they are officially booked they will be added to the calendar and an “evite” will go out the the PSUAC.

Directors Report:

Director Bowler provided the Commission with information regarding Weigh in / Fight day weight results from the 8-10-18 Jeremy Horn’s Elite Fight Night Event. He also, asked the Commission if anyone objected to making these results public like the California State Athletic Commission. All members agreed that it should be made public, in an effort to dissuade dramatic weight cuts.

Commission Chairman Taylor Leavitt asked Director Bowler to investigate the possibility of retaining private legal counsel for the PSUAC in an effort to be able to keep Mike Green on as a legal advisor. A report will be prepared for the next commission meeting.

Public Comments:

Commissioner Bruce Baird instructed Director Bowler to issue a second notification to the Promoters regarding securing the “Technical Zone” in events that alcohol is served. A hard barrier must be in place for the show to proceed and limited access to the “Technical Zone” must be enforced.

Schedule Next meeting:

It was agreed to set a tentative schedule of the 3rd Friday of every month we will have a Commission Meeting. The next meeting scheduled for September 21, 2018 at 12noon at the PSUAC/GOED Office.

Adjourn:

*Commissioner Bruce Baird made a motion to adjourn the meeting. Troy Walker seconded the motion. The motion passed unanimously without opposition. **Meeting Adjourned. 1:13 PM***