SENATE DOCKET, NO. 1952 FILED ON: 3/04/2015

SENATE . . . . . No. 17

Senate, March 5, 2015 – Communication from the Massachusetts Gaming Commission (under the provisions of Section 9B of Chapter 128A of the General Laws) submitting proposed regulations governing supplemental licensure procedures for 205 CMR 14.00

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

February 27, 2015

The Honorable William F. Welch
Senate Clerk
Office of the Clerk of the Senate
94 Beacon Street
Room 335 – State House
Boston, MA 02133

Dear Mr. Welch,

Enclosed please find proposed new regulations for 205 CMR 14.00; regulations governing supplemental licensure procedures, pursuant to M.G.L. c.128A, §9B. These proposed regulations set forth supplemental procedures for licensure for a racing meeting license. The regulations give the Commission the flexibility to waive the filing deadlines under specific circumstances, to deem a license complete as of the date first filed notwithstanding supplemental information being provided at a later time, and the ability to hold the required certified checks or bank drafts in escrow for thirty days after the award of a license.

These regulations are largely governed by G.L. c.128A, §2. A public hearing was held regarding these proposed regulations on January 22, 2015. Please do not hesitate to contact me with any questions or concerns.

Respectfully submitted
Massachusetts Gaming Commission
By:
Danielle Holmes
Attorney, Division of Racing

Enclosures.

205 CMR: MASSACHUSETSS GAMING COMMISSION
205 CMR 14.00 SUPPLEMENTAL LICENSURE PROCEDURES

14.01: Supplemental Procedures for Licensure Pursuant to M.G.L. c.128A, §2.

(1) Any person desiring to hold or conduct a horse racing meeting within the commonwealth shall make an application to the commission for a license so to do in accordance with M.G.L. c.128A, §2. The commission may waive the deadlines for filing of and action on any such application in the event that there is no horse racing association then licensed in the commonwealth or any such association previously licensed has submitted written notice of intent pursuant to 205 CMR 149.03 (1), has failed to timely notify the commission pursuant thereto or has caused or suffered any event described in 205 CMR 149.03 (a)-(f) to have occurred.

(2) The commission may deem an application for a license submitted pursuant to M.G.L. c.128A, §2 complete as of the date first filed, notwithstanding the fact that the applicant provided additional or supplemental information in support of that application at a later time, provided all such additional or supplemental information has been provided to the commission no later than 90 days before the proposed commencement of a meeting requested in the application.

(3) The commission may, at an applicant's request, hold the certified checks or bank drafts required as part of an application of a license pursuant to M.G.L. c.128A, §2 in escrow until 30 days after the award of a license.

(4) A harness racing association or horse racing association awarded a license pursuant to M.G.L. c.128A must provide the commission with the bond required pursuant to M.G.L. c.128A, §3(o) within 30 days of the award of the license.

REGULATORY AUTHORITY

205 CMR 14.00: M.G.L. c.23K, §§2, 4(37), 4(38), 5, 7, 60; M.G.L. c.128A, §§1, 2, 3, 9, 9B.