

## NOTICE OF PUBLIC RULES HEARING AND MEETING

The NM Racing Commission will hold a Public Rules Hearing and Meeting on **Thursday, September 19, 2024**. This Public Rules Hearing and Meeting will be held during the Commission's regular business meeting with the public session beginning at 9:00 a.m. They will be held in person in the Boardroom, at 4900 Alameda Blvd., NE, Albuquerque, NM and virtually via Zoom.

Topic: Regular Commission Meeting  
Time: Sep 19, 2024 09:00 AM Mountain Time (US and Canada)

Join Zoom Meeting  
<https://us02web.zoom.us/j/85948759014?pwd=HqXGPBVTgZNoOdbPYIms4T4shK9j85.1>

Meeting ID: 859 4875 9014  
Passcode: 8kGnre

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+12532050468,,85948759014#,,,,\*551062# US  
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The Commission is proposing the following amendments to Rules Governing Horse Racing in NM:

- 15.2.1 NMAC – General Provisions
- 15.2.3 NMAC – Flat Racing Officials
- 15.2.5 NMAC – Rules of the Race
- 15.2.6 NMAC – Veterinary Practices, Equine Health, Medication, and Trainer Responsibility
- 16.47.1 NMAC – General Provisions (Occupational and Professional Licensing)

A copy of the proposed rules may be found at: <https://www.nmrc.state.nm.us/rules-regulations/>.

Written comments on the proposed rule may be submitted to [DeniseM.Chavez@rc.nm.gov](mailto:DeniseM.Chavez@rc.nm.gov) and/or you may appear at the meeting and provide brief, verbal comments. All written comments must be submitted to [DeniseM.Chavez@rc.nm.gov](mailto:DeniseM.Chavez@rc.nm.gov) and received no later than **5:00 p.m. September 16, 2024**.

The **final agenda** will be available 120 hours prior to the public hearing and meeting. The **final agenda** may be obtained from Denise Chavez or from NMRC's website.

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

Anyone requiring special accommodations should notify NMRC of such needs at least 5 days prior to the public hearing and meeting.

**Statutory Authority:** Legal authority for NMRC rulemaking can be found at NMSA Section 60-1A-4(B)(1).

### **The following rule amendments are proposed:**

**Subsection I of 15.2.1.7 NMAC:** This rule details definitions. The purpose of the proposed amendment is to add the definition of Industrial Representative to clarify "representatives" assisting Licensees in hearings before the stewards and appeals to the Hearing Officer and Commission.

**Subsections A and B of 15.2.1.9 NMAC:** These rules detail due process and disciplinary actions before the stewards and commission. The purpose of the proposed amendments is to clarify the "representatives" assisting Licensees in hearings before the stewards and commission and rulings from other recognized regulatory organizations.

**Subsections B, D, F and N of 15.2.3.8 NMAC:** Subsection B details disciplinary actions, subsection D details payment of purses, subsection F details duties of the horse identifier, and subsection N details requirements of the official veterinarian. The purpose of the proposed amendment to subsection B is to ensure the time to pay a fine is consistent with other references in the rule book. The proposed amendment to subsection D will allow associations to take payment from owners whose horses are subject to post-mortem examinations (necropsy). The purpose of the proposed amendments to subsection F is to clarify the duties of the horse identifier. Finally, the purpose of the amendment to this rule is to be consistent with the New Mexico Veterinary Practice Act.

**Subsection B of 15.2.5.12 NMAC:** This rule details conditions that make a horse ineligible to start in a race. The purpose of the amendments is to update the rules of horse identification.

**Subsections A and B of 15.2.6.9 NMAC:** This rule details medications and prohibited substances and penalty recommendations. The purpose of the amendments to this rule is to clarify New Mexico's rule of reciprocity with other jurisdictions and to add penalties for out-of-competition testing violations.

**Subsections A and C of 15.2.6.12 NMAC:** This rule details postmortem examinations. The purpose of these amendments is to clarify the responsibilities for postmortem examinations of horses.

**Subsection L of 16.47.1.8 NMAC:** This rule details grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license. The purpose of these amendments is to clarify grounds for disciplinary measures for a licensee, and refusal, denial, suspension or revocation of a license, including but not limited to other recognized regulatory organizations.