

NEW MEXICO HORSE RACING COMMISSION
MINUTES OF THE REGULAR MEETING

Date: April 17, 2025, at 9:00 a.m.

Place: NMRC Boardroom; 4900 Alameda Blvd., NE, Albuquerque, NM and MS Teams Video Conference – Meeting ID: 259 449 034 602

Members Present: Commissioners John Buffington, Billy Smith, and Robert “Bob” Pitre.

NMRC Staff Participating: Executive Director Ismael Trejo, In-House Counsel Richard Bustamante, and Law Clerk Denise Chavez.

<i>AGENDA ITEM</i>	<i>RECORDING #</i>	<i>DISCUSSIONS/CONCLUSIONS/ RECOMMENDATIONS</i>	<i>ACTION TAKEN</i>
Public Session 1: I. Call to Order and Roll Call	0:35:23 – 0:35:56	Meeting called to order at 9:00 a.m. by Commissioner Billy Smith. A quorum was present. Executive Director Ismael Trejo, In-House Counsel Richard Bustamante, and Law Clerk Denise Chavez were also present.	No Action Taken.
II. Pledge of Allegiance	0:36:04 – 0:36:23		Pledge of Allegiance was recited.
III. Approval of Agenda	0:36:27 – 0:36:47	Commissioner Smith asked if there were any changes to the agenda today. No changes to today’s Agenda.	Motion to approve the agenda as submitted made by Commissioner Buffington. Commissioner Pitre second the motion. Motion passed unanimously by roll call vote.

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IV. Approval of Minutes: March 20, 2025 – Regular Commission Meeting	0:36:49 – 0:37:11	Commissioner Smith asked if the minutes for the March 20, 2025, regular meeting were reviewed and if there were any changes. There were no changes.	Motion to approve the minutes of the March 20, 2025, meeting made by Commissioner Buffington; Second by Commissioner Pitre. Motion passed unanimously.
V. Commissioners' Reports	0:37:13 – 0:37:24	None	No Action Taken.
VI. Agency Director Reports: A. NMRC Report	0:37:25 – 0:42:44	<ul style="list-style-type: none"> Executive Director Trejo began by congratulating Zia Park management, Sunland Park management, all the regulatory vets at those race meets, track man, George Moncrief, and the horsemen who participated at those two race meets for the lowest catastrophic numbers seen at back-to-back race meets in Executive Director Trejo's nine years here in NM. TB catastrophic rate at Zia Park was .849 per 1000 starts. The national average at HISA tracks in 2024, the catastrophic rate was .9 per 1000 starts. The catastrophic rate for non-HISA tracks in 2024 was 1.76 per 1000 starts. Sunland Park's catastrophic rate this year was .525 per 1000 starts. 	No Action Taken.

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B. NMHBA Report	0:42:48 – 0:46:33	<p>Executive Director Trejo responded that at this time, he is not aware of any, however, believes that lawsuits can certainly happen.</p> <p>Mary Barber presented the Race-A-Day Report for Sunland Park through Sunday, March 9, 2025, stating it ran 139 NM Bred Races in 38 days through Sunday, March 9, 2025. In overnight races, the NMHBA contributed \$1,254,500.00 which was \$41,500.00 less than in 2024. It averaged 3.66 NM Bred per day, 638/73 for three a day.</p>	
VII. Executive Session: A) NMHA v. NMRC (Pending Litigation)	0:46:33 – 0:47:18	<p>Chairman Smith called for a motion to enter into executive session. Vice-Chairman Buffington moved for the Commission to enter into executive session to discuss the items listed in the agenda, pursuant to Sections 10-15-1H(1), H(3) and H(7) of the Open Meetings Act authorizing closed sessions for matters related to issuance, suspensions, renewal or revocation of a license; deliberations on adjudicatory proceedings and pending or threatened litigation.</p>	<p>Motion to enter into Executive Session made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote.</p> <p>No action taken on Agenda Item VII (A-C).</p>
<u>VIII. Unfinished/New Business and/or Action Items:</u>	1:38:27 – 1:38:53	In-House Counsel Bustamante affirmed the Commission only discussed in Executive Session those matters listed under Items 7. A which was	

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A. IMO: Lynyl J. Benn (Licensing)	1:39:05 – 1:39:54	<p>pending litigation and/or licensing matters as identified under Item VII of the meeting Agenda, in accordance with NMSA 1978, Sections 10-15-1(H)(1), (3) and (7) of the Open Meetings Act.</p> <p>The Commission reviewed documents submitted by Mr. Benn and took his request to be licensed as a trainer into consideration. The Commission deliberated in open session and agreed that due to Mr. Benn's charges, his request to be licensed by the NMRC is hereby denied.</p>	<p>Motion to deny Mr. Benn's request to be licensed by the NMRC made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote.</p>
B. Request for Approval of 2025 SunRay Park's Stewards	1:39:55 – 1:41:18	<p>Executive Director Trejo requested approval of the 2025 SunRay Park Stewards: Presiding Steward, Julie Kagno, Geoff Waxler and Liz Garcia.</p>	<p>Motion to approve SunRay Park's 2025 Stewards as presented made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote.</p>

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<p>C. Request for Approval of a 3-Month Grace-Period Regarding 15.2.6.9(B)(5) NMAC (Out-of-Competition Testing Penalties for Hair Violations)</p> <p>D. Approvals for Zia Park</p> <p>1. Request for Approval of 2025 Stakes Schedule</p> <p>2. Request for Approval of 2025 Nomination Blanks for NM Classic Derby & Futurity</p>	<p>1:41:21 – 1:43:11</p> <p>1:43:16 – 1:46:37</p> <p>1:46:38 – 1:47:40</p>	<p>Executive Director Trejo requested approval of a 3-month grace period regarding the new out-of-competition testing penalties for hair violations. Chairman Smith reported that some believed that out-of-competition testing was not happening for 3 months. Executive Director Trejo said, hair testing will continue, penalties for horses will still be applied for any violations pursuant to 15.2.6.9 J in its entirety, however, we are requesting a grace period for penalties for trainers whose horses come up with a bad hair test.</p> <p>Mr. McErlean requested approval of Zia Park's 2025 Stakes Schedule. Changes made to the stakes schedule were: a couple purses were lowered from \$125k to \$100k – Zia Park Championship (TBs) and Zia Park Championship (QHs). The Hobbs Fall Classic is a 2-yo race that usually occurs on closing day, has been split into an open race and a race exclusive for 2-year-olds fillies, state-breds. The distance was also lessened. The changes were agreed by NMHBA; added \$50k for each, making the two races \$100k total. NM QH Classic for state bred was upgraded by the American QH Association Graded Stakes from a restricted grade 2 to a restricted grade 1.</p> <p>Mr. McErlean requested approval of 2025 Nomination Blanks for NM Classic Derby & Futurity. The only change from last year is Zia</p>	<p>Motion to approve a 3-month grace period for OOC Testing Penalties for Hair Violations made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote.</p> <p>Motion to approve Zia Park's 2025 Stakes Schedule made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote.</p> <p>Motion to approve the 2025 NM Classic Derby & Futurity</p>

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		Park made a change on the supplement for entries – it went from \$6,000 to \$7,500. Other than that, everything else remains the same.	Nomination Blanks made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote.
3. Request for Approval of 2025 Gaming & Breakage	1:47:43 – 1:48:32	Mr. McErlean requested approval of 2025 Gaming & Breakage.	Motion to approve 2025 Gaming & Breakage for Zia Park made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote.
E. Approvals for Sunland Park			
1. Request for Ratification of Approval to Run 11 Races on March 28, 29 and 30, 2025 and 12 Races on April 6, 2025	1:48:43 – 1:49:25	Mr. Dix requested ratification of approval to run 11 races on March 28, 29 and 30, 2025 and 12 races on April 6, 2025.	Motion to ratify the approval to run 11 races on March 28, 29 and 30 and 12 races on April 6, 2025 made by Commissioner Buffington. Commissioner Pitre seconded the motion.

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2. Request for Ratification of Approval to Amend 2025 Racing Officials (Fernando Munoz & Lorenzo Urbina)	1:49:26 – 1:49:59	Mr. Dix requested ratification of approval to amend 2025 racing officials. Mr. Dix stated that Mr. Fernando Munoz had jury duty and Mr. Urbina assisted with Mr. Munoz's duties on that day as a valet and his regular duties as an assistant starter.	Motion passed unanimously by roll call vote.
	1:50:04 – 1:54:31	Mr. Dix reported, as mentioned by Executive Director Trejo, Sunland Park is very excited about its catastrophic rate this past race meet. Both on and off-track handles were down slightly (less than 1%). Great crowds. Vice-Chairman Buffington asked Mr. Dix to get with Mr. Trejo and turn in the end-of-the race meet report to him.	Motion to ratify the approval to amend 2025 Racing Officials made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote.
F. Approvals for SunRay Park		Fred Heinrich thanked Izzy and Richard and the NMRC team for attending lots of evenings/days in Santa Fe helping to get bills passed for the good of the racing industry in NM.	
1. Request for Approval of Payment of Purses Pursuant to 15.2.3.8(D)(4)(a) NMAC	1:54:46 – 1:55:18	Executive Director Trejo requested approval of payment of SunRay Park's Purses pursuant to 15.2.3.8(D)(4)(a) NMAC for SunRay Park.	Motion to approve payment of purses made by Commissioner Buffington. Commissioner Pitre seconded the motion.

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G. Approvals for Ruidoso Downs 1. Request for Approval of 2025 Racing Officials 2. Request for Ratification of Approval of 2025 Condition Book (Book #1)	1:56:12 – 1:58:09 1:58:10 – 1:58:38	Mr. Rick Baugh of Ruidoso Downs requested approval of 2025 Racing Officials. Mr. Baugh requested approval of 2025 Condition Book (Book #1).	Motion passed unanimously by roll call vote. Motion to approve 2025 Racing Officials made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote. Motion to ratify the approval to run 11 races on March 28, 29 and 30 and 12 races on April 6, 2025 made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote.
H. Race Reviews 1. IMO: Casey T. Lambert	2:20:07 – 3:08:30	The Commissioners heard arguments from both Casey T. Lambert and state Steward Geoff Waxler. They reviewed material submitted by State	Motion to uphold the Stewards decision to keep the order of

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		Steward Waxler and viewed the replay of the race #1 that ran on February 14, 2025 at Sunland Park. Steward Waxler presented that following the first race, an owner of the #4 horse lodged an objection against the #6 horse approaching the quarter pole. After reviewing the replay of the race, the stewards determined there was insufficient evidence to support the claim of foul. The jockey of the #4 horse did not lodge an objection, ultimately causing the BOS' decision not to change the order of finish.	finish made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed 2-1 by roll call vote.
X. Adjournment at 11:33 AM	3:09:00 - end	Chairman Smith adjourned meeting.	


 Billy G. Smith, Chairman

5/15/25
 Date


 Executive Director Ismael Trejo

5-15-25
 Date