

NOTICE OF PUBLIC MEETING AND RULE-MAKING HEARING

The New Mexico Racing Commission (Commission) will hold a Public Meeting and Rule-Making Hearing on February 22, 2018. The Rule-Making hearing will be held during the Commission's regular business meeting with the public session beginning at 9:30 a.m. in the Mt Cristo Rey Room located in Sunland Park Racetrack, at 1200 Futurity Drive, Sunland Park, NM. Copies of the **tentative** agenda may be obtained ten (10) days prior to the meeting from Tina Arce, Paralegal, New Mexico Racing Commission, 4900 Alameda Blvd. NE, Albuquerque, New Mexico 87113, (505) 222-0714, Tina.Arce@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 Tina Arce or from the Commission's website, nmrc.state.nm.us.

The purpose of the Rule-Making Hearing is to consider adoption of the proposed amendment to the Rules Governing Horse Racing in New Mexico. Sections 60-1A-1 through 60-1A-30, NMSA 1978 authorizes the Commission to promulgate rules and regulations and carry out the duties of the Act to regulate horse racing.

The purpose of the proposed amendment of Subsection B of 15.2.1.9 NMAC is to allow the Racing Commission the ability to assess a fine for an appealing party who fails to appear at a noticed hearing.

The purpose of the proposed amendment of 15.2.1.10 NMAC is to conform to Sections 14-4-1 through 14-4-11 NMSA (State Rules Act).

The purpose of the proposed amendment of 15.2.5.6 NMAC is to refer to the correct "Part"; thus, "Part 5" will replace "Part 4".

The purpose of the proposed amendment of 15.2.5.9 NMAC is to avoid unnecessary scratches and eliminating the possibility of a horse entering prior to the seven calendar days expiring.

The purpose of the proposed amendment of 15.2.5.11 NMAC is to eliminate the requirement for horses to work around the turn.

The purpose of the proposed amendment of 15.2.6.9 NMAC is to reference the current version of the ARCI's document, "Uniform Classification Guidelines for Foreign Substances and Recommended Penalties" and "Model Rule".

The purpose of the proposed amendment of Subsection B of 15.2.6.9 NMAC is to ensure compliance with 60-1A-11 by inserting the verbiage "365-day period" in Paragraph (2), amending the levels in Paragraph (4) and including language regarding penalties for the use of prohibited substances published by the Association of Racing Commissioners, International.

The purpose of the proposed amendment of 15.2.6.10 NMAC is to show consistency and clarity throughout Paragraph D by adding the verbiage "or other secured mechanism" in the first sentence.

The purpose of the proposed amendment of Subsection P of 15.2.1.7 NMAC is to add a definition for a Program Trainer.

The purpose of the proposed amendment to Subsection V of 16.47.1.8 is to update an antiquated rule regarding the use of cellular phones.

The purpose of the proposed amendment to Subsection D of 16.47.1.10 NMAC is to eliminate the transfer of horses by a trainer that has been involved or notified of a drug or rule violation.

The purpose of the proposed amendment to Subsection F of 16.47.1.10 will allow the New Mexico Racing Commission to have a broader ability to investigate and determine an actual program trainer.

All comments submitted and discussion heard during the Rule-Making Hearing will be considered and discussed by the Commission during the open meeting following the Rule-Making Hearing. The Commission will vote on the proposed rules during the public meeting.

A copy of the proposed rule may also be found on <http://nmrc.state.nm.us/rules-regulations.aspx>. 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 February 15, 2018. The Commission must receive all written comments at that time. Please submit comments to:

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