

MAINE HARNESS RACING COMMISSION
MINUTES OF MEETING
OCTOBER 27, 2010
ROOM 208, BURTON M. CROSS BUILDING
CAPITOL STREET
AUGUSTA, MAINE

Commission Members Present: Chairman George McHale, James Tracy, Barbara Dresser, S. Todd Bradley and Stanley Kuklinski.

Staff Members Present: John H. Richards, AAG, Henry Jackson, Peter Barengo, and Carol Gauthier.

Commission Chair, George McHale, called the meeting to order at 12:35 p.m.

ADJUDICATORY HEARINGS:

1. James Smith was the hearing officer for the Commission and Jack Richards represented Commission Staff. Testimony was heard from the following off track betting facilities for License Renewals for calendar year 2011.
 1. O.T.B. Facilitators, LLC, Sanford-Represented by Edward MacColl and Denise Terry
 2. Midcoast OTB, Inc., Brunswick-Represented by Gary Sagris and Jessica Washburn
 3. LRI, Inc., Lewiston-Represented by James Day
 4. Autotote Enterprises, Inc., Waterville-Represented by Steven Langsdorf and Don Barberino

The following Exhibits were entered into the record:

1. Notice of Hearing with return receipts
2. Ad in newspapers (tear sheets)
3. Application-O.T.B. Facilitators, LLC
4. Application-Midcoast OTB, Inc.
5. Application-LRI, Inc.
6. Application-Letter from PretiFlaherty to amend Sportech's application/Autotote Enterprises, Inc.
7. Deposit Escrow Agreement by Autotote Enterprises, Inc.
8. Letter from Macdonald Page & Co. LLC regarding financial information submitted by Christian Smith.
9. Sportech Report-Confidential by statute
10. Licensing of OTB facilities by Henry Jackson stating that under 8 MRSA Section 275-N has been met.
11. Conditional License prepared by Spectrum Gaming Group, LLC
12. Title 8 MRSA Section 275-D Requirements for approval of license.
13. Title 8 MRSA Section 270-A Confidentiality of records and information.

Christian Smith from McDonald Page testified and provided a report on the financial information of O.T.B. Facilitators, LLC., Midcoast OTB, Inc., and LRI, Inc.

Commissioner Kuklinski made a motion to approve the license to conduct pari-mutuel wagering and off track betting facility for O.T.B. Facilitators, LLC for calendar year 2011. Commissioner Tracy seconded. Vote 4-0. Commissioner Dresser recused herself from the vote.

Commissioner Kuklinski made a motion to approve license to conduct pari-mutuel wagering and off track betting facility for Midcoast OTB, Inc. for calendar year 2011. Commissioner Tracy seconded. Vote 5-0.

Commissioner Kuklinski made a motion to approve license to conduct pari-mutuel wagering and off track betting facility for LRI, Inc. for calendar year 2011. Commissioner Tracy seconded. Vote 5-0.

Commissioner Bradley made a motion to go into Executive Session because of confidential information. Commissioner Tracy seconded. Vote 5-0.

Commissioner Kuklinski made a motion to come out of Executive Session. Commissioner Tracy seconded. Vote 5-0.

Commissioner Tracy made a motion to grant a gaming license to Sportech/Autotote Enterprises, Inc. for calendar year 2011 based upon the conditions as outlined by the staff. Commissioner Bradley seconded. Vote 4-1. Commissioner Dresser opposed.

The transcript for this hearing is available at the Maine Harness Racing Commission office.

Prehearing Conference

1. Pursuant to 8 MRSA Section 271 and MHRC Rule Chapter 19, Section 4 the Commission reviewed the applications for live racing license renewal and the request for Assignment of Race Dates for calendar year 2011 for the following applicants:

Northern Maine Fair Association, Presque Isle; Fair Meet-Represented by Richard Duncan
Sagadahoc Agricultural & Horticultural Society, Topsham; Fair Meet,-Represented by
Gerald Lamarre

Skowhegan State Fair, Skowhegan; Fair Meet-Represented by Scott Dillon

Union Fair/Maine Wild Blueberry Festival, Union; Fair Meet, Represented by Gerard
Lamarre

Windsor Fair; Windsor Fair, Windsor; Fair Meet-Represented by William McFarland

Oxford County Agricultural Society; Oxford Fair, Oxford; Fair Meet-No representation

Franklin County Agricultural Society; Farmington Fair, Farmington; Fair Meet-Represented
by David Dunn

Cumberland Farmers Club, Cumberland Fair, Cumberland; Fair Meet and Extended Meet-
Represented by Michael Timmons

West Oxford Agricultural Society; Fryeburg Fair, Fryeburg; Fair Meet-Represented by
Kenneth Ronco

Bangor Historic Track, Inc.; Bangor Raceway, Bangor; Commercial Meet-Represented by
Corey Smith

Davric Maine Corp.; Scarborough Downs, Scarborough; Commercial Meet-Represented by
Edward MacColl

Mr. Jackson stated that the application from Sagadahoc Agricultural & Horticultural Society, Topsham Fair was not complete. Mr. Lamarre representing Topsham Fair stated that the financials would be sent to the Commission office.

Mr. Jackson also stated that the Maine Standardbred Breeders and Owner's Association are requesting that two additional dashes be held when there are Sire Stakes races for that day. Diann

Perkins was wondering why there is no racing on Wednesdays. Mr. Jackson said that was an issue that the two commercial tracks would have to address.

Mr. Jackson stated that the hearing for Douglas Gray would be continued to the December meeting.

UNFINISHED BUSINESS:

1. None.

REPORTS:

1. None.

NEW BUSINESS:

1. Mr. Jackson presented the list of individuals that would like to serve on the Sire Stakes Advisory Committee for 2010-2011. Michael Andrew, Diann Perkins, Michael Sweeney, Donald Marean, Richard Hartley, Denise McNitt, William McFarland, Jim Kelley and Douglass Hutchins.

Commissioner Tracy made a motion to approve the list of the Sire Stakes Advisory Committee as submitted. Commissioner Kuklinski seconded. Vote 5-0.

OTHER BUSINESS:

- 1.

Commissioner Kuklinski made a motion to adjourn. Commissioner Tracy seconded. Vote 5-0.

The meeting adjourned at 3:40 p.m.

Respectfully submitted by:

Henry W. Jackson
Executive Director