

Before the NM Racing Commission
PUBLIC HEARING

Transcript of Proceedings
August 01, 2019

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5 NEW MEXICO PUBLIC RACING COMMISSION
6 PUBLIC HEARING
7 ALBUQUERQUE, NEW MEXICO
8 Thursday, August 1, 2019
9 8:30 a.m.
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15 REPORTED BY: REBECCA FELLA
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1 APPEARANCES
2 Beverly Bourguet, Chairman
3 John Buffington, Commissioner
4 David "Hossie" Sanchez, Commissioner
5 Billy Smith, Commissioner
6 Ken Corazza, Commissioner
7 Ismael Trejo, Executive Director
8 Gideon Elliot, Counsel for the Commission
9 Rosemary Garley, Manager
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1 CHAIRWOMAN BOURGUET: This meeting will now come
2 to order. Could I have roll call, please?
3 MS. GARLEY: John Buffington?
4 COMMISSIONER BUFFINGTON: Present.
5 MS. GARLEY: Hossie Sanchez?
6 COMMISSIONER SANCHEZ: Present. Here.
7 MS. GARLEY: Beverly Bourguet?
8 CHAIRWOMAN BOURGUET: Here.
9 MS. GARLEY: Billy Smith?
10 COMMISSIONER SMITH: Here.
11 MS. GARLEY: Ken Corazza?
12 COMMISSIONER CORAZZA: Here.
13 CHAIRWOMAN BOURGUET: Okay. Moving on to the
14 approval of the agenda. Do we have any corrections,
15 additions, amendments to the agenda, or approval as
16 presented?
17 COMMISSIONER SANCHEZ: Yeah, Madam Chair, I'd
18 like to let everyone know that what I saw -- let's see if
19 it's still here -- Billy Blackburn will -- won't be here
20 today, so we need to scratch him off.
21 His father just died, so he's going out of state
22 for his funeral, so we can take him off the agenda.
23 CHAIRWOMAN BOURGUET: Okay. Thank you,
24 Mr. Sanchez.
25 Any other addition? And I see that we've added

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1 the equine testing and health advisor at the last minute
2 to our packet; is that correct?
3 MS. GARLEY: They are in everyone's books except
4 for yours, because you took it before I was able to put --
5 CHAIRWOMAN BOURGUET: Okay.
6 MS. GARLEY: -- that in there, so I just left
7 those out. And Mr. Buffington has his in his book.
8 CHAIRWOMAN BOURGUET: Okay. And he took his
9 early also?
10 MS. GARLEY: Right.
11 CHAIRWOMAN BOURGUET: Okay. Just have it noted
12 that both of us took it early, and you have yours in your
13 packet, John, and I just received mine. Thank you very
14 much.
15 COMMISSIONER BUFFINGTON: Okay.
16 CHAIRWOMAN BOURGUET: Okay. A motion to go into
17 closed session. Do I have a motion from a commissioner?
18 COMMISSIONER BUFFINGTON: So moved.
19 CHAIRWOMAN BOURGUET: Do I have a second?
20 COMMISSIONER SMITH: Second.
21 CHAIRWOMAN BOURGUET: It's been moved that we go
22 into executive session, closed session. I move that the
23 Commission go into closed executive session to discuss
24 only those matters listed on the agency (sic) as closed
25 pursuant to Section 10-15-1(H) to discuss matters related

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<p style="text-align: right;">Page 5</p> <p>1 to the issuance, suspension, renewal, or revocation of a 2 license; two, to dismiss limited personnel matters; three, 3 to deliberate in connection with an administrative 4 adjudicatory proceeding; four, to discuss attorney-client 5 privileged matters pertaining to threatened or pending 6 litigation. 7 Roll call. 8 MS. GARLEY: John Buffington? 9 COMMISSIONER BUFFINGTON: Present. 10 MS. GARLEY: Hossie Sanchez? 11 COMMISSIONER SANCHEZ: Here. 12 MS. GARLEY: Beverly Bourguet? 13 CHAIRWOMAN BOURGUET: Here. 14 MS. GARLEY: Billy Smith? 15 COMMISSIONER SMITH: Here. 16 MS. GARLEY: Ken Corazza? 17 COMMISSIONER CORAZZA: I approve of the moving 18 into executive session. 19 MS. GARLEY: Okay. 20 (Executive session was held from 8:34 a.m. until 21 11:16 a.m.) 22 CHAIRWOMAN BOURGUET: Thank you, everybody. 23 It's nice to see some fresh faces and our familiar faces. 24 I appreciate that you all have an interest in our industry 25 and are supportive of moving forward and making this the</p>	<p style="text-align: right;">Page 7</p> <p>1 Reyes, and we thank you for coming. Would you mind saying 2 a few words and introducing yourself to the public here? 3 MR. REYES: Sure. Thank you, Madam Chair, 4 members of the Commission. I really appreciate the 5 opportunity to be here. 6 I want to just express the Governor's support 7 for this very critical industry to our state. We look 8 forward to working with the Commission to make sure that 9 this industry is successful and we continue to make the 10 progress that we've been seeing. 11 CHAIRWOMAN BOURGUET: Thank you for your 12 attendance. 13 Also, we have a representative from District 58, 14 Representative Candy Ezzell. 15 REPRESENTATIVE EZZELL: Madam Chair, thank you 16 very much. This is an industry that's very near and dear 17 to my heart. 18 I'm involved in oil and gas, farming and 19 ranching, and horses. In those, racing comes in third, 20 agriculture second, and oil and gas first. I appreciate 21 everybody being here and their interest in -- in our 22 industry. Thank you. 23 CHAIRWOMAN BOURGUET: Yes. Thank you, 24 Representative. 25 And on behalf of Mr. Reyes, I'd like for our</p>
<p style="text-align: right;">Page 6</p> <p>1 best industry in the United States. 2 I think we have some great people that want to 3 move forward and think out of the box, and we will start 4 our meeting here in July and have a lot more things to 5 discuss in August that -- and we will approve our dates -- 6 that's on our agenda for the rest of the year. 7 At this time I'd like to recognize some people 8 that are in our audience. We have from the Governor's -- 9 yes -- 10 MR. ELLIOT: Do you want to -- 11 CHAIRWOMAN BOURGUET: Oh, yes. 12 MR. ELLIOT: If you could just -- 13 CHAIRWOMAN BOURGUET: You know what? I need to 14 read this to you. 15 So we closed the meeting. After the closed 16 session, the Chair needs to state that the Commission is 17 back in open session, and I affirm that the Commission 18 discussed only those matters specified in the motion to 19 close the meeting in accordance with Section 10-15-1(J). 20 Do we need roll call? 21 MS. GARLEY: No roll call. 22 CHAIRWOMAN BOURGUET: No, okay. Now I will 23 recognize the people in the audience that I'm very pleased 24 to see that are here today. 25 From the Governor's Office we have Mr. Victor</p>	<p style="text-align: right;">Page 8</p> <p>1 track managers and/or owners -- whoever you may be -- to 2 stand up and be recognized so that Mr. Reyes is familiar 3 with your faces, recognize your name, and who you 4 represent. 5 MR. COOK: Don Cook, Downs at Albuquerque, my 6 pleasure. 7 MR. REYES: Nice to meet you, Don. 8 MR. BOEHM: Brad Boehm, SunRay Park -- 9 COURT REPORTER: I'm sorry; could you say that 10 again? 11 MR. BOEHM: Bradley Boehm, SunRay Park & Casino. 12 MR. BARBER: Lonnie Barber, SunRay Park & 13 Casino. 14 MR. McERLEAN: Chris McErlean, Penn National 15 Gaming, representing Zia Park. 16 MR. DIX: Dustin Dix, Sunland Park Racetrack & 17 Casino. 18 COURT REPORTER: I'm sorry; could you -- could 19 you face this way when you speak? 20 MR. DIX: Dustin Dix, director of racing, 21 Sunland Park. 22 MR. TRUE: I'm Jeff True, Ruidoso Downs 23 Racetrack & Casino. Thank you. 24 MR. BLANCHARD: Paul Blanchard, chairman of the 25 board of Downs at Albuquerque.</p>

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<p style="text-align: right;">Page 9</p> <p>1 CHAIRWOMAN BOURGUET: Okay. And also, I think 2 we have some lobbyists in here that I would like to 3 recognize that I think have worked really tirelessly for 4 our industry, and I appreciate your attendance today. 5 MS. SHOATS: Marla Shoats, Ruidoso Downs. 6 CHAIRWOMAN BOURGUET: Thank you. I appreciate 7 that. 8 Have I missed anyone? I hope I haven't, but 9 please excuse me. 10 If you would, when you are recognized, state 11 your name and your position so that our transcriber can 12 write this down correctly. It just helps in getting the 13 final transcript that we know who said what. 14 Okay. At this time I'd like to move to the 15 approval of the minutes. These minutes will be from our 16 May 16th meeting. 17 Are there any revisions, amendments, or 18 adoption, to approve as presented? 19 MR. TREJO: Madam Chair, myself and staff have 20 no additions or changes to this -- these minutes from 21 May 16th. 22 CHAIRWOMAN BOURGUET: Okay. Do I have a motion 23 to approve the minutes as presented? 24 COMMISSIONER BUFFINGTON: So moved. 25 COMMISSIONER SMITH: Second.</p>	<p style="text-align: right;">Page 11</p> <p>1 who our committee chairs will be for the Commission for 2 the next year. 3 Mr. Ken Corazza -- Commissioner Corazza -- will 4 chair the Medication Committee. I think he comes forward 5 with a lot of experience. He's a pharmacist. Would you 6 like to say a few words, Mr. Corazza, about your 7 experience? 8 I know you sat on the committee before, but now 9 you will be chairing it. 10 COMMISSIONER CORAZZA: No, not really. I'm -- 11 I'm glad to be back, and I think we have a lot of things 12 to accomplish, and I appreciate you giving me the 13 opportunity to chair that committee. 14 CHAIRWOMAN BOURGUET: Well, I have a lot of 15 confidence in you, Commissioner, so thank you for taking 16 on that responsibility. 17 Race dates committee, Commissioner Buffington, I 18 think he was oriented to that experience yesterday, and if 19 you could give us a brief report of that meeting and where 20 we may be going. 21 COMMISSIONER BUFFINGTON: Yeah, I can. I 22 thought we had a lot of really good discussion, some give 23 and some take, and I'm told that this year is perhaps not 24 much different than past years in that there's a lot of -- 25 well, there was a wide gap to start with, and I think</p>
<p style="text-align: right;">Page 10</p> <p>1 CHAIRWOMAN BOURGUET: Okay. That was 2 Commissioner -- 3 COMMISSIONER BUFFINGTON: Oh, sorry -- 4 CHAIRWOMAN BOURGUET: -- Buffington. 5 COMMISSIONER BUFFINGTON: -- John Buffington. 6 CHAIRWOMAN BOURGUET: And seconded by -- 7 COMMISSIONER SMITH: Smith. 8 CHAIRWOMAN BOURGUET: -- Commissioner Smith, 9 okay. 10 All those in favor say aye. 11 COMMISSIONER BUFFINGTON: Aye. 12 COMMISSIONER SANCHEZ: Aye. 13 COMMISSIONER SMITH: Aye. 14 COMMISSIONER CORAZZA: Aye. 15 CHAIRWOMAN BOURGUET: No one -- it passes 16 unanimously. The motion moves on. Thank you. 17 MR. ELLIOT: Madam Chair, do you, at this time, 18 wish to go over the items we discussed in executive or do 19 you want to wait until the end? 20 CHAIRWOMAN BOURGUET: We usually wait till the 21 end -- 22 MR. ELLIOT: Okay. 23 CHAIRWOMAN BOURGUET: -- so let's do it at the 24 end. All right? 25 All right. I'd like to announce at this time</p>	<p style="text-align: right;">Page 12</p> <p>1 we're slowly closing it. 2 There's been multiple proposals from everyone. 3 I don't know that we really have a consensus, although I 4 joked as people left that you'd probably come back today 5 and all be in consensus and agreement on race dates by the 6 groups. 7 The stakeholders are multiple, but obviously the 8 five tracks, the two horse groups, and then I think there 9 are some other entity holders that have things at stake, 10 and that has to do with the community and the local -- the 11 local economies of locations that have racetracks. 12 So anyway, I appreciate everybody's give and 13 take yesterday. I don't know that we're quite there. I 14 look forward to hearing -- hearing some updated proposals 15 that I kind of rumored about, and we'll see. 16 I'd like to get the dates approved sooner rather 17 than later, but soon doesn't necessarily mean today. So 18 we'll -- we'll probably not reach a conclusion today. 19 We'll probably need a little time. 20 I find it incredibly difficult to visualize the 21 whole year. I see dates, you know, X date to X date, and 22 without putting them all together, it's a difficult 23 concept to get ahold of just by talking about dates. 24 When someone -- one -- one track changes dates 25 or proposals, it -- it impacts everybody, so I think we</p>

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<p style="text-align: right;">Page 13</p> <p>1 need to really look at the whole year together in one 2 final version. 3 I hope that everybody can reach a consensus and 4 agreement. I'm not optimistic that that will happen, but 5 that was, in essence, what we spent a fair amount of time 6 on yesterday. 7 I think we're getting closer, and perhaps 8 we're -- I don't know if we're almost there, but we're 9 getting closer to agreement on race dates. 10 CHAIRWOMAN BOURGUET: I would like to add that I 11 thought our discussion yesterday was really healthy. I 12 thought we had some ideas out of the box. 13 I thought we had some people that were 14 interested in finalizing the race dates and moving into 15 either adding or deleting dates. 16 And what I would like to see is a continuation 17 of discussion between all the entities, not just the 18 tracks talking amongst themselves or the horsemen talking 19 amongst themselves. 20 We need to have a consensual agreement with all 21 three entities, and we would like to encourage that you do 22 that sooner than later, and the sooner you get it done and 23 let us know that you're ready for approval -- we do not 24 have to wait until the next monthly meeting. 25 We can, you know, move in a positive direction</p>	<p style="text-align: right;">Page 15</p> <p>1 MS. GARLEY: Are we going to appoint someone to 2 the rules or is that medication slash rules and 3 Commissioner Corazza on that? 4 CHAIRWOMAN BOURGUET: We're going to appoint 5 Mr. Corazza to the medication. I haven't had a chance to 6 talk to him about rules yet, so I'll get that finalized at 7 the next meeting. Thank you. 8 Okay. New Mexico Horse Breeders Association, 9 please. 10 MS. BARBER: Mary Barber, New Mexico Horse 11 Breeders. Good morning. 12 CHAIRWOMAN BOURGUET: Good morning, Mary. 13 MS. BARBER: So at the last meeting you asked me 14 to break out the average field size by Quarter Horse and 15 thoroughbred, because you thought that the Quarter Horses 16 may be skewing the numbers, so I went back through Sunland 17 Park's meet and -- and split that out for you. 18 So on the thoroughbreds, the -- and this is just 19 for New Mexico-bred overnight races -- 20 CHAIRWOMAN BOURGUET: Is this on our report 21 here, Mary? 22 MS. BARBER: Yes. 23 CHAIRWOMAN BOURGUET: Okay. First page? 24 MS. BARBER: Yes. It's the Race a Day report. 25 CHAIRWOMAN BOURGUET: Okay.</p>
<p style="text-align: right;">Page 14</p> <p>1 and have a special meeting solely on race dates and get 2 that approved. 3 If you have not made a decision by the next 4 scheduled monthly meeting, at that time we will make a 5 final decision, so we urge you to communicate, 6 communicate, communicate -- not only amongst yourselves 7 within the three entities, but also with the Commission, 8 and copy us on any of your documents so that we know that 9 this is moving forward and there's not a standstill. 10 I -- I feel encouraged about it. I really did. 11 I came back thinking I really was pleased with a lot of 12 the good comments that we had, and I think we're very 13 close. 14 So thank you very much for that lengthy day. It 15 was necessary, and I -- I think that we're a good 16 community and we want to just produce a good product and a 17 good race day schedule for next year. 18 Any other comments? 19 COMMISSIONER SMITH: None from me. 20 CHAIRWOMAN BOURGUET: Okay. Moving on to the 21 horseman's -- New Mexico Horse Breeders Association 22 report, please. 23 MR. ELLIOT: Madam Chair -- 24 MR. TREJO: Madam Chair -- 25 CHAIRWOMAN BOURGUET: Oh.</p>	<p style="text-align: right;">Page 16</p> <p>1 MS. BARBER: So the average field size for New 2 Mexico-bred thoroughbreds at Sunland Park was 8.97, 3 Quarter Horses was 9.83, and a combined -- the combined 4 average field size was 9.13, and this is way above the 5 national average. 6 For the Race a Day report for SunRay Park for 7 their entire meet, in their 17 days they ran 58 New 8 Mexico-bred races. This is 40 races less than in 2018; 9 however, they averaged 3.41 New Mexico-bred races a day, 10 which is up from previous years. 11 Their average field size for thoroughbreds was 12 8.96, thoroughbreds was 9.58, for a combined average field 13 size of 9.28. 14 For Ruidoso Downs, in their first 35 days, if 15 you look at the comparison, they're almost exact. They 16 had 133 New Mexico-bred races. They averaged 3.8 races a 17 day. Their -- their split was -- is 51 percent goes to 18 thoroughbreds and 49 percent to Quarter Horses, so they're 19 right at 50/50 there. 20 Their average field size for thoroughbreds is 21 7.06, their Quarter Horse averaged 8.97, and combined is 22 7.72. 23 For the Downs at Albuquerque, in their first 15 24 days, they ran 52 New Mexico-bred races, averaging 3.53 25 New Mexico-breds per day. They are averaging 70 percent</p>

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<p style="text-align: right;">Page 17</p> <p>1 thoroughbreds and 30 percent Quarter Horses. 2 Their average field size for thoroughbreds is 3 9.43, which is outstanding. Their average field size for 4 Quarter Horses is 9.38, and for a combined total of 9.41 5 per race. 6 CHAIRWOMAN BOURGUET: Thank you. 7 MS. BARBER: For New Mexico-breds in open 8 overnight races at SunRay Park, in their 17 days, 252 New 9 Mexico-breds ran in these open overnight races. 10 Of the 252, 71 came in first, second, or third, 11 for a total of 28 percent. Thirty-three were 12 thoroughbreds and thirty-three were Quarter Horses, and 13 they shared in \$87,202, which was a little bit less than 14 previous meets. 15 For Ruidoso Downs, in their first 29 days, they 16 had 233 run; of those, 74 came in first, second, or third, 17 and they shared in \$45,450, which is a little bit up from 18 last year. 19 And the Downs at Albuquerque, my report is only 20 for their first seven days, because that's -- we only had 21 purse clearances for their first seven days, and in that 22 time they ran -- 64 New Mexico-breds ran open; of those, 23 16 came in first, second, or third, and it was 25 percent. 24 They shared in \$12,964, which is about \$6,000 25 down from last year.</p>	<p style="text-align: right;">Page 19</p> <p>1 We have the Albuquerque and Ruidoso tracks that 2 are running now, and they're running good as far as we're 3 concerned. 4 We talked to Zia -- Chris McErlean -- about our 5 export signal, and he agreed with the -- for the export 6 signal and the walker problem we were having to sit down 7 and talk all month with us this coming month with that 8 problem, so we're not going to bring -- 9 CHAIRWOMAN BOURGUET: Okay. 10 MR. RADER: -- that up today, and hopefully we 11 won't have to bring it up at our next meeting. Okay? 12 CHAIRWOMAN BOURGUET: Okay. 13 MR. RADER: And that's pretty much all I have. 14 CHAIRWOMAN BOURGUET: All right. Well, I -- I 15 appreciate that. I appreciate Mr. -- or Chris' response 16 to that concern, and -- and you guys getting together and 17 discussing that, I think that's something that's really 18 important. 19 We don't need to make those decisions for you. 20 If you can discuss them, do that, and present them to us 21 at the next meeting. 22 If you could give us an update on your search 23 for the new executive director. 24 MR. RADER: We had 12 applications come in 25 yesterday, and hopefully by our next meeting we will have</p>
<p style="text-align: right;">Page 18</p> <p>1 And that's all for my reports, but I would like 2 to thank Ruidoso Downs for their wonderful hospitality 3 during the Zia Festival this last weekend and for the 4 Ruidoso Horse Sales Company. 5 We had -- our town hall discussion was a really 6 good meeting, and we had our Zia Jam where we eat dinner. 7 That was fantastic. We had 220 people attend. The food 8 was great, the band was great, and we just had a wonderful 9 time showcasing our New Mexico-bred horses. 10 CHAIRWOMAN BOURGUET: Okay. Thank you, Mary. 11 Are there any questions for the director of the 12 New Mexico Horse Breeders association? 13 COMMISSIONER SMITH: No. 14 CHAIRWOMAN BOURGUET: Thanks for answering our 15 questions from the last meeting. I appreciate that, Mary. 16 Okay? 17 MS. BARBER: All right. And I'll keep doing 18 that for you. 19 CHAIRWOMAN BOURGUET: Okay. All right. Thank 20 you. 21 MS. BARBER: Thank you. 22 CHAIRWOMAN BOURGUET: The New Mexico Horsemen's 23 Association, please. 24 MR. RADER: My name is Jay Rader, president of 25 the New Mexico Horsemen's Association.</p>	<p style="text-align: right;">Page 20</p> <p>1 a new director hired by then, and we're working hard on 2 that situation -- 3 CHAIRWOMAN BOURGUET: Okay. 4 MR. RADER: -- on that. 5 CHAIRWOMAN BOURGUET: And are a lot of yours -- 6 are they a majority from out of state or in state or half 7 and half? 8 MR. RADER: Half and half. 9 CHAIRWOMAN BOURGUET: Half and half? 10 MR. RADER: Oh, yeah. 11 CHAIRWOMAN BOURGUET: Okay. 12 MR. RADER: We have basically half and half of 13 them, yeah. 14 CHAIRWOMAN BOURGUET: Okay. 15 MR. RADER: Okay? 16 CHAIRWOMAN BOURGUET: Okay. Well, we appreciate 17 that and we appreciate the document that you have inserted 18 for a report from the Horsemen's Association as was 19 requested from the May meeting. 20 I think that's also progressive, and we'd like 21 to see the new director support that too. 22 MR. RADER: We would too. 23 CHAIRWOMAN BOURGUET: Okay. Thank you. 24 Jockeys' Guild report, Mr. Beech? 25 MR. BEECH: Good morning, Madam Chairman,</p>

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<p style="text-align: right;">Page 21</p> <p>1 Commissioners, and staff. My name is John Beech. I'm the 2 regional manager for the Jockeys' Guild, Incorporated. 3 I'd like to start off welcoming everybody back 4 and look forward to working with you all. 5 And on the Downs at Albuquerque, we had a great 6 opening and a lot of people there. Everything was in 7 order, as it should be, and was a great turnout. 8 And the rest of my report I'll wait on and defer 9 it till Mindy Coleman gets here -- our in-house counsel -- 10 for the next meeting. 11 CHAIRWOMAN BOURGUET: Okay. That sounds good. 12 Well, tell Mindy we say hello and look forward to visiting 13 with her and receiving her report, but we always look 14 forward to talking with you too, John. 15 MR. BEECH: Well, thank you very much. 16 CHAIRWOMAN BOURGUET: Okay. Thank you. 17 Item E, New Mexico Racing Commission Executive 18 Director Report. Izzy, please? 19 MR. TREJO: Yes, Madam Chair, members of the 20 Commission, and audience, great to see a big audience here 21 today. 22 First off, starting off with the trip to 23 Cloudcroft, New Mexico, to go before the LFC on July 12th, 24 it went very well. 25 We did elaborate to them our -- our willingness</p>	<p style="text-align: right;">Page 23</p> <p>1 that's an important direction that we need to go as well. 2 It will be part of our strategic plan for FY 21, 3 as we head into budget season here shortly. 4 Also speaking of drug testing, I'm very proud of 5 our laboratory, Industrial Laboratories. Over a two-week 6 span -- July 4th through July 18th -- the agency had over 7 500 samples tested from Ruidoso Downs itself. That 8 includes 151 out-of-competition tests. The results turned 9 up 12 positives. 10 And I only bring this up -- I normally don't 11 bring these facts up here, but we're starting to find some 12 different types of drugs in these horses -- for example, 13 ostarine, formoterol, Cardarine, and doxapram -- drugs 14 that we haven't seen here in New Mexico before. 15 So it may -- the zero tolerance of albuterol may 16 be a contributor to guys searching for new ways to cheat, 17 but, you know, if there is a silver lining to drug, quote, 18 positives, it's that eight of the twelve violations were 19 one trainer, and the other ones were people that we -- we 20 routinely see in front of us for violations. 21 So I think we're zeroing in on who the bad guys 22 are, and we're going to continue our efforts to push them 23 out. 24 So I'm proud of our lab and proud of our -- our 25 out-of-competition testing program for -- for hitting on</p>
<p style="text-align: right;">Page 22</p> <p>1 to expand on our animal welfare approach to the equine 2 athlete. 3 We expressed our -- our need to build a 4 veterinarian team in which we have more than our one 5 official veterinarian that's employed by us. 6 Right now we have a contracted official vet -- 7 we have one on staff -- so we'd like to build a team of 8 two official vets per racetrack in order to enhance our 9 pre-race inspections of the horses on race day. 10 I think our goal there is going to be to inspect 11 every horse that's entered on every race day, and as well 12 as -- those veterinarians, their job will also be to 13 advocate and be the voice for the equine athletes. I 14 think that's a direction that we certainly need to go. 15 We expressed to them our -- our intent to 16 implement the out-of-competition testing program for 17 training hours. 18 We explained to them that we're not naive to the 19 fact the horses do not break down in the morning during 20 training. As a matter of fact, they do, so we want to 21 implement some new rules that will focus on 22 corticosteroids and nonsteroidal anti-inflammatory drugs, 23 to drug test horses during training to assure that they're 24 not being put into training while they're suffering from 25 ailments that those drugs would mask, so -- which I think</p>	<p style="text-align: right;">Page 24</p> <p>1 all cylinders for that. 2 I know it's been a while since we met, but I 3 certainly want to congratulate the gentlemen from SunRay 4 Park, Brad Boehm and Lonnie Barber. I think they had a 5 heck of a successful meet. 6 And I don't know if they're going to mention any 7 statistics from their meet -- I know we heard a lot of 8 them yesterday -- but I think they did a great job in 9 dealing with what they went through the last few years and 10 changing up and going to a 17-day race meet, and the 11 numbers were out of this world. 12 I also wanted to congratulate Mr. Don Cook and 13 Mr. Paul Blanchard for opening night at Downs at 14 Albuquerque. 15 I was physically there present and I haven't 16 seen so many people there in my whole life, but it was -- 17 other than when I was a kid, when we had the State Fair -- 18 but the crowds are coming back to the Downs at 19 Albuquerque. 20 I think the night racing has really helped the 21 facility grow. It's a happening place to be in 22 Albuquerque during the summertime, so we -- I think the 23 numbers are going pretty well as far as pari-mutuel goes, 24 so I applaud their team there. 25 Also, thanks to Don Cook for working with the</p>

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<p style="text-align: right;">Page 25</p> <p>1 agency in regards -- in regards to the vesicular 2 stomatitis outbreak that's going in Sandoval County and 3 other surrounding counties. 4 It's a disease that we're trying real hard -- 5 through the efforts of the Downs at Albuquerque and their 6 security team -- to keep out of our racehorse community 7 and then in our barn areas. It's -- it's necessary. 8 You know, this would be devastating if we have 9 to quarantine our barn area here, so I applaud you guys on 10 the fast-acting efforts, as well as the livestock board. 11 As far as that goes, we're going to Zia Park, 12 actually, on September 3rd to do our inspection -- our 13 annual inspection -- and we look forward to seeing some of 14 the upgrades and changes that they've done over there at 15 that facility. 16 And that is about it, Madam Chair. I stand for 17 any questions. 18 CHAIRWOMAN BOURGUET: Okay. This vet team that 19 you're proposing, is this something that will take effect 20 at Ruidoso, or when do you think -- I know you're adding 21 two vets per track, so is this something that's in the 22 future that you're looking at, just for clarification 23 purposes? 24 MR. TREJO: Madam Chair, members of the 25 Commission, that would be based on the appropriations or</p>	<p style="text-align: right;">Page 27</p> <p>1 have the authority to look at a horse anytime they're 2 on -- at a facility. 3 MR. TREJO: That is correct. 4 CHAIRWOMAN BOURGUET: Okay. 5 COMMISSIONER CORAZZA: Madam Chair, I'd just 6 like to ask Mr. Trejo -- Izzy, Ken Corazza -- how many 7 people did you have to do all those tests? I mean, that's 8 a massive amount of tests. 9 MR. TREJO: Madam Chair, Mr. Corazza, believe it 10 or not, we utilized two, our -- our official veterinarian 11 that does our out-of-competition testing and State 12 Investigator Lisa Johnson. 13 COMMISSIONER CORAZZA: Amazing. 14 CHAIRWOMAN BOURGUET: Yeah. Is there any way 15 that we can look into hiring another investigator so we 16 don't overtask this one investigator? 17 MR. TREJO: Madam Chair, members of the 18 Commission, that's certainly on our drawing board. We 19 actually closed the two positions that were posted two 20 days ago, so we're going to take time to filter through 21 the applicants and hopefully come up with two new 22 investigators that can help us. 23 CHAIRWOMAN BOURGUET: We appreciate that. And 24 I -- I guess I would just add too, the night racing at the 25 Downs at Albuquerque, I mean, it's just incredible to see</p>
<p style="text-align: right;">Page 26</p> <p>1 funding to the agency. 2 Vets don't come at a cheap price, so we would 3 certainly seek funding for that program, and if we can get 4 it, we'll do it. 5 CHAIRWOMAN BOURGUET: So that would be something 6 that we would be looking at the next -- 7 MR. TREJO: In the future. 8 CHAIRWOMAN BOURGUET: -- legislative budget 9 hearing that you would ask to add that to our budget 10 proposal? 11 MR. TREJO: Yes, ma'am. 12 CHAIRWOMAN BOURGUET: Okay. I just needed to 13 clarify. I think that's -- that's good. I think we need 14 to start looking at different ways to inspect horses, and 15 especially the horses that are working in the mornings. 16 We usually don't have any inspection other than, 17 you know, a local vet that is there, but if we do an 18 out-of-competition test, I think that also puts people on 19 alert that we're not going to do the usual tactical things 20 that we did in the past pre-race, post-race, and also an 21 out-of-competition testing. 22 So if -- if -- at any time during the morning -- 23 is this correct -- this is what I'm assuming that we'll be 24 doing -- you can expect a horse to be pulled out maybe 25 from -- not doing a gallop or after a gallop, but we do</p>	<p style="text-align: right;">Page 28</p> <p>1 the amount of people and the excitement and bringing in 2 new blood -- new young kids and families -- to the event. 3 You see kids running all over the place. It's just a 4 healthy atmosphere that I'm really happy to see, so thank 5 you so much. 6 I don't know if you want to make any comments 7 about the track at all, Mr. Blanchard. 8 MR. BLANCHARD: Thank you, Madam Chair. We just 9 take a -- we take a lot of pride at -- at -- at our track, 10 and Donnie is working effortlessly all the time to keep 11 the track surface. 12 We've had no catastrophics, and I hate to say 13 that out loud without knocking on wood, but we've had no 14 catastrophics at all. 15 CHAIRWOMAN BOURGUET: Okay. 16 MR. BLANCHARD: Our -- our -- our continued 17 commitment to keeping racing surfaces as -- in excellent 18 shape, that continues. 19 We are -- we do try very hard to get out a good 20 product, and -- and we're going to continue to do so. 21 CHAIRWOMAN BOURGUET: Okay. 22 MR. BLANCHARD: I appreciate the kind remarks, 23 and thank you. 24 CHAIRWOMAN BOURGUET: Well, they're well earned. 25 Thank you.</p>

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<p>1 SunRay, anybody want to say something on 2 behalf -- 3 MR. BOEHM: We'll wait till our time. 4 CHAIRWOMAN BOURGUET: Okay. All right. Sunland 5 Park, anything? 6 Zia Park? 7 Okay. Ruidoso? 8 Okay. I think we're good to go then. Thank you 9 so much. 10 Moving on to public comment, that's next on our 11 agenda, yeah. 12 MR. TREJO: Madam Chair, if I may, if you're 13 going to speak on public comment, if you'd please step up 14 to the table and introduce yourself. 15 CHAIRWOMAN BOURGUET: And this is timed; is that 16 right, Mr. -- 17 COURT REPORTER: I'm sorry; I didn't hear you, 18 ma'am. 19 CHAIRWOMAN BOURGUET: At this time now on our 20 agenda is public comments. Since this was not moved to 21 the end of our agenda -- we have it in the middle of our 22 agenda -- we are going to allow public comment, and there 23 is minimum (sic) three-minute period per person if they 24 would like to have a public comment. 25 And Kathy Elliott, I'm not sure who you are, but</p>	<p>1 Tucumcari, and he too was pleased and wanted to pass along 2 his wishes that -- he could not be here today, but that we 3 feel that this is a hopeful situation for that sixth 4 license and would just like you to hear our -- our opinion 5 on that. 6 But thank you for your time today. 7 CHAIRWOMAN BOURGUET: Thank you for coming. We 8 appreciate that. 9 MS. ELLIOTT: Uh-huh. 10 CHAIRWOMAN BOURGUET: Chris McErlean, are you on 11 the agenda? 12 MR. McERLEAN: I'm -- oh, I -- 13 CHAIRWOMAN BOURGUET: Have I -- 14 MR. McERLEAN: -- I'm sorry; I thought that was 15 the regular sign-in sheet. That's why I -- 16 CHAIRWOMAN BOURGUET: Okay. Thanks. All right. 17 We like -- 18 MR. McERLEAN: You'll hear enough -- 19 CHAIRWOMAN BOURGUET: -- hearing from you 20 anyway. 21 MR. McERLEAN: -- you'll here enough from me 22 later, so -- 23 CHAIRWOMAN BOURGUET: Anytime you want to say 24 something, Chris, you know you're welcome. 25 UNIDENTIFIED SPEAKER: You've got three minutes,</p>
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<p>1 if you'd like to address us, please come forward. 2 MS. ELLIOTT: Before I speak, is there someone 3 named Billy Blackburn that should speak first? It's on 4 the agenda. 5 MR. ELLIOTT: He's not here today. 6 CHAIRWOMAN BOURGUET: No, he's not here today. 7 MS. ELLIOTT: Madam Chairman, Commissioners, 8 thank you for the time today. Welcome back, sir. We 9 appreciate your service. 10 COMMISSIONER CORAZZA: Thank you very much, 11 ma'am. 12 MS. ELLIOTT: My name is Kathy Elliott, and I am 13 representing Clovis and Curry County. 14 And I would have loved to have been able to have 15 this public comment after hearing your comments today, but 16 quickly, I will just say that we do recognize the fact 17 that you guys have put the sixth racetrack license on the 18 agenda again. 19 And I will not use the other word, sir -- 20 Commissioner Sanchez -- because I was chastised the last 21 time, so we've learned that mistake. 22 But I just wanted to give you some feedback that 23 the town, just seeing that agenda item, was very -- was 24 very pleased and that we feel like not only Clovis, who I 25 represent, but also I reached out to a gentleman in</p>	<p>1 Chris. 2 CHAIRWOMAN BOURGUET: Don't give those three 3 minutes away. 4 Okay. Tom McKenna? And for the record, I think 5 Mr. McKenna spoke to us at the May meeting also, and Izzy, 6 if you'll start the timer -- 7 COURT REPORTER: I'm sorry; what did you say? 8 CHAIRWOMAN BOURGUET: Tom McKenna spoke to us at 9 our last meeting also during public comment. 10 Go ahead, Mr. McKenna. 11 MR. McKENNA: Thank you. I was asked to come to 12 this meeting not by the horsemen, but by racing 13 management, and -- 14 CHAIRWOMAN BOURGUET: Could you identify who? 15 MR. McKENNA: Racing management. 16 CHAIRWOMAN BOURGUET: Yeah. Which track? 17 MR. McKENNA: Track managers, okay? All right? 18 I'm the leading owner in this state and have 19 been for the last five years on every track. I run one of 20 the largest racing operations in New Mexico. I've got 60 21 horses on the track. 22 I've got a vested interest in about 2.5 million 23 in plant and breeding. I've been breeding and in the 24 racing business for about 15 years. 25 I've taken a horse to the Triple Crown that was</p>

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<p style="text-align: right;">Page 33</p> <p>1 trained in this state. I have run in Arkansas, 2 Massachusetts, Louisiana, Arizona -- quite a few states. 3 Racing has been good to me. 4 We've got some real problems in this state, and 5 it's not just in the state itself -- it's nationally -- 6 and that's the perspective of horse racing today. Unless 7 we address this, I'm not sure what the state of this 8 industry is going to be in another four to five years. 9 I was also asked to tell you a good story, and 10 the good story is this: If you walk the walk, you can 11 talk the talk, and that's the difference, I've walked the 12 walk, so I guess it's time now to talk the talk. 13 I started out in 2004 with one horse; now I've 14 got 60. I never intended for it to be 60. I never 15 intended to get in the game as -- as I have. I started 16 out breeding, wound up racing. 17 For the past five years we've been in the top 30 18 owners in the nation. There's 29,000 thoroughbred owners 19 in the nation. 20 I run my own barn. I've got my own private 21 trainer. We rest our horses every year about 30 days. 22 We've got our own retirement program. I've got a ranch in 23 Colorado. I've got 29 horses out there that are retired 24 now that we've taken off the track. 25 I've got my own rehabilitation program where we</p>	<p style="text-align: right;">Page 35</p> <p>1 upside real quick in a nutshell: More stall space, more 2 opportunity to run, better policing of the horses, better 3 jockeys; outside interests outside of this state that will 4 bring horses in this state to run. 5 As it is right now, we're presenting a race meet 6 that has breeds in it -- three races a day -- that has 7 open horses in it and has Quarter Horses in it and then 8 them altogether. 9 Nobody from out of state is going to come here 10 to run -- they're running open horses -- unless they can 11 run a legitimate amount of races a day. 12 The minute you split this meet up, you will have 13 people from out of state interested in coming here. 14 Is that going to endanger the trainers we -- 15 right now, we've got a lot of trainers that don't want to 16 see a split meet. Do you know why they don't want to see 17 a split meet? They're afraid of the competition. That's 18 nonsense. 19 If you've got a purse value of X on a track, the 20 guy over here running for Z is going to send his X horses, 21 not his Z horses. 22 In other words, if we're running for average 23 money 15,000 per average race, that's the type of horses 24 that are going to come here to run. He's not going to 25 send his better horses. He's going to leave them where</p>
<p style="text-align: right;">Page 34</p> <p>1 bring horses back that are sore from the track -- rather 2 than paying excessive vet bills -- and heal those horses 3 up before we send them back. 4 It's been an interesting game, and in this game 5 you never quit learning, but I think it's time to take a 6 step forward in this state, and instead of reacting, I 7 think we ought to begin acting, and it's pretty easy to 8 do. 9 One of the proposals I think that's before you 10 right now is splitting race meets. It should have been 11 done many years ago. There's no reason it should not be 12 done, and we're talking about Quarter Horses and 13 thoroughbreds -- two totally different breeds, totally 14 different programs. 15 We keep hearing that we can't -- we can't fill 16 the races, this, that, so forth and so on. We been told 17 that we don't get enough out. You've heard it from the 18 Quarter Horse industry. You've heard it from the 19 thoroughbred industry. 20 That can be cured with split -- split meets. 21 Every state around us has split meets. For years it has 22 been successful, and we sit here in New Mexico twiddling 23 our thumbs and do nothing. 24 I don't think there's anyone in this room who 25 has any downside of splitting meets. I can tell you the</p>	<p style="text-align: right;">Page 36</p> <p>1 they can make more money. 2 So it's an equal playing field. It's not going 3 to hurt these trainers in any way, shape, or form, but 4 it's going to get us a lot more horses in here. 5 But then you've got to have the barns to put 6 them in. Where you're going to have the barns to put them 7 in is to split the damn meet. Run your Quarter Horses 8 first or last -- it doesn't make any difference -- and 9 there you go. 10 Plus, the fact we'd better look at the 11 fundamentals of this business, who's making the money and 12 who's not making the money -- i.e., I'm talking about the 13 horses, the four-legged creatures. 14 You can't sell a simulcast -- well, you can't 15 even give it away for a Quarter Horse race. There's no 16 interest in it -- none -- but if you take these Quarter 17 Horses out of the equation, that's going to let -- let 18 these tracks be able to sell -- sell a valued simulcast 19 signal and get it out to the public and raise their income 20 a lot. 21 So that needs to be addressed and it needs to be 22 addressed now. 23 CHAIRWOMAN BOURGUET: Okay. Mr. McKenna, I -- 24 I -- I think a lot of the issues you've mentioned were 25 mentioned at the last meeting in May.</p>

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<p style="text-align: right;">Page 37</p> <p>1 And we really appreciate your comments, and I 2 think you spent some time talking with management, and I 3 think -- I encourage you to continue that discussion 4 and -- and maybe offer a proposal from -- if management is 5 agreeing with all your ideas, then perhaps they can 6 present some proposals to us, and we'll take a look at 7 them and -- and move forward with that. 8 MR. McKENNA: Okay. If there are no questions, 9 I thank you very much for your time. 10 CHAIRWOMAN BOURGUET: You're very welcome. 11 Thank you for coming. 12 COMMISSIONER CORAZZA: Mr. McKenna, can I say 13 one thing to you? I know you go to Kentucky and you spend 14 a lot of money on your horses, and I appreciate your 15 comments. 16 You have to sell product, and if we don't sell 17 product, we're dead in the water. 18 MR. McKENNA: Procter & Gamble said it better -- 19 and Ford Motor -- if we don't start putting some money 20 into this thing -- and I'm talking about from the 21 Horsemen's Association as well as the tracks -- i.e., an 22 advertising -- long-range advertising program, we're 23 stupid. 24 We've got a product. We don't know how to sell 25 it. We're not merchandising. We're falling right on our</p>	<p style="text-align: right;">Page 39</p> <p>1 millions of dollars. We're talking about a grassroots 2 people that love horses and love their work. I think some 3 of these things should be looked at. 4 They'll come through -- I can't remember what 5 track. It's been Albuquerque. It's been SunRay. The 6 grooms can't have a crock pot or have any electrical 7 skillets. You know, where are they supposed to live? 8 These are all things you don't realize. 9 And if you move to another place, everybody 10 wants a six-month, one-year lease. Who can afford that? 11 You're only going to be there for two months. 12 You know, there's a lot of factors that go in 13 there that affect the horses. 14 And as far as one of the tracks and their late 15 request for stall changes and race dates and race breeds 16 at the last minute, they do it all the time. 17 Those black barns that I think are -- I don't 18 like them. That isn't what the horsemen approved. Last 19 minute, well, we got to take them or we don't have a race 20 meet. 21 The horsemen should be in charge of their own 22 destiny. The tracks get 45 percent of the gaming. The 23 horsemen have to split 20 percent between purses and the 24 breeders' awards. 25 Then on top of that, the racetracks can take 20</p>
<p style="text-align: right;">Page 38</p> <p>1 face. We have a lot to do. 2 COMMISSIONER CORAZZA: Thank you. 3 CHAIRWOMAN BOURGUET: Okay. Leslie Fincher? 4 MS. FINCHER: Hi. I'm kind of old school. I've 5 been here in New Mexico as a resident since 1986. I raced 6 prior -- probably '69 on -- and I see a lot of changes -- 7 especially in New Mexico -- where the horsemen helped get 8 the gaming in. 9 All these managements bowed and begged us to 10 help get it passed. Now that we've passed the golden 11 goose on to them, they're trying to take the eggs away 12 from the horsemen who the whole program was set up for. 13 For example, why are we paying half of their 14 jockeys insurance? 15 COURT REPORTER: I'm sorry; could you say that 16 again? 17 MS. FINCHER: Half of their jockeys insurance? 18 Why are we not allowed in the tracks 30 days before the 19 meet starts like we were in the past? 20 These people that aren't getting stalls -- the 21 owners, the trainers, the people that work with the horse, 22 that have to haul, why are they not being reimbursed for 23 their extra expenses? 24 If you're wondering why people are getting out 25 of the business, they can't afford it. We don't have</p>	<p style="text-align: right;">Page 40</p> <p>1 percent of their 20 percent to pay for promotions, like 2 giving away cars or tickets or whatever. 3 So, you know, I think the horsemen don't realize 4 how much money besides the jockey amounts they're paying 5 for. That shouldn't be the horsemen's fees. They're the 6 lowest man on the -- the totem pole -- other than the 7 Gaming Commission. What is it, the Anonymous -- 8 CHAIRWOMAN BOURGUET: Gaming Control Board? 9 MS. FINCHER: No, the Anonymous -- Gaming 10 Anonymous. 11 CHAIRWOMAN BOURGUET: Oh, the Gambling -- 12 MS. FINCHER: They get a percentage. 13 CHAIRWOMAN BOURGUET: Yeah. 14 MS. FINCHER: And all this needs to be looked 15 at. The people here, a lot of them train both breeds. 16 Our -- our race numbers are higher than the nationals -- 17 Saratoga, Del Mar, Santa Anita. We've got more horses per 18 race. 19 If we need to run more thoroughbred races, more 20 Quarter Horse races, let's increase the day -- number of 21 races a day. Several of these tracks have cut way back. 22 SunRay, sure you're going to have bigger purses. 23 You -- you've cut your days in half, so you've got a 24 quarter of a piece of pie instead of a slice of the pie, 25 but it justifies, you know, whatever, but they all wanted</p>

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<p style="text-align: right;">Page 41</p> <p>1 to run -- they promised they'd run 60 days. 2 And on the upside, I went to the Zia Festival, 3 and I enjoyed it very much. I was totally impressed by 4 Mr. Jeff True. 5 Every time I looked up, he was doing something. 6 He's herding people together in the winner's circle. He's 7 handing out silverware at the dinner table to people that 8 didn't have it. He's down by the church. You know, I'm 9 thinking, this guy is everywhere, he is trying, and I 10 appreciate seeing that. 11 And I -- I guess I have more. The -- the purse 12 deals and the CPAs and the accounting masters, their 13 pencils are real sharp for putting money in their pocket, 14 but the horsemen just keep having to pay more and more and 15 more. Those costs should be covered. 16 California offers incentives to get trainers in 17 there. They pay for their shipping and so much bonus 18 money. 19 CHAIRWOMAN BOURGUET: Okay. 20 MS. FINCHER: We won't even pay everyday 21 shipping. 22 MR. TREJO: Madam Chair -- 23 CHAIRWOMAN BOURGUET: Uh-huh. 24 MR. TREJO: -- three minutes. 25 MS. FINCHER: Okay. Thank you.</p>	<p style="text-align: right;">Page 43</p> <p>1 MR. RIVERA: No. I'm okay. 2 CHAIRWOMAN BOURGUET: Oh, you're fine, okay. 3 Thank you, Mr. Rivera. 4 Laura Bonar? 5 MS. BONAR: Hello, Madam Chair, members of the 6 Commission. My name is Laura Bonar. I work for Animal 7 Protection of New Mexico and Animal Protection Voters. We 8 are a statewide animal advocacy organization, been in the 9 state for 40 years. 10 We operate an animal cruelty hotline and have a 11 number of programs addressing animal cruelty issues all 12 over the state, including an equine protection fund which 13 has helped over 1,100 horses, donkeys, and mules all over 14 the state through direct assistance -- mostly to families 15 and individuals, but also to law enforcement agencies and 16 licensed horse shelters in the state. 17 And I'm here today with great respect for 18 everyone's hard work on this Commission and also for all 19 of the individuals who make up this industry, and I 20 realize that there's a lot of hard-working people who 21 support their families this way. 22 But, you know, there are -- there's been a lot 23 of attention nationally, as I'm sure you're aware, to 24 deaths of horses at racetracks -- sometimes referred to as 25 catastrophic breakdowns -- and, of course, I know that you</p>
<p style="text-align: right;">Page 42</p> <p>1 CHAIRWOMAN BOURGUET: Thank you, Leslie. Your 2 comments are always welcome. 3 MS. FINCHER: Thank you. 4 CHAIRWOMAN BOURGUET: I think some of your 5 concerns are concerns that I think the New Mexico 6 Horsemen's Association can address, so I encourage you to 7 talk with them and let us know, you know, where that 8 progress is. 9 We'll do anything that we can to help this 10 industry. You know that. 11 MS. FINCHER: Right. 12 CHAIRWOMAN BOURGUET: We appreciate your 13 comments. 14 Johnny Mac Hayes? 15 MR. MAC HAYES: Madam Chairman, my matter can be 16 handled outside of public comments. 17 CHAIRWOMAN BOURGUET: Oh, okay. 18 MR. MAC HAYES: Thank you very much. 19 CHAIRWOMAN BOURGUET: Okay. Thank you very 20 much. 21 Robert Rivera? 22 MR. TREJO: In the back. Are you going to 23 speak -- 24 MR. RIVERA: Me? 25 MR. TREJO: -- Mr. Rivera?</p>	<p style="text-align: right;">Page 44</p> <p>1 all -- we all know that those issues happen here in New 2 Mexico as well. 3 And I feel like following these issues over the 4 years in New Mexico, there's often a consensus -- a broad 5 consensus -- that people are broadly opposed to animal 6 cruelty and animal suffering. 7 But, you know, a catastrophic breakdown really 8 is like a euphemism for a really gruesome, horrible death 9 for a horse and, of course, that's related to these -- 10 these medications violations, the doping of the horses 11 that are -- that's masking pain. 12 So I -- I understand, you know, from -- from 13 hearing earlier in the meeting that there are some steps 14 that the Racing Commission is taking to address those 15 issues, but, you know, the -- the public -- the broad 16 public perception, I think, is that there's a lot of 17 cruelty in this industry. 18 And I realize that there are so many interests 19 to be balanced, but, you know, the horses are the ones 20 here who are paying the ultimate price. 21 You all know that they're very young when they 22 start racing, and the suffering that they can endure 23 during their careers -- and even afterwards -- it's really 24 even hard to find the words to -- to really adequately 25 express that.</p>

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<p style="text-align: right;">Page 45</p> <p>1 So I appreciate the sincerity of -- of the 2 Commission in trying to address these issues, but I think 3 New Mexico can take a lot more steps and -- and to -- to 4 not just pay lip service to this issue, but to really 5 seriously change the way things happen. 6 Of course, animal cruelty is horrible for the 7 animals themselves, but, you know, when -- when people are 8 doing cruel things to animals, it's bad for people too. 9 There's a link there between what happens to animals and 10 what happens to people in the communities. 11 CHAIRWOMAN BOURGUET: Yeah, I -- I -- I would 12 just like to address your concern, and thank you for 13 coming today. 14 I -- I think if you ask people in our industry, 15 we're all here because of one thing, and that's because we 16 love horses. 17 MS. BONAR: Uh-huh. 18 CHAIRWOMAN BOURGUET: We're very passionate 19 about the equine, and we are all engaged with our horses 20 and I -- like Mr. McKenna said, he had one horse and now 21 he has 60, he has a program for his retired horses. 22 You know, listen very well to what Mr. McKenna 23 had to say. He wants to stay in our business, and he's 24 trying to be helpful and say, you know, we have a 25 perception problem, and -- and I'd like to address that</p>	<p style="text-align: right;">Page 47</p> <p>1 and I appreciate that. 2 And, you know, one thing that I haven't ever 3 seen on the agenda of the recent Commission is -- is, you 4 know, investigation into some of these catastrophic 5 breakdowns. 6 I think -- I think you're right, you know, that 7 looking at the whole picture -- not just one piece of the 8 picture -- is important, but I think there's been almost 9 an underrepresentation of that side, to be honest, so 10 thank you for your comments. 11 CHAIRWOMAN BOURGUET: Okay. Thank you. We'll 12 try to do a better job of being more transparent. 13 MS. BONAR: Thank you. 14 CHAIRWOMAN BOURGUET: Uh-huh. Okay. I think 15 that concludes our public comment. I thank each and every 16 one of you, we want to hear your comments. Thank you for 17 taking the time to come and talk with us. It's a great 18 opportunity to hear your comments. 19 In regard to old business, A, authorization of 20 executive director to assign cases to hearing officers. 21 Mr. Elliot? 22 COMMISSIONER CORAZZA: Let me add -- to public 23 comments. 24 COURT REPORTER: I'm sorry; could you speak up? 25 I can't hear you.</p>
<p style="text-align: right;">Page 46</p> <p>1 with you, because you can help us with this perception 2 problem. 3 You know, we have a lot of horses here that 4 retire, and I can talk to you about me personally, 5 post-race life of -- of our horse, we make an effort to go 6 out and find a good home for our horse. 7 We give away horses. We sell them at give-away 8 prices to make sure it goes to a child that wants a horse, 9 that loves a horse, a barrel racer, a trail rider, and 10 those are the kinds of stories that I'd like to see you 11 promote and not just stick with just a fatality number. 12 That's a very small number, and we are 13 addressing that small number with what Mr. Trejo is 14 initiating with our -- the welfare of the equine, and I 15 think every track that's here today would like to be part 16 of that on -- on their track surfaces. 17 You know, I sincerely appreciate your 18 organization taking a look at this, but I would request -- 19 kindly request -- that you also take a look at the 20 positive things that we're doing at all of our tracks, all 21 of our backyards, all of our homes, you know, all of our 22 trainers. 23 There's a lot more to the story than just 24 focusing on one particular statistic. 25 MS. BONAR: Madam Chair, thank you very much,</p>	<p style="text-align: right;">Page 48</p> <p>1 COMMISSIONER CORAZZA: Do you want to -- 2 CHAIRWOMAN BOURGUET: I don't know where you 3 are. 4 COMMISSIONER CORAZZA: -- move on to new 5 business? 6 CHAIRWOMAN BOURGUET: No, we're on 9, old 7 business. 8 COMMISSIONER CORAZZA: Okay. 9 MR. ELLIOT: Yes, Madam Chair, members of the 10 Commission, this is a request that was previously put 11 before the Commission. It is essentially authorizing the 12 executive director to assign cases to hearing officers. 13 CHAIRWOMAN BOURGUET: Okay. This has been 14 discussed at the executive session. Do I hear a motion to 15 accept the authorization of our executive director to 16 assign cases to a hearing officer? 17 COMMISSIONER BUFFINGTON: So moved. 18 CHAIRWOMAN BOURGUET: Do I have a second? 19 COMMISSIONER SMITH: Second. 20 CHAIRWOMAN BOURGUET: Second by Commissioner 21 Smith. Motion initiated by Commissioner Buffington. 22 All those in favor say aye. 23 COMMISSIONER BUFFINGTON: Aye. 24 COMMISSIONER SANCHEZ: Aye. 25 COMMISSIONER SMITH: Aye.</p>

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<p>1 COMMISSIONER CORAZZA: Aye. 2 CHAIRWOMAN BOURGUET: Opposed? 3 Motion passes. 4 B, ratification of prior assignment of cases to 5 hearing officers. This is a ratification. 6 MR. ELLIOT: Yes. Madam Commissioner, members 7 of the Commission, this is, again, a renewed request to 8 ratify cases that had previously been assigned to hearing 9 officers by the -- by prior Commission related to May. 10 CHAIRWOMAN BOURGUET: Okay. Do I hear a motion 11 to ratify? 12 COMMISSIONER BUFFINGTON: So moved. 13 COMMISSIONER SMITH: Second. 14 CHAIRWOMAN BOURGUET: Okay. Commissioner 15 Buffington, Commissioner Smith. 16 Any discussion? 17 All those in favor say aye. 18 COMMISSIONER BUFFINGTON: Aye. 19 COMMISSIONER SANCHEZ: Aye. 20 COMMISSIONER SMITH: Aye. 21 COMMISSIONER CORAZZA: Aye. 22 CHAIRWOMAN BOURGUET: Opposed? 23 Motion passes. 24 C, ratification of approval of hearing officers 25 contracts.</p>	<p>1 updated, what have you, and we asked for input from 2 different stakeholders in the industry. 3 We did get some feedback from the horsemen. 4 They have a concern. I think the policy should be -- is 5 the first page in this section. The horsemen have a -- 6 had a concern. 7 On bullet point seven, they feel that -- at the 8 end of that -- that they -- the second retroactive purse 9 payment is made, it will be made to whoever qualifies; to 10 qualify, your horse must have earned purse money from the 11 first day of the meet versus during the time that the 12 second retroactive purse payment goes into effect, so 13 that's their -- their submission for a change. 14 The racetracks, on behalf of Mr. Dustin Dix, 15 they sent a letter in. It's my understanding that they -- 16 they're looking into perhaps doing away with the 17 retroactive policy, so the letter is in your book. 18 And the Jockeys' Guild, Ms. Mindy Coleman, 19 submitted a letter with some input. Their request, of 20 course, is focused on the percentage that the jockeys 21 should get from a retroactive purse payment, and I believe 22 they're asking for seven percent. 23 So that's some of the feedback that we got, but 24 I think this is certainly still a work in progress. 25 How we go about it, truthfully, you know, if</p>
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<p>1 MR. TREJO: Yes. Madam Chair, members of the 2 Commission, as previously stated, we did have one -- a 3 couple of submissions for contract for our hearing 4 officer. 5 We requested -- we approved Kevin Fitzwater, and 6 we're requesting ratification of that approval. 7 CHAIRWOMAN BOURGUET: Okay. Do I have motion on 8 the table here to -- 9 COMMISSIONER BUFFINGTON: So moved. 10 CHAIRWOMAN BOURGUET: So moved. Second? 11 COMMISSIONER SMITH: Second. 12 CHAIRWOMAN BOURGUET: Second. Buffington, 13 Smith. 14 Any discussion? 15 Hearing none, all those in favor say aye. 16 COMMISSIONER BUFFINGTON: Aye. 17 COMMISSIONER SANCHEZ: Aye. 18 COMMISSIONER SMITH: Aye. 19 COMMISSIONER CORAZZA: Aye. 20 CHAIRWOMAN BOURGUET: The motion passes. 21 D, retroactive purse distribution policy. 22 MR. TREJO: Yes. Madam Chair, members of the 23 Commission, a couple of weeks ago the agency sent out a 24 2006 retroactive policy that was put in place, and there's 25 been discussion that it should be modified, adjusted,</p>	<p>1 retros don't happen, we don't need a policy, so I think 2 there's going to be some better eyes kept on this, on the 3 purse money, between the horsemen, the racetracks, and the 4 agency itself. 5 We're going to start keeping an eye on how the 6 purse money is distributed, start tracking it. That way 7 we can avoid any retroactive payments in the future. 8 MS. BARBER: Excuse me. Mary Barber, New Mexico 9 Horse Breeders. 10 CHAIRWOMAN BOURGUET: Yes. 11 MS. BARBER: We have submitted a letter as well. 12 We just submitted it this morning and it should be in 13 front of you, but we would like to be included in the 14 distribution of funds on retro payments and be included in 15 the -- in the new policy. 16 CHAIRWOMAN BOURGUET: Okay. 17 MS. BARBER: So -- and if you can read the 18 letter I submitted this morning, I'd appreciate that. 19 CHAIRWOMAN BOURGUET: Yeah, I don't have that in 20 front of me. I'm so sorry. 21 MS. BARBER: It might be under some other 22 section. I'm not sure. 23 COMMISSIONER CORAZZA: Here. 24 MS. BARBER: I gave it to Rosemary before the 25 meeting.</p>

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<p>1 COMMISSIONER CORAZZA: Here it is. 2 CHAIRWOMAN BOURGUET: Oh, okay. Thank you. 3 For those of you in the public that don't know 4 what we're talking about, a retroactive payout is purse 5 money that was in the -- each respective track's account. 6 The track management that we're discussing at 7 this moment is Sunland Park, and there was \$770,739.53 8 left over in the account for Sunland Park; in other words, 9 that much money was left in the purse account that was not 10 distributed for races at that particular track. 11 Now, to single out or target Sunland Park, there 12 was also a retroactive payment at Zia Park for over 13 \$900,000 with the same situation, and in the past we've 14 had another track or two that's had similar situations. 15 I'm very concerned about this. We should not 16 have significant money left over in any purse account. 17 This should all be very transparent and distributed to the 18 purses for those of the owners and the jockeys that ride 19 our mounts and the trainers that train the horses. 20 You know, this money just can't sit there, and 21 so that's the reason that in May I said I think we need to 22 have a look at this before we distribute this money in any 23 particular way and -- and maybe revise our policy. 24 And -- but the only way we can really do that 25 wholeheartedly is if we have management, the Horsemen's</p>	<p>1 COMMISSIONER CORAZZA: -- item number D. 2 CHAIRWOMAN BOURGUET: Thank you. 3 COMMISSIONER SMITH: Second. 4 CHAIRWOMAN BOURGUET: Okay. Mr. Smith second. 5 Mr. Corazza made the motion. 6 Any discussion? 7 All those in favor, say aye. 8 COMMISSIONER BUFFINGTON: Aye. 9 COMMISSIONER SANCHEZ: Aye. 10 COMMISSIONER SMITH: Aye. 11 COMMISSIONER CORAZZA: Aye. 12 CHAIRWOMAN BOURGUET: Opposed? 13 Motion passes. 14 Moving on to 10, new business and/or action 15 items regarding licensing, approval of split testing 16 laboratories. Mr. Trejo? 17 MR. TREJO: Yes. Madam Chair, members of the 18 Commission, we respectfully submit and request approval of 19 split testing laboratories. 20 As the letter in your red book indicates, for 21 urine, blood, and hair samples, University of California, 22 Davis -- 23 COURT REPORTER: I'm sorry; could you speak up? 24 I can't hear. 25 MR. TREJO: I'm sorry. For urine, blood, and</p>
<p>Page 54</p> <p>1 Association, and the New Mexico Breeders Association take 2 a look. 3 And now we have Jockeys' Guild that would like 4 to participate, because the jockeys also get a percentage 5 of that, because now we have not allowed them to ride that 6 mount for a particular race, so they have not garnered any 7 funds from that race either. 8 So in order to be equitable, I agree with Mr. -- 9 or executive director Mr. Trejo that we take a further 10 look into this, and hopefully we'll have something by next 11 meeting, but whatever it takes, we're going to -- we're 12 going to do it the right way. 13 So at this time I think what we need to do is 14 just -- if there's any discussion from the commissioners, 15 any questions, I would entertain that. 16 Seeing none, hearing none, I would like to 17 continue tabling this and have a report at our next 18 meeting. 19 And we'll -- we will ensure that all the parties 20 convene. If I need to appoint someone from each 21 perspective organization, I will do that. Maybe we can 22 talk about that after the meeting. 23 Okay. We need to get a vote on that table. 24 COMMISSIONER CORAZZA: I move that we table -- 25 CHAIRWOMAN BOURGUET: Okay. Got a second?</p>	<p>Page 56</p> <p>1 hair samples, we request UC Davis. For urine and blood 2 samples, Truesdail Laboratories, Pennsylvania Equine 3 Toxicology & Research Laboratory, and Ohio the Department 4 of Agriculture. 5 CHAIRWOMAN BOURGUET: For the benefit of the 6 public here, Mr. Trejo, would you explain why we do split 7 testing? 8 MR. TREJO: Split testing is afforded to the 9 horseman per rule. In the case of a drug violation, the 10 sample is split. One sample is sent to the official 11 laboratory; the other sample is sent to our split testing 12 holding facility state lab here in Albuquerque. 13 Upon a violation, the trainer has the privilege 14 to request sending the split sample off to what we call a 15 referee laboratory for further analysis and confirmation 16 whether -- on the -- on the positive or not, so it's a 17 very important part of the due process for horsemen and 18 owners. 19 CHAIRWOMAN BOURGUET: Uh-huh. 20 MR. TREJO: Okay. 21 CHAIRWOMAN BOURGUET: Yes, it is part of our due 22 process. Anyone who has a positive has the right to send 23 their sample. 24 There's two samples. One is sent to our lab 25 that we've contracted with, and the other sample, the</p>

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<p>1 person that has a positive can send that split to one of 2 these split labs that we are approving. 3 Any discussion from the Commissioners? 4 COMMISSIONER CORAZZA: I'd just like to say that 5 those labs are ISO accredited, and they should feel very 6 confident in sending their samples there. 7 CHAIRWOMAN BOURGUET: Okay. Do I hear a motion 8 on the floor to approve the split testing laboratories 9 that are here as announced by Mr. Trejo? 10 COMMISSIONER BUFFINGTON: So moved. 11 COMMISSIONER SMITH: I so move. 12 CHAIRWOMAN BOURGUET: Okay. Mr. -- Commissioner 13 Smith, seconded by -- 14 COMMISSIONER BUFFINGTON: Second. 15 CHAIRWOMAN BOURGUET: -- Commissioner 16 Buffington. 17 Any discussion? Further discussion? 18 All those in favor say aye. 19 COMMISSIONER BUFFINGTON: Aye. 20 COMMISSIONER SANCHEZ: Aye. 21 COMMISSIONER SMITH: Aye. 22 COMMISSIONER CORAZZA: Aye. 23 CHAIRWOMAN BOURGUET: Opposed? 24 Hearing none, motion passes. 25 A-2, ratification of approval of the New Mexico</p>	<p>1 CHAIRWOMAN BOURGUET: Opposed? 2 Motion passes. 3 Number A-E -- A-3, ratification of approval of 4 stewards for the Downs at Albuquerque and the State Fair 5 for 2019 meets. 6 MR. TREJO: Yes. Madam Chair, members of the 7 Commission, we respectfully request ratification of 8 approval for the following stewards: Presiding steward, 9 Ron Walker; associate steward, Victor Escobar; associate 10 steward, John Adams for the Downs at Albuquerque race 11 meet. That's the 2000 (sic) race meet, as well as the New 12 Mexico State Fair race meet. 13 CHAIRWOMAN BOURGUET: Okay. Any discussion? 14 Questions? 15 COMMISSIONER CORAZZA: I move to ratify -- 16 CHAIRWOMAN BOURGUET: Commissioner Corazza? 17 COMMISSIONER CORAZZA: Oh, excuse me. There's 18 somebody in the back. 19 MR. ROYBAL: Madam Chair, per Robert's Rules of 20 Order, I would like to be recognized. 21 COURT REPORTER: I'm sorry; you -- 22 MR. ROYBAL: My name is Gary Roybal, and I'm 23 with LULAC. 24 CHAIRWOMAN BOURGUET: I'd like to make this 25 motion. I have a motion, and I don't have a second yet.</p>
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<p>1 Racing auditor for Downs at Albuquerque and State Fair in 2 2019 meets. 3 MR. TREJO: Yes. Madam Chair, members of the 4 Commission, we respectfully request ratification of 5 approval of Ms. Sheryl Edgar, CPA, for the auditor for the 6 State at Downs at Albuquerque and -- Downs at Albuquerque 7 and New Mexico State Fair race meets. 8 I believe she was the only one that submitted a 9 bid, and she was selected. 10 CHAIRWOMAN BOURGUET: Okay. Any discussion? 11 I move to hear a motion for ratification of 12 approval of New Mexico Racing Commissioner auditor for the 13 Downs at Albuquerque and the State Fair for 2019. 14 COMMISSIONER SMITH: I so move. 15 COMMISSIONER BUFFINGTON: Second. 16 CHAIRWOMAN BOURGUET: Commissioner? 17 COMMISSIONER BUFFINGTON: Second. 18 CHAIRWOMAN BOURGUET: Okay. Thank you, 19 Commissioner Smith and Commissioner Buffington. 20 Any further discussion? 21 All those in favor say aye. 22 COMMISSIONER BUFFINGTON: Aye. 23 COMMISSIONER SANCHEZ: Aye. 24 COMMISSIONER SMITH: Aye. 25 COMMISSIONER CORAZZA: Aye.</p>	<p>1 Mr. Roybal, could I listen to you after this is done, 2 please -- 3 MR. ROYBAL: Thank you. 4 CHAIRWOMAN BOURGUET: -- just to proceed with 5 the procedure? 6 MR. ROYBAL: I don't object. Thank you. 7 CHAIRWOMAN BOURGUET: Thank you. I appreciate 8 that. 9 COMMISSIONER SMITH: Second. I second it. 10 CHAIRWOMAN BOURGUET: Okay. A second by 11 Commissioner Smith. 12 Any discussion? 13 All those in favor say aye. 14 COMMISSIONER BUFFINGTON: Aye. 15 COMMISSIONER SANCHEZ: Aye. 16 COMMISSIONER SMITH: Aye. 17 COMMISSIONER CORAZZA: Aye. 18 CHAIRWOMAN BOURGUET: Opposed? 19 Motion passes. 20 Okay. Yes, Mr. Roybal. 21 MR. ROYBAL: I just -- Madam Chair, may I 22 approach? I -- 23 MR. ELLIOT: Mr. Roybal, I'm -- I'm sorry, but 24 just as a point of order, this is out of order. I mean, 25 we had public comment. Is this --</p>

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<p>1 MR. ROYBAL: Well, this -- this is --</p> <p>2 MR. ELLIOT: -- in relation to --</p> <p>3 MR. ROYBAL: -- this is my public comment.</p> <p>4 Excuse me, sir. This is a statute that I'd like to bring</p> <p>5 forward that regards to the appointment of stewards. This</p> <p>6 is our public comment.</p> <p>7 MR. ELLIOT: Okay. Are you objecting to the --</p> <p>8 MR. ROYBAL: No. I -- I would like to refer to</p> <p>9 Robert's Rules of Order. I just need to be recognized to</p> <p>10 discuss an issue with respect to a statute with respect to</p> <p>11 stewards.</p> <p>12 MR. ELLIOT: Is this the subject of a meeting</p> <p>13 that you had previously requested --</p> <p>14 MR. ROYBAL: No.</p> <p>15 MR. ELLIOT: -- with the Commission?</p> <p>16 MR. ROYBAL: No, sir.</p> <p>17 COMMISSIONER CORAZZA: He needs to get it on the</p> <p>18 agenda.</p> <p>19 COURT REPORTER: I'm sorry?</p> <p>20 MR. ELLIOT: I can -- we -- we do have an</p> <p>21 agenda.</p> <p>22 MR. ROYBAL: So the -- the -- the floor cannot</p> <p>23 be recognized per Robert's Rules of Order to discuss any</p> <p>24 of this on the --</p> <p>25 MR. ELLIOT: Well, the -- the question is --</p>	<p>1 yielding. That's very kind of you.</p> <p>2 A-4, ratification of approval of equine health</p> <p>3 and testing advisor.</p> <p>4 MR. TREJO: Yes. Madam Chair, members of the</p> <p>5 Commission, we respectfully request ratification of</p> <p>6 approval of Dr. Scot Waterman for the position of equine</p> <p>7 health and testing advisor. He was known to the</p> <p>8 Commission for bid.</p> <p>9 COMMISSIONER CORAZZA: I move to ratify.</p> <p>10 COMMISSIONER SMITH: Second.</p> <p>11 CHAIRWOMAN BOURGUET: Okay. Commissioner</p> <p>12 Corazza moved; Smith second.</p> <p>13 Any discussion?</p> <p>14 All those in favor say aye.</p> <p>15 COMMISSIONER BUFFINGTON: Aye.</p> <p>16 COMMISSIONER SANCHEZ: Aye.</p> <p>17 COMMISSIONER SMITH: Aye.</p> <p>18 COMMISSIONER CORAZZA: Aye.</p> <p>19 CHAIRWOMAN BOURGUET: Opposed?</p> <p>20 Hearing none, motion passes for ratification.</p> <p>21 A-5, ratification of approval for change in</p> <p>22 Ruidoso Downs stewards.</p> <p>23 MR. TREJO: Yes. Madam Chair, members of the</p> <p>24 Commission, I respectfully request ratification of</p> <p>25 approval in making Mr. Reuben Rivera the presiding steward</p>
<p>Page 62</p> <p>1 it's up to the Commission if they wish to allow you to</p> <p>2 speak, but I'm simply stating that it's at their</p> <p>3 discretion to do so.</p> <p>4 You're -- it's not on the agenda. You didn't</p> <p>5 address it in opening session -- I mean, on public</p> <p>6 comment.</p> <p>7 MR. ROYBAL: I -- I -- I agree. If the</p> <p>8 Commission agrees, that's fine, but if they don't, then</p> <p>9 it's at their discretion. Thank you for your advice.</p> <p>10 CHAIRWOMAN BOURGUET: Okay.</p> <p>11 COMMISSIONER CORAZZA: I would move that we ask</p> <p>12 Mr. -- this gentleman to do something for the next</p> <p>13 meeting, put it on the agenda.</p> <p>14 CHAIRWOMAN BOURGUET: You know, we're always</p> <p>15 interested in hearing what you have to say, Mr. Roybal --</p> <p>16 MR. ROYBAL: Okay.</p> <p>17 CHAIRWOMAN BOURGUET: -- and unfortunately, it</p> <p>18 doesn't follow the progression of the agenda right now,</p> <p>19 but?</p> <p>20 MR. ELLIOT: I'd be -- I'd be happy to speak</p> <p>21 with you afterwards.</p> <p>22 CHAIRWOMAN BOURGUET: Yes.</p> <p>23 MR. ROYBAL: You know, I would entertain that.</p> <p>24 I will yield. Thank you.</p> <p>25 CHAIRWOMAN BOURGUET: Okay. I appreciate your</p>	<p>Page 64</p> <p>1 for the remainder of the Ruidoso Downs race meet, and the</p> <p>2 addition of Mr. Jeff Williams appointed to an associate</p> <p>3 steward position for the State of New Mexico.</p> <p>4 CHAIRWOMAN BOURGUET: Okay. Any discussion?</p> <p>5 COMMISSIONER CORAZZA: I move to ratify.</p> <p>6 COMMISSIONER SMITH: Second.</p> <p>7 CHAIRWOMAN BOURGUET: Second. Mr. Corazza,</p> <p>8 Commissioner Smith.</p> <p>9 Any discussion?</p> <p>10 Hearing none, do I have a -- I have a motion.</p> <p>11 All those in favor say aye.</p> <p>12 COMMISSIONER BUFFINGTON: Aye.</p> <p>13 COMMISSIONER SANCHEZ: Aye.</p> <p>14 COMMISSIONER SMITH: Aye.</p> <p>15 COMMISSIONER CORAZZA: Aye.</p> <p>16 CHAIRWOMAN BOURGUET: Opposed?</p> <p>17 Motion passes.</p> <p>18 Okay. Moving to 10-B, the Downs at Albuquerque</p> <p>19 in regard to the request for approval for 2020 primary</p> <p>20 application/2020 race dates.</p> <p>21 COURT REPORTER: I'm sorry; ma'am, could you say</p> <p>22 that again?</p> <p>23 CHAIRWOMAN BOURGUET: We're tabling.</p> <p>24 MR. ELLIOT: Are we tabling these?</p> <p>25 CHAIRWOMAN BOURGUET: Yes.</p>

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<p>1 MR. ELLIOT: Okay.</p> <p>2 MR. TREJO: So we're tabling items one and two,</p> <p>3 but request for ratification of approval of amended list</p> <p>4 of officials and four is still on?</p> <p>5 CHAIRWOMAN BOURGUET: Yes.</p> <p>6 MR. TREJO: Okay.</p> <p>7 MR. COOK: Madam Chairman, members of the</p> <p>8 Commission, Don Cook with the Downs at Albuquerque. I</p> <p>9 believe items number one and two have been tabled.</p> <p>10 MR. ELLIOT: Do you wish --</p> <p>11 CHAIRWOMAN BOURGUET: Yes --</p> <p>12 MR. ELLIOT: -- to make a motion to table those?</p> <p>13 CHAIRWOMAN BOURGUET: -- I was just going to</p> <p>14 say --</p> <p>15 MR. COOK: The Downs at Albuquerque is</p> <p>16 requesting to table our 2020 race dates, and we are in</p> <p>17 negotiations with the horsemen at this time, so we hope to</p> <p>18 have a finalized race date with the Horsemen's Association</p> <p>19 soon, so --</p> <p>20 CHAIRWOMAN BOURGUET: Okay.</p> <p>21 MR. COOK: -- we're requesting to table our 2020</p> <p>22 dates and our 2020 primary application and our 2020</p> <p>23 simulcast license.</p> <p>24 CHAIRWOMAN BOURGUET: Okay.</p> <p>25 COMMISSIONER CORAZZA: I move to table.</p>	<p>1 COMMISSIONER BUFFINGTON: Aye.</p> <p>2 COMMISSIONER SANCHEZ: Aye.</p> <p>3 COMMISSIONER SMITH: Aye.</p> <p>4 COMMISSIONER CORAZZA: Aye.</p> <p>5 CHAIRWOMAN BOURGUET: Opposed?</p> <p>6 Motion passes.</p> <p>7 MR. COOK: Madam Chairman, requesting</p> <p>8 ratification of our cancellation of six races. Again,</p> <p>9 the, I believe, second weekend of the meet, we got an</p> <p>10 enormous amount of water.</p> <p>11 And I've got to hand it to the jockeys. They</p> <p>12 rode that Saturday night, and if I was a jockey, I</p> <p>13 wouldn't have -- I'm telling you -- but they did, but the</p> <p>14 next day it was -- it was still very wet underneath, so we</p> <p>15 had to cancel the last six races.</p> <p>16 We made the races up as extras the following</p> <p>17 week, but requesting ratification of those cancellation of</p> <p>18 the races.</p> <p>19 CHAIRWOMAN BOURGUET: Okay. I have a motion to</p> <p>20 accept the ratification.</p> <p>21 COMMISSIONER SMITH: So moved.</p> <p>22 COMMISSIONER BUFFINGTON: Second.</p> <p>23 CHAIRWOMAN BOURGUET: Commissioner Smith; second</p> <p>24 by Commissioner Buffington.</p> <p>25 Any discussion?</p>
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<p>1 CHAIRWOMAN BOURGUET: Move to table --</p> <p>2 COMMISSIONER SMITH: I second.</p> <p>3 CHAIRWOMAN BOURGUET: -- Corazza; second by</p> <p>4 Commissioner Smith.</p> <p>5 Any discussion?</p> <p>6 All those in favor say aye.</p> <p>7 COMMISSIONER BUFFINGTON: Aye.</p> <p>8 COMMISSIONER SANCHEZ: Aye.</p> <p>9 COMMISSIONER SMITH: Aye.</p> <p>10 COMMISSIONER CORAZZA: Aye.</p> <p>11 CHAIRWOMAN BOURGUET: Opposed?</p> <p>12 The motion passes.</p> <p>13 MR. COOK: Madam Chairman, members of the</p> <p>14 Commission, requesting ratification of our amended list of</p> <p>15 officials, and this was our gate crew and valets as</p> <p>16 submitted prior to the start of the meet.</p> <p>17 CHAIRWOMAN BOURGUET: Yes, we have that in here.</p> <p>18 Thank you.</p> <p>19 MR. COOK: Okay.</p> <p>20 COMMISSIONER CORAZZA: I move to ratify.</p> <p>21 COMMISSIONER SMITH: Second.</p> <p>22 CHAIRWOMAN BOURGUET: Any discussion?</p> <p>23 Okay. It's been moved by Commissioner Corazza;</p> <p>24 second by Commissioner Smith.</p> <p>25 All those in favor say aye.</p>	<p>1 All those in favor say aye.</p> <p>2 COMMISSIONER BUFFINGTON: Aye.</p> <p>3 COMMISSIONER SANCHEZ: Aye.</p> <p>4 COMMISSIONER SMITH: Aye.</p> <p>5 COMMISSIONER CORAZZA: Aye.</p> <p>6 CHAIRWOMAN BOURGUET: Any opposition?</p> <p>7 Hearing none, the motion passes.</p> <p>8 MR. COOK: Thank you.</p> <p>9 CHAIRWOMAN BOURGUET: Thank you, Mr. Cook. And</p> <p>10 I agree with you. I wouldn't have ridden in that mud</p> <p>11 either.</p> <p>12 MR. COOK: Madam Chairman, at this time -- I'm</p> <p>13 Don Cook, respecting the New Mexico State Fair -- I</p> <p>14 request to table our 2020 primary application and our 2020</p> <p>15 race dates.</p> <p>16 COMMISSIONER SMITH: So moved.</p> <p>17 CHAIRWOMAN BOURGUET: Okay. It's been moved by</p> <p>18 Commissioner Smith. Do I have a second --</p> <p>19 COMMISSIONER BUFFINGTON: Second.</p> <p>20 CHAIRWOMAN BOURGUET: -- to table?</p> <p>21 COMMISSIONER BUFFINGTON: Second.</p> <p>22 CHAIRWOMAN BOURGUET: Second, Commissioner</p> <p>23 Buffington.</p> <p>24 Any discussion?</p> <p>25 All those in favor say aye.</p>

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<p>1 COMMISSIONER BUFFINGTON: Aye. 2 COMMISSIONER SANCHEZ: Aye. 3 COMMISSIONER SMITH: Aye. 4 COMMISSIONER CORAZZA: Aye. 5 CHAIRWOMAN BOURGUET: Opposition? 6 Hearing none, the motion passes. 7 MR. COOK: Thank you. 8 CHAIRWOMAN BOURGUET: Okay. Sunland Park? 9 MR. DIX: Madam Chair, members of the 10 Commission, Dustin Dix, director of racing, Sunland Park 11 Racetrack. 12 Sunland Park requests for approval of 2020 13 primary application and race dates I believe we're 14 tabling; is that -- 15 CHAIRWOMAN BOURGUET: That's correct, uh-huh. 16 MR. DIX: So I'll make a request to table items 17 one and two. 18 CHAIRWOMAN BOURGUET: Okay. Do I have a motion? 19 COMMISSIONER CORAZZA: I move to table. 20 CHAIRWOMAN BOURGUET: Mr. Corazza's motion to 21 table. 22 COMMISSIONER SMITH: Second. 23 CHAIRWOMAN BOURGUET: Second by Commissioner 24 Smith. 25 Any discussion?</p>	<p>1 any retro, and we were not on the Commission at the time, 2 so we could not help in that oversight process. 3 I've talked to Mr. Trejo to take a look at how 4 that's established, why we did not know on a weekly basis 5 or monthly basis. 6 I think that's something that we will rectify 7 amongst all the people that are involved in that 8 oversight, and we're looking forward to -- maybe if 9 there's further suggestions that we can look at in 10 adopting the new policy, we'll certainly do that. 11 We -- we don't want to not pay out this money -- 12 MR. DIX: Correct. 13 CHAIRWOMAN BOURGUET: -- to the people that were 14 faithful and ran at the track. I -- I don't think we can 15 do that with -- 16 MR. DIX: But Madam Chair, I know Tom McKenna 17 wants his money as well, so -- 18 CHAIRWOMAN BOURGUET: We'll hear from Tom next 19 month, right? 20 MR. DIX: Madam Chair, if I could, we had a 21 conference call with the -- all the racetracks in regard 22 to a new policy. 23 As what we suggested amongst the -- the five 24 tracks was to do away with the policy and try to handle it 25 on a local committee level, and then if there was a</p>
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<p>1 All those in favor say aye. 2 COMMISSIONER BUFFINGTON: Aye. 3 COMMISSIONER SANCHEZ: Aye. 4 COMMISSIONER SMITH: Aye. 5 COMMISSIONER CORAZZA: Aye. 6 CHAIRWOMAN BOURGUET: Opposition? 7 Motion passes. Sunland Park? 8 MR. DIX: Thank you, Madam Chair. 9 The next item is request for approval for our 10 retroactive payout from the 2018-19 purse accounts, and 11 this was for the amount of \$770,639.90. 12 And it was to my understanding that we would 13 have to pay that policy out -- or that amount out under 14 our old policy, because that's what we were under at the 15 time, so I -- I'm making that request to -- to pay out 16 this retro under the 2006 policy. 17 CHAIRWOMAN BOURGUET: Okay. Any discussion -- 18 any commissioners -- on this request? 19 MR. DIX: And Madam Chair, before we pay the -- 20 the policy out, we'll get with the Commission and make 21 sure all the numbers and everything everybody is good with 22 on the auditor's side, and our horsemen's bookkeeper is 23 very well versed in this -- Adrianna. 24 CHAIRWOMAN BOURGUET: Yeah. Unfortunately, you 25 know, I've publicly come out and said I'm not happy with</p>	<p>1 dispute between the local committee, that would go to the 2 state board, and then we -- we were trying to leave the 3 Commission out of these retroactive -- of course, the goal 4 is to pay out all of our purse money during the meet. 5 I've been at Sunland Park for 17 years, and this 6 is the second time it's happened. The only other time was 7 the season we don't like to talk about, so you can figure 8 out what season that was. 9 The issue we have with a blanket policy for 10 Sunland Park is, the current policy from 2006, you have to 11 make a decision after your first book. 12 So the length of our racing season, we have an 13 additional five or six condition books, and the way the 14 purses work, a few good weeks, a few bad weeks, it's -- 15 it's tough to make a decision at that point, and the 16 length of each track's meet, it's -- a blanket policy is 17 tough to -- to put something out with the difference in 18 businesses between say, like, the SunRay Park and the 19 Sunland Park. That's what -- 20 CHAIRWOMAN BOURGUET: I -- I understand the 21 differences there -- 22 MR. DIX: Okay. 23 CHAIRWOMAN BOURGUET: -- but I think maybe that 24 could be inserted in the policy that for those having 25 condition books one, two, three -- whatever it takes --</p>

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<p>1 that, you know -- that there would be oversight or there 2 would be dates that would need -- you know, I don't know. 3 We need to take a look at that. 4 MR. DIX: No, I agree. 5 CHAIRWOMAN BOURGUET: But I agree with you. 6 Every management -- track management is different, but we 7 just need to apply the specifics to each one, make sure 8 that we have some oversight for every single track. 9 And it makes it better for you, makes it better 10 for everybody else. 11 MR. DIX: And -- 12 CHAIRWOMAN BOURGUET: You know, we're not trying 13 to micromanage anybody. We're just -- it's always good to 14 have a double -- double-eye policy. 15 MR. DIX: And Madam Chair, this kind of caught 16 everyone off guard, because I meet with my local committee 17 every two weeks during our live racing season. 18 If we thought there was a possibility of a purse 19 retro like that, we would have added races or -- or done 20 something at that point, so it kind of caught us all off 21 guard. 22 So it's -- it's a work in progress. It's an 23 inexact science, so it's something that the more eyes on 24 it, we welcome, so -- 25 CHAIRWOMAN BOURGUET: Okay. Thank you so much.</p>	<p>1 review your proposal so that we -- 2 MS. BARBER: It does not include the New Mexico 3 Horse Breeders. 4 COMMISSIONER BUFFINGTON: Well, I think -- 5 MS. BARBER: It mentions the jockeys. 6 COMMISSIONER BUFFINGTON: -- I think what we're 7 trying to approve, if I understand it right -- please feel 8 free to correct me if I'm wrong -- is we're trying to deal 9 with the retro that was under rules back then -- 10 COMMISSIONER SANCHEZ: Yes. 11 COMMISSIONER BUFFINGTON: -- and -- and what we 12 want to look at are looking at those rules going forward. 13 And I really don't believe we can change the 14 rules of the way the retro -- the past retro is 15 distributed. 16 I would think we need to follow the rules that 17 were in place when that retro occurred. We can work on 18 the future of new ways to -- to handle retros that come 19 up. 20 MS. BARBER: Thank you for your consideration. 21 COMMISSIONER BUFFINGTON: Uh-huh. 22 CHAIRWOMAN BOURGUET: Any other comments from 23 the Commission about the Horse Breeders? 24 Okay. I guess I would just add, Mr. Dix, 25 because according to her letter -- I'm just looking at</p>
<p>Page 74</p> <p>1 MR. DIX: Thank you. 2 CHAIRWOMAN BOURGUET: I appreciate your 3 comments. 4 MS. BARBER: Excuse me -- 5 CHAIRWOMAN BOURGUET: Yes. 6 MS. BARBER: -- Mary Barber, New Mexico Horse 7 Breeds. 8 We just respectfully ask that you look at our 9 proposal before you make a decision on this. 10 CHAIRWOMAN BOURGUET: Okay. 11 MS. BARBER: Okay. 12 CHAIRWOMAN BOURGUET: Oh, before we make a 13 decision on the -- 14 MS. BARBER: On the retro payment. 15 CHAIRWOMAN BOURGUET: -- 770,000? 16 COMMISSIONER BUFFINGTON: On the new policy 17 you're talking about. We're pretty well -- 18 CHAIRWOMAN BOURGUET: Are you talking about the 19 old -- 20 COMMISSIONER BUFFINGTON: Yeah. 21 CHAIRWOMAN BOURGUET: -- the past policy or -- 22 MS. BARBER: I'm talking about this retro 23 payment that they're about to pay out, if you would just 24 look at our proposal before you make a decision. 25 CHAIRWOMAN BOURGUET: Well, would you like to</p>	<p>Page 76</p> <p>1 this right now -- \$15,000 of their ten percent track 2 Breeder Awards and \$11,200 for their New Mexico-bred 3 horses that ran in overnight races for the 2018-2019 meet 4 totaled \$26,200 from the \$770,000 retro payment. 5 Is that something that could be added in your 6 discussions in that retro payment? 7 MR. DIX: Well, Madam Chair, members of the 8 Commission, my understanding -- and by all means, I'm not 9 an attorney, but I have one with me -- is that the retro 10 policy was under the 2006 policy when we had this, so my 11 understanding is that we can't change anything from this 12 retro of how we pay it out, that it was under that old 13 policy. 14 COMMISSIONER SANCHEZ: That's what you just 15 said. 16 COMMISSIONER BUFFINGTON: Which was what I was 17 trying -- 18 CHAIRWOMAN BOURGUET: Yeah. 19 COMMISSIONER BUFFINGTON: -- to say -- 20 CHAIRWOMAN BOURGUET: Right. 21 MR. DIX: And that's what -- 22 COMMISSIONER BUFFINGTON: -- maybe -- maybe not 23 as succinctly -- 24 MR. DIX: Well -- 25 COMMISSIONER BUFFINGTON: -- as you said it, but</p>

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<p>1 yes.</p> <p>2 CHAIRWOMAN BOURGUET: And in the old retro</p> <p>3 policy, Mr. Trejo, does it list the breeders association</p> <p>4 and Horsemen's Association or does it include the horsemen</p> <p>5 association as a part -- and the breeders in that one</p> <p>6 category, as sometimes we talk about it?</p> <p>7 MR. TREJO: Madam Chair, members of the</p> <p>8 Commission, and that's one reason why we want to progress</p> <p>9 with looking at this again is because there -- there's</p> <p>10 some unknowns that are already in practice that aren't</p> <p>11 listed on here, like the --</p> <p>12 CHAIRWOMAN BOURGUET: So what -- what is listed</p> <p>13 in there for the Horsemen's Association? Anything? I'm</p> <p>14 just -- I don't have it in front of me, so what does it</p> <p>15 say?</p> <p>16 MR. TREJO: It doesn't say anything.</p> <p>17 CHAIRWOMAN BOURGUET: Oh, okay. That's what I</p> <p>18 was asking.</p> <p>19 MR. TREJO: Yes, it's the one percent off the</p> <p>20 top the horsemen get, and there's nothing that reflects on</p> <p>21 what the jockeys should get either in the old policy.</p> <p>22 But they -- they are aware of this policy, as</p> <p>23 they were copied on it. This policy was sent to them back</p> <p>24 in 2006 is what I'm saying, the horsemen, the breeders.</p> <p>25 CHAIRWOMAN BOURGUET: And the -- and the</p>	<p>1 CHAIRWOMAN BOURGUET: That's what I'm trying to</p> <p>2 get clarification.</p> <p>3 COMMISSIONER BUFFINGTON: Our intent is to do it</p> <p>4 the way we historically have done it and the way the rules</p> <p>5 were back then, but historically how we did it, we're not,</p> <p>6 at this late date --</p> <p>7 MS. BARBER: Well, we'd certainly want to be --</p> <p>8 COMMISSIONER BUFFINGTON: -- looking at changing</p> <p>9 that.</p> <p>10 MS. BARBER: -- included in any distributions in</p> <p>11 the future.</p> <p>12 COMMISSIONER BUFFINGTON: Okay. Thank you.</p> <p>13 CHAIRWOMAN BOURGUET: Okay. Thank you.</p> <p>14 MS. BARBER: Thank you.</p> <p>15 MR. BEECH: Madam Chair?</p> <p>16 CHAIRWOMAN BOURGUET: Yes. I'm sorry.</p> <p>17 Mr. Beech?</p> <p>18 MR. BEECH: In previous retro distributions, the</p> <p>19 jockeys have been included in that.</p> <p>20 COMMISSIONER CORAZZA: Yes, they have.</p> <p>21 CHAIRWOMAN BOURGUET: Is that in there too,</p> <p>22 Mr. Trejo?</p> <p>23 MR. TREJO: Madam Chair, it is not. Once again,</p> <p>24 the reason for the update of this policy, there are some</p> <p>25 missing variables that were not in writing in here but</p>
<p>1 breeders, okay. Okay.</p> <p>2 MS. BARBER: I'm sorry. Excuse me. Could you</p> <p>3 send that to me again? I don't believe I received that.</p> <p>4 I don't remember getting that.</p> <p>5 MR. TREJO: It was before you and I were even</p> <p>6 around. It was 2006, which was way --</p> <p>7 MS. BARBER: Oh, so this wasn't sent out</p> <p>8 recently?</p> <p>9 MR. TREJO: No, ma'am.</p> <p>10 MS. BARBER: Okay.</p> <p>11 MR. TREJO: No.</p> <p>12 MS. BARBER: So the -- the breeders have just</p> <p>13 completely been excluded all these years.</p> <p>14 CHAIRWOMAN BOURGUET: Well, that's why I was</p> <p>15 asking for clarification, because a lot of times when we</p> <p>16 say Horsemen's Association, the breeders are included as</p> <p>17 horsemen, you know, so I didn't -- back in 2006, I don't</p> <p>18 know how -- what the language inferred.</p> <p>19 MS. BARBER: So the horsemen are getting a</p> <p>20 percentage, but the breeders really aren't.</p> <p>21 COMMISSIONER BUFFINGTON: Well, we don't know</p> <p>22 that --</p> <p>23 CHAIRWOMAN BOURGUET: We don't know that.</p> <p>24 COMMISSIONER BUFFINGTON: -- right -- right at</p> <p>25 this second.</p>	<p>1 were processed anyway through the bookkeeping process, the</p> <p>2 RTO system.</p> <p>3 It can calculate payouts to the jockeys and the</p> <p>4 horsemen, so --</p> <p>5 COMMISSIONER BUFFINGTON: And we're going to do</p> <p>6 it the way we historically did it this time, which</p> <p>7 includes those folks, because we have no choice.</p> <p>8 COMMISSIONER SANCHEZ: Yeah.</p> <p>9 CHAIRWOMAN BOURGUET: So if the jockeys aren't</p> <p>10 included -- if the jockeys are not included --</p> <p>11 COMMISSIONER CORAZZA: They are.</p> <p>12 CHAIRWOMAN BOURGUET: -- in the 2006 policy --</p> <p>13 COMMISSIONER CORAZZA: Yes, they are.</p> <p>14 COMMISSIONER BUFFINGTON: Yeah, they are.</p> <p>15 CHAIRWOMAN BOURGUET: They are? That's what I</p> <p>16 just asked Mr. Trejo. He said no.</p> <p>17 COMMISSIONER BUFFINGTON: But historically,</p> <p>18 that's how they did it.</p> <p>19 MR. TREJO: But historically, the practice has</p> <p>20 been to include the jockeys.</p> <p>21 COMMISSIONER CORAZZA: They have been getting</p> <p>22 it.</p> <p>23 CHAIRWOMAN BOURGUET: Yeah, I know historically,</p> <p>24 but it's not in writing.</p> <p>25 MR. BEECH: And that -- and the way they've been</p>

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<p>1 defining it or the formula for the use of it is upon the 2 jockey's participation in it. 3 Mr. Dix, is that what I understand? 4 MR. DIX: Yes. Madam Chair, the -- I believe 5 RTO has a program -- actually, New Mexico is one of the 6 few states that does retros -- and it automatically breaks 7 it out. 8 And I believe the -- the one percent to the 9 horsemen is by statute, and then there's a percentage that 10 goes to the jockeys, and then the rest goes to the owners 11 I believe is how it's paid out. 12 CHAIRWOMAN BOURGUET: Okay. Ms. Fincher? 13 MS. FINCHER: Just a comment. Having worked for 14 the New Mexico horsemen and doing the spreadsheets weekly, 15 monthly, yearly dates, most of the time in the past, 16 historically, the tracks overpaid or the purses were 17 overpaid. 18 When they go figure their new book, they figure 19 in what money they have from pari-mutuel, simulcasting, 20 and gaming. 21 Out of that total amount, you subtract all the 22 stakes races, and then what's left over from your program 23 goes into the daily races. 24 So if they overpay, at the end of the year 25 they're making up their losses, and we're not sitting here</p>	<p>1 COMMISSIONER BUFFINGTON: Second. 2 CHAIRWOMAN BOURGUET: Second. 3 COMMISSIONER CORAZZA: I second. 4 CHAIRWOMAN BOURGUET: Okay, Mr. Corazza. 5 Any discussion? Further discussion? 6 Those in favor say aye. 7 COMMISSIONER BUFFINGTON: Aye. 8 COMMISSIONER SANCHEZ: Aye. 9 COMMISSIONER SMITH: Aye. 10 COMMISSIONER CORAZZA: Aye. 11 CHAIRWOMAN BOURGUET: Opposition? 12 Hearing none, motion passes. 13 MR. DIX: Thank you, Madam Chair. 14 CHAIRWOMAN BOURGUET: Ruidoso Downs? 15 MR. TRUE: Thank you, Madam Chair and 16 Commissioners. Jeff True, Ruidoso Downs Racetrack & 17 Casino. 18 We're tabling all of our 2020 stuff, so I would 19 request that, please. 20 CHAIRWOMAN BOURGUET: Okay. Do I have a motion 21 on the floor to table requests one and two from Ruidoso 22 Downs? 23 COMMISSIONER SMITH: So moved. 24 CHAIRWOMAN BOURGUET: Mr. Smith. 25 COMMISSIONER BUFFINGTON: Second.</p>
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<p>1 wondering how we've got to divide their underpayment, so 2 there shouldn't be any \$700,000, \$900,000 sitting around. 3 CHAIRWOMAN BOURGUET: Okay. Thank you for your 4 comments. I think we're taking care of that. 5 So any other comments from the Commission? 6 Hearing none, thank you, Mr. Dix. I think we've 7 already tabled this, have we not? Have we not voted on 8 this? 9 COMMISSIONER SMITH: We haven't voted on the -- 10 to table the retro. 11 CHAIRWOMAN BOURGUET: That's what I was 12 wondering. Okay. Okay. So do I -- 13 MR. TREJO: Have you -- 14 CHAIRWOMAN BOURGUET: Yes? What? 15 MR. TREJO: Did you make your decision on this 16 already? I'm sorry; I might have missed it. 17 CHAIRWOMAN BOURGUET: Well, I think what's 18 before us is to -- let me just read this here -- request 19 for approval of retroactive payout of the 2018-19 purse 20 accounts; is that correct? 21 MR. DIX: That's correct, Madam Chair. 22 CHAIRWOMAN BOURGUET: Do I have a motion on the 23 floor? 24 COMMISSIONER SMITH: I so move. 25 CHAIRWOMAN BOURGUET: Commissioner Smith --</p>	<p>1 CHAIRWOMAN BOURGUET: Second from 2 Mr. Buffington. It's for a request for approval of 2020 3 primary application and 2020 race dates and 2020 simulcast 4 license. 5 Any further discussion? 6 All those in favor say aye. 7 COMMISSIONER BUFFINGTON: Aye. 8 COMMISSIONER SANCHEZ: Aye. 9 COMMISSIONER SMITH: Aye. 10 COMMISSIONER CORAZZA: Aye. 11 CHAIRWOMAN BOURGUET: Opposition? 12 Motion passes. 13 SunRay Park, request for approval of 2020 14 primary application/2020 race dates; number two, request 15 for approval of 2020 simulcast license. 16 Mr. Barber? 17 MR. BARBER: Lonnie Barber, director of racing, 18 SunRay Park & Casino. Good afternoon, Madam Chair, 19 Commissioners. 20 At this time I guess I would be asking to table 21 item one; simulcast -- 2020 simulcast licensing approval 22 of 2020 live race dates, number two. 23 CHAIRWOMAN BOURGUET: Okay. 24 COMMISSIONER SMITH: So moved. 25 CHAIRWOMAN BOURGUET: So moved, Commissioner</p>

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<p>1 Smith. Second? 2 COMMISSIONER BUFFINGTON: Second. 3 CHAIRWOMAN BOURGUET: Mr. Buffington. 4 Any further discussion? 5 All those in favor say aye. 6 COMMISSIONER BUFFINGTON: Aye. 7 COMMISSIONER SANCHEZ: Aye. 8 COMMISSIONER SMITH: Aye. 9 COMMISSIONER CORAZZA: Aye. 10 CHAIRWOMAN BOURGUET: Opposition? 11 Hearing none, motion passes. 12 Mr. Barber? 13 MR. BARBER: Item three, Madam Chair, is 14 ratification of 11 races ran on May 26th -- ratification 15 for approval there. 16 CHAIRWOMAN BOURGUET: Do I have a motion on the 17 floor to ratify to approve to run additional races that 18 were run, I believe, May 18th, 19th, 20th, for ten races, 19 and on the 23rd, eleven races? 20 MR. BARBER: I think ten races we ran were on -- 21 yes. Yes, that's true. 22 CHAIRWOMAN BOURGUET: Okay. 23 MR. BARBER: You're right. 24 CHAIRWOMAN BOURGUET: Okay. 25 COMMISSIONER CORAZZA: Move to ratify.</p>	<p>1 MR. BARBER: Yes. 2 CHAIRWOMAN BOURGUET: -- to the steward? 3 MR. BARBER: Yes, it is. 4 CHAIRWOMAN BOURGUET: It is? 5 MR. BARBER: Yes. It's his wife. 6 CHAIRWOMAN BOURGUET: Okay. Any further 7 discussion? 8 Hearing none, do I have a motion on the floor to 9 ratify the approval to amend the list of officials? 10 COMMISSIONER CORAZZA: I move to ratify. 11 COMMISSIONER SMITH: Second. 12 CHAIRWOMAN BOURGUET: Okay. Commissioner 13 Corazza, Commissioner Smith, motions. 14 Any further discussions? 15 All those in favor say aye. 16 COMMISSIONER BUFFINGTON: Aye. 17 COMMISSIONER SANCHEZ: Aye. 18 COMMISSIONER SMITH: Aye. 19 COMMISSIONER CORAZZA: Aye. 20 CHAIRWOMAN BOURGUET: Opposition? 21 Hearing none, motion passes. Thank you, 22 Mr. Barber. 23 MR. BARBER: Thank you. 24 CHAIRWOMAN BOURGUET: Zia Park? 25 MR. McERLEAN: Madam Chair, members of the</p>
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<p>1 CHAIRWOMAN BOURGUET: Ratify. 2 COMMISSIONER SMITH: Second. 3 CHAIRWOMAN BOURGUET: Okay. Mr. Corazza, 4 Mr. Smith. 5 Any further discussion? 6 All those in favor say aye. 7 COMMISSIONER BUFFINGTON: Aye. 8 COMMISSIONER SANCHEZ: Aye. 9 COMMISSIONER SMITH: Aye. 10 COMMISSIONER CORAZZA: Aye. 11 CHAIRWOMAN BOURGUET: Opposition? 12 Hearing none, motion passes. 13 Mr. Barber? 14 MR. BARBER: Ratification of racing officials, 15 which is a horsemen's bookkeeper, which -- 16 COURT REPORTER: I'm sorry; could you speak up? 17 I can't hear you. 18 MR. BARBER: Yes. The item four, ratification 19 of racing officials, that would pertain to Ms. Renee 20 Escobar as horsemen's bookkeeper for the last two weeks, I 21 think, and two weekends of a race meet, replacing Deborah 22 Ferguson. 23 CHAIRWOMAN BOURGUET: Okay. I just have a 24 question for you, Mr. Barber. Is that Victor Escobar's 25 wife or any relation --</p>	<p>1 Commission, Chris McErlean, Penn National Gaming, 2 representing Zia Park. 3 I'll make it unanimous. We would request to 4 table number one and two, racing application/racing dates 5 and simulcast license for 2020. 6 CHAIRWOMAN BOURGUET: Okay. 7 COMMISSIONER CORAZZA: I move to table. 8 COMMISSIONER SMITH: Second. 9 CHAIRWOMAN BOURGUET: Okay, Commissioner 10 Corazza, Commissioner Smith, motions made. 11 Any further discussion? 12 All those in favor say aye. 13 COMMISSIONER BUFFINGTON: Aye. 14 COMMISSIONER SANCHEZ: Aye. 15 COMMISSIONER SMITH: Aye. 16 COMMISSIONER CORAZZA: Aye. 17 CHAIRWOMAN BOURGUET: Opposition? 18 Motion passes. Thank you. 19 Mr. McErlean? 20 MR. McERLEAN: The next request was our 2019 21 purse schedule, which was submitted a couple of months ago 22 to both the Commission and to the horsemen's 23 representatives and breeders. 24 That does include a ten percent purse increase 25 from the 2019 race season, and we would -- we've received</p>

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<p>1 approval -- or tentative approval from the horsemen and 2 the breeders on the purse schedule, and we would request 3 approval from the Commission. 4 CHAIRWOMAN BOURGUET: No comments from the 5 Horsemen's Association or the breeders association? 6 Okay. Hearing none, do I have a motion on the 7 floor to accept the purse schedule for Zia Park for 8 2019-20? 9 COMMISSIONER CORAZZA: So moved. 10 COMMISSIONER BUFFINGTON: Second. 11 CHAIRWOMAN BOURGUET: Commissioner Corazza, 12 Commission Buffington. 13 Any further discussion? 14 Do I have a motion on the floor? Oh, yes, I do 15 have a motion on the floor. 16 All those in favor say aye. 17 COMMISSIONER BUFFINGTON: Aye. 18 COMMISSIONER SANCHEZ: Aye. 19 COMMISSIONER SMITH: Aye. 20 COMMISSIONER CORAZZA: Aye. 21 CHAIRWOMAN BOURGUET: Opposed? 22 Motion passes. 23 Yes? 24 MR. McERLEAN: Our final request is approval of 25 the 2019 condition book number one, which spans from</p>	<p>1 Okay. We're moving on -- 2 MR. McERLEAN: Thank you. 3 CHAIRWOMAN BOURGUET: Thank you so much. 4 MR. ELLIOT: Madam Chair, do you -- at this time 5 do you want to address the items in executive session 6 or -- 7 CHAIRWOMAN BOURGUET: Let's address the items in 8 the executive session. I think that's good. 9 MR. ELLIOT: Madam Chair, members of the 10 Commission, with respect to the matter of Trainer Joel 11 Marr, it's my understanding that the Commission wishes to 12 adopt the Race Review Committee's recommended -- 13 COURT REPORTER: I'm sorry; adopt -- 14 MR. ELLIOT: The Race Review Committee 15 recommended finding. 16 CHAIRWOMAN BOURGUET: Yes. Okay. Do we have a 17 motion on the floor? 18 COMMISSIONER SMITH: So moved. 19 CHAIRWOMAN BOURGUET: Okay, Commissioner Smith. 20 Second? 21 COMMISSIONER BUFFINGTON: Second. 22 CHAIRWOMAN BOURGUET: Second, Commissioner 23 Buffington. This is the matter to accept the Race Review 24 Committee's recommendation. Any further discussion? 25 All those in favor say aye.</p>
<p>1 September 21st till, I believe, October 8th. 2 That, again, was submitted, I believe, almost a 3 month, month and a half ago to the Commission, also to the 4 horsemen's representatives and the breeders. 5 We did receive some feedback, made some 6 adjustments that were requested, resubmitted it to all the 7 groups, and we were made aware that they were -- approved 8 of those changes, so we would ask for approval of the 9 condition book number one. 10 CHAIRWOMAN BOURGUET: Okay. Thank you very 11 much. 12 Do I have a motion on the floor to accept the 13 2019 condition book, please? 14 COMMISSIONER SMITH: So moved. 15 CHAIRWOMAN BOURGUET: Mr. Smith. Second? 16 COMMISSIONER BUFFINGTON: Second. 17 CHAIRWOMAN BOURGUET: Mr. Buffington. 18 Any further discussion? 19 All those in favor say aye. 20 COMMISSIONER BUFFINGTON: Aye. 21 COMMISSIONER SANCHEZ: Aye. 22 COMMISSIONER SMITH: Aye. 23 COMMISSIONER CORAZZA: Aye. 24 CHAIRWOMAN BOURGUET: Opposition? 25 Hearing none, motion passes.</p>	<p>1 COMMISSIONER BUFFINGTON: Aye. 2 COMMISSIONER SANCHEZ: Aye. 3 COMMISSIONER SMITH: Aye. 4 COMMISSIONER CORAZZA: Aye. 5 CHAIRWOMAN BOURGUET: Opposed? 6 Hearing none, it passes -- 3-A passes. 7 MR. ELLIOT: Madam Chair, members of the 8 Commission, in the matter of Trainer Jon Arnett and Owner 9 Larry Heigermeier, it's my understanding you wish to table 10 this at the request of his attorney. 11 CHAIRWOMAN BOURGUET: Okay. Do I have a motion 12 on the floor to table? 13 COMMISSIONER SMITH: So moved. 14 CHAIRWOMAN BOURGUET: Commissioner Smith. 15 Second? 16 COMMISSIONER BUFFINGTON: Second. 17 CHAIRWOMAN BOURGUET: Commissioner Buffington. 18 Any further discussion? 19 All those in favor say aye. 20 COMMISSIONER BUFFINGTON: Aye. 21 COMMISSIONER SANCHEZ: Aye. 22 COMMISSIONER SMITH: Aye. 23 COMMISSIONER CORAZZA: Aye. 24 CHAIRWOMAN BOURGUET: Opposition? 25 Hearing none, motion passes.</p>

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<p>1 MR. ELLIOT: Madam Chair, in the matter of the 2 settlement agreement provided by -- excuse me, for Trainer 3 Juan Torres, it's my understanding you wish to disregard 4 and not accept this proposal. 5 CHAIRWOMAN BOURGUET: That's correct. 6 MR. ELLIOT: Okay. 7 COMMISSIONER CORAZZA: I move that we do not 8 accept this settlement agreement. 9 COMMISSIONER SMITH: Second. 10 CHAIRWOMAN BOURGUET: Motion on the floor from 11 Mr. Corazza; second from Mr. Smith. 12 Any further discussion? 13 All those in favor say aye. 14 COMMISSIONER BUFFINGTON: Aye. 15 COMMISSIONER SANCHEZ: Aye. 16 COMMISSIONER SMITH: Aye. 17 COMMISSIONER CORAZZA: Aye. 18 CHAIRWOMAN BOURGUET: Opposition? 19 Motion passes. 20 MR. ELLIOT: Madam Chair, members of the 21 Commission, in the matter of Elliott Bachicha -- 22 CHAIRWOMAN BOURGUET: Bachicha. 23 MR. ELLIOT. -- Bachicha -- excuse me -- you 24 wish to dismiss the matter as ordered by the Court. 25 CHAIRWOMAN BOURGUET: That's correct. Got a</p>	<p>1 COMMISSIONER BUFFINGTON: Second. 2 CHAIRWOMAN BOURGUET: Commissioner Buffington. 3 Further discussion? 4 All those in favor say aye. 5 COMMISSIONER BUFFINGTON: Aye. 6 COMMISSIONER SANCHEZ: Aye. 7 COMMISSIONER SMITH: Aye. 8 COMMISSIONER CORAZZA: Aye. 9 CHAIRWOMAN BOURGUET: Hearing -- any opposition? 10 Hearing none, motions pass for E, F, and G. 11 MR. ELLIOT: Thank you. 12 CHAIRWOMAN BOURGUET: Thank you, Mr. Elliot. 13 Okay. I think the next item on the agenda is 14 the sixth racetrack license. 15 First, I want to acknowledge the applicants and 16 the community members in the audience today. Each of you 17 applicants have put tremendous time, money, and effort 18 into this proposal that's come before the Commission. You 19 have rallied support from your community, and some of you 20 are here today. 21 The passion that you've shown for horse racing 22 is what gives me confidence in the future of this great 23 sport in our great state of New Mexico. Thank you very 24 much. 25 We are not looking at the sixth racetrack at</p>
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<p>1 motion on the floor to dismiss the matter from the 2 Court -- 3 COMMISSIONER SMITH: So moved. 4 CHAIRWOMAN BOURGUET: -- it's in court? So 5 moved, Commissioner Smith. Do I have a second? 6 COMMISSIONER CORAZZA: Second. 7 CHAIRWOMAN BOURGUET: Mr. Corazza. 8 Any further discussion? 9 All those in favor say aye. 10 COMMISSIONER BUFFINGTON: Aye. 11 COMMISSIONER SANCHEZ: Aye. 12 COMMISSIONER SMITH: Aye. 13 COMMISSIONER CORAZZA: Aye. 14 CHAIRWOMAN BOURGUET: Opposition? 15 Hearing none, the motion passes. 16 MR. ELLIOT: Madam Chair, members of the 17 Commission, in the matters of items E, F, and G, it's my 18 understanding that the Commission, not having jurisdiction 19 over this matter, wishes not to pursue them any further. 20 CHAIRWOMAN BOURGUET: All right. Do I have a 21 motion on the -- oh, we -- we still need a motion on the 22 floor to -- 23 COMMISSIONER SMITH: So moved. 24 CHAIRWOMAN BOURGUET: Okay, Commissioner Smith. 25 Second?</p>	<p>1 this time. We believe this course of action is best for 2 the horse racing industry, and therefore in the best 3 interest of New Mexico. We have made this final decision. 4 It does not mean that we will not reopen this. 5 It just means that we do not want to give false hope to 6 any of the applicants, and at this time we are not -- we 7 are no longer tabling this issue, but we are saying that 8 we are not looking at a sixth track license at this time. 9 MR. SANCHEZ: Madam Chair, point of order. 10 COURT REPORTER: Could you state your name? 11 MR. SANCHEZ: I think that's legitimate, 12 according to the rules. When there's an inquiry -- 13 COURT REPORTER: Could you -- 14 COMMISSIONER BUFFINGTON: Identify yourself. 15 MR. SANCHEZ: My name is Raymond Sanchez. I'm 16 with Sanchez, Mowrer & Desiderio, a law firm here in 17 Albuquerque representing Full House Resorts. 18 COURT REPORTER: Could you come forward? Excuse 19 me. Could you come -- 20 COMMISSIONER BUFFINGTON: We're having a hard 21 time -- 22 COURT REPORTER: I can't hear you. 23 COMMISSIONER BUFFINGTON: -- hearing. 24 MR. SANCHEZ: Representing Full House Resorts. 25 Raymond Sanchez, Sanchez, Mowrer & Desiderio, representing</p>

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<p>1 Full House Resorts. 2 I'm -- the inquiry goes to the letter that the 3 Governor sent the Commission asking them to do a further 4 study -- my information is that that has not been 5 retracted -- unless you know something that I don't 6 know -- in order to determine whether or not the sixth 7 racetrack should be allowed. 8 My inquiry is, has that study been done? 9 Allegedly, the prior Commission did that. We never saw it 10 if it did, in fact, exist -- none of the applicants have, 11 and I don't think any of the tracks saw it -- trying to 12 determine the validity of whether or not we should 13 proceed. 14 My inquiry of you is, have you followed through 15 with the Governor's request or have -- were any of you 16 told prior to your appointment to this Commission not to 17 do that? 18 MR. ELLIOT: Madam, Chair, members of the 19 Commission -- 20 MR. SANCHEZ: And I want to know whether or not 21 that study has ever been even considered by this 22 Commission. 23 CHAIRWOMAN BOURGUET: I don't know. 24 MR. ELLIOT: Madam Chair, members of the 25 Commission, it's my understanding that the letter that's</p>	<p>1 talking about. 2 MR. SANCHEZ: -- the Governor that appointed 3 you, Governor Michelle Lujan Grisham. 4 CHAIRWOMAN BOURGUET: Right. 5 MR. SANCHEZ: And that letter should be in your 6 file. I know I have wrote some -- 7 CHAIRWOMAN BOURGUET: What letter? Mr. -- 8 Executive Director Mr. Trejo. 9 MR. TREJO: Madam Chair, members of the 10 Commission, the letter came about under the other 11 Commission -- 12 CHAIRWOMAN BOURGUET: Okay. Thank you very 13 much. I appreciate that comment. 14 MR. TREJO: -- for clarification. 15 CHAIRWOMAN BOURGUET: So we have not received a 16 letter. 17 MR. TREJO: We -- the Commission has -- 18 MR. SANCHEZ: I would respectfully -- 19 MR. TREJO: -- but not the Commissioners. 20 CHAIRWOMAN BOURGUET: Oh, okay. We have not, 21 sir, received that letter -- 22 MR. SANCHEZ: Well -- 23 CHAIRWOMAN BOURGUET: -- but I assure you -- 24 MR. SANCHEZ: -- I would think -- 25 CHAIRWOMAN BOURGUET: -- I assure you that we</p>
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<p>1 being referred to requested that the Commission conduct 2 further analysis before making a decision. 3 MR. SANCHEZ: That's correct. 4 MR. ELLIOT: Insofar as a decision has not been 5 reached, the report that you're asking about I don't 6 believe was -- was done. 7 But as far as any communications between the 8 Governor and the members, I would say -- and her 9 appointees -- I would say that that's between you and the 10 Governor, and you do not have to answer. 11 MR. SANCHEZ: Well, the letter was a public 12 letter that got distributed, and I'd respectfully -- 13 CHAIRWOMAN BOURGUET: I don't think I've seen 14 that letter you're talking about. 15 MR. SANCHEZ: That's unfortunate, because it 16 should be in your file and Izzy should have it and all of 17 you should have been given that letter when you were 18 appointed. 19 CHAIRWOMAN BOURGUET: Are you talking about 20 Governor Martinez? 21 MR. SANCHEZ: Yes. No, of course not. 22 CHAIRWOMAN BOURGUET: Well, you -- you just said 23 Governor, sir. 24 MR. SANCHEZ: Governor -- 25 CHAIRWOMAN BOURGUET: I don't know who you're</p>	<p>1 have compiled information. We've asked for information 2 from the New Mexico Horse Breeders Association for their 3 numbers. 4 We've asked for information from the New Mexico 5 Horse Breeders Association for their numbers, and we are 6 in the process of trying to put together a comprehensive 7 file. 8 It's not that it's been that difficult; it's 9 just trying to get someone to take that challenge on for 10 the health and welfare of our industry and finding the 11 funding for that, and as soon as we, you know, feel that 12 we've got enough information, that we are happy to be 13 transparent and put that out. 14 But there have been further -- there have been 15 additional studies from the past Commission, and those 16 studies were probably more reflective of the casino study 17 and information, but not necessarily of the horse numbers 18 in our state. 19 As you can tell, it's not an easy process. 20 Management says one thing, because they -- they're working 21 with their numbers, and the horsemen are looking at their 22 numbers, as well as the breeders. 23 So we're all trying to work together as a 24 healthy community, and we'll get that out as soon as we 25 can.</p>

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<p>1 COMMISSIONER SMITH: The studies I've looked at 2 contradict each other. One says it's good, one says it's 3 bad, you know, so it depends on who's doing the studies 4 whether it's good or bad. 5 MR. SANCHEZ: Well, that's -- that's the inquiry 6 that the Governor made as to whether or not additional 7 study should be done. She requested that of the 8 Commission. 9 I assume that goes forward with this Commission. 10 Maybe I'm mistaken in my interpretation of what the law 11 requires, but I've been around a little longer than your 12 learned counsel in dealing with these matters, so I would 13 suggest to you that -- 14 CHAIRWOMAN BOURGUET: Yeah. Well, we -- 15 MR. SANCHEZ: -- it would be important that the 16 public -- 17 CHAIRWOMAN BOURGUET: -- we are here to serve 18 the Governor because -- 19 MR. SANCHEZ: -- know the direction -- 20 CHAIRWOMAN BOURGUET: -- she loves our state -- 21 Michelle Lujan Grisham -- and we're here because we love 22 our state and we love our Governor, so please do not go 23 back and say anything other than, we are happy to 24 participate and cooperate in any manner. 25 As Mr. Trejo just said, we Commissioners have</p>	<p>1 in the media that there was some Commissioners on the 2 forum that did have some conflicts of interest, and as 3 long as there's not an appearance of impropriety, we don't 4 oppose anything. 5 It just -- the fairness -- whoever gets it 6 competes, and we compete on our own merits. That was our 7 existence for why we entered into litigation. 8 CHAIRWOMAN BOURGUET: Comments from the 9 Commission? 10 Thank you for your comments, sir. I think 11 you're referring to the past Commission -- 12 MR. MARTINEZ: Correct. 13 CHAIRWOMAN BOURGUET: -- and the conflicts were 14 the past Commission. 15 I'm happy to say I don't think we have any 16 conflicts at this table, and thank you for applying. We 17 really appreciate Lordsburg taking an interest in pursuing 18 a possibility for a sixth track license. 19 COMMISSIONER CORAZZA: Madam Chair, I move that 20 we adjourn. 21 CHAIRWOMAN BOURGUET: I'm hearing a motion to 22 adjourn. Do I have a second? Mr. Corazza. 23 MS. GARLEY: There's one additional item on the 24 agenda. 25 MR. ELLIOT: Approval of the August through</p>
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<p>1 not received that letter. We will take a look at that 2 letter, and we'll move forward. Thank you very much. 3 MR. SANCHEZ: Thank you very much for your 4 indulgence, and I -- I love this Commission. I love this 5 Governor also. I love this state. 6 And I have worked with the horsemen throughout 7 my entire career, so I understand your concern, but I do 8 have a concern that you're not following through with 9 what -- 10 CHAIRWOMAN BOURGUET: Okay. 11 MR. SANCHEZ: -- the Governor asked. 12 CHAIRWOMAN BOURGUET: And then after this 13 meeting we're going to do a Kumbaya, and we'll all be 14 happy people. 15 MR. MARTINEZ: Madam -- Madam Chair -- Madam 16 Chairperson, my name is Pablo Martinez. I'm representing 17 Lordsburg, and I concur with Raymond -- Mr. Raymond 18 Sanchez that, yes, it was even reported in the media that 19 you all received this letter. 20 Our only concern with Lordsburg was that the new 21 Commission consider doing a new study by a New Mexico 22 company that understands New Mexico, and that -- also that 23 you do hearings again and give everybody a chance, where 24 you don't have a -- anyone on the Commission that has 25 any -- any -- unfortunately, there was some stuff reported</p>	<p>1 November -- 2 (Multiple speakers.) 3 COURT REPORTER: I'm sorry; one at a time. I 4 can't hear. 5 MR. ELLIOT: I believe the item is approval of 6 the August through November 2019 Commission meeting dates. 7 CHAIRWOMAN BOURGUET: Okay. Thank you, 8 Commissioner Corazza. Let's just add one more item, and 9 then we will take your motion. 10 And where are those? 11 MS. GARLEY: The very last page. 12 CHAIRWOMAN BOURGUET: Oh, the very last page. 13 So it looks like on our page here, the next meeting would 14 be August 15th, but I thought I received something in an 15 email that said August 29th. 16 MS. GARLEY: Yes, it has the wrong one in there. 17 CHAIRWOMAN BOURGUET: Yes, it is. 18 MR. TREJO: I'll read them off. 19 CHAIRWOMAN BOURGUET: Could we have a 20 correction? 21 MR. TREJO: Yes. Madam Chair -- 22 CHAIRWOMAN BOURGUET: Yes. 23 MR. TREJO: -- members of the Commission, if 24 you'd like me to just read them off -- 25 CHAIRWOMAN BOURGUET: Yeah, please.</p>

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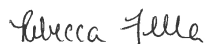
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1 MR. TREJO: -- in the spirit of expediting this.
 2 We propose the dates of Thursday, August 29th,
 3 2019, 9:00 a.m. in Albuquerque. We requested -- proposed
 4 Thursday, September 26th, 2019, at 9:00 a.m. in
 5 Albuquerque. We proposed Thursday, October 17th, 2019, at
 6 9:00 a.m. in Albuquerque, and last, we proposed Thursday,
 7 November 21st, 2019, at 9:00 a.m. in Albuquerque, with no
 8 December meeting.
 9 CHAIRWOMAN BOURGUET: That's not Thanksgiving
 10 weekend, is it?
 11 MR. TREJO: No, it's the week prior.
 12 CHAIRWOMAN BOURGUET: Oh, okay. Well, I'm not
 13 missing out on my turkey meal, so okay. Thank you for
 14 those corrections on our future meeting dates.
 15 Any further discussion from the Commission?
 16 Do I have a motion on the floor? I think I did.
 17 Commissioner Corazza made the motion. Do I have a second?
 18 MR. SMITH: Second.
 19 CHAIRWOMAN BOURGUET: Commissioner Smith. All
 20 those in favor.
 21 COMMISSIONER BUFFINGTON: Aye.
 22 COMMISSIONER SANCHEZ: Aye.
 23 COMMISSIONER SMITH: Aye.
 24 COMMISSIONER CORAZZA: Aye.
 25 CHAIRWOMAN BOURGUET: Aye. Opposition?

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1 Hearing none, motion passes.
 2 I just need a motion to adjourn this meeting,
 3 please.
 4 COMMISSIONER SMITH: Motion to adjourn.
 5 CHAIRWOMAN BOURGUET: Okay, motion to adjourn.
 6 Second?
 7 COMMISSIONER BUFFINGTON: Second. I hate to.
 8 I'm having so much fun, but I will second.
 9 CHAIRWOMAN BOURGUET: Okay. Any discussion?
 10 All those in favor say aye.
 11 COMMISSIONER BUFFINGTON: Aye.
 12 COMMISSIONER SANCHEZ: Aye.
 13 COMMISSIONER SMITH: Aye.
 14 COMMISSIONER CORAZZA: Aye.
 15 CHAIRWOMAN BOURGUET: Opposition?
 16 Hearing none, motion passes. Thank you very
 17 much, everybody.
 18 (Proceedings concluded at 12:55 p.m.)
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1 STATE OF NEW MEXICO)
 2)ss.
 3 COUNTY OF BERNALILLO)
 4
 5 I, Rebecca Fella, the officer before whom the
 6 foregoing PUBLIC HEARING was taken, do hereby certify that
 7 the foregoing PUBLIC HEARING was personally recorded by
 8 machine shorthand; that said PUBLIC HEARING is a true
 9 record; that I am neither attorney nor counsel for, nor
 10 related to or employed by any of the parties to the action
 11 in which this PUBLIC HEARING is taken, and that I am not a
 12 relative or employee of any attorney or counsel employed
 13 by the parties hereto or financially interested in the
 14 action.
 15
 16 
 17 REBECCA FELLA
 18 CCR License Number: 534
 19 Expires: 12/31/19
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