



**Special Board of Trustees Meeting  
By Zoom**

**March 8, 2024  
5:00 p.m.**

**PRESENT**

**President Jay L. Taylor, 1st Vice President Mark Brown, 2nd Vice President Nancy Summers and Trustees Norma Alvarez, Brian Anderson (late arrival), Denise Chambliss, Warren Franklin, Debra Laney, Mike Logan, Mac Murray, Helen Nave, Susie Prather, and Past President Tom Goncharoff.**

**ABSENT**

None

**QUORUM**

**President Taylor acknowledged a quorum present and called the meeting to order at 5:00 p.m.**

**ACTION ITEMS**

**DISCUSS AND VOTE ON POLICY CONCERNING EMBRYO TRANSFERS AND OUR NEW BY-LAW CHANGE – ASSISTED REPRODUCTION TECHNIQUES**

**Mary Barber read the original wording in the By-Laws and the new wording that was voted in at the Annual meeting.**

**ORIGINAL WORDING**

Requirements for use of embryo transfer and other assisted reproduction techniques:

1. All assisted reproduction techniques including but not limited to the transfer of embryos or oocytes must be performed within the State of New Mexico.

**NEW WORDING WITH BY-LAW CHANGE**

Requirements for use of embryo transfer and other assisted reproduction techniques:

1. All assisted reproduction techniques including but not limited to the transfer of embryos or oocytes must be performed within the State of New Mexico unless the service is not readily available in the state. OOCYTES may be done in other states if the out-of-state ICSI requirements are followed. The mare would be required to be enrolled in the Export Broodmare Program by October 1st of the year she was taken out of New Mexico.

**Debra Laney feels that embryo transfers should be allowed to be done out of state because it is not readily available in New Mexico.**

**Both Mac Murray and Denise Chambliss stated that is not what was voted on. It was for ICSI only and embryo transfers are readily available here in New Mexico.**

**Debra Laney said it is not readily available and that she has had people call her from December through the time this passed to say it is not readily available. We need to qualify what is readily available. Denise Chambliss stated that we have six veterinarians in New Mexico that can do embryo transfers.**

**Norma Alvarez read the definition of readily available according to Webster's as without hesitation and willingly, without delay, quickly, without difficulty, or easily.**

**President Taylor added that readily available is defined as something that is present or ready for immediate use or can be used or obtained quickly. Easily or without any problems. He thinks the term readily may have not been the best choice.**

**President Taylor asked Debra Laney to explain what is not available in the state of New Mexico. Her reply was that we do have facilities that do transfers. She named those veterinarians that do embryo transfers. She asked Mac Murray if he was able to do about 35 embryo transfers for other people and he replied that they has already performed 45 so far this year. She asked if that is just his stallions or other stallions. Mac replied that he had not been asked to do embryos by other stallions so far. They are not doing embryos for studs that are outside of New Mexico. There are plenty of farms outside of New Mexico who can do embryo transfers on outside studs. Mary Barber asked Mac Murray if he would do embryo transfers on stallions in New Mexico like TF Featured Effort or Jess A Chicks and he replied yes. Debra Laney asked if MJ Farms had turned anyone down for in state stallions and Mac Murray replied that not that he was aware of.**

**President Taylor asked if it wasn't reasonable to think that if someone was going to do an embryo transfer that they would have it all lined up in advance and was told yes. Debra Laney has been told that sometimes the facility doesn't have enough recipients or are overcommitted. President Taylor asked if the issue is that someone wants to go out of state to do their embryo transfer now or has gone out of state? Debra Laney replied that she thinks there could be people who have gone out of state because it says if it is not readily available in the state. The idea of this meeting was to define what readily available is.**

**Denise Chambliss thinks that there are enough farms that can do it but these people have not reached out to them and they just want to be able to go somewhere else. Debra Laney replied that may be but if we are not going to register horses because this was done out of state then what is our criteria? She does not want the association to get into trouble. People have told her that they have been turned down by New Mexico farms. Denise Chambliss asked if these people had told her what farms turned them down and Debra replied yes.**

President Taylor asked if these mares would have to be put in the Export Broodmare Program and Debra Laney replied that yes but that is not due until October and this will all be done.

Norma Alvarez stated that one problem that happens commonly is that you have to have a large pool of mares in order to do very many. It is not one for one because you have to find a recipient that is cycling at the same time as the donor mare.

President Taylor asked again if you would have this all planned out in advance. Debra Laney explained that if the farm you plan to go to has a large herd of mares that it might not be a problem but if that farm does not have very many, they might not be able to do the embryo transfer if they cannot match one up with you mare at the time she cycles. If you go out of state it is going to be more expensive. Some of these out of state facilities are very expensive, Royal Vista and Lazy E are set up and have lots and lots of recipient mares. This is the problem that people are going to run into and there are more people wanting to do embryo transfers. She does not want us to tie ourselves down to where they can't go out of state to do embryos and we lose the New Mexico Bred foals. If they do go out of state there would be ramifications because we would get the export mare money. Besides all this, all she want is some parameters as to what constitutes readily available.

President Taylor thinks we would have to make it a rule because we cannot amend the By-Laws now but he thinks we should put the burden of proof should be on the individual wanting to have the embryo transfer done. If someone calls Mac or Double L and they tell that person that they cannot do an embryo transfer for them, then they could call Mary and let her know and then they could go out of state to have it done.

Warren Franklin thinks that if Shawn Edwards and Mary Cap only do two embryo transfers a piece, they are not going to have enough recip mares. He asked Mac Murray if they could do more than they usually do and Mac said they do about 100 – 130 and that is about the amount that they want to do. Most of those are to their own stallions but he has never turned anyone away that wants to do an embryo transfer for a New Mexico Bred. Warren asked about how many recips there are between MJ Farms, Double L Farm, Copper Springs, and Carlos Paiz. Is that enough? Debra Laney felt the other issue is that a lot of these people will bring a mare for a NM Bred and also for an open foal. If there is not a place that will do both, that is a problem. President Taylor feels that is a convenience issue. Mac Murray said there are people are bringing their mares to do the NM Bred embryo transfer at MJ Farms and then taking the mares out of state to do the open foal. Debra Laney felt that timing is so important and you can get behind the eight ball. President Taylor felt that we cannot let them go out of state for their convenience when they could have done the NM Bred in New Mexico.

Denise Chambliss said all the conversations we had when we were going through this was for ICSI because you can do embryo transfers in New Mexico. Mac Murray also felt that the only thing this proposal was for was ICSI.

Debra Laney said this was the language that was voted on and Norma Alvarez explained that this would cover anything else that could come up in the future like cloning. She also explained what is required through her organic certified crops business that has the same kind of thing going on so if you cannot find organic seed, they will allow you to use non

organic seed. So, what they do is you have to do a seed search and you have to prove you cannot get it. Both President Taylor and Mac Murray agreed that you should have to prove you cannot get the embryo transfer done in New Mexico. The burden of proof is on you to show that having an embryo transfer done in New Mexico was not readily available. Norma said you have to do three seed searches but maybe for our purposes we could only require two.

Tom Goncharoff thinks it is too late to be arguing about the language since this has already been voted on by the membership. I guess what we are arguing about is what is readily available. Here we are approaching the middle of March and how does this effect people who may have already taken advantage of this and flushed embryos out of state? Are they going to be in jeopardy potentially? He is anticipating folks that want to breed to an outside stallion out of state would ship semen from a New Mexico stallion and flush that embryo, then bring that recip mare to New Mexico to foal as our rules require and then they find out later oh sorry you violated the rules and that foal is not eligible after they have gone to all that expense. The other issue is Mary is concerned about our finances and our decrease in registrations. Do we really want to hinder this effort? What do we have to gain? It would be \$1,000 per foal plus there is some concern about our Quarter Horse New Mexico Bred crop in order to maintain the numbers for the New Mexico Bred futurity at the Downs At Albuquerque. These are things that should be seriously considered before you make any decisions tonight.

President Taylor said that the intent of the rule was to have everyone do embryo transfers in the state of New Mexico if possible but now if something comes up and it is not readily available, they could go out. If we don't have some way of distinguishing what not readily available is then everyone could just go out if they wanted to. Debra Laney understands that concern but she thinks we are at risk if people have already done this. Denise Chambliss asked if there is a way to see if semen has been shipped out of state? Mark Brown thinks that they could just be flushed here and then just ship the embryos. They still have to breed to New Mexico Stallions here anyway. If you didn't have a contract a couple of months ago to do this you won't be able to.

Warren Franklin explained that every single year, there are mares that come to be bred to a New Mexico stallion and problems come up where they realize that this mare will not be able to carry a foal to term and they immediately need to do an embryo transfer. This happens every single year. That is not poor planning but just something that happens. He can ship embryos but not out of state. We all know this was happening where someone was shipping embryos to West Texas and then the mare would come here to foal out and become New Mexico breeds. We all know that was happening. Tom Goncharoff asked if shipping embryos puts it at a greater risk of not being successful and Warren Franklin replied that it does but he has shipped a lot of them and depending on where they go, he has had a pretty good success rate. Tom Goncharoff feels that we only have a couple of farms that are really good at this but then you go out of state where there are farms that are specialists at this because that is what they do.

Warren Franklin questioned that if we had more farms in New Mexico that do embryo transfers, would we have more done here? Do we have enough farms and with enough recip mares to do this for everyone that wants to? Norma Alvarez thinks that we do now but as the breeding season goes on the recipient herds get smaller. Warren Franklin thinks the recipient herd is too small right now.

Brian Anderson feels that he is doing as many embryos as anyone and he is having hell. He amassed about 30 recipient mares and it fell through and they couldn't do them and fortunately Carlos Paiz agreed to do some for him. He has a lot more to do but it doesn't look like Carlos is going to have enough mares to do them all and so there is a big issue. Andres is not going to do it and Mac is not going to do it if it is not to his studs and they might have to just carry the foals but he plans to get not just one New Mexico Bred but two. He is not breeding to an open horse. This puts him in a predicament and he does not want to go out of state because it will be so much more expensive but there are not enough recipient mares. It is not just here, it is everywhere.

President Taylor thinks there are two issues here. What do we do this year and in the long run do we need to clarify the language in the By-Laws? Do we just let it ride the way it is this year and then work on clarifying the language in the By-Law? Brian Anderson thinks that we cannot change the way it is now. Debra Laney said that if Brian cannot find recipient mares to this here then why can't he go out of state to do them. Norma Alvarez thinks he just needs to document it. Brian thinks that if someone would open up a new facility in New Mexico it would take care of this problem but nobody is stepping up to do that. It costs a lot to maintain all those recipis.

President Taylor asked if there is anywhere in the By-Law that says you have to document it if you cannot get it done in New Mexico. He would like to have people document that they made an effort this year.

Norma Alvarez thinks that Mary needs a form to send out to people to fill out. Mary Barber said that our application asks you where the breeding took place, where the mare was kept, and where the foal was born. Mark Brown explained that a lot of the time, a mare will be bred at Granada Farm or Lazy E and then be sent to Royal Vista to have the embryo transfer performed. Mary Barber commented that then they go to two facilities, one to be bred and one to have the transfer done. She thinks they should at least try to do them here.

Debra Laney thinks that if we want to put rules and restrictions on this, it would have to be for next year. President Taylor thinks we could put out in the newsletter that we recommend anybody who cannot find anyone to do this in New Mexico, to notify Mary in advance of sending them out. Norma Alvarez and Brian Anderson both agreed and thought this would be a good idea. We need to ask the farms to help let people know that they should inform the office. Brian Anderson does think there should be a form to fill out prior to doing that. Mary Barber commented that anyone who has already done this could still fill out this form after the fact. President Taylor said there is no requirement in our rules or By-Laws. Mary Barber feels that people should at least try to find someone to do this here first.

President Taylor asked if everyone agrees to put a notice in the newsletter stating that is anyone cannot find a facility in the state of New Mexico that will do their embryo transfer to send Mary a letter. Mark Brown suggested to put the names and phone numbers of the farms that do embryo transfers also. We could also mention to book early if you want to do embryo transfers.

President Taylor asked if we need to take a vote on if we want to put something in the newsletter with a list of the farms and phone numbers for embryo transfers and tell them

to book early and if they can't get somebody to do their embryo transfer, they need to notify Mary that they plan to leave the state. Tom Goncharoff asked how we handle it if someone already left the state? President Talor said they can still notify Mary to let her know they left the state. Tom Goncharoff clarified that there would not be any penalties for someone that has already left the state for example. President Taylor said no, he does not see how we could and Debra Laney agreed and she thinks we cannot make it a requirement but we can ask them to comply. We don't have to say it is required, we just appreciate the information so that we are aware and there is no issue in the future.

Mary Barber thinks it should be its own mass email to our members just for this instead of the newsletter but after discussion, we decided to do both.

Debra Laney said we cannot require it but that we can request it.

Warren Franklin asked that if he is going to flush and ship, he will need to call the farms in New Mexico first and then if he cannot match up a recipient mare here and ships out of state, then would there be a broodmare export fee and was told yes. Mary Barber said that only the mares that leave would have to be in the export broodmare program but Debra Laney clarified that the out of state recipients would also have to be put into the program as well. Mary Barber clarified that if the donor mare does not leave New Mexico, she does not have to be in the export broodmare program. Warren asked if he has to call everyone who has recips or what.

Brian Anderson thinks that we should look into charging a fee next year for shipping embryos out of state and Warren agreed. He feels that on some of these older mares who are fragile, you hate for them to leave your place. That is an instance where you would want to flush the embryo and you can even go and do that at that farm where the mare is.

President Taylor asked again if we are in agreement to put out a notice in an email and in the newsletter? Nobody was opposed so he suggested to Mary that when she gets the letter done, send it to the Trustees to review it to make sure it is clear and concise. It does not need to be too long. He also recommend that Mark Brown looks at the By-Laws to clarify this. Mark Brown thinks we do need to clarify what we define as readily available. We need to work with the farms on this. This is so costly people usually on do embryo transfers on pretty good mares and then only to certain stallions.

Mary Barber asked if we need to do a roll call vote?

Debra Laney made a motion to write a letter to the members.

Mike Logan said that he feels that they don't have to make sure they cannot do it in New Mexico and it is up to that person to decide what is readily available. Mary Barber asked that if that is the case do, they even need to reach out to see if they can do it in New Mexico? Mike Logan replied tell me where it says that they do? Norma Alvarez stressed that it says unless it is not readily available so obviously it puts some responsibility to look. Mike Logan said it is still up to that person to decide if it is readily available or not. President Taylor does think they should try but we have decided that we are not going to penalize anyone this year but we need to get it cleared up in the By-Laws. Mary Barber asked if anyone can just go out of state to do this, why do we even need to send a letter? Debra Laney feels that the letter is still necessary because it sort of sets the ground rules

that are coming down the road. Mike Logan said there is no burden of proof in the By-Law.

President Taylor asked if we are ready to do a roll call vote?

Debra Laney made a motion to reach out to the membership to ask for information concerning mares that they felt it was necessary to take out of New Mexico to have embryo transfers done, seconded by Brian Anderson.

President Taylor clarified what the letter to the members would say.

Motion passed 10:1.

Warren Franklin thought that when we did that By-Law change, it really did not have anything to do with embryo transfers, it was only about ICSI and several people agreed. Warren feels that if that is not what the board intended, we sure need to fix it. He thinks we should specifically say what can be done out of state. Mark Brown feels that shipping embryos are readily available in the state but Warren does not think you can find five vets that can do this in New Mexico.

#### OPEN DISCUSSION

Norma Alvarez called Jeff Witte who recommended that she ask Jay Lillywhite who had assisted Mark Wise from NMSU in the economic impact study he had done years ago. So, she contacted him and then she contacted Izzy Trejo and it turns out that the \$75,000 that was awarded to the Commission in House Bill 2 it states that it has to do with animal welfare and the study will be for a task force to analyze New Mexico racetracks . They are going to look to see if two year olds should run and track conditions. Ralph said that one could interpret this in many ways and he will discuss this with the LFC Analyst and let us know what he finds out. So, it is not what we thought it was but we hope they get someone who is not biased and does a good job.

Mark Brown is working on the wording for our By-Law change concerning when we will have our Annual Meeting and asked if he shouldn't just say that it will be at the same time as the Zia Festival. Mary Barber suggested that he leaves it open and that the Trustees determine when the Annual Meeting will be held because things could change and we might want to have it say at Sunland Park one year or something. Norma Alvarez added that you never know, Ruidoso Downs could be sold or something and we might not have Zia Festival.

Mark Brown would like to have it at the same time as the Awards Banquet. He is just working on that. Jay Taylor suggested that he say the Trustees will set the date to coincide with the Awards Banquet.

Mark Brown made a motion to adjourn the meeting, seconded by Debra Laney. Motion carried 11:0.

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Jay L. Taylor  
President

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Mary M. Barber  
Attest