

**MINUTES**  
**KANSAS LOTTERY COMMISSION**  
**Wednesday, May 13, 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, May 13, 2009, at approximately 11:15 a.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**

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

**Attendees**

**Participating**

**Staff:** Ed Van Petten, Executive Director  
Keith Kocher, Director of Expanded Gaming  
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 April 15, 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**

<b><i>Specific Instant Game Rules</i></b> .....	<b><i>Article 4</i></b>
K.A.R. 111-4-2840 .....	“Forest of \$50s” - Game No. 193
K.A.R. 111-4-2841 .....	“Handyman \$100s” - Game No. 194
K.A.R. 111-4-2842 .....	“Double Doubler” - Game No. 195
K.A.R. 111-4-2843 .....	“Wild Bill” - Game No. 196

#### *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 Rules**

<b><i>Specific Instant Game Drawing Rules</i></b> .....	<b><i>Article 4</i></b>
K.A.R. 111-4-2844/2848 .....	“Painted Byways Drawing”

#### *Comments and Motion*

Commissioner McKenna complimented the “Painted Byways” promotion stating that it was a good way to promote the state and that Stan Herd was a wonderful artist. **Commissioner McKenna then moved to approve the “Painted Byways” drawing rule. Commissioner Franklin seconded; motion passed unanimously.**

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

Legislative Session. Mr. Kocher informed the Commission that 2009 legislative session was over. No amendments to the Kansas Lottery Act or to the Expanded Lottery Act were enacted during the session.

Southwest Gaming Zone. Mr. Kocher said that the Boot Hill Casino continued to move forward.

Northeast and South Central Zones. Mr. Kocher reported that he, along with outside counsel, continued to negotiate contracts with the applicants in the northeast and south central gaming zones. He added that local governments must endorse the applicants prior to entering into a contract.

*Chairman Nye joined the meeting at this time and took over as chair.*

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

June Commission Meeting. Mr. Van Petten informed the Commission that he had visited with Chairman Nye regarding the June meeting time and date. He proposed that the regular commission business be combined with consideration of the expanded gaming applicants at the same meeting in June, which was already scheduled to be an in-person meeting.

*Motion*

**Commissioner Franklin moved that the next commission meeting be held on June 17, 2009, starting at 9:00 a.m. to consider regular lottery business, with the start time and format to consider expanded gaming business be determined by Executive Director Van Petten. Commissioner McKenna seconded; motion passed unanimously.**

Executive Director Van Petten informed the Commission that the meeting was tentatively scheduled to be held at Lottery headquarters and no public comment would be available. He said the Commission would probably need to convene again on June 29, 2009, to take final action on the contracts presented on June 17, 2009.

Sales. Mr. Van Petten reported that sales were currently down 3.8%, but that there were three games with good jackpots at this time. He said that the new "Push Play" tickets were doing reasonably well. Mr. Van Petten said that three other lottery states were showing positive sales this fiscal year, but that Kansas was doing well compared to the remainder of the states.

Promotions. Mr. Van Petten informed the Commission that the "Trucks and Bucks" as well as the "Big Dog" drawings were held recently in Wichita. He said that the "Bass Pro Shops"

ticket was launching later in the week and that a press conference was planned for May 21, 2009, to launch the "Painted Byways" promotion.

Midwest Millions. Executive Director Van Petten informed the Commission that the most recent Midwest Millions drawing winner was from Kansas. The Midwest Millions drawing is a two-state instant game conducted with Kansas and Iowa.

### **Announcements**

The next Commission meeting will be held on Wednesday, June 17, 2009, commencing at 9 a.m.

### **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 11:42 a.m.