

MINUTES
KANSAS LOTTERY COMMISSION
Wednesday, March 11, 2009
1:30 p.m.
128 North Kansas Avenue
Topeka, Kansas 66603-3638

Call to Order

The regular monthly meeting of the Kansas Lottery Commission was called to order on Wednesday, March 11, 2009, at approximately 1:35 p.m. by Acting Chairperson Joni Franklin. The meeting was open to the public at Lottery headquarters, 128 North Kansas Avenue, Topeka, Kansas. The Commission participated via conference call. Security Director Gary Herman determined compliance with the *Open Meetings Law*. Minutes were recorded by Executive Secretary Mary Metzler.

Attendance

Commissioners Present	Commissioners Absent
	Harold Nye, <i>Chairperson</i> - Hays
Jeanine McKenna - Reading	
Joni Franklin - Wichita	
Robert Wunsch - Kingman	

Attendees

Participating

Staff: Ed Van Petten, Executive Director
Stephen Durrell, Assistant Attorney General
Gary Herman, Director of Security
Sally Lunsford, Director of Communications
Mary Metzler, Executive Secretary

Visitors: A list of signed-in visitors is attached and incorporated by reference to the official minutes. Some unidentified individuals listened to the meeting via conference call.

Approval of Minutes

Minutes of the regular meeting conducted on February 11, 2009, were submitted to the Commission in their online agenda packets. There were no additions or corrections to the minutes as presented. **Commissioner McKenna moved to approve the minutes as presented; Commissioner Wunsch seconded;** motion approved unanimously.

New Business:

(1) RULES Assistant Attorney General Stephen Durrell

Mr. Durrell presented a written summary of the rules prior to the meeting, a copy of which is filed with the official minutes, and he presented the rules to the Commission for approval as follows:

New Instant Game Rules

<i>Specific Instant Game Rules</i>	<i>Article 4</i>
K.A.R. 111-4-2800	“Flowering \$50s” - Game No. 164
K.A.R. 111-4-2801	“High Speed \$100s” - Game No. 165
K.A.R. 111-4-2802	“Digging Up Dollars” - Game No. 166
K.A.R. 111-4-2803	“Triple Tripler” - Game No. 167

Motion

Commissioner Wunsch moved to approve the new instant game rules. Commissioner McKenna seconded; motion passed unanimously.

Mr. Durrell presented the remaining rules to the Commission as follows:

Other New Drawing Rules

<i>Specific Instant Game Drawing Rules</i>	<i>Article 4</i>
K.A.R. 111-4-2804/2808	“Cruisin & Cash Drawing”
K.A.R. 111-4-2809/2814	“NASCAR Kansas Lottery 300 Drawing”

Motion

Hearing no questions or comments, Acting Chair Franklin called for a motion. **Commissioner McKenna moved to approve the other new drawing rules as presented by Mr. Durrell. Commissioner Wunsch seconded; motion approved unanimously.**

(2) EXPANDED GAMING Director of Gaming Facilities Keith Kocher

South Central Zone. Mr. Kocher informed the Commission that the MRV Equity Group was planning to partner with another group to make application in this zone.

Northeast Zone. Mr. Kocher reported that it has been confirmed that Kansas Speedway and Cordish will bid again in this zone.

Southeast Zone. Mr. Kocher informed the Commission that there was no interest in this zone at this time. The application deadline is April 21, 2009.

Southwest Zone. Mr. Kocher reported that implementation of the Boot Hill Casino in Dodge City continued to go well. He said that he would be visiting later this meeting date with members of the Boot Hill group to review preliminary floor plans. Mr. Kocher also said that Dodge City was currently taking bids for an events center which will be constructed adjacent to the casino.

Senate Bill 273. Mr. Kocher informed the Commission that Senate Bill 273 was heard in the Senate Federal and State Affairs Committee earlier this meeting date. Among other things, the bill would increase the percentages retained by the racetrack gaming facility managers from 25% to 43%.

Dan Biles. Mr. Kocher said that Dan Biles, private counsel who had assisted with the implementation of expanded gaming, was sworn in as a Supreme Court Justice on Friday, March 6, 2009.

(3) DIRECTOR'S REPORT Executive Director Ed Van Petten

Sales. Mr. Van Petten informed the Commission that sales were down by 3.43% compared to one year ago, representing approximately \$5.6 million in dollar value. He attributed the loss to jackpots being somewhat flat and the effects of the economy.

Building Lease RFP. Mr. Van Petten reported that the RFP for headquarters building space is in progress.

Budget. Executive Director Van Petten said that the agency budget had been approved by the House Appropriations Committee

Expanded Gaming. Mr. Van Petten acknowledged the jobs well done by Keith Kocher and Stephen Durrell in the expanded gaming negotiations.

Announcements

The next regular Commission meeting is scheduled for Wednesday, April 15, 2009, at 11:15 a.m. via phone conference.

Adjournment

Having no further business, **Acting Chair Franklin called for a motion to adjourn. Commissioner McKenna moved to adjourn the meeting; Commissioner Wunsch seconded.** Meeting adjourned at approximately 1:50 p.m.