

**MINUTES**  
**KANSAS LOTTERY COMMISSION**  
**Wednesday, January 20, 2010**  
**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 20, 2010, 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 meeting was held with the commissioners attending 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 Gaming Facilities  
Stephen Durrell, Assistant Attorney General  
Sally Lunsford, Director of Communications  
Colleen O'Neil, Director of Marketing  
Gary Herman, Director of Security  
Mary Metzler, Executive Secretary

**Visitors:** There were no outside visitors attending this meeting. Some unidentified individuals listened to the meeting via conference call.

### Approval of Minutes

Minutes of the regular meeting conducted on December 16, 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 Franklin 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. 111-4-2924	“Aces High” - Game No. 262
K.A.R. 111-4-2925	“Cash Darts” - Game No. 263
K.A.R. 111-4-2926	“Shopping Spree” - Game No. 264
K.A.R. 111-4-2927	“Blackjack” - Game No. 265
K.A.R. 111-4-2928	“Fin Win Tripler” - Game No. 266
K.A.R. 111-4-2929	“Bonus Crossword” - Game No. 269
K.A.R. 111-4-2930	“Sunflower State Games” - Game No. 270

#### New Pull Tab Game Rules

<b><i>Specific Pull Tab Game Rules</i></b>	<b><i>Article 9</i></b>
K.A.R. 111-9-162	“Step Right Up” - Game No. 248
K.A.R. 111-9-163	“Rack ‘Em Up” - Game No. 249
K.A.R. 111-9-164	“Money Mine” - Game No. 271

#### *Motion*

**There were no questions or comments from the Commissioners regarding the proposed new instant and pull tab game rules. Commissioner Franklin moved, and Commissioner McKenna seconded, to approve the new instant and pull tab game rules as presented. Motion passed unanimously.**

Mr. Durrell then presented the following rules to the Commission for approval:

**Other New Rules**

***Specific Multi-State Game Rules* ..... *Article 5***

**Mega Millions:**

- K.A.R. 111-5-180 ..... “Name of the Game; Rules and Regulations:
- K.A.R. 111-5-181 ..... “Definitions”
- K.A.R. 111-5-182 ..... “Game Description; Retail Sale of Tickets”
- K.A.R. 111-5-183 ..... “Prize Pool; Reserve Account”
- K.A.R. 111-5-184 ..... “Expected Prize Payout Pari-Mutuel Prizes”
- K.A.R. 111-5-185 ..... “Probability of Winning:
- K.A.R. 111-5-186 ..... “Prize Payments; Annuitized and Cash Prizes”
- K.A.R. 111-5-187 ..... “Ticket Validation Requirements”
- K.A.R. 111-5-188 ..... “Claiming Prizes; Procedure and Time Period”
- K.A.R. 111-5-189 ..... “Ticket Responsibility”
- K.A.R. 111-5-190 ..... “Ineligible Players”
- K.A.R. 111-5-191 ..... “Multi-Draw”
- K.A.R. 111-5-192 ..... “Entry of Plays”
- K.A.R. 111-5-193 ..... “Applicable Law”
- K.A.R. 111-5-194 ..... “Mega Millions Megaplier Promotion”

Mr. Durrell informed the Commission that the above rules would allow for implementation of cross-selling and playing of the Mega Millions game in Kansas.

*Motion*

**Commissioner Franklin moved and Commissioner McKenna seconded to approve the Mega Millions game rules. Motion passed unanimously.**

Mr. Durrell then presented the following amended rules to the Commission for approval:

**Amended Rules**

***Specific Lottery Retailer Rules* ..... *Article 2***

- K.A.R. 111-2-30 ..... “Retailer Bonus”
- K.A.R. 111-2-232/233 ..... “Handy’s Super Kansas Cash Give-A-Way”

Mr. Durrell explained that K.A.R. 111-2-30 was being amended to pay retailer bonuses in the Mega Millions game. He said that the Handy’s Super Kansas Cash Give-A-Way was changing the dates of the promotion.

*Motion*

**Commissioner Franklin moved to approve the amended rules as presented. Commissioner McKenna seconded; motion passed unanimously.**

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

Southeast Gaming Zone. Mr. Kocher reported that since no applications were received in the Southeast Gaming Zone by the established deadline of January 15, 2010, the deadline would

be extended automatically to April 16, 2010, at 2:00 p.m. CDT for that zone. This action was pursuant to a motion made at the October 14, 2009, Kansas Lottery Commission meeting.

Northeast Gaming Zone. Mr. Kocher reported that the security background in this zone must be done by March 8, 2010.

South Central Gaming Zone. Negotiations continue with Chisholm Creek. May require a special meeting at a later date to amend a contract.

Southwest Gaming Zone. Mr. Kocher reported that “things were going well” at the Boot Hill Casino in Dodge City. He reported that one month after opening, the casino’s net operating revenues were approximately \$3.6 million.

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

Sales. Mr. Van Petten reported that sales were up approximately 3.84% over last year compared to the same period.

Raffle Game. Executive Director Van Petten reported that the raffle game was extremely successful. He said the \$1 million winner was from the Wichita area where 37% of the raffle sales occurred.

Midwest Millions. Mr. Van Petten said that the recent Midwest Millions drawing winner was from Iowa, however, four of the five second tier prize winners were from Kansas.

**Announcements**

The next regular meeting is scheduled for Wednesday, February 17, 2010, at 11:15 a.m. via conference call.

Staff and Commissioners discussed the April meeting. It was determined that since the Commissioners would be attending a meeting in Topeka on the morning of Friday, April 23, 2010, the April Commission meeting be changed to that same date, commencing at 1:30 p.m. The March meeting will be a phone conference meeting and the April meeting will instead be an in-person meeting.

**Adjournment**

**Commissioner McKenna moved to adjourn the meeting. Commissioner Franklin seconded; meeting adjourned at approximately 11:35 a.m.**