

**AMENDED NOTICE OF PUBLIC MEETING AND RULE-MAKING HEARING**

The New Mexico Racing Commission (Commission) will hold a Public Meeting and Rule-Making Hearing on March 21, 2019. The Rule-Making hearing will be held during the Commission's regular business meeting with the public session beginning at 9:30 a.m. The Commission will re-convene a regular meeting to adopt the rules and take care of 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 Commission is proposing the following amendments listed below to the Rules Governing Horse Racing in New Mexico to limit payment types that the Commission may accept, offer a new wager to the betting public, update rules pertaining to the medication section, include verbiage allowing licensee to void a claim on a horse, address specific section pertaining to hearings, and modify the duties of the official veterinarian:

- 15.2.1 NMAC - General Provisions
- 15.2.3 NMAC - Flat Racing Officials
- 15.2.4 NMAC - Types of Races
- 15.2.5 NMAC - Rules of the Race
- 15.2.6 NMAC - Veterinary Practices, Equine Health, Medication & Trainer Responsibility
- 15.2.7 NMAC - Pari Mutuel Wagering

A copy of the proposed rule may also be found on <http://nmrc.state.nm.us/rules-regulations.aspx>, or contact the Commission's Legal Assistant, Kira Frazier at (505) 222-0714, or by regular mail at New Mexico Racing Commission, 4900 Alameda Blvd. NE, Albuquerque, New Mexico 87113.

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. The written comment period closes at 5:00 p.m. on March 21, 2019. The Commission must receive all written comments at that time. Please submit comments to:

Rosemary Garley, Manager  
New Mexico Racing Commission  
4900 Alameda Blvd. NE  
Albuquerque, NM 87113  
Telephone: 505.222.0704  
Fax: 505.222.0713  
Email: [rosemary.garley@state.nm.us](mailto:rosemary.garley@state.nm.us)

The **final** agenda will be available seventy-two (72) hours prior to the meeting. A copy of the **final** agenda may be obtained from Kira Frazier 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, NMSA 1978, Sections 60-1A-1 through 60-1A-30 (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 B of 15.2.1.9 NMAC:** The purpose of the proposed amendment to allow the Racing Commission the ability to be consistent with the policy that is currently in place with regard to the payment types that are accepted at the Commission Offices.

**Subsection C of 15.2.1.9 NMAC:** The purpose of the proposed amendment is to address the handling of subpoenas, objections to a hearing officer and deadline for a hearing officer to produce their report in a matter and allowing the Commission to engage a court reporter for hearings.

**Subsection B of 15.2.3.8 NMAC:** The purpose of the proposed amendment is to eliminate the mandate for the stewards to consult with the official veterinarian regarding a laboratory finding or alleged medication violation.

**Subsection A of 15.2.4.8 NMAC:** The purpose of the proposed amendment is to include verbiage regarding when a claim on a horse shall be voided.

**Subsection C and E of 15.2.5.10 NMAC:** The purpose of the proposed amendments is to eliminate the scale of weights, insert verbiage that is cohesive with ARCI Model Rules, include a minimum weight for Quarter Horses and remove the verbiage "and/or".

**Subsection A of 15.2.6.8 NMAC:** The purpose of the proposed amendment is to replace the word "supervision" with the word "authority" and to eliminate the need for the official veterinarian to recommend to the commission discipline to be imposed on a veterinarian who violates a rule.

**15.2.6.9 NMAC:** The purpose of the proposed amendments to 15.2.6.9 NMAC are as follows: to reference the current version of the ARCI's document, "Uniform Classification Guidelines for Foreign Substances and Recommended Penalties" and "Model Rule"; in Subsection A to address entries made by a spouse of a suspended licensee; in Subsections C and J to state there is no permissible concentration of "albuterol" allowed in any official sample; Subsection G is amended to follow ARCI model rule regarding androgenic-anabolic steroids; and, in Subsection K, to include the verbiage "premises under the jurisdiction of the New Mexico Racing Commission" as an area where certain items are not permissible.

**15.2.7.11 NMAC:** The purpose of the proposed new Subsection to 15.2.7.11 NMAC is to offer a new wager to both on and off track patrons. The wager is a multi-leg wager that requires picking one horse in each leg, receiving points depending on the horses finish. Upon conclusion of the leg races, the patron or patrons with the most points, win or share the pool.