Commission Members Present: Barbara Dresser, Chair, Gary Reed, William McFarland and Dirk Duncan.

Staff Members Present: Ron Guay, AAG, Henry Jackson, Carol Gauthier, Josh Panek and Zachary Matzkin, DVM.

Commissioner McFarland made a motion to approve the January 29, 2015 minutes as written. Commissioner Reed seconded. Vote 4-0.

ADJUDICATORY HEARINGS:

1. **RE: Shawn Thayer, Complaint Number 2015 MSHRC 007.** Mr. Thayer is alleged to have violated MSHRC Rules Chapter 11 Section 1. Mr. Thayer is trainer of record of “Inthenameofjames”. A blood sample obtained from Inthenameofjames following the Fourth Race on May 5, 2015 at Bangor Raceway disclosed the presence of Clenbuterol, a Class III Drug. AAG, Guay continued this hearing to the August meeting.

2. **RE: Shawn Thayer, Complaint Number 2015 MSHRC 010.** Mr. Thayer is alleged to have violated MSHRC Rules Chapter 11 Section 1. Mr. Thayer is trainer of record of “Born That Way”. A blood sample obtained from Born That Way following the Third Race on May 18, 2015 at Bangor Raceway disclosed the presence of Clenbuterol, a Class III Drug. AAG, Guay continued this hearing to the August meeting.

3. **RE: Shawn Thayer, Complaint Number 2015 MSHRC 011.** Mr. Thayer is alleged to have violated MSHRC Rules Chapter 11 Section 1. Mr. Thayer is trainer of record of “Yummy Sushi”. A blood sample obtained from Yummy Sushi following the Ninth Race on May 19, 2015 at Bangor Raceway disclosed the presence of Clenbuterol, a Class III Drug. AAG, Guay continued this hearing to the August meeting.

4. **RE: Shawn Thayer, Complaint Number 2015 MSHRC 015.** Mr. Thayer is alleged to have violated MSHRC Rules Chapter 11 Section 1. Mr. Thayer is trainer of record of “Forever Wild”. A blood sample obtained from Forever Wild following the Seventh Race on May 22, 2015 at Bangor Raceway disclosed the presence of Clenbuterol, a Class III Drug. AAG, Guay continued this hearing to the August meeting.

5. **RE: Shawn Thayer, Complaint Number 2015 MSHRC 013.** Mr. Thayer is alleged to have violated MSHRC Rules Chapter 11 Section 1. Mr. Thayer is trainer of record of “Born That Way”. A blood sample obtained from Born That Way following the Eighth Race on May 25, 2015 at Bangor Raceway disclosed the presence of Clenbuterol, a Class III Drug. AAG, Guay continued this hearing to the August meeting.

6. **RE: Valerie Grondin, Complaint Number 2015 MSHRC 016.** Ms. Grondin is alleged to have violated MSHRC Rules Chapter 11 Section 1. Ms. Grondin is trainer of record of “Pembroke Picture”. A blood sample obtained from Pembroke Picture following the Second Qualifying Race on May 26, 2015 at Bangor Raceway disclosed the presence of Diclofenac, a Class IV Drug. Ms. Grondin was present. AAG, Guay asked Ms. Grondin if she admits to being the trainer of record of the horse Pembroke Picture and if the horse raced at Bangor on May 26, 2015. Ms. Grondin stated yes. Mr. Jackson presented the
following exhibits: Exhibit 2, Sample Tag Card; Exhibit 3, Lab results and Exhibit 5, Notice of Hearing. These were admitted without objection by Ms. Grondin. Ms. Grondin provided testimony. AAG, Guay closed the hearing. After deliberations, Commissioner McFarland made a motion that there was a presence of a drug for a violation. Commissioner Reed seconded. Vote 3-1. Commissioner Duncan opposed. AAG, Guay opened up the hearing for the penalty phase. After testimony was heard, AAG, Guay closed the hearing. Commissioner McFarland made a motion of a $500 fine with all but $50 suspended. Commissioner Duncan seconded. Vote 4-0.

7. RE: Valerie Grondin, Complaint Number 2014 MSHRC 031. Ms. Grondin is alleged to have violated MSHRC Rules Chapter 11 Section 8. Ms. Grondin is trainer of record of “Pembroke Picture”. A blood sample obtained from Pembroke Picture following the Sixth Race on November 10, 2014 at Bangor Raceway disclosed the presence of an excessive level of Flunixin. This case was originally heard on January 29, 2015 and the agreement was if no further violations occurred before July 1, 2015 then the complaint would be dismissed. Therefore, this matter is active. Ms. Grondin was present. AAG, Guay asked Ms. Grondin if she admits to being the trainer of record of the horse Pembroke Picture on November 10, 2014 and that the horse raced on that date and placed first in the sixth race. Ms. Grondin responded yes. Mr. Jackson presented the following exhibits: Exhibit 3, Lab results, and Exhibit 5, Notice of Hearing. The exhibits were admitted without objection from Ms. Grondin. Ms. Grondin admitted to the violation. AAG, Guay closed the hearing. Commissioner Dresser stated that she needs a motion on the penalty phase. Commissioner Reed made a motion to no suspension, $50 fine, horse suspended for 30 days with suspension suspended and the return of the purse. Commissioner McFarland seconded. Vote 4-0.

8. RE: Elizabeth Chenard, Complaint Number 2015 MSHRC 006. Ms. Chenard is alleged to have violated MSHRC Rules Chapter 11 Section 1. Ms. Chenard is trainer of record of “Ladyofcastlebrook”. A blood sample obtained from Ladyofcastlebrook following the Fourth Race at Scarborough Downs on May 3, 2015 disclosed the presence of Methocarbamol, a Class IV Drug. Commissioner Dresser recused herself from the hearing. Ms. Chenard was present. AAG, Guay asked Ms. Chenard if she agreed to the fact that she was the trainer of record of the horse Ladyofcastlebrook and that the horse raced at Scarborough Downs on May 3, 2015 and placed first in the fourth race. Ms. Chenard stated yes. Mr. Jackson presented the following exhibits: Exhibit 3, Lab results from LGC, Exhibit 5, Notice of Hearing and Exhibit 6 Lab results from Industrial Laboratories. These were admitted without objection from Ms. Chenard. Ms. Chenard presented the following exhibits: Exhibit 1, Article by The Daily Racing Form on July 22, 2014 pertaining to positive tests and Exhibit 2, Article by C. Fenger on September 20, 2014 regarding withdrawal times. These were admitted without objection from Mr. Jackson. Ms. Chenard and Mr. Chenard testified. AAG, Guay closed the hearing. Commissioner Dresser asked for a motion. Commissioner McFarland made a motion that there is a finding of a violation of the trainer responsibility rule. Commissioner Reed seconded. Vote 3-0. AAG, Guay stated that Ms. Chenard can testify regarding the penalty. Mr. and Ms. Chenard both provided testimony. Commissioner Dresser asked for a motion. Commissioner Duncan made a motion that there will be no suspension for the horse or trainer, a $500 fine with all suspended and the return of the purse by October 31, 2015. Commissioner McFarland seconded. Vote 3-0.

9. RE: A Request To Re-open The 2015 Race Date Assignment Hearing. Cumberland Farmers Club has requested the Commission to re-open the 2015 Race Date Assignment Hearing. Cumberland Farmers Club is requesting two additional race cards, one on
Monday, September 28 and one on Wednesday September 30, 2015. AAG, Guay asked for a motion to reopen the Race Date Assignment. Commissioner McFarland made a motion to reopen the 2015 Race Date Assignment hearing for the purpose of considering the request from Cumberland Farmers Club to add two additional race cards. Commissioner Reed seconded. Vote 4-0. AAG, Guay moved for the admission of Exhibit 1, Notice of Hearing, Request from Cumberland Farmers Club, Ad with Tear Sheets and List of Recipients. There were no objections to Exhibit 1. Michael Timmons, representing Cumberland Farmers Club was present. Mr. Timmons testified. Intervenors testified. AAG, Guay closed the hearing. After deliberations, Commissioner Duncan made a motion to approve the request from Cumberland Farmers Club to add two cards for September 28 and September 30, 2015 with post times at 1:00 p.m. and 7:00 p.m. with 10 dashes each. Commissioner Reed seconded. Vote 4-0.

10. RE: Hearing on Horse Supply. Pursuant to 8 MRS Section 271 subsection 8, prior to August the Commission shall conduct a hearing to determine whether the horse supply in the State has been adequate for the number of dashes conducted on assigned race dates. AAG, Guay opened the hearing. Mr. Jackson presented Exhibit 1, Ad with Tear Sheets, Notice of Hearing and List of Recipients. AAG, Guay admitted Exhibit 1 without objection. Mr. Jackson testified. Intervenors testified. AAG, Guay closed the hearing. After deliberations, Commissioner Duncan made a motion to not adjust the race dates. Commissioner Reed seconded. Vote 4-0.

Unfinished Business:

1. Review Chapter 11 for advertising for 30 day written comment period. Review Chapters 7 and 1 for proposed changes. Commissioner Dresser stated that this item will be continued to the August meeting. Mr. Jackson stated that when Chapter 11 is reviewed he would like Cobalt to be considered as a Class I Drug with a Category A penalty.

Commissioner Dresser asked for a motion on the decision and order for Allie Hiscock Complaint 2015 MSHRC 004. Commissioner McFarland made a motion to accept the decision and order for Allie Hiscock Complaint 2015 MSHRC 004 as written. Commissioner Duncan seconded. Vote 4-0. Commissioner Dresser asked for a motion on the decision and order for Allie Hiscock Complaint 2014 MSHRC 0023. Commissioner McFarland made a motion to accept the decision and order for Allie Hiscock Complaint 2014 MSHRC 0023 as written. Commissioner Duncan seconded. Vote 4-0. Commissioner Dresser asked for a motion on the decision and order for Jamie Gerard Complaint 2015 MSHRC 008. Commissioner McFarland made a motion to accept the decision and order Jamie Gerard Complaint 2015 MSHRC 008 as written. Commissioner Duncan seconded. Vote 4-0. Commissioner Dresser asked for a motion on the decision and order for David White Complaint 2015 MSHRC 009. Commissioner McFarland made a motion to accept the decision and order for David White Complaint 2015 MSHRC 009 as written. Commissioner Duncan seconded. Vote 4-0. Commissioner Dresser asked for a motion on the decision and order for John Bowman Complaint 2015 MSHRC 005. Commissioner McFarland made a motion to accept the decision and order for John Bowman Complaint 2015 MSHRC 005 as written. Commissioner Duncan seconded. Vote 4-0.

New Business:
1. Pursuant to 8 MRS Section 267 the Commission will conduct a hearing to make findings regarding and develop any revisions to its budget for the second fiscal year of the biennium. Mr. Jackson presented Exhibit 1, Notice of Hearing, List of Recipients and Copy of the Budget. After a brief discussion, AAG, Guay stated that the Maine Harness Horsemen’s Association asked for a motion to continue the hearing for additional information. AAG, Guay granted the motion to continue the hearing to the August meeting regarding the expense side, Object Group 85, on the revenue side, REV SRC 1301 and 2719 and state cap charges for the 2017 Budget. Hearing closed.

Other Business:
1. None.

Reports:
1. Mr. Jackson stated that he had one statement. As of July 31, 2015, he will no longer be the executive director of the department of Agriculture, Conservation and Forestry. He is retiring.

Public Comment:
Mr. Gravel addressed the Commission regarding the make up dates for Scarborough and Bangor. Mr. Cobbett stated that Scarborough Downs will be using all three dates in August.

Ms. Perkins stated on behalf of MSBOA and the horsemen in the State of Maine that she would like to thank Mr. Jackson for all his help.

Date of Next Meeting: August 26, 2015

Adjourn: 1:24 p.m.