

MAINE HARNESS RACING COMMISSION
MINUTES OF MEETING
June 10, 2009
Conference Room, Gambling Control Board
Department of Public Safety Office
45 Commerce Drive, Augusta, Maine

Commission Members Present: George McHale, James Tracy, Mary-Anne E. Martell, S. Todd Bradley and Stanley Kuklinski.

Commission Members Absent: None

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

Commissioner McHale called the meeting to order at 12:40 p.m.

On a motion from Commissioner Bradley and seconded by Commissioner Kuklinski, the minutes of May 12, 2009 were approved with a correction to strike the last sentence in paragraph #1 under unfinished business. Vote 4-0. Commissioner McHale did not vote.

ADJUDICATORY HEARING:

1. Public testimony was taken on the following proposed rules:
Chapter 7 Racing, Section 72 Purse Distribution

Chandler Woodcock, Executive Director of the Maine Harness Horsemen's Association testified in favor of the proposed rule citing that the MHHA had supported the change and he had worked with the Commission staff to formulate the wording.

Chapter 9 Sire Stakes, Section 6 Conditions

Michael Andrew, President of the Maine Standardbred Breeders and Owners Association testified in favor of the proposed rule change. He indicated that the MSBOA had proposed the rule change to the Commission. He also indicated that the MSBOA believed that a horse should have participated in at least one race of the program in order to participate in the final.

Chapter 11 Medication, Section 6 Androgenic-Anabolic Steroids (AAS)

Michael Andrew, President of the Maine Standardbred Breeders and Owners Association testified in opposition of the proposed rule stating he felt we were moving too quickly without have the necessary knowledge regarding testing capabilities. He stated that even though the MSBOA proposed the rule change it had second thoughts at the present time about adopting this rule.

Chandler Woodcock, Executive Director of the Maine Harness Horsemen's Association testified in opposition to the proposed rule stating that he agreed with the comments presented by Mr. Andrew and that there should be a period established between adoptions and determining whether a horse tested positive for the prohibited substances.

Dr. Timothy Powers, President of the Maine Harness Horsemen's Association testified in opposition of the proposed rule, although he agreed with the need to test for these drugs. He stated that the testing capabilities were unknown at this time and that further research was necessary regarding the permitted levels established in the proposed rule for geldings and mares.

Chapter 11 Medication, Section 7 Out of Competition Testing

Dr. Timothy Powers, President of the Maine Harness Horsemen's Association testified in support of the proposed rule. He stated that the MHHA was in support of this rule, but were concerned about how it would be implemented.

Michael Andrew, President of the Maine Standardbred Breeders and Owners Association testified in support of the proposed rule stating that the MSBOA was in favor of the rule as it pertains to testing for prohibited blood doping drugs.

UNFINISHED BUSINESS:

1. The Commission reviewed the proposed capital improvements submitted by Davric Maine Corp. d/b/a Scarborough Downs and Penn National Gaming, Inc. d/b/a Bangor Historic Track d/b/a Bangor Raceway.
 - A. Steve Cobbett represented Scarborough Downs. Commissioner Kuklinski made a motion to approve the capital improvements submitted by Scarborough Downs as presented. Commissioner Tracy seconded. Vote 5-0.
 - B. Corey Smith represented Bangor Raceway. Commissioner Kuklinski made a motion to approve the capital improvements submitted by Bangor Raceway as presented. Commissioner Tracy seconded. Vote 5-0.

REPORTS:

1. Ralph Canney reported on the starting gate issue. Right now Scarborough Downs has a lease agreement with Mr. Faucher. Steve Cobbett representing Scarborough Downs addressed the Commission. He said the new gate is working fine. Dan Ward's starting gate will be the backup gate. Mr. Ward addressed the Commission regarding the problems with the starting gate. He said they tested the gate thirteen times without a problem. Commissioner Kuklinski questioned Mr. Ward regarding the safety of the starting gate. He further stressed to him the importance of safety as it pertains to the horses and horsemen. Mr. Canney was concerned with the participants getting hurt because of Mr. Ward's starting gate. Commissioner McHale stated that if the gate is no good, the races will stop for that day.

NEW BUSINESS:

1. Penn National Gaming, Inc. d/b/a Bangor Historic Track d/b/a Bangor Raceway requested race dates to replace those dates lost in April and May. Reopening of the race date hearing will be held June 24, 2009 at 1:30 p.m.

Steve Cobbett representing Scarborough Downs is requesting one or two more dashes on Saturday and Sunday only through August 2, 2009 because of the abundance of horses. The Commission will take action on this request at the June 24, 2009 meeting.

OTHER BUSINESS:

1. Penn National Gaming, Inc. d/b/a Bangor Historic Track d/b/a Bangor Raceway requested for an extension of the requirement for the backstretch cameras. Corey Smith representing Bangor Raceway stating that because of the construction going on they would need more time. Steve Cobbett representing Scarborough Downs stated that they also would not have the cameras in place by the July 4, 2009 date because they were sent the wrong cables. The Commission agreed to extend the requirement of the backstretch cameras until the fall meet for Bangor Raceway and Scarborough Downs will have them in as soon as possible.

The meeting adjourned at 2:20 p.m.

Respectfully submitted by:

Henry W. Jackson
Executive Director