

MINUTES
KANSAS LOTTERY COMMISSION
Wednesday, April 15, 2009
11:15 a.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, April 15, 2009, at approximately 11:15 a.m. by Chairperson Harold Nye. 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 (via phone)
Keith Kocher, Director of Expanded Gaming
Stephen Durrell, Assistant Attorney General
Gary Herman, Director of Security
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. Chairman Nye welcomed Larry Gates who was a guest via phone conference. Mr. Gates and his partner Eldon Shields recently assumed the role as outside counsel for expanded gaming. Those duties performed previously by Dan Biles.

Approval of Minutes

Minutes of the regular meeting conducted on March 11, 2009, were submitted to the Commission in their online agenda packets. There were no additions or corrections to the minutes as presented. **Commissioner Franklin moved to approve the minutes as presented; Commissioner McKenna 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. 111-4-2815	..... "The Saturday Evening Post" - Game No. 168
K.A.R. 111-4-2816	..... "Scrabble" - Game No. 169
K.A.R. 111-4-2817	..... "Veterans Ticket" - Game No. 170
K.A.R. 111-4-2818	..... "Blackjack" - Game No. 171
K.A.R. 111-4-2819	..... "Double Dog Dare" - Game No. 172
K.A.R. 111-4-2820	..... "Straight 8's" - Game No. 173
K.A.R. 111-4-2821	..... "Spicy Hot Cash" - Game No. 174
K.A.R. 111-4-2822	..... "Super Red Hot Crossword" - Game No. 175
K.A.R. 111-4-2823	..... "Bonus Crossword" - Game No. 176
K.A.R. 111-4-2824	..... "The Wizard of Oz" - Game No. 177
K.A.R. 111-4-2825	..... "The Reel Deal" - Game No. 178
K.A.R. 111-4-2826	..... "Double It" - Game No. 179
K.A.R. 111-4-2827	..... "Dollar Grills" - Game No. 186
K.A.R. 111-4-2828	..... "Go For The Green" - Game No. 187
K.A.R. 111-4-2829	..... "Painted Byways" - Game No. 188
K.A.R. 111-4-2830	..... "Bass Pro Shops" - Game No. 138
K.A.R. 111-4-2831	..... "7-11-21" - Game No. 180
K.A.R. 111-4-2832	..... "Diamond Dash" - Game No. 181
K.A.R. 111-4-2833	..... "Cash Cow" - Game No. 182

Motion

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

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

Other New Rules

Lottery Retailers* *Article 2

K.A.R. 111-2-219 “Johnson’s General Stores Push Play Ticket Incentive”

Specific Instant Game Drawing Rules* *Article 4

K.A.R. 111-4-2834/2838 “Bass Pro Shops Drawing”

Motion

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

(2) EXPANDED GAMING Director of Gaming Facilities Keith Kocher

South Central and Northeast Zones. Mr. Kocher informed the Commission that draft contracts had been issued to the lottery gaming facility manager applicants in these zones. He said that the regular June Commission meeting date was the tentative target date to consider and approve contracts for these applicants.

Southwest Zone. Mr. Kocher reported that construction of the Boot Hill Casino in Dodge City was progressing.

Southeast Zone. Mr. Kocher reported that the deadline for applicants to become lottery gaming facility managers in the Southeast Gaming Zone was Tuesday, April 21, 2009. He said that he had received some inquiries, but that no applications had been received as of this meeting date.

Motion

Commissioner Franklin moved that, if by 5:00 p.m. CDT on April 21, 2009, the Kansas Lottery has not received any properly filed applications to become a lottery gaming facility manager in the Southeast Gaming Zone pursuant to the Kansas Expanded Lottery Act, the deadline for submission of such applications be automatically extended for an additional period of 90 days, to July 20, 2009, at 2:00 p.m. CDT.

Commissioner Wunsch seconded; motion approved unanimously.

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

Sales. Mr. Van Petten informed the Commission that sales were off by 3.8%, or \$7 million. He said that during the past year the agency had lost approximately 50 retailers, but recruitment efforts by the staff had restored the number of retailers to its original figure.

Director's Club Tour. Executive Director Van Petten reported that the annual Director's Club tour was in progress, and as of this meeting date the lottery staff had called on approximately 35 retailers. He said the visits were well received by the retailers.

Push Play. Mr. Van Petten announced that the Kansas Lottery was the first lottery in the world to offer the "Push Play" product. He said the game will be launching soon.

Midwest Millions. Mr. Van Petten said that the Midwest Millions drawing would be held later this week in Des Moines, Iowa.

Announcements

The next regular Commission meeting is scheduled for Wednesday, May 13, 2009, at 11:15 a.m. via phone conference.

Adjournment

Having no further business, **Chairman Nye called for a motion to adjourn. Commissioner McKenna moved to adjourn the meeting; Commissioner Franklin seconded.** Meeting adjourned at approximately 11:32 a.m.