



Official Use Only

Rcpt #: \_\_\_\_\_

Lic. #: \_\_\_\_\_

Lic. Date: \_\_\_\_\_

**APPLICATION TO OFFER WAGERING ON  
HISTORIC HORSE RACES**

**A. GAME OPERATOR EMPLOYER INFORMATION**

Business Name of GOE: \_\_\_\_\_

Trade Name/DBA: \_\_\_\_\_

Business Address: \_\_\_\_\_

Street/PO Box

City/Town

State

Zip

Gaming Address: \_\_\_\_\_

Street/PO Box

City/Town

State

Zip

Phone Number: \_\_\_\_\_

Web Address: \_\_\_\_\_

Federal Employer Identification Number: \_\_\_\_\_

The Applicant is a:

- Sole proprietorship   
 Partnership   
 Trust  
 Corporation   
 Limited Liability Corp.   
 Other (describe) \_\_\_\_\_

**B. EXHIBITS**

Label and submit Exhibits 1 through 15 as described in Appendix A

**C. EXECUTIVE OFFICER NOTARIZED STATEMENT**

I certify, under the penalty of unsworn falsification pursuant to RSA 641:3, that the information provided on this application and in any attachments or exhibits is true, accurate and complete.

\_\_\_\_\_  
Signature of executive officer submitting on behalf of the applicant

\_\_\_\_\_  
Date

In witness whereof, I have executed this release at \_\_\_\_\_

On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

Subscribed and sworn to before me on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Signature: \_\_\_\_\_

Notary Public in and for the County of \_\_\_\_\_, State of \_\_\_\_\_

Expiration Date: \_\_\_\_\_

## APPLICATION TO OFFER HISTORIC HORSE RACING

### D. SUBMISSION

Submit the Application and all accompanying Exhibits through the Lottery's secure portal. Contact the NH Lottery at 603-271-3391 to request credentials to enable use of the portal.

Please note that 60-day period for agency review will not begin until the completed application, including all Exhibits, has been received by NH Lottery.

### APPENDIX A – EXHIBITS

#### EXHIBIT 1: Plan of Operation

This requirement applies only to first time applicants, and current licensees seeking to operate at a new location. The Plan of Operation must include all of the information:

- a. The number of terminals to be operated at the facility broken down by terminal provider, make, and model;
- b. A detailed description of the proposed area designated for the sale of pari-mutuel pool, and the placement of terminals within the area, including a drawn-to-scale architectural rendering that describes:
  1. The size, construction, and capacity of the area;
  2. The number and location of each terminal; and
  3. The type and location of surveillance and other security equipment, which shall meet or exceed the applicable requirements set forth in "Surveillance Standards for Gaming Establishments Operating Historic Horse Racing and/or Games of Chance Events" (9/2021);
- c. The type, number and denominations of pari-mutuel wagers to be offered;
- d. General and game specific information regarding the pari-mutuel wagers, including the mathematical models, methods of calculating payouts, the configuration of pools, how money is allocated to the pools (including seed pools), and pool payout methodology;
- e. Documentation from an independent testing laboratory confirming that the terminals comply with the requirements of this chapter;
- f. The maintenance and repair procedures that will ensure the integrity of the terminals;
- g. A description of the type of data processing, communication, totalizator and transmission equipment to be utilized;
- h. A networking diagram detailing the manner in which the machines will be networked with the gaming servers and back office systems;
- i. An IT security plan detailing the logical security measures for the gaming system;
- j. Safeguards and controls that will be in place relative to the transmission of wagering data to effectuate common wagering pools;
- k. A copy of the written internal control policies and procedures designed to ensure effective control over the gaming operation, which shall meet or exceed the applicable requirements set forth in "Minimum Internal Control Standards for GOC and HHR" (9/2021);

## APPLICATION TO OFFER HISTORIC HORSE RACING

- i. The practices and procedures that will ensure the security, safety, and comfort of patrons in the designated area; and
- m. An anti-money laundering (AML) compliance program that complies with the requirements of 31 CFR Part 1021.210 to prevent the licensee from being used to facilitate money laundering and financing of terrorist activities;

If elements of the Plan of Operation are not available until time of construction or operation, the applicant may submit all available materials for consideration, and note what materials are pending and why.

### **EXHIBIT #2: List of All Parties to the Application**

Provide a complete list of the parties to the application including:

1. The individual or legal entity's name and contact information, to include mailing address, email address and phone number;
2. The nature or type of ownership interest held;
3. The percent of ownership interest or # of stock shares held;
4. How ownership interest or stocks were obtained; and
5. The conditions under which the owner/subscriber holds and votes or has subscribed for such stock.

A "party to the application" refers to:

- a. For sole proprietorship, the applicant;
- b. For a partnership, the applicant and all partners including general, limited and silent partners;
- c. For a corporation, the applicant and all executive officers, directors, stockholders of record, Individuals or organizations holding the beneficial interest in any stock, subscribers to any stock, and individuals or organizations who voted any of the voting stock at the last stockholder's meeting prior to submitting the application; or
- d. For any other organization, the applicant and all owners, executive officers, members of the governing board and any other individual or organization holding any membership, financial or ownership interest in the applicant.

### **EXHIBIT #3: Suitability Determination Waiver**

Submit a completed "Suitability Determination Release of Liability Waiver" form (7/2021) for each individual or legal entity identified in Exhibit #2 as a Party to the Application.

### **EXHIBIT #4: Multi-Jurisdictional Personal History Disclosure Form**

Submit a completed Multi-Jurisdictional Personal History Disclosure form for each individual or legal entity identified in Exhibit #2 as a Party to the Application.

### **EXHIBIT #5: NH State Police Criminal Record Release Authorization Form, Fingerprints & Fee**

For each individual identified in Exhibit #2 as a Party to the Application, submit a signed and notarized criminal record release authorization form obtained from the Commission.

Include with this form, payment for the record check, payable to the "State of NH – Criminal Records", in the amount established by the NH state police, and a complete set of fingerprints

## APPLICATION TO OFFER HISTORIC HORSE RACING

taken by a qualified law enforcement agency as follows;

1. If fingerprints are digitally captured via a Livescan device, the original Livescan Site Form; or
2. If fingerprints are captured via Ink impressions, the FBI FD-258 fingerprint card issued by the NH state police;

### **EXHIBIT #6: Credit Report**

Submit copies of credit reports issued no more than 3 months prior to this application for each individual or legal entity identified as a Party to the Application in Exhibit #2.

### **EXHIBIT #7: Tax Returns**

For each individual or legal entity identified as a Party to the Application in Exhibit #2, submit copies of signed and filed personal/corporate tax returns for the prior 3 tax years including supporting schedules.

### **EXHIBIT #8: Financial Statements**

If the applicant is an organization, submit financial statements, reviewed or audited by a certified public accountant covering the same 3-year period as the tax returns submitted under Exhibit #7 above. Such documentation shall include a minimum of the following:

1. Balance sheet;
2. Income statement;
3. Cashflow statement; and
4. Statement of Equity.

If applying as a new game room, submit financial projections to including:

1. Projected income statement,
2. Projected balance sheet,
3. Cash flow projections, and assumptions supporting the projections; and
4. All financing and funding sources, and documentation and applications submitted to financing and funding entities.

### **EXHIBIT #9: LLC Structure**

For applicants structured as a limited liability corporation (LLC), a copy of the LLC's operating agreement outlining the company's ownership, management, and each member's rights and responsibilities.

### **EXHIBIT #10: Financial Support**

If the applicant relies on any other individuals or entities for financial support, including but not limited to loans, or contributions of capital, submit the name, and contact information of any person or entity upon whom the business relies on for financial support, and a brief description of the financial support being provided.

## APPLICATION TO OFFER HISTORIC HORSE RACING

### **EXHIBIT #11: Judgement, Petition, Relief or Appointment**

If any judgements, petitions, relief or appointments have been issued to the business or any holding or intermediary companies within the last 10 years, submit all pertinent details. Such judgements, petitions, relief or appointments

1. Receipt of any judgements or petitions for bankruptcy or insolvency
2. Any relief sought under any provision of the Federal Bankruptcy Act or any state insolvency law; and
3. The appointment of a receiver, fiscal agent, trustee or similar officer.

### **EXHIBIT #12: Denials, Suspensions and Revocations**

If any parties to the application has, or has ever had a gaming license denied, suspended or revokes by this or any other state, submit all pertinent details including the nature of interest or connection with dates, place of application or license, and name under which application or license was issued under.

### **EXHIBIT #13: Responsible Gaming Plan**

Submit a copy of the Responsible Gaming Plan that meets the requirements of Lot 8202.04

### **EXHIBIT #14: Agreements**

Submit copies of all agreements between the applicant and all historic horse racing vendors, including the terminal provider, and all contracts relating to the operation of the pari-mutuel wagers. The applicant may mark any information that they deem confidential or proprietary. The commission shall not disclose any information so marked, unless required by law

### **EXHIBIT #15: Instrument of Financial Security**

A letter of credit, bond with surety, or other instrument of financial security in an amount and form sufficient to cover outstanding vouchers together with any indebtedness incurred by the licensee to the state and affected charitable organizations for an average 3-month period. In no instance shall the amount shall be less than \$100,000.