

NEW MEXICO HORSE RACING COMMISSION

MINUTES OF THE MEETING

Date: February 22, 2018 at 9:30 AM

Place: Sunland Park Racetrack & Casino, Mt. Cristo Rey Room, 1200 Futurity Drive, Sunland Park NM, 88063

Members Present: Chairman Ray Willis; Vice-Chairman Gayla McCulloch; Commissioner Leonard Blach, DVM.

Members Absent: Commissioner Jerry Cosper, Commissioner Ken Corazza

NMRC Staff Participating: NMRC Executive Director Ismael Trejo; NMRC Manager Rosemary Garley; NMRC Paralegal Tina Marie Arce

Others Present/Participating: Assistant Attorney General Marlo Aragon

AGENDA ITEM	TRANSCRIPT PAGE NUMBER(S)	DISCUSSION / CONCLUSIONS / RECOMMENDATIONS	ACTION TAKEN
Call to Order and Roll Call	00:00 to 00:1:10	Meeting called to order by Chairman Willis. Roll call was taken by NMRC Paralegal Tina Arce. Assistant Attorney General Marlo Aragon the NMRC General Counsel was present. Commissioners Ken Corazza and Jerry Cosper were not in attendance.	No Action Taken.
Approval of Agenda	00:1:13 to 00:2:23	Chairman Willis asked Executive Director Ismael Trejo if there were any changes to the Agenda. Executive Director Ismael Trejo asked for the Agenda to be modified by tabling line item 6D Retroactive Approval of Capital Improvement Project 3 and F Approval of Capital Improvement Project 4	Motion to approve by Vice-Chairman McCulloch; Second Commission Blach. Motion carried without objections or abstentions.

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Minutes- January 18, 2018	00:2:23 to 00:2:48	Chairman Willis requested a motion to approve the minutes of the January 18, 2018 Regular Commission Meeting.	Motion to approve by Commissioner Blach; Second by Vice-Chairman McCulloch. Motion carried without objections or abstentions.
Chairman's Agenda	02:55 to 06:05	Chairman Willis stated there were no Committee meetings in the month of January. The names of the Medication/ Rules Committee members were read into the record: Co-Chairs Gayla McCulloch and Jerry Cosper, John Beech, NMRC Official Vet, NMRC Investigator, NMRC Steward, Dr. Alan Chastain, Dr. Jason Scott, Dr. Waterman, Rick Kloeppel, Anna Fay Davis, Mindy McArthur, Miguel Gallegos, Don Cook, Jeff True, Lonnie Barber, Matt Crawford, Dustin Dix, Pat Bingham, Susan Vescovo and Larry Strain. Chairman Willis stated that if anyone needed an alternate to notify staff ahead of time.	No Action Taken
NMHBA Report Breeders Report	06:06 to 09:20	Anna Fay Davis, Executive Director of the New Mexico Horse Breeders started with the race a day report as follows: Sunland Park has run 145 NM Bred races in 32 days through Tuesday, February 6, 2018. 109 TB Overnight, 20 QH Overnight, 4 QH Trials, 8 TB Stakes and 4 QH Stakes. There were 1203 NM Breds that were scheduled to participate in these races for an average of 9.33% NM Breds per race. In 31 days, 226 NM Breds ran in open overnight races. Of these 226, 53 NM Breds came in 1st, 2nd or 3rd, 23% and \$33,269.60 was wire transferred. The Breeder's annual meeting and banquet went well.	No Action Taken

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NMHA Horsemen's Report	09:30 to 017:46	Pat Bingham, Executive Director of the NMHA started by thanking Sunland Park for their hospitality. He stated that the NMHA had their board meeting the day before and Sunland Park's track was a topic in their meeting; Mr. Bingham said that a soil sample was taken and the track was found to be very consistent. The Horsemen would like a second opinion on the track surface because they want more of a performance report on the track surface. Workers Comp was discussed at the Horsemen meeting, and using purse monies to subsidize. Very few members of the Horsemen have Workers Comp insurance. The Horsemen want to pay 3k toward costs for the Horsemen's medical care to help with Workers Comp issues. New Electronic logging devices are in place to where you can only haul your horses for 14 hours but then there is an automatic bed down period of 10 hours and the horsemen will need to follow the new ELD rules. Chairman Willis asked Mr. Bingham what the status is of horsemen who have Workers Comp. Mr. Bingham answered you can count how many have signed up on two hands. Mr. Bingham said the Horsemen have approximately 500k for Workers Comp.	No Action Taken
NMRC Executive Director Report	017:50 to 023:42	Ismael Trejo, Executive Director for NMRC opened by thanking Sunland Park for their hospitality. Mr. Trejo stated that Senate Bill 125 was a bill to allow the NMRC to exist through 2021 and it was pushed through at the last legislation. Mr. Trejo thanked Matt Crawford for getting all of the retro payments completed. Mr. Trejo thanked the tracks for moving quickly to lock down their barns when they found out that there was a EVH1 outbreak in Arizona, Chairman Willis asked about the NMRC monitoring the retro payments and Mr. Bingham of the horsemen said that they have come up with a system to put	No Action Taken

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Unfinished/ New Business and/or Action Items Regarding Licensing: Rules Hearing	023:42 to 027:47	into place so that the large retro-payment issue does not happen again. Chairman Willis turned the meeting over to the Rules Chairman Gayla McCulloch. Gayla McCulloch: The hearing will please come to order. I am Gayla McCulloch, Chair of the NM Rules Committee. I will be acting as the Presiding Officer for this rules hearing. The purpose of this hearing is for the Commission to receive public comment on proposed amendments to the Commission's current rules and regulations 15.2.1, 15.2.5, 15.2.6, and 16.47.1 NMAC. The Commission welcomes everyone present at this hearing. This hearing is being conducted pursuant to, and in accordance with the provisions of the Horse Racing Act, NMSA 1978, Article 60, Section 1A-4 Subsection B (1). Public notice of this hearing was advertised in the New Mexico Register and in the Albuquerque Journal. Copies of the proposed rules were available from the Commission office, and were also e-mailed to all persons who requested them. May I remind everyone to sign in to the Attendance sheet, which is on the front desk and it will later be entered as an exhibit into the record of this hearing and if anyone wishes to comment, can you please come to the podium up front to make any comments. Would the Commission Staff call the roll of Commission members present for this hearing? Leonard Blach, Ray Willis, Gayla McCulloch. For the record, will the Rules Committee members please identify themselves? Don Cook, Downs at Albuquerque, Dustin Dix, Sunland Park, Lonnie Barber, SunRay Park, Matt Crawford, Zia Park, Anna Fay Davis, NM Horse Breeders, Pat Bingham, Horsemen's Association, Jeff True, Ruidoso. Let the record show that the Assistant Attorney General Marlo Aragon, The Commission's legal counsel is present. This is a formal	

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		proceeding that will be recorded. Anyone interested in a copy of this recording must make his or her own arrangements. In order to ensure that the proceedings are accurately recorded, only one person at a time will be allowed to speak. Any person recognized to address the Commission is asked to identify yourself for the record each time you address the Commission; and speak loudly and clearly so the recorder can pick up your comments. We will proceed with the proposed rule changes. The NM Racing Commission does not follow the rule of evidence, but shall, in the interest of efficiency, reserve the right to limit all testimony deemed irrelevant, redundant, or unduly repetitious. The decision as to whether such testimony is irrelevant redundant or unduly repetitious shall be made by me as the Presiding Officer. After a person has testified or offered comment, I will permit Commission members to question that person. Any member of the audience wishing to question that person may do so after being recognized by me, the Presiding Officer. Each person recognized to speak shall identify him or herself for the record. Discussion on the rules by the Commission will take place during the Commission's regular meeting following this hearing. Final action, such as actual amendments, adoption, tabling, and so forth, will also be taken during the Commission's Regular Meeting.	
Subsection P of 15.2.1.7 NMAC (Definitions beginning with the letter "P")	027:48 to 028:58	Gayla McCulloch: This hearing is now open. Exhibit one, the proposed amendment to Subsection P of 15.2.1.7 NMAC Definitions beginning with the letter "P" shall now be read into the record, Rosemary? Rosemary Garley: In 15.2.1.7 Subsection P we are adding the definition for a program trainer in subparagraph 15. It reads: Program Trainer is a licensed trainer who solely for the purpose of the official race program, is identified as the trainer of a	

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		horse that is actually under the control of and trained by another person who may or may not hold a current trainer's license in any jurisdiction. All other paragraphs following have been renumbered. Gayla McCulloch: Ok, thank you. Would anyone wish to comment on the proposed amendment to Subsection P of 15.2.1.7 NMAC Definitions beginning with the letter "p"? (No Comments) Ok we will move on then, to exhibit 2	
Subsection B of 15.2.1.9 NMAC (Proceedings before the Stewards)	028:59 to 029:54	Gayla McCulloch: The proposed amendment to Subsection B of 15.2.1.9 NMAC Proceedings before the Stewards. It shall now be read into the record, Rosemary? Rosemary Garley: The amendment to 15.2.1.9 Subsection B sub paragraph C we are adding the sentence "Failure of an appealing party to appear at a noticed hearing or withdraw their appeal without providing five business days notice prior to the hearing date, may result in the non appearing appealing party being fined up to \$1,000 dollars." Gayla McCulloch: Would anyone wish to comment on Subsection B of 15.2.1.9 NMAC Proceedings before the Stewards? (No Comments)	
Subsection B of 15.2.1.10 NMAC (Proceedings before the Commission)	029:54 to 030:52	Gayla McCulloch: We will move on to Exhibit three, the proposed amendment to Subsection B of 15.2.1.10 NMAC Proceedings before the Commission, shall now be read into the record. Rosemary Garley: Subsection, I'm sorry, 15.2.1.10 NMAC Subsection B, what we have done is we have amended the entire section to comply with the State Rule Act, so we have copies of the rule so that I don't have to read it into the record unless you would like me to. Gayla McCulloch: That's fine, is everybody comfortable with that? ok. Would anyone wish to comment on the proposed	

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		amendment to Subsection B of 15.2.1.10 NMAC Proceedings before the Commission? With no one wishing to comment we will move to exhibit four.	
15.2.5.6 NMAC (Objective)	030:53 to 031:27	The proposed amendment to 15.2.5.6 NMAC Objective shall now be read into the record. Rosemary Garley: In 15.2.5.6 NMAC we are striking Part 4 and adding the correct part which is Part 5. Gayla McCulloch: Would anyone wish to comment on the proposed amendment to 15.2.5.6 NMAC Objective? (No Comments) We will move to exhibit 5.	
Subsection A of 15.2.5.9 NMAC (Declarations and Scratches)	031:28 to 035:16	The proposed amendment to Subsection A of 15.2.5.9 NMAC Declarations and scratches shall now be read into the record. Rosemary Garley: In 15.2.5.9 we are actually making corrections to subsection B which is "Scratches", paragraph 6 and we are striking the "three entry days" and adding in the "seven calendar days", and we are striking the verbiage "by the racing veterinarian, and then only with the approval of the stewards" Gayla McCulloch: Would anyone wish to comment on the proposed amendment of Subsection A of 15.2.5.6 NMAC Declarations and Scratches? Marlo, is there a problem with, well, we've advertised subsection A and it's actually subsection B, scratches, we referred to it as declarations and scratches but it is subsection B, is that a problem? Marlo Aragon: A is Declarations and B is scratches? Gayla McCulloch: but we have it listed as declarations and scratches. Marlo Aragon: It should have been listed as subsection B Gayla McCulloch: Rosemary? Rosemary Garley: And these rules were posted on the website and there was a link and this is exactly what was shown.	

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		Tina Arce: Did you want to take a break? Gayla McCulloch: We will take a minute for Marlo to look this up and advise us. Marlo Aragon: So it refers on the notice to 15.2.5.9 in its entirety, so I think it's inclusive,... Gayla McCulloch: So we are ok? Ok, would anyone wish to comment further? Ok with no comment, we are going to move on to exhibit 6.	
Subsection A of 15.2.5.11 NMAC (Workouts)	035:17 to 036:06	Which is the proposed amendment to Subsection A 15.2.5.11 NMAC Workouts it shall be read into the record. Rosemary Garley: In 15.2.5.11 subsection A sub paragraph three, we are striking the last sentence which reads "Horses that have previously started in a race around the turn, but not within 60 days, will be required to have at least one workout at 660 yards or farther prior to time of race" Gayla McCulloch: Would anyone wish to comment on the proposed amendment of Subsection A of 15.2.5.11 NMAC workouts? (No Comments) Ok we will move on to exhibit 7.	
15.2.6.9 NMAC (Medications and Prohibited Substances)	036:07 to 037:33	The proposed amendment to 15.2.6.9 NMAC Medications and Prohibited substances shall now be read into the record. Rosemary Garley: In 15.2.6.9 NMAC we have several amendments. In the first paragraph we are updating the ARCI recommended penalties and model rules with the July 29 2017 version 13.3 under subsection B. Gayla McCulloch: So we are good there? Rosemary Garley: We're good. Gayla McCulloch: Ok, would anyone wish to comment, I'm confused, we've got more.. Rosemary Garley: They're listed separately on the agenda but in our books they are all in one section so the first one is the 15.2.6.9 to update the recommendations, the next one will be	

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		subsection B Gayla McCulloch: So would anyone wish to comment on the proposed amendment to 15.2.6.9 NMAC Medications and Prohibited substances. (No Comments) Ok then we will move on to exhibit 8	
	037:34 to 041:49	Which is the proposed amendment to subsection B of 15.2.6.9 NMAC Penalty recommendations Rosemary Garley: In subsection B under licensed owner we are adding after disqualification and loss of purse "Horse shall be placed on the veterinarian's list for 180 days and must pass a commission-approved examination before becoming eligible to be entered" For the second time lifetime offense under owners we've added the word "owner's"; we are also adding that same verbiage following loss of purse the 3rd time lifetime offense in owner's stable we are adding the same verbiage. In paragraph two under the licensed trainer, for the second offense we are striking "lifetime" and we are adding "365 day period". We are doing that again for the 3rd offense and under that we are adding the word "minimum" so it will start "a minimum 60 day suspension" we go down to the licensed owner, the second offense, we are going to strike the word "lifetime" add the words "365 day period" and add the word "owner's". We will do the same for the 3rd offense. We are striking sub paragraph 2 because that is a duplication in the rule so we're striking it only because it's a duplication, everything remains the same. We're going to go to sub paragraph 4 and we are amending A, B, C. Under licensed trainer for that major violations we are adding for the first offense at the end of the sentence "absent mitigating circumstances" We are doing that again with the 2nd offense, for the 3rd offense. For the	

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		licensed owner we are adding" disqualification and loss of purse in the absence of mitigating circumstances" we are striking the verbiage "may be required to" and adding the word "must" for the 2nd offense, we added the word "and" so that it reads "the penalty is disqualification and loss of purse and we're adding the verbiage "in the absence of mitigating circumstances" and striking the word "and". The 3rd offense we are adding "and in the absence of mitigating circumstances a" and striking the word "minimum" we are going to go to paragraph 6 we're correcting "encourage" to be "encouraged" and at the end of that sentence after 3.0 micrograms per milliliter we are adding "absent of aggravating factors" and these are all so that we are in compliance with ARCI. Gayla McCulloch: Could you clarify on number 4 where you said we are striking A,B and C we aren't striking, but we are changing and we need to read those in. Rosemary Garley: oh, I'm sorry, it's greater than 5.0 micrograms per milliliter. We're striking the greater than 101 nanograms and adding in 100 nanograms and the ketoprofen we're striking greater than 51 and clarifying greater than 50. Gayla McCulloch: Thank you. Would anyone wish to comment on the proposed amendments to subsection B of 15.2.6.9 NMAC penalty recommendations? (No Comments) We'll move on to exhibit 9.	
Subsection D of 15.2.6.10 NMAC (Storage and Shipment of Split Samples)	041:50 to 042:34	Which is the proposed amendment to Subsection D of 15.2.6.10 NMAC storage and shipment of split samples shall now be read into the record. Rosemary Garley: This amendment we are adding to subsection B so that the last sentence reads "Split samples shall then be transferred to a freezer (adding in the verbiage)" or other secured mechanism" at a secure location as provided by	

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Subsection V of 16.47.1.8 NMAC (General Provisions)	042:35 to 043:38	state statute or approved by the commission" Gayla McCulloch: Would anyone wish to comment on the proposed amendment to subsection D of 15.2.6.9 NMAC storage and shipment of split samples? (No Comments) Gayla McCulloch: Moving to exhibit 10 the proposed amendment to Subsection V of 16.47.1.8 NMAC General provisions shall now be read into the record. Rosemary Garley: We are striking the entire paragraph and we are adding, the new paragraph is going to read Restrictions, paragraph 1 "Cellular telephone use is prohibited" Sub paragraph A "on the racetrack surface beginning one half hour before first post through the last race becoming official"; and, "Behind the starting gate during racing hours". And Sub paragraph 2 "the association shall be responsible for posting notices of the cellular telephone prohibition in these restricted areas." Gayla McCulloch: Would anyone wish to comment on the proposed amendment to Subsection V of 16.47.1.8 NMAC General Provisions? (No Comments)	
Subsection D of 16.47.1.10 NMAC (Assistant Trainers)	043:39 to 044:34	Gayla McCulloch: Ok, we will move on to the last exhibit, actually it's not we have two more. We will move to exhibit 11 the proposed amendment to Subsection D of 16.47.1.10 NMAC Assistant trainers. Rosemary Garley: In 16.47.1.10 subsection D we are adding a new sub paragraph 5 "The trainer that is involved in, or notified of, or under suspension for 30 days or more of a drug or rule violation comma shall not transfer their horses to his or her assistant trainer or an employee of the trainer" Gayla McCulloch: Would anyone wish to comment on the proposed amendment to subsection D of 16.47.1.10 NMAC Assistant trainers? (No Comments)	

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Subsection F of 16.47.1.10 NMAC (Program Trainers)	044:35 to 046:53	Gayla McCulloch: Ok moving on to exhibit 12, the proposed amendment to subsection F of 16.47.1.10 NMAC Program trainers. Rosemary Garley: In this subsection we made quite a few changes to paragraph 1 and 3, we've taken some verbiage out, we've added new verbiage in. We added a new sub paragraph 3. Gayla McCulloch: Ok, thank you. Would anyone wish to comment on the proposed changes to subsection F of 16.47.1.10 NMAC Program trainers? (No Comments) Ok, has everyone present signed the attendance sheet? At this time the attendance sheet shall be marked as an exhibit and entered into the record. Do we have the attendance sheet? Ok, I'll give everyone time to sign it and then it will be marked, when it's complete can you turn it in to Tina? The comments submitted and discussion heard during the rule hearing will be considered and discussed by the Commission during the Open Meeting following the rule hearing. The Commission will vote on the proposed rules during the meeting. Members of the audience are invited to stay. Any rules adopted by the Commission will be filed at State Records and Archives in accordance with the State Rules Act and New Mexico Register publication deadlines. I would like to thank all Commission members and everyone else present for their participation and attendance today. The regular meeting of the Commission will begin immediately following the rule hearing. Let the record show that this hearing was adjourned at 10:23 a.m.	
Rules Adoption	046:54 to 051:37	Ray Willis: Thank you very much Gayla. At this time we can move into the Rules Adoption. We would start with Section B Rules Adoption Subsection P of 15.2.1.7 NMAC Definitions	

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		beginning with the letter P, I move that we adopt it. Second; Vice-Chairman McCulloch. All in favor say Aye, Motion carried unanimously. Two, Subsection B of 15.2.1.9 NMAC Proceedings before the Stewards, I move for adoption. Second; Vice-Chairman McCulloch. All in favor say Aye, motion carried unanimously. If we have any questions or comments from the audience, please speak up. Number three, Subsection B of 15.2.1.10 NMAC Proceedings before the Commission, I move we adopt that subsection. Second; Commissioner Blach. All in favor say Aye, the motion is carried unanimously. Number 4, 15.2.5.6 NMAC Objective, I move for adoption. Second; Vice-Chairman McCulloch. All in favor say Aye, motion carried unanimously. Number 5, Subsection A of 15.2.5.11 NMAC. Vice-Chairman McCulloch: Wait, you skipped one. Chairman Willis: Oh, 15.2.5.9 NMAC Declarations and Scratches, I move for adoption. Second; Vice-Chairman McCulloch. All in favor say Aye, motion carried unanimously. Number 6, Subsection A of 15.2.5.11 NMAC Workouts, I'd move for adoption. Second; Commissioner Blach. All in favor say Aye, motion carried unanimously. Number 7, 15.2.6.9 NMAC Medications and Prohibited Substances, chair would move for adoption. Second; Commissioner Blach. All in favor say Aye. Motion carried unanimously. Number 8, Subsection B of 15.2.6.9 Penalty Recommendations, I move for adoption. Second; Commissioner Blach. All in favor say Aye, motion carried unanimously. Number 9, Subsection D of 15.2.6.10 NMAC Storage and Shipment of Split Samples, chair would move for adoption. Second; Commissioner Blach. All in favor say Aye, motion carried unanimously. Number 10 is Subsection V of 16.47.1.8 NMAC General Provisions, Chair would move for adoption. Second; Commissioner Blach. All in favor say Aye. Motion	

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		carried unanimously. Number 11, Subsection D of 16.47.1.10 NMAC Assistant Trainers, Chair would move for adoption, any further comments? Second; Vice-Chairman McCulloch. All in favor say Aye, motion carried unanimously. Number 12, Subsection F of 16.47.1.10 NMAC Program Trainers, Chair would move for adoption. Second; Vice-Chairman McCulloch. All in favor say Aye, motion carried unanimously. Any questions on the rules before we do away with them? Ok at this time we would go to item C.	
Approval of SunRay Park Veterinarian	051:37 to 052:26	Ismael Trejo, Executive Director for the New Mexico Racing Commission presented the bid from Dr. Frank Anderson for Track Veterinarian for SunRay Park 2018 season.	Motion to approve by Vice-Chairman McCulloch. Second by Commissioner Blach. Motion carried without objections or abstentions.
Approval for DAA/NMSF 2018 Condition Book and Condition Book Officials Stall Application Purse Structure Stakes Schedule 4th Quarter 2017 Simulcast Expense Adjustment 2015/2016 Capital Improvement Priority List Retroactive Approval of Capital Improvement Project 1 Retroactive Approval of Capital Improvement Project 2 Retroactive Approval of Capital Improvement Project 4 Ratification of Approval to Amend Import List Gaming and Breakage	052:27 to 01:09:58	Don Cook, with the Downs at Albuquerque thanked Dustin Dix for the hospitality at their beautiful facility in Sunland Park. Mr. Cook requested approval for their 2018 Condition book and Condition Book Officials. The Horsemen are objecting to the 6250 bottom, and request that it would be 5000. Mr. Cook again requested approval for their bottom claiming at 6250. Mr. Cook requested approval for their Stall application as submitted. The Horsemen object to the \$160 removal fee for dead horses. Mr. Cook would look at each of these removal fees case by case and in some cases the Downs at Albuquerque will pay the costs. Mr. Cook requested approval of their purse structure with some moderate increases. Rosemary Garley explained to the Commission that they can see the purse distribution in the Red Book. Mr. Cook requested approval for Stakes Schedule, 4th Quarter Simulcast Expense Adjustment, Capital Improvement Priority list, Retroactive Approval of Project 1, 2 and 4, Ratification of Approval to amend import list	Motion to approve Condition Book by Vice-Chairman McCulloch. Second by Commissioner Blach. Motion to approve Stall App by Vice-Chairman McCulloch. Second by Commissioner Blach. Vice-Chairman McCulloch withdrew her motion to approve Condition book and Motioned to approve Condition book with amendment of paying losing jock amount plus ten dollars by Vice-Chairman McCulloch; Second Commissioner Blach. Motion to approve Purse Structure by Vice-Chairman McCulloch. Second by Commissioner Blach. Motion to Approve Stakes Schedule by Commissioner Blach; Second by Vice-Chairman McCulloch.

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		and Gaming and Breakage.	Motion to approve Simulcast Adjustment, Priority list, Projects 1, 2,4, ratification to amend import list and gaming and breakage by Vice-Chairman McCulloch. Second by Commissioner Blach.
Approval for Zia Park 2018 Stakes Schedule QH Nomination Blanks Gaming and Breakage	01:10:05 to 01:12:30	Matt Crawford, from Zia Park thanked Dustin Dix of Sunland Park for the use of the facility. Mr. Crawford requested approval for 2018 Stakes Schedule, QH Nomination Blanks and Gaming and Breakage. Mr. Crawford explained that there were some purse changes. On November 21, Zia Park Princess and Juvenile was reduced to 50k a piece to keep their percentages down on their stakes and The Zia Park Oaks was reduced to 250k and the Zia Park Derby is also 250k. The changes the Commission should be aware of are that the Sunday before Thanksgiving Zia Park grouped together 5 QH stakes and added a few TB stakes on enchantment day.	Motion to approve Stakes by Vice-Chairman McCulloch. Second by Commissioner Blach. Motion to approve QH Nom Blanks by Vice-Chairman McCulloch. Second by Commissioner Blach. Motion to approve Gaming and Breakage by Vice-Chairman McCulloch. Second by Commissioner Blach. Motions carried without objections or abstentions.
Approval for Ruidoso Downs Ratification of Approval of Condition Book 2018 Racing Officials Revised 2016 Capital Improvement Priority List 2018 Capital Improvement Priority List Waiver of 30 day Review Period Approval of Capital Improvement Project 1 Approval of Capital Improvement Project 2 Approval of Capital Improvement Project 3 Change in Policy to pay Jockey Mount Fee plus \$10 to all horses placed beyond 6th place	01:12:47 to 01:46:30	Jeff True, from Ruidoso Downs requested approval of ratification of condition book. Rosemary Garley of the NMRC explained that the only thing that changed in the condition book was the minimum claiming price of 5k. Mr. True requested approval of 2018 Racing Officials, the revised 2016 Capital Improvement priority list. Mr. True went through the 2018 Capital Improvement Priority list item by item with the amounts to the Commission. Rosemary Garley explained to the Commission that they would be approving amending the 2016 list and then approving the 2018 list with 2 items from the 2016 list. Mr. True requested approval of the Waiver of the 30 day review, the change in policy to pay jockey mount, and the 2018 wagering format. Mr. True explained that Ruidoso Downs will add 1k to the 5th race Trifecta Pool every Saturday of the meet	Motion to approve Condition Book by Vice-Chairman McCulloch. Second by Commissioner Blach. Motion to approve Officials by Vice-Chairman McCulloch. Second by Commissioner Blach. Motion to approve amended 2016 Capital Improvement Priority List by Vice-Chairman McCulloch. Second by Commissioner Blach. Motion to approve 2018 Capital Improvements by Vice-Chairman McCulloch. Second by Commissioner Blach. Motion to approve waiver by Vice-Chairman McCulloch. Second by

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2018 Wagering Format		as a marketing tool. Rosemary Garley asked Mr. True which method Ruidoso had picked for their pick (n) pools and Mr. True requested method 3 from the Commission.	Commissioner Blach. Motion to approve change in policy and wagering format by Vice-Chairman McCulloch. Second by Commissioner Blach. All Motions carried without objections.
Approval for Sunland Park Ratification of Change of Officials	01:46:31 to 01:47:24	Dustin Dix of Sunland Park Racetrack . Mr. Dix requested Ratification of approval to replace Rod Bray with Gerald Richards as head clocker beginning January 12, 2018 for the 2017/2018 racing season.	Motion to approve by Commissioner Blach, Second by Vice-Chairman McCulloch. Motion carried without objections or abstentions.
Approval for SunRay Park 2018 Post Times and Wagering Format Ratification of Approval to Amend Import List	01:47:31 to 01:49:26	Lonnie Barber of SunRay Park started by thanking Dustin and Rick for hosting the Commission meeting. Mr. Barber requested approval of 2018 Post times and Wagering Format and ratification of approval to amend import list.	Motion to approve 2018 post times and wagering format and to ratify approval to amend import list by Vice-Chairman McCulloch. Second by Commissioner Blach. Motion carried without objections or abstentions.
Licensing/Pending Litigation/Appeals/Hearing Officer Reports (May be Closed pursuant to NMSA 1978, Sections 10-15-1(H)-(1),(3) and (7) and 10-15-1(I)	01:49:31 to 01:50:11	Chairman Willis called for a motion to go into Closed Executive Session to discuss items 7A, Roll call was taken with Commissioner Cosper and Commissioner Corazza absent. Executive Director Trejo was asked to remain in Executive Session. A five minute break was taken before Executive Session started.	Motion to go into Executive Session by Chairman Willis; Second by Commissioner Blach. Motion carried without objections or abstentions.
Licensing/Pending Litigation/Appeals/Hearing Officer Reports (May be Closed pursuant to NMSA 1978, Sections 10-15-1(H)-(1),(3) and (7) and 10-15-1(I)	<u>Track 2</u> 00:00 to 00:14	Chairman Willis called to come out of closed session with the only matters discussed being 7A.	Motion to come out of Closed Session by Chairman Willis.

AGENDA ITEM	TRANSCRIPT PAGE NUMBER(S)	DISCUSSION / CONCLUSIONS / RECOMMENDATIONS	ACTION TAKEN
In the Matter of Juan D. Torres Settlement Agreement	00:15 to 02:53	Marlo Aragon, General counsel to the NMRC stated that the Commission would like to accept the settlement agreement. The agreement requires a \$4,000 fine paid within 90 days of the approval of the settlement, 90 days suspension starting on the day the settlement is publically approved, loss of purse for the race, the horse will be unplaced, and respondent shall come before Commission before he receives his license.	Motion to approve by Commissioner Blach; Second by Vice-Chairman McCulloch. Motion carried without objections or abstentions.
Adjournment	02:54 to 03:02	Chairman Willis called for a motion to adjourn.	Motion to adjourn by Commissioner Blach; Second by Vice-Chairman McCulloch Motion carried.

Ray Willis 03-28-2018

Chairman Ray Willis

Date

[Signature] 3-28-18
Executive Director Ismael Trépo Date