

NOTICE OF PUBLIC MEETING AND RULE HEARING

The New Mexico Racing Commission (Commission) will hold a Public Meeting and Rule Hearing on March 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

Passcode: 9sEQ9i

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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 rule regarding summary suspension and to update the most current version of the ARCI Uniform Classification Guidelines for Foreign Substances and Recommended Penalties and Model Rule, modifying multiple-medication violation penalties, correcting typographical error, modifying penalties of Category C violations, removing Naproxen as a permissible medication and updating the rule regarding non-steroidal anti-inflammatory drugs (NSAIDs).

15.2.2 NMAC - Associations

15.2.4 NMAC - Claiming Races

15.2.5 NMAC - Horse Race – Rules of the Race

15.2.6 NMAC - Medications and Prohibited Substances

16.47.1 NMAC - Authorized Agents

A copy of the proposed rules may be found on the Commission's website at <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 March 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:

15.2.6.9 NMAC: To include Association of Racing Commissioners International's Model Rules of Racing December, 2020 version 14.4 and the Association of Racing Commissioners International's Controlled Therapeutic Medication Schedule for Horses, December, 2020, 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.

Subsection B of 15.2.2.8 NMAC: The purpose of the proposed addition is to insure that the funds for the payments of the 10% Track Breeder's Award on New Mexico Bred winners, will be sent via wire transfer to the designated bank account within 5 business days after the request.

Subsections A & B of 16.47.1.11 NMAC: The purpose of the proposed amendments is to clarify requirements for appointing authorized agents. Fixing typographical errors in subparagraph B.

Subsection A of 15.2.4.8 NMAC: The purpose of the proposed amendments is to clarify a claim, should the newly claimed horse have a medication violation or the claimed horse is euthanized at the test barn or on the racetrack.

Subsection A of 15.2.5.11 NMAC: The purpose of the proposed amendments is to clarify the requirements of the workout rule.

Subsection D of 15.2.5.14 NMAC: The purpose of the proposed amendments is to discourage frivolous claims being filed by increasing the fee to \$1,000.00.