

**MINUTES**  
**KANSAS LOTTERY COMMISSION**  
**Wednesday, January 16, 2008**  
**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, January 16, 2008, 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, with the Commissioners participating via telephone conference. Security Director Gary Herman determined compliance with the *Open Meetings Law*. Minutes were recorded by Executive Secretary Mary Metzler.

**Attendance**

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

**Attendees**

**Participating**

**Staff:** Ed Van Petten, Executive Director  
Keith Kocher, Director of Gaming Facilities  
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.

### Approval of Minutes

Minutes of meetings from December 13, 2007, December 31, 2007, and January 9, 2008, were submitted to the Commission in their online agenda packets. There were no additions or corrections to the minutes as presented. **Commissioner Wunsch moved to approve the minutes as presented; Commissioner Van Cleave 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. 111-4-2657	“Bonus Crossword” - Game No. 751
K.A.R. 111-4-2658	“Wild Bill” - Game No. 752
K.A.R. 111-4-2659	“Lucky Shake” - Game No. 753
K.A.R. 111-4-2660	“Super 6s” - Game No. 754
K.A.R. 111-4-2661	“Poker Face” - Game No. 755
K.A.R. 111-4-2662	“Sunflower State Games” - Game No. 757

Mr. Van Petten explained further that the Sunflower State Games are held in Topeka and Lawrence and since the Lottery is unable to provide any sponsorship, it was decided to help promote the event with the instant ticket. There was no other discussion. **Commissioner Franklin moved and Commissioner Wunsch seconded to approve the instant game rules. Motion passed unanimously.**

Mr. Durrell continued by presenting the following other new rule to the Commission:

#### Other New Rules

<i>Lottery Retailers</i>	<i>Article 2</i>
K.A.R. 111-2-211	Bird Oil, Felts Oil Winner Awareness “Starburst” Promotion

Hearing no questions or comments from the Commissioners, Chairman Nye called for a motion to approve the rule. **Commissioner McKenna moved and Commissioner Van Cleave seconded to approve the “Other New Rule.” Motion passed unanimously.**

**(2) EXPANDED GAMING . . . . . Director of Gaming Facilities Keith Kocher**

Gaming Facility Proposals. Thirteen applications have been filed to date.

Casino and Racino Contracts. In progress.

Central Systems. Information is due on Friday, January 18, 2008, from the vendors.

Market Analysis. C. C. Christiansen is updating the gaming market analysis.

Consultation Contract. Mr. Kocher provided the Commissioners with a copy of a proposed contract between the Kansas Lottery and Richard Schuetz for the purpose of providing consultation services in negotiating contracts with casino applicants, which contracts are then forwarded to the Lottery Gaming Facility Review Board to make the final selection in each of the four gaming zones established by the Kansas Expanded Lottery Act. In addition, services would be rendered for the purpose of negotiating racino contracts with the two parimutuel licensees in the state.

*Motion.*

The Commission discussed the number of applicants considered, term of the contract, and background requirements, following which **Commissioner McKenna moved and Commissioner Franklin seconded to accept the contract as presented, contingent upon a successful background investigation. Motion passed unanimously.**

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

Sales. Executive Director Van Petten reported that sales were -1.35% compared to a year ago. He said that sales often increase during the third quarter of the fiscal year.

Legislature. Mr. Van Petten informed the Commission that he had presented testimony to the House Appropriations and Senate Federal and State Affairs Committees. He said that he was scheduled during the next week to present similar testimony to the House Federal and State Affairs Committee.

**Announcements**

The next Commission meeting is scheduled for Wednesday, February 13, 2008, at 11:15 a..m. via conference call.

**Adjournment**

Having no further business, **Chairperson Nye called for a motion to adjourn. Commissioner McKenna moved to adjourn the meeting; Commissioner Van Cleave seconded.** Meeting adjourned at approximately 11:37 a.m.