

POSTPONEMENT OF NOTICE OF PUBLIC RULE HEARING

Due to Executive Order 2020-004 Issued by Governor Michelle Lujan Grisham

The New Mexico Racing Commission is postponing the public rule hearing that is set for April 16, 2020 in the New Mexico Gaming Commission's Boardroom ("Boardroom") at 4900 Alameda Blvd. NE, Albuquerque, NM. The Commission will hold a Public Meeting and Rule Hearing on May 28, 2020 during the Commission's regular business meeting with the public session beginning at 9:00 a.m. The Commission will re-convene a regular meeting to adopt the rules and conduct regular business. The Rule Hearing and Commission meeting will be held in the Boardroom located at the New Mexico Racing Commission, 4900 Alameda Blvd., NE, Albuquerque, NM.

The New Mexico Racing Commission ("Commission") hereby gives notice as required under Section 14-4-5.2 NMSA 1978 and 1.24.25.11 NMAC that it proposes to adopt amendments to the following rules governing Horse Racing in New Mexico. The proposed amendments are to clarify rules regarding summary suspension and update the most current version of the ARCI Uniform Classification Guidelines for Foreign Substances and Recommended Penalties and Model Rule, modify multiple-medication violation penalties, correct typographical errors, modify penalties of Category C violations, remove Naproxen as a permissible medication and update the rule regarding non-steroidal anti-inflammatory drugs (NSAIDs).

Statutory Authority: Legal authority for this rulemaking can be found in the New Mexico Horse Racing Act, Sections 60-1A-1 through 60-1A-30 NMSA 1978 (2007, as amended through 2017), which, among other provisions, specifically authorizes the Commission to promulgate rules and regulations and carry out the duties of the Act to regulate horse racing in the State.

15.2.1 NMAC - General Provisions

15.2.6 NMAC – Medications and Prohibited Substances

No technical information served as the basis for the proposed rule.

Purpose of proposed rules:

Subsection B of 15.2.1.9 NMAC: The purpose of the proposed amendment is to clarify the time limit for summary suspension for a Category A medication violation.

15.2.6.9 To include Association of Racing Commissioners International's Uniform Classification Guidelines and Recommended Penalties January, 2020 version 14.1 and the Association of Racing Commissioners International's Controlled Therapeutic Medication Schedule for Horses, December, 2019, version 4.2.

Subsection B of 15.2.6.9 NMAC: The purpose of the proposed amendment is to clarify and make the penalties for "Major" medication violations consistent with the Association of Racing Commissioners International's Model Rules guidelines.

Subsection O of 15.2.6.9 NMAC: The purpose of the proposed amendment is to make point assigned for medication violations of Class A controlled therapeutic substances consistent with points assigned to non-controlled substances mandated by the Multiple Medication Violation Rule. Fixing a typographical error in subparagraph 8.

A copy of the proposed rule may be found on the Commission's website @ <http://nmrc.state.nm.us/rules-regulations.aspx>. You may also contact Denise Chavez at 505.222.0714 to request to receive a copy of the proposed rules by regular mail.

Notice of Acceptance of written public comment:

Interested persons may submit their written comments on the proposed rules to the Commission at the address below and/or may appear at the scheduled meeting and make a brief verbal presentation of their view. All written

comments must be received by the Commission by 5:00 PM on May 21, 2020. Please submit comments to:

Denise Chavez, Paralegal
New Mexico Racing Commission
4900 Alameda Blvd. NE
Albuquerque, NM 87113
Telephone: 505.222.0714
Fax: 505.222.0713
Email: DeniseM.Chavez@state.nm.us

The **final** agenda for the Commission meeting will be available one hundred twenty (120) hours prior to the meeting. A copy of the **final** agenda may be obtained from Denise Chavez or from the Commission's website.

Anyone who requires special accommodations is requested to notify the Commission of such needs at least five days prior to the meeting.