

NEW MEXICO HORSE RACING COMMISSION
MINUTES OF THE REGULAR MEETING

Date: May 21, 2026

Place: NMRC Boardroom; 4900 Alameda Blvd., NE, Albuquerque, NM and on Microsoft Teams

Members Present: Chairman Billy Smith, Commissioner John Buffington, and Commissioner Bob Pitre.

NMRC Staff Participating: Executive Director Ismael Trejo, In-House Counsel Richard Bustamante, and Senior Paralegal David Dominguez.

<i>AGENDA ITEM</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 9:07 a.m. by Chairman Smith. Roll call was taken and a quorum was present.	No Action Taken.
II. Pledge of Allegiance		Pledge of Allegiance was recited.
III. Approval of Agenda	Chairman Smith asked if there were any changes to the agenda today. No amendments were needed.	Motion to approve the agenda made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously.
IV. Approval of Minutes:	Chairman Smith asked if the minutes for the April 16, 2026, Regular Meeting and April 27,	Motion to approve the April 16, 2026,

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<p>A. Commission's April 16, 2026, Regular Meeting</p> <p>B. Commission's April 27, 2026, Special Meeting</p>	<p>2026, Special Meeting were reviewed, and if there were any changes. There were no changes.</p>	<p>minutes and April 27, 2026, minutes made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously.</p>
<p>V. Commissioners' Reports</p>	<p>No comments.</p>	<p>No Action Taken.</p>
<p>VI. Agency Director Reports</p> <p>A. NMRC Executive Director Report</p>	<p>Director Trejo provided an update on the conclusion of the SunRay Park race meet, highlighting its overall success and sharing observations from his two onsite visits. He added that beginning tomorrow morning, an enforcement team—comprising of investigators from various jurisdictions across the country—will be on-site for the Ruidoso Downs trials at The Downs at Albuquerque. The team will begin by verifying compliance with New Mexico's administrative rules, and the agency will assign one investigator to videotape horses after each race.</p> <p>Chairman Smith asked whether individuals could run one day of thoroughbreds before giving up their stalls and moving to another state. Don Cook responded, confirming Chairman Smith's understanding.</p> <p>Chairman Smith then inquired whether the Commission would need to pursue legislation to</p>	<p>No Action Taken.</p>

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	request an increase in funding for HISA. Director Trejo confirmed and noted that the agency is expected to “scrape by” this year in terms of budget.	
VII. NM Horse Breeder’s Association Reports	<p>New Mexico Horse Breeders’ Association Director Mary Barber reported the following: In 18 days:</p> <p>SunRay Park ran 58 New Mexico bred races. Of those were 25 thoroughbred overnights, 21 quarter horse overnights, 6 quarter horse trials, 3 thoroughbred stakes and 3 quarter horse stakes. Contribution to the races came to \$429,500.00 dollars, resulting in \$76,000 dollars less than in 2025. There was an average of 3.23 races per day. There were 28 thoroughbreds and 30 quarter horses, and they were plus 4 for three-a-day. The average field size for New Mexico bred overnight races for thoroughbreds was 213 horses scheduled, and 18 were scratched, resulting in 195 for 25 races, with an average field size of 7.80. For the quarter horses, there was 196 horses scheduled, and 6 were scratched, resulting in 190 for 21 races, with an average field size of 9.05. The combined average field size was 8.37. For NM breds running in open overnight races in the 18 days, 345 ran and of those, 103 NM breds finished first, second, or third, equaling 30%. There were 59 thoroughbreds, 44 quarter horses and the contribution was \$114,735.90.</p>	No Action Taken.

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	<p>SunRay Park ran a total of 182 races during their 18 days, and of those had 58 NM bred races, resulting in 58 NM bred winners plus 28 winners in open overnight races, equaling 86 at 48% of the winners being NM breds.</p> <p>Commissioner Buffington and Director Barber discussed the challenges of attracting horses from out of state for the shorter race meets. Director Barber acknowledged that while she loves Farmington, she is very much for the Clovis racetrack as there will be more race days, more money and bigger purses.</p> <p>Director Barber stated Zia Park and Sunland Park run a lot of NM bred races. Chairman Smith stated his uncertainty if NM bred races will get to the same numbers as quarter horse races. Director Barber then encouraged Chairman Smith and Commissioner Pitre to breed horses. Chairman Smith stated he has about seven or eight bred horses, but Director Barber mentioned that they are not NM bred.</p>	
<p>VIII. Executive Session:</p> <p>A. NMHA v. NMRC (Pending Litigation)</p> <p>B. Martinez and Hernandez v. NMRC (Pending Litigation)</p> <p>C. IMO: Juan Hernandez (Hearing Officer's Report)</p>	<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;</p>	<p>Motion to enter into Executive Session made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed</p>

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<p>D. Zia Park LLC v. NMRC and Western Gaming, LLC (Pending Litigation)</p> <p>E. San Juan Board of County Commissioners v. NMRC (Pending Litigation)</p> <p>F. Mescalero Apache Tribe v. NMRC (Pending Litigation)</p>	<p>deliberations on adjudicatory proceedings and pending or threatened litigation.</p>	<p>unanimously by roll call vote.</p>
<p>Public Session 2:</p> <p>IX. <u>Unfinished/New Business and/or Action Items:</u></p> <p>A. IMO: Juan Hernandez (Hearing Officer's Report)</p>	<p>In-House Counsel Bustamante stated that the Commission would like to adopt the Hearing Officer's report and recommendations regarding Mr. Hernandez's failure to present his horse for a pre-race soundness inspection at the designated time, which resulted in a late scratch. Adoption of the Hearing Officer's report and recommendations would include the following:</p> <ol style="list-style-type: none"> 1. A 60-day suspension, which Mr. Hernandez has already served. 2. A \$3,000 fine, which Mr. Hernandez has already paid. 3. A \$2,500 fine for filing a frivolous appeal. 4. A requirement that Mr. Hernandez take and pass the New Mexico trainer's test in order to have his license reinstated. 	<p>Motion to approve was made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously.</p>

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	<p>Breeders Association. It is a straight three-year-old filly New Mexico-bred race scheduled for mid-December with a total purse of \$100,000. He also stated that adjustments were made to increase purses for several other stake races, all of which remain within the 20% threshold of Zia Park's overall purse structure. Mr. McErlean also requested approval of the Gaming and Breakage letter submitted by the New Mexico Breeders Association.</p>	<p>Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously.</p>
<p>X. Adjournment</p>	<p>The meeting was adjourned after completion of items on the agenda.</p>	<p>Motion to adjourn the meeting was made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously.</p>



Chairman Billy Smith



Executive Director Ismael Trejo