

NEW MEXICO HORSE RACING COMMISSION
MINUTES OF THE REGULAR MEETING

Date: July 16, 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 9:00 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.

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IV. Approval of Minutes: A. Commission's June 23, 2026, Special Meeting	Chairman Smith asked if the minutes for the June 23, 2026, Special Meeting were reviewed, and if there were any changes. There were no changes.	Motion to approve the June 23, 2026, minutes made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously.
V. Commissioners' Reports	No comments.	No Action Taken.
VI. Agency Director Reports A. NMRC Executive Director Report	Director Trejo provided an update on the Rainbow Futurity at the Ruidoso Downs in Albuquerque and mentioned there are a lot of people disgruntled with the racing that is being conducted at such big events. Director Trejo assured the racing industry the Commission is doing everything it can within its resources to uncover any illicit activity that might be occurring. The Commission is still holding purses for the Ruidoso Futurity and Derby, and it will continue to hold purses for the Rainbow Futurity until the drug testing is completed. Chairman Smith asked for clarification that, moving forward, the Commission is going to get aggressive with the drug testing. Director Trejo agreed that that would be the case. Commissioner Buffington stated the Commission has been aggressive for a while but with the advances in drug testing, the individuals who	No Action Taken.

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	cheat in the racing industry continue to evolve their methods as well, leaving the Commission a step behind. However, Commissioner Buffington stated the Commission will eventually catch up. Director Trejo brought up a recent example in which the Commission out-of-competition tested a trainer's 9 horses. Eight of those horses tested positive. The Stewards then summarily suspended the trainer. Director Trejo advised that example is going to be a common practice moving forward, and disciplinary measures will proceed under the "conduct detrimental to the best interests of racing" theory. Chairman Smith lastly reiterated the Commission is going to do everything to fix the illicit practice of drugging racehorses.	
VII. NM Horse Breeder's Association Reports	New Mexico Horse Breeders' Association Director Mary Barber reported the following for Ruidoso Downs at Albuquerque through July 5th: Ruidoso Downs ran 80 New Mexico bred races. Of those, there were 20 thoroughbred overnights, 20 quarter horse overnights, 33 quarter horse trials, 2 thoroughbred stakes and 5 quarter horse stakes. The total contribution to the races came to \$403,500.00 dollars, resulting in \$51,500 dollars more than in 2025. There was an average of 3.64 bred races per day. There were 22 thoroughbreds and 58 quarter horses, and they were plus 14 for three-a-day. The average field size for New	No Action Taken.

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	Mexico bred overnight races for thoroughbreds was 163 horses scheduled, and 12 were scratched, resulting in 150 for 20 races, with an average field size of 7.55. For the quarter horses, there were 187 horses scheduled, and 9 were scratched, resulting in 178 for 20 races, with an average field size of 8.90. The combined average field size was 8.23. For breeds running in open overnight races in their first 22 days, 206 ran and of those, 59 finished first, second, or third, equaling an average of 29%. There were 33 thoroughbreds, 26 quarter horses and the contribution was \$54,387.20 dollars. Chairman Smith asked Director Barber to let him know the results of the election of the Board of Trustees. Director Barber stated she would do so.	
VIII. Executive Session: A. Keeton v. NMRC (Pending Litigation) B. Alexander v. NMRC (Pending Litigation) C. Sterling v. NMRC et al (Pending Litigation) D. IMO: Tammy Johnson (Hearing Officer's Report)	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.

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E. Zia Park LLC v. NMRC and Western Gaming, LLC (Pending Litigation) F. San Juan Board of County Commissioners v. NMRC (Pending Litigation) G. Mescalero Apache Tribe v. NMRC (Pending Litigation) H. Downs at Albuquerque (Licensing) I. New Mexico State Fair (Licensing) J. Ruidoso Downs (Licensing) K. Sunland Park (Licensing) L. SunRay Park (Licensing) M. Zia Park (Licensing)		
Public Session 2: IX. <u>Unfinished/New Business and/or Action Items:</u> A. Request for Approval to Promulgate Rules Hearing 1. Subsection B of 15.2.1.8 NMAC 2. Subsection J of 15.2.1.8 NMAC	Director Trejo requested the approval to promulgate a rules hearing regarding the following 2 rules: Subsection B of 15.2.1.8 NMAC Subsection J of 15.2.1.8 NMAC In-House Counsel Bustamante clarified this approval is just for the permission for the Commission to hold a rules hearing in the future,	Motion to approve was made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously.

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B. IMO: Tammy Johnson (Hearing Officer's Report)	followed by the normal protocol of publishing the draft rules on the Commission's website and Albuquerque Journal for notice and public comment. In-House Counsel Bustamante stated the Commission would like to adopt the Hearing Officer's report regarding licensee Tammy Johnson's appeal of the Stewards' Ruling. In addition to adopting the Hearing Officer's report, the Commission will also provide Licensee Johnson a letter of warning from the Commission. Before continuing with remaining agenda items, In-House Counsel Bustamante read the following 2027 live race meet and race calendar as decided by and approved by the Commission: <u>2027 Sunland Park (Sunland Park, NM):</u> <u>Race Meet Schedule:</u> December 16, 2026, to April 04, 2027, with the first day of entries on January 01, 2027. <u>Race Dates:</u> 51 Days – Friday, Saturday, Sunday, Monday January: 8,9,10,11,15,16,17,18,22,23,24,25,29, 30,31 February: 1,5,6,7,8,12,13,14,15,19,20,21,22,26, 27,28 March: 1,5,6,7,8,12,13,14,15,19,20,21,22,26,27, 28,29 April: 2,3,4,	Motion to approve was made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously.

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	An average of 9 races per day. <u>2027 SunRay Park (Farmington, NM):</u> <u>Race Meet Schedule:</u> April 05, 2027, to May 23, 2027, with the first day of entries on April 09, 2027. 18 Days – Friday, Saturday, Sunday April: 16,17,18,23,24,25,30 May: 1,2,7,8,9,14,15,16,21,22,23 An average of 10 races per day. <u>2027 Ruidoso Downs (Ruidoso Downs, NM):</u> <u>Race Meet Schedule:</u> May 24, 2027, to September 06, 2027, with the first day of entries on May 21, 2027. 46 Days – Friday, Saturday, Sunday (2 Mondays) May: 28,29,30,31 June: 4,5,6,11,12,13,18,19,20,25,26,27 July: 2,3,4,9,10,11,16,17,18,23,24,25,30,31 August: 1,6,7,8,13,14,15,20,21,22,27,28,29 September: 4,5,6 An average of 10 races per day. <u>2027 Downs at Albuquerque (Albuquerque, NM):</u> <u>Race Meet Schedule:</u> September 23, 2027, to October 24, 2027, with the first day of entries on September 17, 2027. 19 Days – Friday, Saturday, Sunday, Wednesday September: 24,25,26,29 October: 1,2,3,6,8,9,10,13,15,16,17,20,22,23,24 An average of 9 races per day.	

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	<u>2027 New Mexico State Fair (Albuquerque, NM):</u> <u>Race Meet Schedule:</u> August 27, 2027, to September 22, 2027, with the first day of entries on August 20, 2027. 17 Days – Wednesday, Friday, Saturday and Sunday with 2 Thursdays. August: 27,28,29 September: 1,3,4,5,9,10,11,12,15,16,17,18,19,22 Combined total of live race days in Albuquerque will be 36. <u>2027 Zia Park (Hobbs, NM):</u> <u>Race Meet Schedule:</u> October 25, 2027, to December 21, 2027, with the first day of entries on October 23, 2027. 32 Days – Saturday, Sunday, Monday, Tuesday October: 30,31 November: 1,2,6,7,8,9,13,14,15,16,20,21,22,23, 27,28,29,30 December: 4,5,6,7,11,12,13,14,18,19,20,21 An average of 9 races per day. Total number of live year round race days for 2027 will be 183. Commissioner Buffington added the race days/calendar may be subject to change. Regarding the racetrack renewal applications, Commissioner Buffington stated there are a few more technical clarifications the Commission	

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C. Approvals for Sunland Park 1. Request for Approval of the 2026-2027 Primary Application & Simulcast License 2. Request for Approval of 2027 Race Dates 3. Request for Approval of the 2027 West Texas Futurity Nomination Blank	need and have some questions on. Therefore, either, In-House Counsel Bustamante, Director Trejo or Senior Paralegal Dominguez may contact the racetracks. However, it is nothing that would preclude the issuance of a license. In-House Counsel Bustamante stated the Commission would like to entertain a motion to approve Sunland Park's 2026-2027 primary application & simulcast license. In-House Counsel Bustamante stated the Commission would like to entertain a motion to approve the 2027 race dates for Sunland Park. Dustin Dix of Sunland Park requested approval of Sunland Park's 2027 West Texas Futurity nomination blank. Mr. Dix stated Sunland Park raised the first 2 payments and raised the	Motion to approve was made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously. Motion to approve was made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously. Motion to approve was made by Commissioner Buffington. Commissioner Pitre

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	consolation race from \$50,000.00 dollars to \$75,000.00 dollars.	seconded the motion. Motion passed unanimously.
4. Request for Approval of the 2027 New Mexico Spring Futurity Nomination Blank	Mr. Dix requested approval of Sunland Park's 2027 New Mexico Spring Futurity nomination blank.	Motion to approve was made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously.
D. Approvals for SunRay Park 1. Request for Approval of the 2027 Primary Application & Simulcast License	In-House Counsel Bustamante stated the Commission would like to entertain a motion to approve SunRay Park's 2026-2027 primary application & simulcast license.	Motion to approve was made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously.
2. Request for Approval of 2027 Race Dates	In-House Counsel Bustamante stated the Commission would like to entertain a motion to approve the 2027 race dates for SunRay Park.	Motion to approve was made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously.

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E. Approvals for Ruidoso Downs 1. Request for Approval of the 2027 Primary Application & Simulcast License 2. Request for Approval of 2027 Race Dates 3. Request for Ratification of Approval to Disperse Purse Money Evenly to Owners (Exception: Scratched Horses) for the Following Cancelled Races: June 5th – Races 4 through 10, and June 19th – Races 7 through 10	In-House Counsel Bustamante stated the Commission would like to entertain a motion to approve Ruidoso Downs' 2026-2027 primary application & simulcast license. In-House Counsel Bustamante stated the Commission would like to entertain a motion to approve the 2027 race dates for Ruidoso Downs. Rick Baugh of Ruidoso Downs at the Downs of Albuquerque requested the ratification of approval to disperse the purse money evenly to the owners for the following cancelled races: June 5th – Races 4 through 10, due to a human ambulance accident, and the following cancelled races: June 19th – Races 7 through 10, due to a power issue at Expo New Mexico.	Motion to approve was made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously. Motion to approve was made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously. Motion to approve was made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously.

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F. Approvals for Downs at Albuquerque 1. Request for Approval of the 2027 Primary Application & Simulcast License 2. Request for Approval of 2027 Race Dates 3. Request for Approval of the 2026 Purse Structure 4. Request for Approval of the 2026 Condition Book #1	In-House Counsel Bustamante stated the Commission would like to entertain a motion to approve the Downs at Albuquerque's 2026-2027 primary application & simulcast license. In-House Counsel Bustamante stated the Commission would like to entertain a motion to approve the 2027 race dates for the Downs at Albuquerque. Mr. Don Cook of the Downs at Albuquerque requested the approval of the 2026 purse structure. Mr. Cook requested approval of the 2026 condition book #1.	Motion to approve was made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously. Motion to approve was made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously. Motion to approve was made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously. Motion to approve was made by Commissioner Buffington.

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5. Request for Approval of the 2026 Amended Stakes Schedule	Mr. Cook requested the approval of the 2026 amended stakes schedule.	Commissioner Pitre seconded the motion. Motion passed unanimously.
G. Approvals for New Mexico State Fair		
1. Request for Approval of the 2027 Primary Application	In-House Counsel Bustamante stated the Commission would like to entertain a motion to approve the New Mexico State Fair's 2026-2027 primary application.	Motion to approve was made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously.
2. Request for Approval of 2027 Race Dates	In-House Counsel Bustamante stated the Commission would like to entertain a motion to approve the 2027 race dates for the New Mexico State Fair.	Motion to approve was made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously.

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H. Approvals for Zia Park 1. Request for Approval of the 2027 Primary Application & Simulcast License	In-House Counsel Bustamante stated the Commission would like to entertain a motion to approve Zia Park's 2026-2027 primary application and simulcast license.	Motion to approve was made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously.
2. Request for Approval of 2027 Race Dates	In-House Counsel Bustamante stated the Commission would like to entertain a motion to approve the 2027 race dates for Zia Park.	Motion to approve was made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously.
3. Request for Approval of the 2026 Purse Schedule	Mr. Ken Goetz of Zia Park requested approval of the 2026 purse schedule.	Motion to approve was made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously.
4. Request for Approval of the 2026 Condition Book #1	Mr. Goetz requested approval of the 2026 condition book #1.	Motion to approve was made by

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	Before adjourning the meeting, Chairman Smith stated that, as far as races ago, it is up in the air as he has received several requests from different entities to not approve race days. Chairman Smith lastly stated the Commission does not know whats is going to happen given the continued situation with one track.	Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously.
X. Adjournment	The meeting was adjourned after completion of items on the agenda.	Motion to adjourn the meeting was made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously.




Chairman Billy Smith

Executive Director Ismael Trejo