

NEW MEXICO HORSE RACING COMMISSION
MINUTES OF THE REGULAR MEETING

Date: March 20, 2025, at 9:00 a.m.

Place: NMRC Boardroom; 4900 Alameda Blvd., NE, Albuquerque, NM and Zoom Video Conference – Meeting ID: 832 5063 5296

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		Meeting called to order at 9:09 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			Pledge of Allegiance was recited.
III. Approval of Agenda		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: February 20, 2025 – Regular Commission Meeting		Commissioner Smith asked if the minutes for the February 20, 2025, regular meeting were reviewed and if there were any changes. There were no changes.	Motion to approve the minutes of the February 20, 2025, meeting made by Commissioner Buffington; Second by Commissioner Pitre. Motion passed unanimously.
V. Commissioners' Reports		None	No Action Taken.
VI. Agency Director Reports: A. NMRC Report		<ul style="list-style-type: none"> Executive Director Trejo began by thanking the one and only in-person attendee, Beth McKinney for being at our month regular commission meeting. Executive Director Trejo reported that Senate Bill 92 passed late March 19, 2025. Executive Director Trejo reported that the NMRC (staff and Commissioners) are getting calls asking what is going on between NMRC and the New Mexico Horsemen's Association. Executive Director Trejo reported that in the spirit of a resolution, the NMRC Chairman, Executive Director Trejo, In-House Counsel, tracks' management, NMHA's Pam Sena, and Paul Jenson met on March 4, 2025. The meeting made great headway and a 4-prong agreement was made at 3:30 	No Action Taken.

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VII. Executive Session: A) NMHA v. NMRC (Pending Litigation)		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.	Motion to enter into Executive Session made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote. No action taken on Agenda Item VII (A).
VIII. <u>Unfinished/New Business and/or Action Items:</u> A. Request for Ratification of Approval to Amend 2025 Sunland Park's Stewards	0:06:29 – 0:06:46 0:06:49 – 0:07:33	In-House Counsel Bustamante affirmed the Commission only discussed in Executive Session those matters listed under Items 7. A which was 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. Executive Director Trejo requested ratification of approval to amend 2025 Sunland Park's Stewards, due to one of the prior approved stewards had to sit out for medical reasons.	Motion to ratify the approval to amend Sunland Park's 2025 Stewards as presented made by Commissioner Buffington.

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<p>B. Approvals for SunRay Park</p> <p>1. Request for Approval to Amend 2025 Racing Officials</p>	0:07:39 – 0:10:02	Mr. Tim McKernan of SunRay Park requested approval to amend SunRay Park's 2025 Racing Officials. Executive Director Trejo reported that after discussions with Mr. Moreland of SunRay Park, Mr. Moreland asked if the Commission would approve 2 of the outriders listed (Lexie LeFebre and Clent Wood) contingent on them getting sufficient training and documentation of such training before allowing them to be licensed as they have no prior experience as outriders. Mr. McKernan said training will be done and notification will be sent to Executive Director Trejo.	<p>Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote.</p> <p>Motion to approve SunRay Park's 2025 Racing Officials made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote.</p>
<p>C. Approvals for Sunland Park</p> <p>1. Request for Ratification of Approval to Amend 2025 Racing Officials (Juan Carlos Cordero & Adriana Munoz)</p>	0:10:07 – 0:11:09	Mr. Dustin Dix of Sunland Park requested ratification of approval to amend Sunland Park's 2025 Racing Officials. Mr. Juan Carlos Cordero as Assistant Starter to remove Gilbert Silva and Adriana Munoz will be filling in as horsemen's bookkeeper on Sunday, March 2, 2025 through closing week so Ms. Blancett can work at SunRay Park.	<p>Motion to ratify the approval to amend Sunland Park's 2025 Racing Officials made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote.</p>

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<p>2. Request for Ratification of Approval of Variance on February 27, 2025 and March 6, 2025 (poor air quality)</p>	0:11:10 – 0:21:06	<p>Mr. Dix requested ratification of approval of the variance on February 27, 2025 and March 6, 2025 due to poor air quality.</p> <p>Vice-Chairman Buffington asked Mr. Dix how Sunland Park plans on making up these races that were cancelled and how successful was the made up races. Mr. Dix explained they added races as extras to make up for the races that were canceled. Vice-Chairman reminded Mr. Dix that a better plan needs to be made. This is not the first year winds have been horrible – it's the time of year! Vice-chair Buffington asked Executive Director Trejo how other tracks deal with issues like this. Vice-Chairman Buffington would like to see some proactive plans to run what was approved by the Commission.</p>	<p>Motion to ratify the approval of the Variance on February 27 and March 6, 2025 made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote.</p>
<p>3. Request for Ratification of Approval to Run 11 Races on March 14, 2025 and 13 Races on March 16, 2025</p>	0:21:09 – 0:21:44	<p>Mr. Dix requested ratification of approval to run 11 races on March 14, 2025 and 13 races on March 16, 2025.</p>	<p>Motion to ratify the approval to run 11 races on March 14 and 13 races on March 16, 2025 made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed</p>

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<p>4. Request for Ratification of Approval to Amend 2025 Post Times & Wagering Format on March 16, 2025</p>	0:21:48 – 0:22:52	<p>Mr. Dix requested ratification of approval to amend Sunland Park's 2025 Post Times & Wagering Format on March 16, 2025.</p> <p>Mr. Dix announced that at Sunland Park, on closing weekend, April 5, 2025, the Cowboy Channel will be broadcasting the West Texas Futurity, NM Spring Futurity, and West Texas Juvenile live from Sunland Park.</p>	<p>unanimously by roll call vote.</p> <p>Motion to ratify the approval to amend Sunland Park's 2025 Post Times & Wagering Format made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote.</p>
<p>D. Approvals for Ruidoso Downs</p> <p>1. Request for Ratification of Approval to Shut Down Simulcasting on February 18, 2025 Due to Extreme Weather Conditions Around the Country</p>	0:22:53 – 0:23:28	<p>Mr. Baugh requested ratification of approval to shut down simulcasting on February 18, 2025, due to extreme weather conditions around the country.</p>	<p>Motion to ratify the approval to shut down simulcasting on 2/18/25 made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote.</p>
<p>2. Request for Ratification of Approval to Amend 2025 Purse Schedule</p>	0:23:33 – 0:24:10	<p>Mr. Baugh requested ratification of approval to amend Ruidoso Downs' 2025 Purse Schedule. Mr.</p>	<p>Motion to ratify the approval to amend</p>

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		Baugh reported that the 2-year-olds will be in the same category as older horses.	Ruidoso Downs' 2025 Purse Schedule made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote.
3. Request for Approval of 2025 Condition Book (Book #1)	0:24:12 – 0:25:14	Mr. Baugh requested approval of Ruidoso Downs' 2025 Condition Book (Book #1). Mr. Baugh had a couple of corrections: on Ruidoso Downs' 870 races, the condition book currently states TBs and QHs, and as we all know, Ruidoso Downs will only be running QHs. Also, Ruidoso Downs will be adding an anti-slaughter clause into their condition book.	Motion to approve Ruidoso Downs' 2025 Condition Book (Book #1) made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote.
4. Request for Approval of 2025 Condition Book Officials	0:25:16 – 0:25:55	Mr. Rick Baugh requested approval of Ruidoso Downs' 2025 Condition Book Officials.	Motion to approve Ruidoso Downs' 2025 Condition Book Officials as submitted made by Commissioner Buffington. Commissioner Pitre seconded the motion.

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5. Request for Approval of 2026 Ruidoso Maiden Stakes Nomination Blanks	0:26:01 – 0:28:52	<p>Mr. Baugh requested approval of 2026 Ruidoso Maiden Stakes Nomination Blanks.</p> <p>Chairman Smith asked Mr. Baugh how things were going at Ruidoso Downs and if they will be ready to run. Mr. Baugh reported hauling in material for the racetrack's surface on Tuesday. The retention basin which for the residence downstream. It's almost completed. The target date is take over the racing surface on April 1, 2025, then start applying the material back, installing the rails back, all of which is pending approval from FEMA, Homeland Security, USDA, NRCS, Army Core of Engineers, and NM DOT. The river is not Ruidoso Downs property so they have no control – no control what size of coverts will be installed. They are working upstream with other property owners and the Mescalero Tribe, for additional flood mitigation.</p>	<p>Motion passed unanimously by roll call vote.</p> <p>Motion to approve 2026 Ruidoso Maiden Stakes Nomination Blanks made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote.</p>
E. Rules Hearing & Public Comments	0:28:53 – 2:18:39	<p>In-House Counsel called the Rules Hearing to order at 10:12 a.m. The purpose of this hearing is for the Commission to receive public comments on proposed amendments to the Commission's current rules and regulations. The Commission welcomes everyone present at this hearing.</p>	

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		<p>This hearing is being conducted pursuant to, and in accordance with, the provisions of the New Mexico Horse Racing Act, NMSA 1978, Sections 60-1A-1 through -30; the Open Meetings Act, Sections 10-15-1 through 10-15-4 and the New Mexico State Rules Act, NMSA 1978, Section 14-4-1 through -11. The legislative provision authorizing and mandating the Commission adopt administrative rules is Section 60-1A-4(B)(1) of the statutory Horse Racing Act. It is also held in accordance with the State Rules Act at 14-4-1 et seq.</p> <p>For public comments, all were reminded to wait until you are called upon, first identify yourself for the record each time you address the commission and to speak loudly and clearly so the recorder can pick up all the comments.</p> <p>Exhibits admitted into evidence are available for review by members of the public and will be made available on the Commission's website and to members of the public upon request.</p> <p>Exhibits entered into evidence were as follows: Exhibit 1: Legal notice published in the New Mexico Register, New Mexico Sunshine Portal and the Albuquerque Journal Exhibit 2: Notice sent to Interested Parties</p>	


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1. Subsections D, E, I, M, R & S of 15.2.1.7 NMAC	0:48:09 – 0:54:07	Exhibit 3: Proposed amendments to the Commission Rule 15.2.1.7 NMAC entitled “Definitions”	
2. Subsections A & B of 15.2.1.9 NMAC	1:00:57 – 1:02:30	Exhibit 4: Proposed amendments to the Commission Rule 15.2.1.9 NMAC entitled “Due Process and Disciplinary Action”	
3. Subsection E of 15.2.2.8 NMAC	1:02:48 – 1:06:03	Exhibit 5: Proposed amendments to the commission’s rule 15.2.2.8 NMAC entitled “Associations”	
4. Subsections A, B, D, F and N of 15.2.3.8 NMAC	1:06:08 – 1:12:19	Exhibit 6: Proposed amendments to the commission’s rule 15.2.3.8 NMAC entitled “Flat Racing Officials General Provisions”	
5. Subsections A & B of 15.2.5.12 NMAC	1:12:20 – 1:16:07	Exhibit 7: Proposed amendments to the commission’s rule 15.2.5.12 NMAC entitled “Horses Ineligible”	
6. Subsection E of 15.2.5.13 NMAC	1:16:08 – 1:18:28	Exhibit 8: Proposed amendments to the commission’s rule 15.2.5.13 NMAC entitled “Running of the Race”	
7. Subsections A & B of 15.2.6.9 NMAC	1:18:30 – 1:29:23	Exhibit 9: Proposed amendments to the commission’s rule 15.2.6.9 NMAC entitled “Medications and Prohibited Substances”	
8. Subsections A & C of 15.2.6.12 NMAC	1:29:24 – 1:34:18	Exhibit 10: Proposed amendments to the commission’s rule 15.2.6.12 NMAC entitled “Physical Inspection of Horses”	
9. Subsection L of 16.47.1.8 NMAC	1:34:20 – 1:38:19	Exhibit 11: Proposed amendments to the commission’s rule 16.47.1.8 NMAC entitled “General Provisions”	
10. Subsections C & E of 16.47.1.10 NMAC	1:38:22 – 1:43:23	Exhibit 12: Proposed amendments to the commission’s rule 16.47.1.10 NMAC entitled “Trainers”	

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3. Subsection E of 15.2.2.8 NMAC	1:49:11 – 1:51:12	The proposed amendments to subsection E of 15.2.2.8 NMAC were read out. The word “race” should be changed to “training” in the amendment to Subsection E.(7) 15.2.2.8 NMAC.	unanimously by roll call vote. Motion to adopt amendments to 15.2.2.8 NMAC with modification made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote.
4. Subsections A, B, D, F and N of 15.2.3.8 NMAC	1:51:20 – 1:52:28	The proposed amendments to subsections A, B, D, F and N of 15.2.3.8 NMAC were read out.	Motion to adopt amendments to 15.2.3.8 NMAC as submitted made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote.
5. Subsections A & B of 15.2.5.12 NMAC	1:52:32 – 1:53:34	The proposed amendments to subsections A and B of 15.2.5.12 NMAC were read out.	Motion to adopt amendments to 15.2.5.12 NMAC as

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6. Subsection E of 15.2.5.13 NMAC	1:53:37 – 1:54:47	The proposed amendments to subsection E of 15.2.5.13 NMAC were read out.	submitted made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote. Motion to adopt amendments to 15.2.5.13 NMAC as submitted made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote.
7. Subsections A & B of 15.2.6.9 NMAC	1:54:52 – 2:10:38	The proposed amendments to subsections A and B of 15.2.6.9 NMAC were read out. It was agreed that more needs to be added to the amendment of subsection A.(13)(d) to include “assistant trainer.”	Motion to adopt amendments to 15.2.6.9 NMAC as modified made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed

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8. Subsections A & C of 15.2.6.12 NMAC	2:10:41 – 2:11:47	The proposed amendments to subsections A and C of 15.2.6.12 NMAC were read out.	unanimously by roll call vote. Motion to adopt amendments to 15.2.6.12 NMAC as submitted made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote.
9. Subsection L of 16.47.1.8 NMAC	2:11:49 – 2:14:00	The proposed amendments to subsection L of 16.47.1.8 NMAC were read out.	Motion to adopt amendments to 16.47.1.8 NMAC as submitted made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote.
	2:14:08 – 2:16:42	The proposed amendments to subsections C and E of 16.47.1.10 NMAC were read out. The	Motion to adopt amendments to

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10. Subsections C & E of 16.47.1.10 NMAC		<p>Commissioner expressed wanting to change the fine amount in Subsection E.(5) to be \$500 instead of \$1000.</p> <p>The public was informed that any rules adopted by the Commission will be filed at State Records and Archives in accordance with the State Rules Act and New Mexico Register publication deadlines. The adopted rules become effective April 8, 2025.</p> <p>The rules adoption portion of the meeting was closed.</p>	<p>16.47.1.10 NMAC with modifications made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote.</p>
X. Adjournment at 12:00 PM		Chairman Smith adjourned meeting.	


 Billy G. Smith, Chairman

5/15/25
 Date


 Executive Director Ismael Trejo

5-15-25
 Date