

MAINE HARNESS RACING COMMISSION
MINUTES OF MEETING

October 18, 2006

Conference Room, Gambling Control Board
Department of Public Safety Office
45 Commerce Drive, Augusta, Maine

Commission Members Present: Chairman George McHale, Anne Jordan, Stanley Kuklinski, Norman Trask and James Tracy

Staff Members Present: John H. Richard, AAG, Henry Jackson, Ralph Canney, and Carol Gauthier

Commission Chair, George McHale, called the meeting to order at 12:45 P.M.

Commissioner Tracy made a motion to approve the minutes of September 26, 2006 as presented. Commissioner Kuklinski seconded. Vote 5-0

ADJUDICATORY HEARING:

1. The Commission held a hearing regarding Gary Bryant's appeal at Scarborough Downs on August 8, 2006. Mr. Kelleher, Presiding Judge at Scarborough Downs introduced the following exhibits: Exhibit A, Tape of race; Exhibit B, Photo finish of race; Exhibit C, Judges report of placings; and Exhibit D, Chart of race. After hearing testimony from Charles Malia, Gordon Corey, Mike Andrews, Gary Bryant, and Ed Kelleher, and reviewing the exhibits, Commissioner Tracy made a motion to deny the appeal. Commissioner Kuklinski seconded. Vote 5-0
2. Stephen Bourget, legal counsel for Robert Harvey appeared before the Commission and stated that his client would like to withdraw his appeal and enter into an Administrative Consent Agreement with the Commission. Commissioner Tracy made a motion to withdraw the appeal and directed Jack Richards, AAG, to work with Mr. Bourget in drafting an Administrative Consent Agreement for the Commission's review. Commissioner Kuklinski seconded the motion. Commissioner Tracy amended the motion to include the \$60.00 cost of the witness fees in the Administrative Consent Agreement. Vote 5-0

3. John Davidson was not present for his hearing. After discussion, Commissioner Jordan made a motion to a consent agreement with a suspension of 365 days. Mr. Davidson is to reimburse the Commission for the cost of the split sample test in the amount of \$170.00. The amount due the Commission is to be paid within 60 days of date of last signature. Commissioner Kuklinski seconded. Vote 5-0

UNFINISHED BUSINESS:

1. Mr. Marean addressed the Commission with some concerns regarding the judges that are licensed with the Maine Harness Racing Commission. He would like to see that the judges are more knowledgeable and possibly paid more money in order to get more qualified people.

REPORTS:

1. Jack Richards presented the proposed language for 8 MRSA Section 280. Section 3-B as approved by the Commission at its September meeting.

NEW BUSINESS:

1. Diann Perkins presented a list of five members to be appointed to the Sire Stakes Advisory Committee. Mrs. Perkins suggested the Commission reduce the present number of members from eleven to five. After discussion the Commission agreed to appoint seven members. Commissioner Kuklinski made a motion to appoint the following seven people to the Sire Stakes Advisory Committee: Diann Perkins, Jim Kelley, Carlton Chamberlin, William Manning, Don Marean, William McFarland, and Richard Hartley. Commissioner Tracy seconded. Vote 5-0

OTHER BUSINESS:

1. None.

The meeting adjourned at 3:00 P.M.

Respectfully submitted by:

Henry W. Jackson
Executive Director