



## Table of Contents

---

I. Agency Contact Information .....	1
II. Key Functions and Performance .....	1
III. Policymaking Structure .....	10
IV. Funding .....	12
V. Organization.....	16
VI. Major Issues.....	176
VII. Other Contacts.....	187
VIII. Agency Comments .....	187

## Instructions

---

Provisions of the New Mexico Sunset Act (12-9-19 NMSA 1978) require the Legislative Finance Committee (LFC) to schedule public hearings to receive testimony and determine if boards and commissions scheduled for sunset should be recommended for extension or be allowed to terminate.

Please complete the following agency self-evaluation report and return it to the LFC. Your department is responsible for demonstrating a public need for continuation of regulatory authority and recommending necessary amendments to enabling statutes that would improve operational efficiency. You may add or remove additional rows in any of the tables or replace the tables with your own charts and information where appropriate. We would appreciate your analysis, recommendation, and completed questionnaires by June 30, 2016. Contact LFC analyst, Sunny Liu, with any questions about this report.

## Contact Information:

---

**Sunny Liu**  
Fiscal Analyst  
Legislative Finance Committee  
325 Don Gaspar  
Santa Fe, NM 87501  
Telephone: 505.986.4550  
Direct Line: 505.986.4572  
[sunny.liu@nmlegis.gov](mailto:sunny.liu@nmlegis.gov)

## I. Agency Contact Information

A. Please fill in the following chart.

**Table 1: Key Agency Contacts**

Position Title	Name	Address	Telephone & Fax Numbers	Email Address
Director	Enrique Knell	P.O. Box 25101, Santa Fe, NM 87504	505-476-4622	<a href="mailto:Enrique.Knell@state.nm.us">Enrique.Knell@state.nm.us</a>
Deputy Director	Kathy Ortiz	P.O. Box 25101, Santa Fe, NM 87504	505-476-4642	<a href="mailto:Kathy.Ortiz1@state.nm.us">Kathy.Ortiz1@state.nm.us</a>
Team Leader	Vacant	P.O. Box 25101, Santa Fe, NM 87504	505-476-4727	
Executive Director	Richard Espinoza	P.O. Box 25101, Santa Fe, NM 87504	505-476-4658	<a href="mailto:Richard.Espinoza@state.nm.us">Richard.Espinoza@state.nm.us</a>

## II. Key Functions and Performance

A. Provide an overview of your agency’s mission, objectives and key functions.

The Athletic Commission oversees all aspects of unarmed combat sports to ensure integrity in the sport as well as the safety of all participants, spectators, and officials involved. The Commission is dedicated to the monitoring and improvement of our rules and regulations in order to allow for better administration by the Commission.

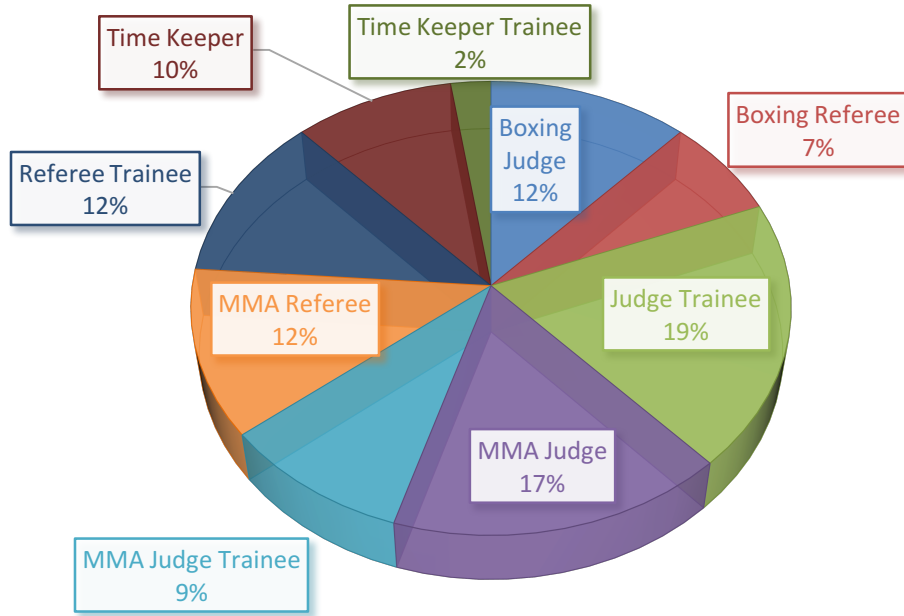
B. Do your key functions continue to serve a clear and ongoing objective? Explain why each of these functions is still needed. What harm would come from no longer performing these functions?

All aspects of combat sports in New Mexico would suffer without the rule making authority and safety oversight of the Commission. Industry members as well as the public would not be able to guarantee the safety of the participants or the integrity of the events. Promoters seeking to maximize the bottom line could reduce safety precautions and fair, unbiased oversight. There would be no neutral party to ensure that a safe and fair fight was taking place. This would mean the loss of local opportunity to the many fighters currently training within our state. It would also mean the loss of televised promotions wanting to avoid an unsafe/unregulated market, thereby leading to the loss of millions of dollars in revenue for the State of New Mexico.

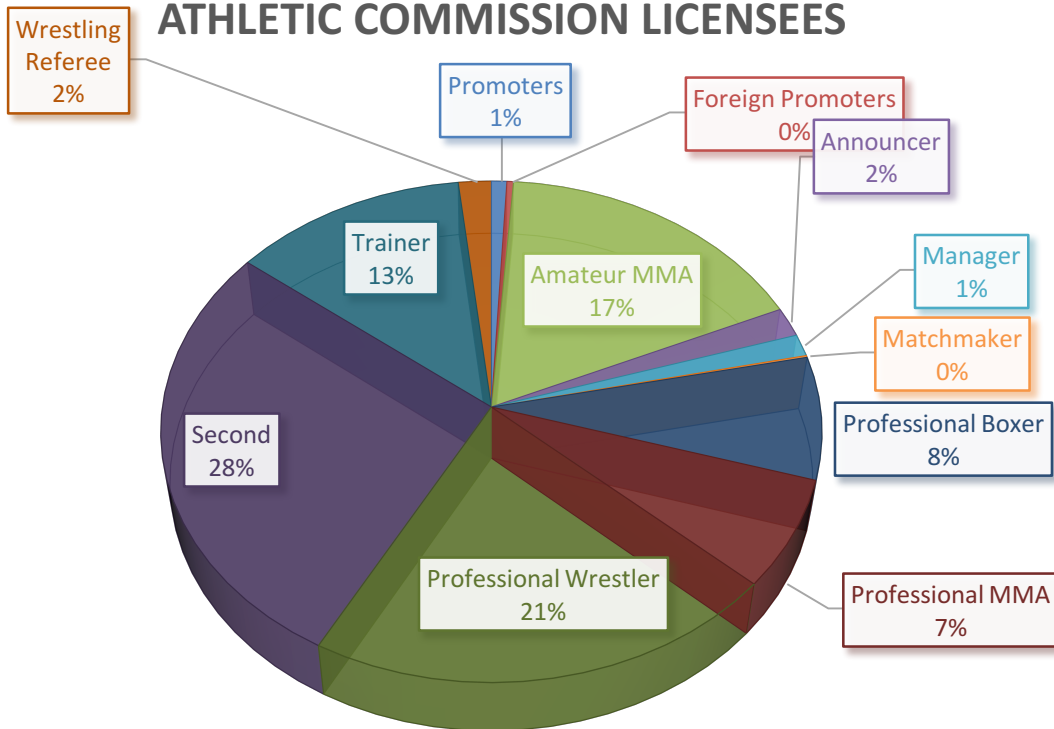
C. Describe who or what this agency affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

**Self-Evaluation Report: Athletic Commission**

**ATHLETIC COMMISSION OFFICIALS**



**ATHLETIC COMMISSION LICENSEES**



The New Mexico Athletic Commission affects and licenses 21 types of licensees. Below are requirements for licensure by type:

**Self-Evaluation Report: Athletic Commission**

**Amateur Mixed Martial Arts**- 145(16%) - A copy of driver's license or state issued identification card proving the applicant is at least 18 years of age

**Announcer**- 16(2%) - Submit a completed commission-approved application for licensure. Submit the applicable license fee as set forth in Subsection B of 15.6.14 NMAC. Submit a copy of driver's license or state issued identification card proving the applicant is a least 18 years of age.

**Boxing Judge** -5(%) - Submit a completed commission-approved application for licensure. Submit the applicable license fee as set forth in Paragraphs (13) or (14) of Subsection B of 15.6.14. Take and satisfactorily pass a written exam designated be the commission before being assigned to a required actual training period of no less than three unarmed combat events where he will actually score bouts under the supervision of a commission-designated instructor.

**Boxing Referee** - 3 (0%) - A referee must be licensed by the commission before he will be permitted, assigned, or directed by the Commission to assume the duties and powers of a referee. A Boxing Referee must submit a completed commission-approved application for licensure. Submit proof of a minimum of ten (10) fights as a referee trainee. Submit the applicable license fee as set forth in Paragraph (3) of Subsection B of 15.6.14 NMAC. Submit copy of driver's license or state issued identification card proving the applicant is at least 18 years of age.

**Boxing Judge Trainee** -8 (1%) - A copy of driver's license or state issued identification card proving the applicant is at least 18 years of age

**Manager** - 12 (1%) - A copy of driver's license or state issued identification card proving the applicant is at least 18 years of age

**Matchmaker** - 1 (0%) - A copy of driver's license or state issued identification card proving the applicant is at least 18 years of age

**MMA Judge** - 7 (1%) - Submit a completed commission-approved application for licensure. Submit the applicable license fee as set forth in Paragraphs (13) or (14) of Subsection B of 15.6.14. Take and satisfactorily pass a written exam designated be the commission before being assigned to a required actual training period of no less than three unarmed combat events where he will actually score bouts under the supervision of a commission-designated instructor.

**MMA Judge Trainee** - 4 (0%) - A copy of driver's license or state issued identification card proving the applicant is at least 18 years of age

**MMA Referee** - 5 (1%) - A referee must be licensed by the commission before he will be permitted, assigned, or directed by the Commission to assume the duties and powers of a referee. A Boxing Referee must submit a completed commission-approved application for licensure. Submit proof of a minimum of ten (10) fights as a referee trainee. Submit the applicable license fee as set forth in Paragraph (3) of Subsection B of 15.6.14 NMAC. Submit copy of driver's license or state issued identification card proving the applicant is at least 18 years of age.

**Professional Boxer** - 67 (8%) - Completed application- A copy of driver's license or state issued identification card proving the applicant is at least 18 years of age.

## Self-Evaluation Report: Athletic Commission

**Professional Mixed Martial Arts** - 59 (7%) – A copy of driver’s license or state issued identification card proving the applicant is at least 18 years of age

**Professional Wrestler** - 181 (20%) - A copy of driver’s license or state issued identification card proving the applicant is at least 18 years of age

**Referee Trainee** - 5 (1%) - A copy of driver’s license or state issued identification card proving the applicant is at least 18 years of age

**Second Trainer** - 234 (26%) - A copy of driver’s license or state issued identification card proving the applicant is at least 18 years of age

**Time Keeper** - 4 (0%) – Submit a completed commission-approved application for licensure. Take and pass a written exam designated by the commission before being assigned to a required actual training period of no less than three professional unarmed combat shows where they will actually keep time for bouts under the supervision of a commission-designated instructor.

**Time Keeper Trainee** -1 (0%) - A copy of driver’s license or state issued identification card proving the applicant is at least 18 years of age

**Trainer** - 107 (12%) - A copy of driver’s license or state issued identification card proving the applicant is at least 18 years of age

**Wrestling Referee** - 15 (2%) - A copy of driver’s license or state issued identification card proving the applicant is at least 18 years of age.

**D. What evidence can your agency provide to show your overall effectiveness and efficiency in meeting your objectives?**

The Boards and Commissions Division monitors performance measures (see Table 2) for the New Mexico Athletic Commission. The purpose of the performance measures is to ensure the efficiency and effectiveness of the Board’s staff and timely completion of procedural requirements for tasks such as processing applications, logging complaints, complying with the Open Meetings Act, and conducting compliance inspections. These measures can be used to ensure both the public and the industry are receiving quality customer service

**E. Does your agency’s enabling law continue to correctly reflect your mission, objectives, and approach to performing your functions? Have you recommended changes to the Legislature in the past to improve your agency’s operations? If so, explain. Were the changes adopted?**

The existing law does not hinder the Commission’s functions. The current Commission and Executive Director have not made any recommendations.

**F. Do any of your agency’s functions overlap or duplicate those of another state or federal agency? Explain if, and why, each of your key functions is most appropriately placed within your agency. How do you ensure against duplication with other related agencies? If applicable, briefly discuss any memorandums of understanding, interagency agreements, or interagency contracts.**

Some of the tribal governments have their own independent Athletic Commissions and operate on federal and sovereign land. The New Mexico Athletic Commission has a Memorandum of

**Self-Evaluation Report: Athletic Commission**

Understanding (M.O.U) in place with different tribal governments in New Mexico. These MOU's act as an invitation by the sovereign nations to allow our commission to help oversee events and for both parties to agree on the conditions for sanctioning unarmed combat events.

**G. In general, how do other states carry out similar functions?**

Almost every State has an agency or body which carries out the functions of this Commission. Without these types of oversight, professional and safe events would not take place.

**H. What key obstacles impair your agency's ability to achieve its objectives?**

The biggest issues the Commission faces can be fixed through proper rules review. Many previous rules were out of date and some were completely unnecessary. The industry is an ever growing and changing sport with new rules and industry standards. The Commission will best serve our customer base and other stakeholders through proper, reasonable and sensible rules and regulations. This process takes time and in some areas will take some trial and error. The Commission hopes to get as many people involved as possible to better address all known and unknown issues and improve the sport.

**I. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:**

- why the regulation is needed;

The regulation is needed to protect the health, safety, and well-being of all contestants in the sports. To protect those involved in the training, competition, seconding, officiating, managing, and promoting of these sports, as well as the public at large, from illegal and unethical practices. To collect all taxes and fees due to the State of New Mexico from the sale, lease or gift of tickets or radio, television, and motion picture rights. Last but not least to encourage and assist young amateur athlete's participation in these sports in gaining proficiency in the skill, sportsmanship, health safety, and business aspects of their sport.

- initial and continuing requirements for licensure, registration, or certificate applicants;

None

- **the scope of, and procedures for, inspections or audits of regulated entities;**

Pursuant to the Commission's Rules and Statutes, the Athletic Commission does not provide for inspections of its licensees. Regulation of the industry happens in real-time as the Commission manages events as they happen.

- **follow-up activities conducted when non-compliance is identified;**

Other than on-scene management of an event, the Commission does not perform inspections/audits. However, if the Commission receives a formal complaint alleging non-compliance with the Commission's Rules and/or Statutes, the Commission will follow-up through the complaint process.

- **sanctions available to the agency to ensure compliance;**

## Self-Evaluation Report: Athletic Commission

The Professional Athletic Competition Act and the Rules promulgated by the Commission gives the Commission the authority to take the following action after every licensee or applicant is afforded notice and an opportunity to be heard:

- suspend the license for a period of time deemed appropriate;
- revoke the license;
- order future compliance and any remedial action as determined by the commission;
- declare forfeiture of any purse, or any part or share thereof, belonging to both or either of the contestants or of any manager;
- withhold any part of a purse or other funds belonging or payable to any contestant, manager or second, if in the judgment of the chairman or his designee; impose fines; require licensees to bear **all costs** of disciplinary proceedings, unless they prevail at the hearing; and refer alleged violations of Sections 60-2A-27 through 32 NMSA 1978 to the office of the district attorney in the judicial district in which the alleged violation(s) occurred.

In addition, each commissioner, shall have full power to act as an official on behalf of the commission at all contests and exhibitions to fully enforce all of the rules of the commission. Furthermore, each commissioner has the power and authority to immediately suspend a license, without prior notice, for any violation of this chapter of the laws of this state, if doing so is necessary in the interest of protection the health and safety of the unarmed combatant or any member of the public.

- **the number and types of complaints received for the past three fiscal years;**

A listing of complaints received by the Athletic Commission for fiscal years 2014, 2015 and 2016 is attached as **Attachment A**.

- **procedures for handling consumer/public complaints against regulated entities; and**

The following complaint procedures are used for the Athletic Commission:

- Complaints must be submitted to the Commission Office on a notarized Complaint Form. They are logged and processed within three days of receipt.
  - An acknowledgement letter is sent to the complainant.
  - A letter is sent to respondent with a copy of the complaint and a request for response.
  - The Compliance Liaison will determine what, if any additional investigation is warranted.
- The complaint is presented to the Commission at their next scheduled Commission Meeting and discussed in executive/closed session. The Commission will:
  - Deliberate on the information presented and determine how to proceed:
    - dismiss due to no violations of the Commission's Statutes and/or Rules, lack of jurisdiction, insufficient evidence to prove violations, etc.;
    - table for additional information; or
    - refer to the Attorney General's Office for the issuance of a Notice of Contemplated Action (NCA) with, or without, proposed early resolution.
- When the Commission returns to open session, they will make motions and vote on the actions discussed in executive/closed session.

## Self-Evaluation Report: Athletic Commission

- Following the Commission Meeting, the Compliance Liaison will complete the Commission's directives which may include requesting additional information or documentation, referring to an investigator for investigation, sending closure letters to the complainant and respondent, and preparing a request/referral to the Attorney General's Office (AGO) – Litigation Division for the issuance of a Notice of Contemplated Action (NCA).
- The AGO will determine whether they will prosecute or decline to prosecute the matter. They may also decide to propose an early resolution to the respondent without the need to issue a NCA or proceed to a formal hearing.
- If the matter does not result in an early resolution, the AGO may proceed with the issuance of a NCA and the respondent will be afforded an opportunity to request a hearing.
- After the NCA is issued the AGO will prosecute the matter at a formal hearing before a Hearing Officer appointed by the Board, and in accordance with the ULA.
  - The AGO may resolve the matter through a settlement agreement; or
  - The matter will be referred to the Commission for the issuance of a Default Order if respondent does not request a hearing.
- If the matter is resolved through a settlement agreement, the Commission will review and consider the allegations and proposed resolution. The Commission may:
  - vote to accept the proposal, offer a counter proposal; or
  - decline the proposal and refer to a formal hearing.
- If the matter goes through a formal hearing, the matter will be referred to the Commission for deliberation within ninety (90) days after the hearing has concluded to consider:
  - the Hearing Officer's Findings of Fact and Conclusions;
  - the evidence and testimony presented at the hearing;
  - the appropriate disciplinary action for the violations identified, if any.
  - The Commission will vote issue a Decision and Order through their Open Government Attorney and Compliance Liaison.
- If the matter is referred to the Commission for the issuance of a Default Order, the Commission will:
  - consider the allegations, violations, evidence and severity of the matter;
  - determine the appropriate action to impose on the respondent; and
  - issue a Default Order through their Open Government Attorney and Compliance Liaison.
- The Compliance Liaison will monitor and assure compliance with all Commission orders (Settlement Agreement, Decision and Order or Default Order).

In addition to the complaint procedures listed above, the commission may immediately suspend any license or permit it has issued by issuing a dated notice to that effect, served by certified mail, return receipt requested to the licensee or permit holder.

- Such suspension shall be without any advance hearing and shall take effect upon issuance of such notice of suspension by the commission, if such suspension is necessary in the interest of protecting the health and safety of the public.
- The notice shall specify the effective date and term of the suspension.
- The suspended licensee or permit holder shall be provided a hearing on the matter within



## Self-Evaluation Report: Athletic Commission

twenty (20) days of the date the notice of suspension is served. Such hearing shall be held to determine whether the suspended license or permit shall be revoked as specified in this section.

- The notice of suspension must be in writing and must be served on the respondent(s) within three (3) days from the date the license or permit was suspended by the commission or from the date the license or permit was suspended by a commissioner.

Suspension hearings are held in accordance with the procedures listed in the complaint procedures above.

- **issues surrounding enforcement of unregulated activity, if applicable.**

The Commission's Rules and Regulations protect the public from unprofessional and unethical practice by licensed practitioners and those attempting to practice without a license. Pursuant to the Uniform Licensing Act, 61-1-3.2 NMSA 1978:

- A. A person who is not licensed to engage in a profession or occupation regulated by a board is subject to disciplinary proceedings by the board; and
- B. A board may impose a civil penalty in an amount not to exceed one thousand dollars (\$1,000) against a person who, without a license, engages in a profession or occupation regulated by the board. In addition, the board may assess the person for administrative costs, including investigative costs and the cost of conducting a hearing.

If the Commission is made aware of unlicensed activity, usually an unsanctioned event, the local State Police will be notified to look into the matter and possibly prevent the event from taking place. Additionally, an investigation will be conducted. If enough evidence is gathered to substantiate the allegations, the Commission will proceed with issuing a Notice of Contemplated Action and pursuing the imposition of a civil penalty and restitution for investigative costs and the cost of conducting a hearing.

The Commission relies heavily on the public to inform them of unlicensed activity. Thus, the Commission is reactive rather than proactive. The Commission has limited authority when it comes to taking preventative measures against violations of the Act or Rules and any unlicensed activity.

A concern with enforcement of unlicensed activity is that the penalty is not harsh enough. Also, it can be difficult to investigate and/or verify information because the name and contact information of an unlicensed individual is usually inaccurate and/or they change their name and address. The individuals do not respond to inquiries, and the Commission does not have authority to require them to cooperate with the Commission's investigation. In addition, it is difficult for the Commission to enforce orders issued to individuals for unlicensed activity.

Furthermore, pursuant to 60-2A-29 NMSA 1978, any person violating the provisions of the Professional Athletic Competition Act is guilty of a misdemeanor and upon conviction therefor shall be punished, in the discretion of the court, by a fine not to exceed one thousand dollars (\$1,000) or by imprisonment in the county jail not to exceed three months, or by both such fine and

**Self-Evaluation Report: Athletic Commission**

imprisonment. The Commission only has administrative authority; therefore, a criminal court is the appropriate jurisdiction to find an individual guilty of a misdemeanor and impose imprisonment. These matters get referred to the local law enforcement authorities, Office of the Attorney General or the Office of the District Attorney. However, they are considered a lower priority and are rarely prosecuted.

**J. What are your agency’s biggest opportunities for improvement in the future? Are these included in your agency’s strategic plan?**

In the last year the Commission has worked hard to develop and amend the rules to provide for clarification concerning medical examinations, blood test results and deadlines to submit documentation. The proposed changes will help to provide for clear understanding of the rules and administrative efficiency to protect the health and safety of all licensees, officials and the public. It is important that the Commission eliminates any rules which are no longer needed and add those which will help in the administration of safe and quality events. We are constantly seeking the input of the individuals we serve and who receive a license from the Commission.

**K. In the following chart, provide information regarding your agency’s key performance measures including outcome, input, efficiency, and explanatory measures.**

**Table 2: Key Performance Measures**

No.	Performance Measure	FY15 Actual	FY16 Actual	FY16 Target	FY17 Target
1	Number of hours to return phone calls and emails with a 75% response rate	97%	85%	85%	N/A
2	Percent of initial applications and renewals processed within three to five days of receipt of completed action	100%	97%	87%	N/A
3	Percent of complaints logged and processed within five days of receipt of written complaint.	100%	100%	80%	99%
4	Percent of complaints investigated and presented at the next board compliance meeting or no later than four months from receipt of complaint.	N/A	N/A	N/A	99%

**L. If applicable, explain why certain targets for key performance measures were not met.**

**M. Provide a timeline of your agency’s history and key events, including:**

- the date your agency was established;  
The NM Athletic Commission was established in 2002.
- the original purpose and responsibilities of your agency;  
The Athletic Commission was created by statute which is cited as the Professional Athletic Competition Act (Article 2A of Chapter 60). The Commission is made of New Mexico residents appointed by the Governor in staggering terms of four (4) years who come from different political parties and varied backgrounds. The Legislature tasked the Commission sole direction, management, control and jurisdiction over all contests or exhibitions of unarmed combat to be conducted, held or given within New Mexico, and no contest or exhibitions may be conducted, held or given within the state except in accordance with the provisions of the Professional Athletic Competition Act. Since its inception the Commission has worked to

**Self-Evaluation Report: Athletic Commission**

ensure the safety of competitors, officials and spectators of all events sanctioned by the Commission.

- major changes in responsibilities or statutory authority;  
None.
- changes to your policymaking body's name or composition;  
None.
- significant changes in state/federal legislation, attorney general opinions, or funding;  
None.
- significant state/federal litigation that specifically affects your agency's operations; and
- key changes in your agency's organization (e.g., a major reorganization of the agency's divisions or program areas).

**Table 3: Agency History and Major Events**

Year	Major Event
	<b>See ATTACHMENT B</b>

### III. Policymaking Structure

**A. Complete the following chart providing information on your policymaking body members.**

**Table 4: Policymaking Body**

Member Name	Term/Appointment Dates/Appointed by (e.g., Governor, Lt. Governor, Speaker)	Qualification (e.g., public member, industry representative)	City
Gavin Pantoja	Appointment/October 2013-October 2017	Professional member	Albuquerque
Diego Esquibel	Appointment/April 2014-April 2018	Public Member	Albuquerque
Robert Debuck	Appointment/January 2012-January 2016	Professional Member	Albuquerque
Elias Quintana	Appointment/August 2014-August 2018	Professional Member	Albuquerque

**B. Describe the primary role and responsibilities of your policymaking body.**

The NMAC provides oversight of combat sports that can be very dangerous if not properly regulated. These sports have existed for over a hundred years and do not show any sign that they will stop. The NMAC is the only agency regulating combat sports for the State of New Mexico. If these sports go unregulated someone is more likely to get seriously injured or killed than if they were involved in regulated events.

**C. How is the chair selected?**

The Chair is selected by a vote of the Boards in an open meeting at the first Board meeting of the calendar year.

**D. Please list all vacant positions and the date of vacancy.**

There is one vacant position for a member of the public, vacant since September 2013.

**Self-Evaluation Report: Athletic Commission**

- E. List any special circumstances or unique features about your policymaking body or its responsibilities. State if there are any specific requirements for public or professional members.**

None

- F. In general, how often does your policymaking body meet? How many times did it meet in the current fiscal year? How many times did it meet in the previous fiscal year?**

In general the New Mexico Athletic Commission meets 12 times per fiscal year. In FY16 the Board met 14 times. In FY15 the Commission met 13 times.

- G. What type of training do members of your agency's policymaking body receive?**

All new board appointees, both public and professional, receive a Board Member Training manual that contains information on the duties and responsibilities of the Board, with a separate section on the role of public members. The manual contains the Board's statutes, rules and regulations, the Open Meetings Resolution and the Open Meetings Act, the Uniform Licensing Act, the Mileage and Per Diem Act and other laws pertinent to licensing, regulation, and board operation.

Board members get national training from recognized providers such as Council on Licensure Enforcement and Regulation (CLEAR) and Federation of Associations of Regulatory Board (FARB).

The Board's Assistant Attorney General trains individual members and continually works with the Board to assist them with all matters pertaining to the disciplinary process, board operations and any other issues that may arise.

The Boards & Commissions Division is developing a training program for Board Members.

- H. Does your agency have policies that describe the respective roles of the policymaking body and agency staff in running the agency? If so, describe these policies.**

The Board and staff is able to utilize the Administrative Procedures Guide, Uniform Licensing Act, and Open Meetings Act to guide the Board and the staff in the proper procedure for carrying out board functions and duties legally and ethically.

- I. What information is regularly presented to your policymaking body to keep them informed of your agency's performance?**

At each board meeting, the Board is presented with a report containing information about board membership, issues pending and topics that can affect the Board, statute or rule changes wanted by the Board, numbers of active licensees, numbers of licenses issued since the last meeting, and information about disciplinary actions.

- J. How does your policymaking body obtain input from the public regarding issues under the jurisdiction of the agency? How is this input incorporated into the operations of your agency?**

The public is more than welcome to be placed on the agenda to give any suggestions, feedback or make the Commission aware of any issues. The Commission tries to seek information from stakeholders and licensees. Our website lists all sanctioned events as well as the time and date for all upcoming meetings. Also all licensees know our Executive Director and his constant availability for questions and suggestions as he is very active in the events which our body sanctions. The Board in takes information

**Self-Evaluation Report: Athletic Commission**

from the public in several ways. Each meeting allows for public comment at which time members of the public may address the Board directly with concerns. More in-depth presentations can be made in front of the Board by requesting to be placed on the board meeting agenda. The public may also contact the Board Office with any concerns via mail, email, or telephone. Concerns from the public can be routed to the most appropriate location (i.e. compliance section will address complaints, general comments or suggestions may be reviewed by the board administrator, technical questions may be forwarded to the Board Chair, etc.). The input from the public is constantly incorporated into the operation of the Board and addressed with the greatest level of care and concern.

- K. If your policymaking body uses subcommittees or advisory committees to carry out its duties, fill in the following chart.**

N/A

**Table 5: Subcommittees and Advisory Committees**

Name of Subcommittee or Advisory Committee	Size/Composition/How are members appointed?	Purpose/Duties	Legal Basis for Committee
Rules Committee	2 Board Members by vote and Executive Director	Create and update Rules	60-2A-4

**IV. Funding**

- A. Provide a brief description of your agency’s funding.**

- B. Please fill in the following chart.**

**Table 6: Agency Budget Summary (dollars in thousands)**

Category	FY15 Actual	FY16 Actual	FY17 Budget	FY18 Projected
<b>SOURCES</b>				
General Fund Transfers				
Other Transfers				
Other Revenues	110.3	138.8	190.5	190.5
Fund Balance	24.8	0.0	0.0	0.0
<b>SOURCES TOTAL</b>	<b>135.1</b>	<b>138.8</b>	<b>190.5</b>	<b>190.5</b>
<b>USES</b>				
Personal Services and Employee Benefits	72.7			
Contractual Services	8.8	9.6	18.0	18.0
Other Costs	32.7	11.6	45.6	45.6
Other Financing Sources (overhead)	20.9	106.6	126.9	126.9
<b>TOTAL USES</b>	<b>135.1</b>	<b>127.8</b>	<b>190.5</b>	<b>190.5</b>
<b>FTE</b>				
Permanent	1.3	1.3	1.3	1.3
Term				
Temporary				
<b>TOTAL FTE POSITIONS</b>	<b>1.3</b>	<b>1.3</b>	<b>1.3</b>	<b>1.3</b>

- C. If you receive funds from multiple federal programs, show the types of federal funding sources.**

**Table 8: Federal Funds/Other Grants**

Type of Fund	State/Federal Match Ratio	State Share	Federal Share	Total Funding
N/A				
<b>TOTAL</b>				

- D. If applicable, provide detailed information on fees collected by your agency.**

**Self-Evaluation Report: Athletic Commission**

**Table 9: Fee Revenue**

Fee Description/ Program/ Statutory Citation	Current Fee/ Statutory Maximum	Number of Persons or Entities Paying Fee	Fee Revenue	Where Fee Revenue is Deposited (i.e., Fund Name)
<b>ATTACHMENT C</b>				

**E. If fees are set by your agency, provide detailed information on how fees are determined. Include a description of any proposed changes to agency fee and revenue structure.**

The agency will conduct a fee analysis to determine if a reduction or increase in fees is needed.

**F. If contracted expenditures are made through this program, please provide:**

- a short summary of the general purpose of the contracts;

The Contractor shall perform the following services as directed by the Executive Director and the New Mexico Athletic Commission.

A. The Chief Deputy Inspector has an important role in ensuring that boxing/wrestling/martial arts events are conducted in a safe environment. The position is responsible to the Executive Director and the Athletic Commission. The Chief Deputy Inspector must remain impartial when interacting with all promoters, boxers, managers and trainers; and represent the New Mexico Athletic Commission with the utmost integrity and professionalism.

B. Attend professional athletic events held in New Mexico to include boxing, wrestling, kickboxing and other martial art as well as attend all weigh in subject to regulation by the New Mexico Athletic Commission.

C. Enforce, on behalf of the Commission, all statutes, rules and regulations at all professional athletic events, report violations and make disciplinary recommendations to the Commission.

D. Along with the Director, consult with and meet with officials (when appropriate) before and/or after athletic events.

a. Along with the Director, attend weigh-in ceremonies and press conferences for boxing and all other events.

b. The contractor shall be responsible for the enforcement of the following in accordance with the New Mexico Professional Athletic Competition Act and any other duties and responsibilities that pertain exclusively to the events:

i. Ensure deputy inspectors remain in the dressing rooms at all times.

ii. Ensure placement of buckets and bottles in contestant's corner; and other necessary equipment at events;

iii. Ensure required emergency medical personnel and equipment are provided by the promoter.

## Self-Evaluation Report: Athletic Commission

- iv. Verify contestants are medically released to participate by the attending physician before and after all events;
- v. Ensure adequate security is provided by the promoter for each event;
- vi. It is the responsibility of the Chief Deputy Inspector to make a thorough examination of the arena or the cage. This will include checking the ring and ropes to ensure they are safe.
- vii. Inspect condition and size of gloves and taping of contestant hands; Ensure contestant are dressed properly and equipped with a regulation cup; and in the case of a female contestant, a breast protector. Ensure contestant have properly fitted mouthpieces;
- viii. Coordinate with deputy inspectors ensuring that contestant is ready and in position when the time comes to enter the ring or cage.
- ix. Approve required equipment (i.e. bell, time keeping device, scale, etc.)
- x. Along with the Director, authorize persons in boxer's dressing room (2); The Chief Deputy Inspector through the Deputy Inspectors is ultimately responsible for the conduct and activity in the dressing rooms.
- xi. Ensures that the ring corner inspectors know their responsibilities;
- xii. The Chief Deputy Inspector will report all potential problems, violation and other relevant concerns to the Director.
- xiii. The Chief Deputy Inspector may be assigned to assist the Director in paying the boxers and the promoter in accordance with authorized fee schedules paying ensuring officials.
- xiv. Perform other duties and responsibilities that pertain exclusively to the event as determined by the Director.
- xv. Be available, if needed, to attend training seminars and perform audits as required by the Safety Athletic Equipment Program.

E. Responsible for the safe keeping of Commission equipment (i.e. cameras, weight scale, bell, etc., as may be assigned to contractor by either the Director or the Commission. The Executive Director is responsible for the appointment of all officials prior to a NM sponsored event. The Athletic Commission Chairman or director must approve the officials appointed.

F. Submit a statement of account at the end of every event during which the contractor accomplished work on behalf of the Commission. This statement of account shall also detail the date, time and miles traveled.

G. The contractor shall conduct all investigations to ensure the licensees are abiding by the rules and regulations of the Athletic Commission set forth by NM State Statute. Upon

**Self-Evaluation Report: Athletic Commission**

completion of investigations contractor shall provide a detailed report of findings to the Athletic Commission.

In the event the Contractor fails to obtain the results described in Scope of Work, the Agency may provide written notice to the Contractor of the default and specify a reasonable period of time in which the Contractor shall advise the Agency of specific steps that it will take to achieve these results in the future and the timetable for implementation. Nothing in this subparagraph shall be construed to prevent the Agency from exercising its right pursuant to Paragraph 4 below.

- the expenditure amount for the latest fiscal year;

\$13,500

- the number of contracts accounting for those expenditures;

3

- top five contracts by dollar amount, including contractor and purpose;

\$4,500.00 – Elaine Chavez, Chief Deputy Inspector

\$4,500.00 – Stan Saavedra, Chief Deputy Inspector

\$4,500.00 – James Bagshaw, Chief Deputy Inspector

The purpose of the Chief Deputy Inspector is to ensure that boxing/wrestling/martial arts events are conducted in a safe environment. The position is responsible to the Executive Director and the New Mexico Athletic Commission. The Chief Deputy Inspector must remain impartial when interacting with all promoters, boxers, managers and trainers and represent the Commission with the utmost integrity and professionalism.

- the methods used to ensure accountability for funding and performance;

The Commission will determine which events the contractors will work.

- a short description of any current contracting problems.

None at this time.

**G. If applicable, provide a projection of ending cash balances for the latest fiscal year. If cash balances represent more than 5 percent of recurring appropriations, state reasons for this condition and any planned uses for remaining cash balances.**

The projected current fund balance as of June 30, 2016 is \$187,403.31. During the 2016 legislature \$153,400.00 was reverted to the General Fund.

The Board has established fees to provide sufficient revenues to meet operational requirements and to maintain at least one year's operating budget in the Board's cash fund.



## V. Organization

- A. Provide an organizational chart that includes major programs and divisions, showing the number of FTE in each program or division. Details should include, if possible, department heads with subordinates and actual FTE with budgeted FTE. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field or regional offices are used, if applicable.

See **ATTACHMENT D- 1 through D-2** (Organization and Flow Charts)

D-1 – Agency Organization Chart  
D-2 – Application Review Process

- B. Please fill in the following chart.

**Table 10: Agency FTE and Vacancies**

	FY15 Actual	FY16 Actual	FY17 Budget	FY18 Projected
Budgeted FTE Positions	1.3	1.3	1.3	1.3
Number of Actual FTE as of June 30	1.3	1.3	1.3	1.3
Annual Vacancy Savings (in dollars)				

- C. If applicable, fill in the chart below listing field or regional offices.

RLD Boards & Commissions has no field or regional offices.

**Table 11: FTE by Location**

Headquarters, Region, or Field Office	Location	Co-Location? Yes/No	Number of Budgeted FTE (latest fiscal year)	Number of Actual FTE as of June 1 (latest fiscal year)
N/A				

- D. List each of your agency’s key programs or functions, along with expenditures and FTE by program.

**Table 12: List of Program FTE and Expenditures**

Key Function/Strategy	Number of Budgeted FTE (latest fiscal year)	Number of Actual FTE as of June 1 (latest fiscal year)	Actual Expenditures
<b>Staff/Team Leader</b> - Supervises all staff and provides team leadership when complicated questions/concerns arise. Monitors staffing and daily functions of the Board to ensure great customer service and compliance with all rules and statutes.	0.2	0.2	
<b>Line II/Executive Director</b> - Monitors and enacts all Board initiatives set forth in all meetings or committees. Gathers all information requested by the Board and also keeps the Board Office functioning on a daily basis. Monitors all budgets to ensure all requirements and needs are met. Responds to public questions and concerns and is the liaison between the public and the Board itself. Provides meeting support to ensure all OMA and ULA standards are met during licensure, meetings and compliance.	0.8	0.8	
<b>Bus Ops-O/Administrative Assistant</b> - The purpose of the Boards and	0.3	0.3	

**Self-Evaluation Report: Athletic Commission**

<p>Commissions Division is to provide efficient licensing, compliance, and regulatory services, to protect the public by ensuring that licensed professional are qualified to practice. This position is required to manage &amp; meet multiple and conflicting deadlines; prepare board minutes, in a manner that makes it easy for the reader to understand and be fully informed and oversee the administrative functions and activities of the licensing board; coordinating meetings and hearings – dates, times, and locations to accommodate board members and the public comply with the Open Meetings Act; direct the preparation of travel vouchers, purchase orders, O/S travel, contracts and daily deposits; manage and improve the licensing procedure to ensure accurate and efficient tracking of applications to ensure compliance with licensing requirements; create procedures to streamline tasks, and assist Board Administrator.</p>			
---	--	--	--

**VI. Major Issues**

The purpose of this section is to briefly describe any potential issues raised by your agency, the Legislature, or stakeholders that Sunset could help address through changes in statute to improve your agency’s operations and service delivery. Inclusion of an issue does not indicate support, or opposition, for the issue. Instead, this section is intended to give the Sunset Review committee a basic understanding of the issues so staff can collect more information during our detailed research on your agency.

Some questions to ask in preparing this section may include: (1) How can your agency do a better job in meeting the needs of customers or in achieving agency goals? (2) What barriers exist that limit your agency’s ability to get the job done? Emphasis should be given to issues appropriate for resolution through changes in state law. Issues related to funding or actions by other governmental entities (federal, local, quasigovernmental, etc.) may be included, but the Sunset Review committee has no authority in the appropriations process or with other units of government. If these types of issues are included, the focus should be on solutions which can be enacted in state law. This section contains the following three components.

**A. Brief Description of Issue**

**B. Discussion. Include enough information to give context for the issue. Information helpful in building context includes:**

- What specific problems or concerns are involved in this issue?
- Who does this issue affect?
- What is the agency’s role related to the issue?
- Mention any previous legislative action related to the issue.

**C. Possible Solutions and Impact. Provide potential recommendations to solve the problem. Feel free to add a more detailed discussion of each proposed solution, including:**

- How will the proposed solution fix the problem or issue?
- How will the proposed change impact any entities or interest groups?
- How will your agency’s performance be impacted by the proposed change?

**Self-Evaluation Report: Athletic Commission**

- What are the benefits and possible drawbacks of the recommended change?
- What is the fiscal impact of the proposed change?

Complete this section for **each** issue. Copy and paste components A through C as many times as needed to discuss each issue.

**VII. Other Contacts**

A. Fill in the following chart with updated information on individuals or groups with an interest in your agency.

**Table 15: Other Contacts**

Group or Association Name/ Contact Person	Physical Address	Telephone Number	Email Address

**VIII. Agency Comments**

Provide any information needed to gain a preliminary understanding of your agency.