

NOTICE OF PUBLIC MEETING AND RULE HEARING

The New Mexico Racing Commission (Commission) will hold a Public Meeting and Rule Hearing on November 18, 2021. The Rule hearing will be held during the Commission's regular business meeting with the public session beginning at 9:00 a.m. The Rule Hearing and Commission meeting will be held virtually via Zoom.

Join Zoom Meeting

<https://us02web.zoom.us/j/81906894928?pwd=SGZGdGtuT01SNDV3dkN1SHU1RGNVQT09>

Meeting ID: 819 0689 4928

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The Commission is proposing the following amendments listed below to the Rules Governing Horse Racing in New Mexico to clarify the definition of a race meeting, to enhance the health and safety of all participants in the industry, to provide the Commission enhanced abilities to pursue alleged drug violations, to provide associations with greater flexibility and ability to make decisions in compliance with national requirements for improving the integrity of the profession, to further the legislative mandate and intent for the Commission to regulate purses, to provide for the increase wagering potential, and to realign the rules in accordance with current funding and staffing levels at the Commission.

15.2.1 NMAC – Definitions

15.2.3 NMAC – Flat Racing Officials General Provisions

15.2.6 NMAC – Veterinary Practices, Equine Health, Medication, and Trainer Responsibility

16.47.1 NMAC – General Provisions

A copy of the proposed rules may be found on the Commission's website @ <http://nmrc.state.nm.us/rules-regulations.aspx>. You may also contact Denise Chavez at (505) 249-2184 to request to receive a copy of the proposed rules by regular mail.

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 provide brief, verbal comments. All written comments must be received by the Commission by 12:00 PM on November 17, 2021. Written comments should be submitted to: Denise Chavez, Paralegal, via email at 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.

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

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

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.

The Commission proposes the following rule amendments:

Subsection M of 15.2.1.7 NMAC: The purpose of the proposed amendment is to provide clarity to exactly what activities at the racetracks trigger both the start and end dates of the race meeting.

Subsection B of 15.2.1.9 NMAC: The purpose of the proposed amendment is to provide for consistency in the dollar amounts regarding the various filing fees for challenging or appealing a decision of the Stewards.

Subsection D of 15.2.3.8 NMAC: The purpose of the proposed amendment is to further ensure compliance with the legislative required mandate for the Commission to regulate the size of purses.

Subsection C of 15.2.3.8 NMAC: The purpose of the proposed amendment is to provide associations greater authority to comply with national requirements for improving and maintaining integrity in horseracing subject to the approval of the commission.

Subsection B of 15.2.6.8 NMAC: The purpose of the proposed amendment is to improve and promote the health and safety of all participants in the horseracing industry.

Subsection C of 15.2.6.9 NMAC: The purpose of the proposed amendment is to provide associations greater authority to comply with national requirements for improving and maintaining integrity in horseracing.

Subsection D of 15.2.6.10 NMAC: The purpose of the proposed amendment is to assure the State of New Mexico Racing Commission can continue to prosecute alleged drug violations in the event that the split sample is destroyed due to either circumstances beyond the control of the Commission or acts of God.

Subsection A of 16.47.1.10 NMAC: The purposes of the proposed amendments are two-fold: to acknowledge that the State of New Mexico Racing Commission currently lacks the resources to provide, maintain and oversee a continuing education program; and to correct typographical errors in the current rule.

Subsection D of 16.47.1.12 NMAC: The purpose of the proposed amendment is to improve and promote the health and safety of all participants in the horseracing industry.