

205 CMR: MASSACHUSETTS GAMING COMMISSION
205 CMR 2.00: HORSE RACING MEETING LICENSING

Section 2.01: Application for license to conduct a racing meeting by a new operator

- (1) Pursuant to M.G.L. c. 128A, §2, any person desiring to hold or conduct a horse racing meeting shall submit a completed application with the commission to do so on a form to be provided by the commission. Such application shall require, but not be limited to, submission of the following:
- a) The name of the applicant;
 - b) A \$300 licensing fee as described in M.G.L. c. 128A, § 4;
 - c) The post office address of the applicant, and if a corporation, the name of the state under the laws of which it is incorporated, the location of its principal place of business and the names and addresses of its directors and stockholders;
 - d) The location of the proposed racetrack where it is proposed to hold or conduct such meeting including the ownership of the proposed parcel(s);
 - e) The calendar year in which the applicant anticipates conducting the meeting, and the specific days on which it is intends to hold or conduct such a meeting;
 - f) The hours of each day between which it is intended to hold or conduct racing at such meeting subject to the restrictions described in M.G.L. c. 128A;
 - g) A summary of the project and racing facilities including a description of the proposed financing and source(s) of capital;
 - h) Submission of feasibility, viability, economic impact/development studies including projected revenues, purses, handles, tax payments, attendance, and employment figures;
 - i) Information and documentation of the applicant's receipt of required approvals from groups and entities outside of the commission including, but not limited to, a municipal approval pursuant to M.G.L. c. 128A, § 13A, an affirmative county vote pursuant to M.G.L. c. 128A, § 14, and other state or federal environmental, land use, building, and hospitality-related permits, licenses, or authorizations;
 - j) Information for the evaluation of the suitability of the applicant including all individual and entity qualifiers. A qualifier shall be considered any entity or individual that, in the commission's discretion, maintains an ability to influence or control the operation of the applicant and prospective licensee including any business associates. Suitability shall include, but not be limited to, an evaluation of the integrity, honesty, and good character of each qualifier, an evaluation of the financial stability, integrity, and background of the applicant and each qualifier, and the overall business ability of the applicant to establish and maintain an honestly managed racing meeting;
 - k) Information relative to the public interest and benefits associated with the conduct of the proposed racing meeting including the existence, or plan to execute, a purse agreement with a representative horsemen's organization, any support or opposition to the proposal received from the host and nearby communities, the applicant's plan to attract and employ a diverse workforce in both construction and operational phases of the proposal including use of vendors, and whether the applicant plans on entering into a Project Labor Agreement(s);
 - l) Information relative to the proposed pari-mutuel wagering plan for live racing, simulcasting, and advance deposit wagering;

- m) An attestation signed and sworn to that the applicant will comply, in case such license be issued, with all applicable laws and with all applicable rules and regulations prescribed by the commission, and that the applicant shall have an affirmative obligation to abide by every statement made in the application to the commission should it be awarded a license; and
 - n) Answers to such other questions as the commission may prescribe.
- (2) The application described in 205 CMR 2.01 shall not apply to a renewal of a license awarded the previous year or for a fair license described in M.G.L. c. 128A, §3.

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