



## State of Idaho

### Division of Occupational and Professional Licenses Idaho Athletic Commission

**BRAD LITTLE**  
Governor  
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Administrator

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#### Commission Meeting Minutes of 3/28/2023

<b>Commission</b>	Kyle Jared Wills - Chair	<b>Division</b>	Kent Absec, Executive Officer
<b>Members</b>	James W Grow, Jr	<b>Staff:</b>	Greg Loos, Legal Counsel
<b>Present:</b>			Lizzie Kukla, Licensing Supervisor
			Christian Runnalls, Board Support Specialist
<b>Commission</b>	Marvin Crane		
<b>Members</b>	Kip Dribnak		
<b>Absent:</b>	Thomas Fleming		
	Kaleb Redden, D.O.		

The meeting was called to order at 4:00 PM by Kyle Jared Wills.

#### COMMISSION BUSINESS

**Zero-Based Regulation** - Mr. Loos explained that he created new rule sections by combining and rearranging Rules 117 to 215. The changes are as follows:

##### **Rule 117.01 – Denial or Revocation of License and Rule 213 – Failure of Combatant to**

**Appear:** These two rules were combined to create the new Discipline Rule: 117.01 – Grounds for Discipline.

**Rule 119 – Suspension and Revocation of Licenses:** Subsections .01, .02 and .02.f. were combined to create a new discipline Rule 117.02 – Suspension and Revocation; Subsection .03 was moved to the new Rule 117.03 – Disciplinary Action for Use of Dishonest Methods; Subsections .04 and .06 were combined to create Rule 117.04 – Temporary Suspension; and Subsections .05 and .06 were combined to create Rule 117.05 – Continuation.

**Rule 500 – Admission of Licensees and Agents to Events:** Language from this rule allowing promoters to pay combatants was moved to Rule 117.05 – Continuation.

**Rule 206.01 – Contractual Obligations:** The Commission took language from the rule to state the “Commission may, at its discretion, refuse to honor a contract, in whole or in part, between a manager and combatant where that contract conflicts with these rules. This applies regardless of the jurisdiction in which the contract was formed, or any forum selection language contained in said contract” and moved it to Rule 210.01. The Commission also took language from Rule 206.01 to state “Any contract between a manager and a combatant: a) May not have a term

longer than four (4) years; and b) May be renewable, upon the expiration of the initial term, for a period of not more than two (2) years” and moved it to Rule 210.02.

**Rule 206.03 – Options:** The Commission moved language stating: “Any contract between a manager and a combatant may contain voluntary binding arbitration agreements” into Rule 210.02.c.

**Rule 214.04 – Pending Action:** The Commission moved language listing the terms of a voluntary binding arbitration as “ i) Such arbitration shall be conducted by a member of the Commission mutually agreed upon by the parties; ii) In the event the parties cannot agree on a member of the Commission to act as arbiter, the Commission chairperson may appoint a member; and iii) If a contract between a manager and combatant is being arbitrated by the Commission, the Commission may withhold the disputed amount in its trust fund until the dispute is resolved” to Rule 210.02.i - 210.02.iii.

**Rule 206.02 – After Contract Services:** The Commission moved language stating “a manager may only negotiate or sign for matches for a combatant with whom they have an active contract” to Rule 210.03.

**Rule 206.05 – Manager Limitations:** The Commission moved language stating “a manager or managers may not participate separately or collectively in more than thirty-three and one-third percent (33 1/3%) of the combatant’s earnings in the ring” to Rule 210.03.a.

**Rule 206.06 – Manager Responsibilities:** The Commission moved language stating “if a manager signs only for a combatant’s appearance at a contest, a copy of the manager’s authorization to negotiate and sign for the combatant must accompany the contract which they concluded with the promoter. If the manager does not send a copy of his authorization, the Commission may deny any application received from the combatant or manager pending a hearing before the Commission” to Rule 210.03.b.

**Rule 207 – Manager’s Advances – Accounting:** The Commission moved language stating “any manager who advances or lends any money to any combatant or incurs indebtedness on behalf of a combatant will furnish an accounting in writing to the combatant every ninety (90) days. The accounting will be verified by the manager and set forth each item of indebtedness owed by the combatant, the date that the indebtedness occurred, the purpose of the indebtedness, and the name of the person to whom the debt is owed” to Rule 210.03.c

**Rule 210.01 – Main and Semi-Main Events:** The Commission moved language stating “all contracts between promoters and combatants for the main or semi-main events of a program will be filed with the Commission at least seven (7) working days before the program” to Rule 210.04.a and “the Commission may accept a contract between a promoter and combatant less than seven (7) days before the program, at the Commission’s sole discretion” to Rule 210.04.b.

**Rule 501 – Payment of Fee to Official Designated by Commission:** The Commission moved language stating “promoters are responsible for payments to any person directed to officiate the event by the Commission” to Rule 210.04 c.

**Rule 600.02 – Expenses:** Language requiring promoters to cover the costs of combatant’s pre-fight expenses was moved to Rule 210.04.d.

**Rule 208.02 – Contract Prohibitions:** Language prohibiting a promoter from entering into an exclusive contract with a combatant was moved to Rule 210.04.e.i. Language prohibiting a promoter from allowing or requiring a combatant to pay for an opponent’s services was moved to Rule 210.04.e.ii.

**Rule 208.01 – Gate Receipts and Rule 211 – Percentage of Gate Receipts to Combatant:** Language prohibiting promoters from deducting any amount from receipts before all taxes, ring expenses, and combatants’ percentages have been deducted and paid was moved to Rule 210.04.e.iii.

**Rule 209 – Combatant Not to Have Promoter Or Certain Others Act as Manager or Hold Financial Interest:** Language prohibiting a promoter from acting as a combatant’s manager of earnings was moved to Rule 210.04.e.iv.

**Rule 212 – Promoter’s Advance to Combatant or Manager or Occurrence of Debt on His Behalf:** Language prohibiting promoters from loaning funds to combatants and managers with the Commission’s permission was moved to Rule 210.04.e.v.

**Rule 206.04 – Contract Approval:** Language about the terms of enforceability of the combatant’s contract if not in compliance with rules was moved to Rule 210.05.a.

**Rule 213 – Failure of Combatant to Appear:** Language about a combatant’s inability to complete a contract due to physical injury and their obligation to fulfill that contract was moved to Rule 210.05.b.

**Rules 600.01 - When to Appear and 600.02 – Expenses:** Language requiring combatants to arrive three days prior to promotor-specified locations for irregularly scheduled events, with exceptions approved by the Commission, or for regularly scheduled events was added to Rule 210.05.c. language for reimbursement to the promoter by the combatant for failure to comply with the rule was also added to Rule 210.05.c.

**Rule 602 – Combatants Must Report:** Language requiring combatants to appear one hour prior to the first match of an event unless stated otherwise in their contract, was moved to Rule 210.05.d.

**Rule 210.02 – Other Combatants:** Language requiring all contracts to be filed before scheduled weigh-in was moved to Rule 210.06.

**Rule 210.01 – Main and Semi-Main Events:** Language specifying contracts between promoters and combatants must be filed with the Commission at least seven business days prior to the event, unless otherwise by the Commission, was moved to Rule 210.06.a.

**Rule 210.03 – Disciplinary Action:** Language stating failure for a promoter or matchmaker to file a contract to the Commission is subject to disciplinary action by the Commission was moved to Rule 210.06.b.

**Rule 210.04 – Media Contracts:** Language requiring promoters to file any contract that includes recording or broadcasting the event at least five (5) working days prior to the event to the Commission was moved to Rule 210.06.c.

**Rule 214.05 – Pending Action Timing:** Language requiring all payments to be made in legal tender was moved to Rule 215.01.

**Rule 214.01 – Payment in Full:** Language requiring combatants to be paid in full according to their contract was moved to Rule 215.02.

**Rule 215.05 – Non-Payment of Amateurs:** Language stating “A combatant’s payment may not be returned to the promoter in accordance with Idaho Code §54-402 and a promoter may not compensate amateurs for participating or being associated with events” was moved to Rule 215.02.

**Rule 215.03 – Reconciliation:** Language stating “Promoters may withhold from a combatant’s purse money advanced for transportation and maintenance, if agreed upon in writing and approved by the Commission, up to ten percent (10%) of the purse. Reconciliation of these expenses and payment of the remaining purse shall be made to the Commission within seven (7) working days after the contest, with written approval of the combatant. The chairman may grant an extension of up to thirty (30) days for good cause shown” was moved to the new payment section of the rules.

**Rule 214.03 – Manager’s Share:** Language stating “A manager’s share of the purse may be deducted and paid directly to the manager if the contract so specifies.” was moved to Rule 215.04 – Managers.

**Rule 215.01 – Payment Made:** Language stating that checks or cash shall be released to entitled persons immediately after the contest or exhibition, or after the combatant’s percentage of net receipts is determined, unless otherwise ordered by the Commission, and language stating that entitled persons shall sign a list acknowledging payment was moved to Rule 215.05 – Timing.

**Rule 401 – Tickets Limited to Seating Capacity of Arena:** Language stating that promoters may not sell tickets beyond the seating capacity of a venue and no standing-room sections are allowed was moved to Rule 400.01.

**Rule 405.02 – Optional Charges:** This was reworded to state that “All attendees must present a ticket, except, a. A Commission designee or Commission member; b. Persons designated by the Commission for official duty; c. Officials attending under provisions of state law or these rules; d. the principals, managers, and corners involved in the contest; e. the emergency medical personnel on duty for the contest; f. police officers, firefighters, and other public officials on duty

for the contest; g. Persons arranged by the promotor or employed by the venue for other duties” and was moved to Rule 400.01 – Tickets.

**Rule 404.01- Limitation:** This was reworded to cite Idaho Code §54-411(2) and to include language stating that complimentary tickets are limited to two (2%) of the seats, and was moved to Rule 400.02 – Tickets.

**Rule 404.02.a – More Than Two Percent Issued:** Language stating that combatants working on a percentage basis will be paid for all complimentary tickets in excess of the two (2%) as if they were sold at full price unless waived by contract was moved to Rule 400.02.a.

**Rule 405.03.a – Duties Required:** Language stating that complimentary tickets, clearly marked as “PRESS” and issued to newspaper reporters, photographers, and radio announcers who are assigned to work by their recognized employers or superiors will not be counted against the two (2%) limits on complimentary tickets was moved to Rule 400.02.b.

**Rule 402.01 – Inventory:** Language stating that promoters must prepare an inventory of all tickets, including used complimentary tickets, and send that inventory to the Commission within thirty (30) days of any contest was moved to Rule 400.03.

**Rule 400.02 – State Fee:** Language stating that gross revenue includes all revenues from the contest and must be reported to the Commission within thirty (30) days of the contest, and that the state fee on those gross receipts will be delivered to the Commission with a report was moved to Rule 400.04.

**Rule 415 – Tickets – Removal and Retention After Match – Destruction:** Language stating that the promoter must maintain ticket and revenue records for at least six months was moved to Rule 400.05.

**Rule 500 – Admission of Licensees and Agents to Events:** This was deleted for being redundant of the newly created ticket rule.

**Rule 502 – Postponement of Program:** The Commission combined subsections 03 and 04.

**Rule 503 – Required Number of Ambulances:** The rule was deleted and rewritten as Rule 503 – Ambulances: A promoter must have an ambulance on site as set forth in Idaho Code §54-421. Two (2) ambulances are required when anticipated attendance exceeds eight thousand (8,000) persons.

**Rule 504 – Sanitation:** Mr. Absec added language to subsection 01 establishing that a promoter is responsible for sanitary conditions before, during, and after an event. The Commission struck subsection 02 because it pertains to the physician, not the Commission.

**Rule 505 – Authorized Persons in Dressing Rooms:** The Commission combined all subsections into a single section for the rule.

**Rule 506 – Equipment of The Chief Second:** This was rewritten to give the Commission authority to check ringside corners prior to an event and remove any prohibited items.

**Rule 507 – Bell or Gong:** The Commission deleted the rule as outdated because not every event will use a physical “bell” or a “gong” to start a round.

**Rule 508 – Equipment of A Timekeeper:** The Commission deleted the rule as outdated since every person with a phone has a timekeeping device.

**Rule 601 – Weighing In of Combatants:** The Commission removed “in the presence of the public” in subsection .01 and changed the language to give discretion to the Commission. The Commission changed the language to be gender-neutral and allowed female combatants to wear appropriate clothing in subsection .02. The Commission edited the language in subsection .03 to allow the press at the final weigh-in rather than the official weigh-in. The Commission discussed removing the responsibility of the Commission to require or provide security. No changes were made to subsection .04. The Commission removed subsection .05 due to health issues with weight loss after a weigh-in. The Commission removed subsection .06 as redundant to the Commission’s discretion on the health and safety of all combatants.

**Rule 603.03.b – Other Equipment:** The Commission removed unnecessary language and added gender-specific language to the rule.

**Rule 604 – Combatant’s Physical Appearance:** The language was changed in subsection .01 to give discretion to the referee or Commission to remove excess grease from the combatant.

**Rule 605 – Physician – Suitable Place to Examine Combatant – Fee – Emergency Treatment:** The Commission removed subsection .02 because it is unenforceable. The Commission discussed removing subsection .03 because that rule falls under the authority of the Board of Medicine.

**Rule 606 – Continuous Presence of Physician at Ringside:** The Commission removed the rule because it is redundant of Idaho Code §54-415.

**Rule 608 – Referee’s Instructions to Combatants:** The Commission added language that requires referees and inspectors to have a group meeting with combatants and their corner personnel prior to a match to explain fouls, rules, and conduct for that match.

## **Adjourn**

There being no further business, the meeting was adjourned at 5:55 PM.

The next meeting is on 04/06/2023.