



The Commonwealth of Massachusetts

Massachusetts Gaming Commission

NOTICE OF MEETING and AGENDA

September 18, 2012 Meeting

Pursuant to the Massachusetts Open Meeting Law, G.L. c. 30A, §§ 18-25, notice is hereby given of a meeting of the Massachusetts Gaming Commission. The meeting will take place:

Tuesday, September 18, 2012

1:00 p.m.

Division of Insurance

1000 Washington Street

1st Floor, Meeting Room 1-E

Boston, Massachusetts

PUBLIC MEETING - #27

1. Call to order
2. Approval of minutes
 - a. September 11, 2012 Meeting
3. Springfield schedule and process
4. Administration
 - a. Executive Director search update
 - b. Additional Hires: General Counsel, Staff Attorney, Deputy Director IEB
5. Finance/Budget
 - a. Update
 - b. Commission personnel policy
6. Racing Division
 - a. Operations Update
7. Project Work Plan
 - a. Consultant status report
 - i. Review of consultant schedule and scope
 - ii. Strategic Plan draft
 - b. Phase I regulations
 - c. "Wall Street" Project
8. Public Education and Information
 - a. Community and/or Developer outreach/responses to requests for information
 - i. Chelsea questions
 - b. Acting Ombudsman Report
 - c. Ombudsman search update
 - d. Report from Director of Communications and Outreach
 - e. Discussion of Diversity/Inclusion Forum September 19th
 - f. AIA Massachusetts presentation

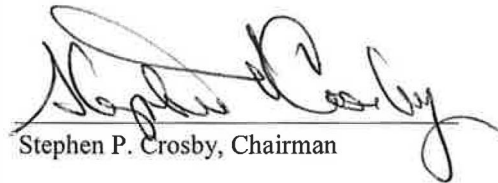
9. Research Agenda

a. Status report

10. Other business – reserved for matters the Chair did not reasonably anticipate at the time of posting

I certify that on this date, this Notice was posted as “Gaming Commission Meeting” at www.mass.gov/gaming/meetings and emailed to: regs@sec.state.ma.us, melissa.andrade@state.ma.us, brian.gosselin@state.ma.us.

9/12/12
(date)


Stephen P. Crosby, Chairman

Date Posted to Website: September 13, 2012 at 1:00 p.m.

Planning & Economic Development

70 Tapley Street Springfield, MA 01104 413.787.6020 Fax: 413.787.6524
www.springfieldplanning.org

September 18, 2012

Stephen Crosby, Chair
Massachusetts Gaming Commission
84 State Street, Suite 720
Boston, MA 02109

Re: Springfield Casino Host Agreement Process

Dear Commissioner Crosby:

Please accept this letter as a follow-up to the appearance by representatives of the City of Springfield (the "City") at the Massachusetts Gaming Commission (the "Commission") meeting held on September 11, 2012 and our subsequent conversations.

With multiple casinos interested in locating within the City, as discussed with the Commission, the City has developed a two-phase Request for Qualifications/Request for Proposals ("RFQ/P") process by which it will determine with which casino developers to negotiate a host community agreement. The City understands that the Commission will also be conducting a two-phase process by which it will select the casino developer to be awarded the category 1 casino license in Region B of the Commonwealth. Under Phase I of the Commission's process the Commission will accept phase 1 applications (each a "RFA-1") from casino companies and "pre-qualify" the casino companies.

In anticipation of the Commission's endeavor to release its RFA-1 in mid-October 2012, as part of Phase II of the City's RFQ/P process, the City will require that each participant in Phase II of the City's RFQ/P process become an "applicant" with the Commission by paying the Commission's application fee and completing and submitting to the Commission its completed RFA-1.

By the City requiring each participant in the City's Phase II process to become an "applicant" with the Commission, the Commission will receive timely and complete RFA-1s from those casino companies. As a result, the Commission can dedicate its resources to reviewing such RFA-1 applications and complete its "pre-qualification" of these casino companies within the Commission's anticipated 3 to 6 month timetable. Based on the above, the City does not intend to hold a vote on a ballot question to permit the operation of a gaming establishment licensed by the Commission to be located in the City with respect to a particular casino company until after the Commission has completed its review of the RFA-1 of such casino company and, based on such review, has found such casino company to be "pre-qualified."

Prior to the City selecting the casino company (or companies) with whom it will negotiate a host community agreement, the developers will be required, in the Phase II process, to set forth the terms of their offer to the City containing the economic and other material terms to be incorporated into a host community agreement.

We hope the above information will further our respective goals of working in a cooperative and timely fashion.

Very truly yours,



Kevin E. Kennedy
Chief Development Officer.

Massachusetts Gaming Commission

MEMORANDUM

Date: September 18, 2012

To: Commissioners

From: Commissioner Gayle Cameron 

Re: Racetrack Licensing Process

➤ Applications

- License application must be submitted by 5:00 PM October 1st.
- Application fee of \$1,800.00 must be included.
- Applicant supplies 1 original and 6 copies of the application.
 - ▲ 5 for Commissioners, 1 for Acting Director of Racing, 1 for Transition Coordinator, 1 for other track

➤ Schedule

- Hearings are scheduled and held in the host town of applicants
 - ▲ Plainville Town Hall (Plainridge Racecourse) September 18th, 2012 at 10:00 AM
 - ▲ Main Racing Office in Boston (Suffolk Downs) September 18th, 2012 at 2:00 PM
- Notices placed in local newspapers of hearings (Boston Herald, Boston Globe, Revere Journal & the Sun Chronicle)
- Hearing scheduled for announcement of vote (Main Racing Office)
 - ▲ Licenses created and delivered

➤ Response

- Letters are sent to all applicants giving notification of all the hearings to take place and of any approvals.

The Commonwealth of Massachusetts

**STATE RACING MASSACHUSETTS GAMING COMMISSION
BOSTON, MASSACHUSETTS**

APPLICATION FOR LICENSE TO HOLD OR CONDUCT A RACING MEETING

Part I

**TO BE FILED BY APPLICANTS WHO WERE LICENSED BY THE
MASSACHUSETTS STATE RACING COMMISSION IN THE PREVIOUS CALENDAR
YEAR FOR THE SAME TYPE OF RACING MEETING REQUESTED IN THIS
APPLICATION.**

APPLICATION OF: _____

FOR LICENSE TO HOLD OR CONDUCT _____ RACING MEETING AT

_____ FOR CALENDAR YEAR **2013**.

Pursuant to the provisions of Chapter 128A of the General Laws of the Commonwealth of Massachusetts, inserted by Chapter 374 of the Acts of 1934, as amended, the undersigned hereby makes application for license to hold or conduct a _____ racing meeting at _____ County of _____.

Attached hereto, is a certified check or bank draft payable to the State Racing Massachusetts Gaming Commission in

the sum of \$ _____ in payment of the first six days license fee.

In addition, the State Racing Massachusetts Gaming Commission is currently in possession of a certificate of deposit with _____ in the sum of \$125,000.00 from the applicant as surety in accordance with Section 3(o) of Chapter 128A of the General Laws.

Application for license to hold or conduct a _____ racing meeting.

Filed by _____

Date of application _____

1. The name of the applicant:
2. The post office address of the applicant:
3. If a corporation, LLC, or other similar business entity, the name of the state under the laws of which it is incorporated:
4. If a corporation, LLC, or other similar business entity, the location of its principal place of business:
5. If a corporation or other stock issuing business entity, the names and addresses of its Directors and stockholders. If an LLC, the names and addresses of its Directors, members, and managers.
Submit as Exhibit
 No. _____ information required by this question.
6. The location of the race track where it is proposed to hold or conduct such meeting.
7. The days on which it is intended to hold or conduct such a meeting, which days shall be successive weekdays, Saturday and Monday being considered successive week days.
8. The hours of each day between which it is intended to hold or conduct racing at such meeting

NOTE: Number exhibits serially in the space provided in the body of the form and list each exhibit in the space provided on page 14 of this application.

9. The applicant agrees that if a license is issued, to abide by and comply with the provisions of Chapter 128A of the General Laws and any rules and regulations heretofore or hereafter promulgated by the State Racing Massachusetts Gaming Commission:

Applicant:

By: _____

Application for license to hold or conduct a _____ racing meeting.

Filed by _____

Date of application _____

Date:

10. Address of Principal office:
11. Trade name, if any, under which business is or is to be conducted:
12. Name and Address of attorney, if any, of the applicant:
13. If applicant is a foreign corporation, name and residence of registered or authorized agent upon whom service of process in any proceedings against the applicant pursuant to Chapter 128A of the General Laws of the Commonwealth of Massachusetts and amendments, or proceedings in any Court of this State or in the United States District Court for the District of Massachusetts may be made:

NOTE: As used in this application the words "party to this application" have the following meanings, respectively: In case of an individual applicant, the applicant. In case of a partnership applicant, all partners, including limited and silent partners. In case of a corporate applicant, all officers, directors, stockholders of record, persons owning the beneficial interest in any stock, subscribers to any stock and persons who voted any of the voting stock at the last stockholders meeting. In case of any other applicant, all executive officers, members of the governing board, and owners or subscribers to any membership or ownership interest in applicant.

14. Applicant is (check one):
- An individual
 - A limited partnership
 - An unincorporated association
 - A general partnership
 - A trust
 - A corporation
 - A LLC
 - Other (specify)

15. If applicant is and individual, give name, residence, place and date of birth
- | | | | |
|------|-----------|----------------|---------------|
| Name | Residence | Place of Birth | Date of Birth |
|------|-----------|----------------|---------------|

Submit as Exhibit No. ____ three personal references including one of a bank.

16. If applicant is not an individual, give the State under the laws of which it is organized:

Application for license to hold or conduct a _____ racing meeting.

Filed by _____

Date of application _____

____ Yes ____ No

(h) Is five per cent (5%) or more of the stock or share of applicant ~~corporation~~ owned by an individual, corporation or other organization?

____ Yes ____ No

(i) Submit Exhibit No. ____ if answer to either question eighteen (g) or (h) (18-g-h) is "Yes," a statement showing the names of such officers, members, managers, or directors and all pertinent details - and with respect to (h)-(18-h) the names and addresses of all such individuals, corporation or other organizations

19. (a) Has applicant had a race track license revoked by order of decree of any Federal or State Court or any State Racing or Gaming Commission

____ Yes ____ No

(b) Have voluntary proceedings in bankruptcy been instituted by, or have involuntary proceedings in bankruptcy ever been brought against applicant

____ Yes ____ No

(c) Are there outstanding any unsatisfied judgments, decrees or restraining orders against applicant ~~ion~~

____ Yes ____ No

(d) If answer to any of the foregoing parts of this question nineteen (19) is "Yes," submit as Exhibit No. ____ a full disclosure concerning the persons and matters involved, identifying the court and the proceeding (by dates and file numbers) stating the facts upon which the proceeding was based or the nature of the offense committed, present status and the final disposition of the matter if any.

20. Does the applicant or any of its officers, members, managers, or directors have now, or has ever had any direct or indirect financial interest with the following:

(a) Any harness horse, running horse, or dog racing meeting conducting legalized pari-mutuel wagering.

____ Yes ____ No

(b) Any application other than this pending before the Massachusetts ~~State Racing~~ Gaming Commission.

____ Yes ____ No

Application for license to hold or conduct a _____ racing meeting.

Filed by _____

Date of application _____

(c) Any application which has been denied by the Massachusetts State Racing Gaming Commission, the predecessor Massachusetts State Racing Commission or any other State Commission or authority.

Yes No

(d) Any racing meeting, the license for which has been revoked.

Yes No

(e) Any harness horse, running horse, or dog racing meeting conducting pari-mutuel wagering in a State where pari-mutuel wagering, betting, pool making or gambling was Not or is not legalized by State law.

Yes No

(f) If answer to any of the foregoing parts of this question twenty (20) is "Yes" submit as Exhibit No. _____ a full disclosure showing (a) nature of interest or connection (giving dates), (b) place of racing meeting, (c) name under which such racing meeting was conducted.

21. The Commission is seeking in this question information as to contracts and arrangements now in existence, as well as any arrangements or negotiation, written or oral, which relate to the present or future ownership control or operation of the track, the questions must be answered in the light of this instruction.

(a) Applicant's control of the race track is to be by reason of (indicate by check mark)

Fee Simple Ownership Lease Other Authority

(b) Name and address of the owner of the premises (if other than the applicant):

(c) Will the applicant have and maintain control of the race track, its equipment and entire operation?

Yes No

(d) Are there any documents, instruments, contracts or understandings relating to ownership, management, use or control of the race track or any concession, or any right or interest therein financial or otherwise?

Yes No

(e) Are there any agreements, obligations or promises expressed or implied made by the applicant, any of its agents, or any party to this application, which are to be performed by the applicant?

Yes No

Application for license to hold or conduct a _____ racing meeting.

Filed by _____

Date of application _____

(f) If answer to question twenty-one (c) (21-c) is "No," or the answer to question twenty-one (d) or (e) (21-e) is "Yes" submit as Exhibit No. __ complete details; also state the substance of oral contracts or understanding including the name of the party or parties with whom made.

22. Location of Premises for which license is requested:

(a) Street:

(b) Municipality:

(c) County:

(d) Post Office Address:

(e) Submit as Exhibit No. __ the exact description, by metes and bounds, number of acres

in

premises, a plot plan showing the entire premises with all buildings presently on premises or proposed to be erected on said premises, information showing accessibility by highway, railroad and/or other means of public transportation, population within a 50 mile radius, and distances from principal cities, within said 50 mile radius.

23. Has applicant's entire premises been approved by local authorities in accordance with Section 13-A of Chapter 128-A of the General Laws?

Yes No

(a) If so, on what date: _____

24. Does the applicant own the entire premises involved?

Yes No

(a) If answer to question twenty-four (24) is "Yes" submit as Exhibit No. __ a statement showing (a) name of person from whom premises were purchased, (b) purchase price paid, (c) real estate commission paid, (d) any amount paid for right of ways, bonus, etc.

(b) If the premises have been under the sole ownership of the applicant and the track operated for the same purpose as set forth in this application, for twenty years or more, then question 24(a) need not be answered. In such case the applicant shall submit as Exhibit No. __ a properly signed statement to that effect.

Application for license to hold or conduct a _____ racing meeting.

Filed by _____

Date of application _____

(c) If the provisions of question 24 (b) applies to the applicant and question 24 (a) is not answered in detail, the applicant shall submit as Exhibit No. ____ a record of all land acquired since the date of last application showing (a) name of person from whom premises were purchased, (b) purchase price paid, (c) real estate commission paid, (d) any amount for right of ways, bonus, etc.

(d) If not, give full name and post office address of the owner:

(e) If not does the applicant have an agreement to purchase or an option to purchase the premises involved?

Yes No

(f) If not, and applicant is leasing or renting the premises involved, give name and address of persons from whom the premises are leased or to be leased.

(g) State amounts of any encumbrances against premises involved, the names of the holders of the same together with the dates of maturity thereof:

(h) Submit as Exhibit No. ____ if answer to question twenty-four (24) is "No" copy of agreement to purchase, option to purchase, or the lease on property as the case may be.

25. (a) Is the applicant or any party to the application delinquent in the filing of any report or the payment of any tax as required by Chapter 128-A of the General Laws of the Commonwealth of Massachusetts?

Yes No

(b) Submit as Exhibit No. ____ if answer to question twenty-five (25) (a) (25-a) is "yes" a complete detailed report giving names, dates and all other pertinent information

26. (a) State number of races it is intended to run daily

(b) State minimum purse to be paid, if it has been determined :

27. (a) State name of Racing Secretary who will be employed if license is granted:

Application for license to hold or conduct a _____ racing meeting.

Filed by _____

Date of application _____

(b) State name of Mutuel Manager who will be employed if License is granted:

(c) State name of General Manager who will be employed if license is granted:

28. If license is granted will applicant carry: Check

Workmen's Compensation Insurance	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Public Liability Insurance	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Jockey Insurance	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Drivers' Insurance	<input type="checkbox"/> Yes	<input type="checkbox"/> No

to Submit as Exhibit No. ___ a statement setting forth all other types of insurance intended to be carried for the protection of employees and patrons.

29. Submit as Exhibit No. ___ a statement setting for the all pertinent information on the details of the applicant's premises, buildings, etc. including the following:

(a) Total number of acres in the applicant's premises.

(b) Total number of acres used for track, buildings, stables, kennels, parking area, etc..

(c) Grandstand:

- (1) Seating capacity
 - Box Seats
 - Reserved Seats
 - General Admission
 - Total seating capacity
- (2) Is Grandstand enclosed
- (3) Is Grandstand heated
- (4) Is any portion of Grandstand Air Conditioned
- (5) Type of construction of Grandstand
- (6) Ground area covered by the Grandstand

(d) Club House

- (1) Seating Capacity
 - Box Seats
 - Reserved Seats
 - General Admission
 - Total seating capacity
- (2) Is Club House enclosed
- (3) Is Club House heated

Application for license to hold or conduct a _____ racing meeting,

Filed by _____

Date of application _____

-
-
- (4) Is any portion of the Club House Air Conditioned
 - (5) Type of construction of Club House
 - (6) Ground area covered by the Club House

(e) Bleachers

- (1) Seating Capacity
- (2) Type of construction of Bleachers
- (3) Ground area covered by the Bleachers

(f) Parking Space:

- (1) Area
- (2) Automobile capacity
- (3) Is parking area lighted
- (4) Is parking area treated - and if so how.
- (5) Is parking area numbered
- (6) Is parking are marked out
- (7) Is charge made for parking, if so how much

29. (g) Number of pari-mutuel ticket windows provided:

Grandstand:	Selling:	Cashing:
Club House:	Selling:	Cashing:
Other Locations:	Selling:	Cashing:

(h) Toilet facilities for patrons of each sex in Grandstand, Club House and/or other locations.

(i) Are all buildings properly maintained - i.e. painting, repair, etc.

(j) System of sewerage disposal. If not connected to main sewerage system give details of system used.

(k) Number of outlets for fresh, pure drinking water for patrons in grandstand, clubhouse and/or other locations.

(l) Security and Traffic Control:

Submit as Exhibit No. ___ a detailed statement of security measures which will be employed for the protection of patrons attending racing on the premises of the applicant and the control of traffic within the premises and on roads leading to and from the said premises. This statement should include but not be confined to: (a) number of uniformed police officers to be on duty each day inside of the track; (b) whether such polices officers will be regular police officers or special officers; (c) number of uniformed police officers detailed to traffic within the premises and on roads leading to and from the premises before, during and after racing hours; (d) number of plain clothes officers or detectives assigned within the track proper; (e) system to be used for the detection and suppression of illegal gambling within the premises of the applicant; (f) system to be used in the detection and barring of pick-

Application for license to hold or conduct a _____ racing meeting.

Filed by _____

Date of application _____

pockets, touts and other undesirable characters; (g) name of person who will be in charge of security within the track proper; (h) name of person who will have supervision of traffic control within the premises of the applicant and will act as liaison between the applicant and local police authorities in the control of traffic outside of the premises of the applicant; (i) name of police authority who has been consulted in setting up security measures within the track and the control of traffic within and outside of the premises of the applicant.

(m) For horse tracks (running horse and harness horse)

- (1) Size of Track
- (2) Number of Chutes
- (3) Number of Stables
- (4) Number of Stalls
- (5) Number of Tack Rooms
- (6) Number of Tack Rooms Heated
- (7) Number of Shower baths in stable area
- (8) Toilet facilities in stable area
- (9) Fire protection in stable area
 - Number of sprinklers
 - Number of fire alarm boxes
 - Other fire protective measures in stable area
- (10) Policing of Stable Area:

Submit as Exhibit 9 a detailed statement of measures which will be employed in the policing of the stable area. This statement should include but not be confined to: (a) Is stable area enclosed, if so, describe method of enclosure; (b) Number of gates to enclosure, where located and method of control; (c) system of passes to be issued to persons employed in stable area; (d) method to be followed in allowing persons in and out of stable area; (e) number of uniformed police officers to be assigned to the stable area indicating the number in daytime hours and nights; (f) number of plain clothes officers or detectives to be assigned to the stable area, days and nights; (i) name of person who will be in charge of policing in the stable area.
- (11) Recreation room
- (12) Track Kitchen
 - Seating Capacity
- (13) Size of jockey or driver's room and equipment available including number of shower baths, toilets, hot-boxes, etc.
- (14) List of other accommodations, facilities or services in stable are.

~~(n) For dog tracks~~

- ~~(1) Size of track~~
- ~~(2) Number of chutes~~
- ~~(3) Number of starting boxes~~
- ~~(4) Lock-out kennels~~

Application for license to hold or conduct a _____ racing meeting,

Filed by _____

Date of application _____

-
- ~~Number of boxes in lock-out kennels~~
 - ~~(5) Facilities for lead-outs~~
 - ~~(6) Recreation Room for owners and trainers~~
 - ~~(7) Describe Paddock Area~~
 - ~~(8) Type of cooling-out area~~

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- ~~(9) Fire protection in Paddock and Lock-out Kennels area~~
 - ~~Number of Sprinklers~~
 - ~~Fire alarm boxes~~
 - ~~Other fire protective measures in paddock and lock-out kennel area~~
- ~~(10) What protective measures are provided in lock-out kennels and paddock area?~~
- ~~(11) List other accommodations, facilities or services in paddock area~~

(en) Are all grounds in good order and properly maintained?

(po) List any other accommodations, facilities or services for the benefit of the patrons attending.

30. Submit as Exhibit No. ___ the trade name of any of the following equipment used at the track-date of purchase or the date of present contract and expiration date of said contract:

- (a) Pari-Mutuel Equipment
- (b) Starting Gate
- (c) Starting Boxes
- (d) Photo Finish Camera
- (e) Film Patrol
- (f) Timing Devices
- (g) Inter-communication system
- (h) Public Address System
- (i) Closed Circuit Television System
- (j) Horse Shoe Board
- (k) Scales
- (l) Lure
- (m) Any Other

31. Submit as Exhibit No. ___ name and address of concessionaire, date of present contracts and expiration date of said contracts for the following:

- Food
- Beverage
- Programs
- Parking
- Toilets

Application for license to hold or conduct a _____ racing meeting.

Filed by _____

Date of application _____

Other (describe)

32. Submit as Exhibit No. ___ a statement showing the total gross receipts for the past five calendar years received by each concessionaire from racing meetings conducted by the applicant-and the amount paid to the applicant. If the receipts to the applicant are based on other than the gross receipts, explain.

33. Has the applicant or any party to the application as defined in page 3 of this application any beneficial interest in any concessionaire who is now under contract or has been under contract with the applicant within the past five calendar years
 ___ Yes ___ No

If the answer to question 33 is "yes" submit as Exhibit No. ___ complete details.

34. Submit as Exhibit No. ___, an unaudited or internally produced balance sheet as of August 31st of the calendar year preceding the calendar year for with the application requests a license to be issued.

35. Submit as Exhibit No. ___ detailed itemized profit and loss statement. Signed by a Certified Public Accountant for fiscal year immediately preceding the calendar year for which the application requests a license to be issued.

36. Delete

37. Submit as Exhibit No. ___ a statement setting forth the reasons why the applicant believes that the dates applied for will be beneficial to the public, the Commonwealth and the applicant.

Application for license to hold or conduct a _____ racing meeting.

Filed by _____

Date of application _____

The applicant acknowledges by the signing of this application that if a license be granted, it will become the duty of the applicant as long as the license shall remain in effect, to file with the State Racing Massachusetts Gaming Commission such reports as may be required by Chapter 128A of the General Laws and such rules and regulations as it has adopted or may hereafter adopt, and to make such payments as may be required by law, and for failure so to do, the licensee shall incur the penalties set forth in Chapter 128A of the General Laws, or in such rules and regulations as said State Racing Massachusetts Gaming Commission has adopted or may hereafter adopt.

The applicant agrees if a license is issued, to abide by and comply with the provisions of Chapter 128A of the General Laws and any rules and regulations heretofore or hereafter promulgated by the State Racing Massachusetts Gaming Commission.

The applicant agrees that all buildings erected or to be erected on the premises here involved may be inspected by the State Racing Massachusetts Gaming Commission and their duly authorized agents, representatives or employees.

The applicant agrees that if said license is granted and the race track and buildings proposed to be erected have not already been constructed, that such construction shall be subject to the inspection of the State Racing Massachusetts Gaming Commission and to that end further agrees that the said State Racing Massachusetts Gaming Commission, its agents, representatives or employees, shall have access to the same during construction, and further agrees to so construct in strict accordance with such plans and specifications as may hereafter be approved by the State Racing Massachusetts Gaming Commission and to pay for the cost and expense incurred for the study and approval of the plans and specifications and inspection of the construction by said State Racing Massachusetts Gaming Commission.

Applicant agrees that all exhibits, statements, plans reports, papers, etc. submitted with the application are made a part hereof as if set forth herein in full.

Applicant agrees that any license which may hereafter be granted to him or to it is predicated upon statements and answers herein contained and that for any false or misleading statement or answer said license may be revoked.

Application for license to hold or conduct a _____ racing meeting.

Filed by _____

Date of application _____

I/We have read the prior six paragraphs and agree to the conditions set forth.

Applicant:

By: _____

Date:

WITNESS: _____

WITNESS: _____

WITNESS: _____

WITNESS: _____

WITNESS: _____

WITNESS: _____

ATTEST: _____
Secretary (Affix Corporate Seal)

Application for license to hold or conduct a _____ racing meeting.

Filed by _____

Date of application _____

AFFIDAVIT BY INDIVIDUAL APPLICANT

Commonwealth of Massachusetts

County of Suffolk

_____, being duly sworn, upon his oath deposes and says that:
The answers, statements and declarations made in the foregoing application are true.

Subscribed and sworn to before me this ____ day of September, 2011.

Signature of Affiant

Signature of officer administering oath

Title of such officer

AFFIDAVIT BY CORPORATE APPLICANT

Commonwealth of _____ ss _____

County of _____

_____, being duly sworn, upon his oath deposes and says that:

- 1. **He/She/he** is the _____ of the corporation named as the applicant and signed the foregoing application.
- 2. **He/She/he** was duly authorized by the Board of Directors of said corporation to sign said application in its name and in its behalf.
- 3. **She/he/He** has read and fully understands all of the questions pertaining to such applicant corporation and that all of the foregoing answers, statements and declarations made thereto are true.

Subscribed and sworn to before me this ____ day of _____

Signature of Affiant

Signature of officer administering oath

Title of such officer

Application for license to hold or conduct a _____ racing meeting.

Filed by _____

Date of application _____

AFFIDAVIT BY PARTNERSHIP APPLICANT

Commonwealth of Massachusetts

County of Suffolk, ss

_____, each being duly sworn say on
their respective oaths that:

1. They are ~~two of~~ the partners of the partnership named as the applicant in the foregoing application.
2. They have read and fully understand all of the questions pertaining to such applicant partnership and are authorized by all of said partners to make this affidavit.
3. That all of the foregoing answers, statements and declarations made thereto are true.

Subscribed and sworn to before
me this _____ day of

Signature of officer administering oath

Title of such officer

Application for license to hold or conduct a _____ racing meeting.

Filed by _____

Date of application _____

AFFIDAVIT BY LIMITED LIABILITY COMPANY APPLICANT

Commonwealth of Massachusetts

County of Suffolk, ss

_____, being duly sworn, upon ___ oath deposes and says that:

1. ___ is the _____ of the Limited Liability Company named as the applicant and signed the foregoing application.
2. ___ was duly authorized to sign said application in its name and in its behalf.
3. ___ has read and fully understands all of the questions pertaining to such applicant ~~corporation~~ and that all of the foregoing answers, statements and declarations made thereto are true.

Subscribed and sworn to before me this _____ day of _____.

Signature of Affiant

Signature of officer administering oath

Title of such officer



The Commonwealth of Massachusetts

Massachusetts Gaming Commission

84 State Street, Suite 720

Boston, Massachusetts 02109

CHAIRMAN

STEPHEN P. CROSBY

COMMISSIONERS

GAYLE CAMERON

JAMES F. MCHUGH

BRUCE W. STEBBINS

ENRIQUE ZUNIGA

TEL: (617)979-8400

FAX: (617)725-0528

www.mass.gov/gaming

Advisory to Massachusetts communities that may qualify as “host” or “surrounding” communities under Massachusetts General Law Chapter 23 in a proposal for a gaming license

In order to support the many communities across Massachusetts that are being approached by private developers about the possibility of developing a gaming facility within or near their borders, the Massachusetts Gaming Commission is offering various kinds of general advice and technical support.

I. Licensing Schedule.

The schedule discussed in this section is highly tentative, and is published only for the purpose of giving potential host and surrounding communities a general sense of schedule, with which they can assess the urgency of their need to comply with developers’ requests. These schedules are subject to change, and should not be relied on for any formal or legal action. It should also be noted that this schedule applies only to license proposals in regions A and B (in other words, exclusive of region C, Southeastern Massachusetts) for which the Commission is ~~implementing now beginning to develop~~ the application process. For now, the schedule and licensing process for gaming facility applications in region C will be under the control of ~~the a-compact negotiated presently in negotiation~~ between the Governor’s Office and tribal applicant(s) in region C.

The Massachusetts Gaming Commission is committed to a “fair, transparent, and participatory” process in awarding the gaming licenses across the Commonwealth. It is our intention to move this process forward as quickly as possible, in order to meet the aspirations of the Legislature and the Governor for economic development and new revenue. But we are equally committed to undertaking this process with a deliberateness that assures that we do it right.

As of the writing of this advisory, the Commission has established the following *approximate time frame* for the licensing process:

- Mid-October 2012 to mid-November 2012: release of Requests For Applications-Phase One (RFA-1), first stage in the application process which will prequalify bidders for their financial, corporate and personal integrity.
- January to May 2013: submission by applicants of completed RFA 1.
- April to November 2013: 3-6 month period for Commission to review completed responses to the RFA-1, and release Request for Applications-Phase Two (RFA-2) to successfully pre-qualified applicants. RFA-2 will be the final site-specific application that all applicants that pass the RFA-1 background check may submit.
- July 2013 to May 2014: a 3-6 month period during which applicants will complete and submit their full site specific license applications, RFA-2. No later than the end of this period, applicants must sign agreements with host and surrounding communities and have host agreements approved by referendum.
- October 2013 to November 2014: 3-6 month review of RFA-2 applications by the Commission, and final selection of licensees.

Accordingly, the range of time frames for the licensing process as presently envisioned by the Gaming Commission is as follows:

License Application Step	Earliest Likely Date	Latest Likely Date
Release of RFA-1	mid-October 2012	NA <u>mid-November 2012</u>
Applicants submission of completed RFA-1 (pre-qualifying phase, 3-6 months)	January 2013	NA <u>May 2013</u>
Commission review of completed RFA-1 and release of RFA-2 to qualified applicants (3-6 months)	April 2013	July <u>November</u> 2013
Applicant submission of completed RFA-2; surrounding community agreements executed and host community agreements approved by referendum (3- 8 <u>6</u> months)	July 2013	December 2013 <u>May 2014</u>
Commission review of completed RFA-2 and selection of licensee(s) (3-6 months)	October 2013	March <u>November</u> 2014

At any time up to the final submission of a completed RFA-2, developers and prospective host and surrounding communities may meet, negotiate and, if they wish, begin to develop host and surrounding community agreements. Given that siting and licensing a gaming facility is a complicated process, it is reasonable for developers to want to undertake these discussions and negotiations as soon as possible. However, it is important for prospective host and surrounding communities to understand that regulations prescribing the content of Host Community Agreements and site specific applications (RFA-2) have not yet been promulgated and, even when they are, the Commission will not be ready to accept and begin processing site specific applications until it has concluded its examination of the developer's RFA-1 application and has concluded that the developer is qualified.

ii. Technical assistance for prospective host and surrounding communities.

It is the intention of the Massachusetts Gaming Commission (and its enabling legislation passed by the Legislature) to provide as much technical assistance as possible to prospective host and surrounding communities, as well as funding for their work, as they endeavor to negotiate appropriate terms and conditions of host and surrounding community agreements. Chapter 23K, Section 4(7), of the Massachusetts gaming law states that "the commission may receive and approve applications from a municipality to provide for reasonable costs related to legal, financial and other professional services required for the negotiation and execution of host and surrounding community agreements as provided in section 15, and to require that such costs be paid by the applicant for a gaming license." The Commission will soon issue regulations that implement this mandate and provide guidance to cities, towns and developers regarding the process for fee applications.

The MGC has been working over the past few weeks with a variety of organizations, including Mass Municipal Association, several of the regional planning authorities (RPAs), the Collins Center at UMass Boston, and Mass Development to determine the best mechanism for providing this technical assistance. The Commission recognizes that it must provide or facilitate provision of assistance in a manner that is even handed across all communities and does not compromise either the objectivity or the appearance of objectivity of the MGC in its subsequent deliberations.

We expect that the MGC and its partners will soon have an organized resource of professionals with understanding of the expanded gaming law, and access to consultant, legal and other resources for the communities to utilize in their discussions and negotiations with the gaming facility developers. It is also the present intention of the MGC to appoint an "ombudsman" who will serve as a single point of contact at the Commission for municipalities interested in this technical support, and who will be responsible for proactively communicating with prospective hosts and surrounding communities about the resources that are available to them. The Commission hopes to have this appointment made by the end of September 2012.

The Commission has already been asked and answered many inquiries from local officials across the Commonwealth. Many of these questions and answers, along with other background information about the gaming law and plan can be found at our website at mass.gov/gaming. Also found at that site is a link to an email contact with the Commission, to which we will reply promptly.

We hope this is helpful to the many communities across the Commonwealth that are wrestling with the prospect of serving as a host or surrounding community for a gaming license.

The Massachusetts Gaming Commission

September 18~~July 17~~, 2012