

AGENDA
KANSAS RACING AND GAMING COMMISSION
10:00 a.m., Friday, October 13, 2023

EISENHOWER STATE OFFICE BUILDING
700 SW Harrison, Suite 450 & 460
Topeka, KS 66603

A. CALL TO ORDER

B. APPROVAL OF AGENDA

C. APPROVAL OF MINUTES

1. [Minutes of September 08, 2023](#)

D. CONSENT AGENDA

Items listed on the consent agenda are routine in nature. If requested by a commissioner, an item may be removed from the Consent Agenda and placed under Commission Items for further discussion and consideration.

1. Approvals and revocations for certain lottery facility games and related components
 - a. [GLI Approval Letters September 2023](#)
 - b. [GLI Revocation Letters September 2023](#)
 - c. [BMM Approval Letters September 2023](#)
 - d. [BMM Revocation Letters September 2023](#)
2. Internal Control Amendment Approvals
 - a. [Hollywood Casino Internal Control Amendment Approvals](#)
 - b. [Kansas Crossing Casino Internal Control Amendment Approvals](#)

E. LOTTERY GAMING FACILITY REPORTS/ITEMS

1. Boot Hill Casino and Resort
 - a. [August Monthly Report](#)
 - b. [August Revenue Report](#)
2. Kansas Star Casino
 - a. [August Monthly Report](#)
 - b. [August Revenue Report](#)
3. Hollywood Casino at Kansas Speedway
 - a. [August Monthly Report](#)
 - b. [August Revenue Report](#)
4. Kansas Crossing Casino
 - a. [August Monthly Report](#)
 - b. [August Revenue Report](#)
5. Golden Circle, Expected Facility Licensee

F. COMMISSION ITEMS – OLD BUSINESS

None

G. COMMISSION ITEMS – NEW BUSINESS

1. Kansas Star Casino/Boyd Gaming Corporation Material Debt Transaction Approval Request

Commission Action

Commission review and discussion

Presenters

Uri Clinton, Executive Vice President, General Counsel, and Secretary of Boyd Gaming Corporation

H. EXECUTIVE SESSION

The Commission conducts executive sessions in accordance with the Kansas Open Meetings Act and all discussions are limited to the specified purposes listed in K.S.A. 75-4319. The Commission utilizes executive sessions to consult with the Commission's attorney on confidential legal matters, to discuss confidential personnel matters, to protect the confidentiality of necessarily closed information including licensee background reports, and to protect the integrity of gaming information and the confidentiality of lottery gaming facility manager finances.

The following items will be discussed during the executive session:

1. Kansas Star Casino/Boyd Gaming Corporation Material Debt Transaction Approval Request

I. PUBLIC COMMENTS

J. STAFF REPORTS

1. Garrett Rogers, Paralegal
 - a. [Voluntary Exclusion Program Report](#)
 - b. [Quarterly Illegal Gambling Report](#)
2. Don Brownlee, Executive Director

K. EXECUTIVE SESSIONS

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The following items will be discussed during the first executive session:

1. Background Reports

The following items will be discussed during the second executive session:

1. Attorney/Client Privilege

L. OTHER BUSINESS/FURTHER COMMISSION ACTION

1. Consideration of proposed gaming licenses and renewals

M. ADJOURNMENT

KANSAS RACING AND GAMING COMMISSION

MINUTES – SEPTEMBER 8, 2023

CALL TO ORDER (A.)

Chairman David Moses called the September 8, 2023, meeting to order at 10:00 a.m. The meeting was held at the Eisenhower State Office Building in Topeka, Kansas. Notice of this meeting was given to the public via the KRGC and Public Square websites. Commissioners Brandon Jones, Larry Turnquist, and Sheryl Spalding were also present. Others present included Executive Director Don Brownlee, General Counsel Judith Taylor, Director of Administration, Audit, and Finance Brandi White, Director of Sports Wagering and Licensing DJ Lopez, Director of IT&C-s Dennis Bachman, and other staff.

MOTION, APPROVE AGENDA (B.)

Commissioner Spalding (Jones) moved to approve the agenda. Motion carried 4-0.

MOTION, APPROVE AUGUST 11, 2023 MEETING MINUTES (C.)

Commissioner Turnquist (Jones) moved to approve the minutes of the August 11, 2023, meeting. Motion carried 4-0.

MOTION, APPROVE CONSENT AGENDA (D.)

Commissioner Jones (Turnquist) moved to approve the consent agenda (nine items). Motion carried 4-0.

LOTTERY GAMING FACILITY REPORTS/ITEMS; BOOT HILL CASINO & RESORT (E.1.a.)

Diane Giardine, General Manager, reported:

- August 2023 revenue numbers compared to August 2022:
 - Total gaming revenue decrease 7.57%
 - Total slot revenue down 12.08%
 - Table games revenue down 40.48%
- August 2023 Sports Wagering revenue numbers
 - Retail Sportsbook Revenue \$25,222.81
 - Up 16.37% from July 2023
 - Handles was up 105.7%
 - Hold was down 43% at 13%
 - Digital Sportsbook Revenue: \$1,743,671.87
 - Down 45.73% from July 2023
 - Handle was up 21.8%
 - Hold was down 56% at about 4%
- August 2023 Sports Wagering
 - Largest Events
 - Brewers vs Padres
 - Notre Dame vs Navy

DRAFT

- San Diego State vs. Ohio
- Top Sports
 - MLB was 53% of handle
 - NFL Pre-Season was 14.4% of handle
 - As of September 7th, 72% of digital bets were on the Chiefs' money line, 92% of wagered money was on Chiefs' point spread, and 81% were on the over at 53.5.
 - College Football was 10.2% of handle
- Past Events and Promotions:
 - Getting Hotter Hot Seats – Saturdays
 - Dodge City Days – July 27th - August 6th
 - Cash Money Machine
 - 10K Blackjack Tournament – August 5th
 - Ranger Palooza - August 5th
 - Sponsored Rodeo
 - Ian Munsick – August 24th
- Upcoming Entertainment & Events
 - Weekly Kiosk Games
 - Gift Promotions
 - Weekly Kiosk Games
 - Gift Promotions
 - \$100K Big Draw – Saturdays September through October
 - Ultimate Tailgater
 - Season Long Season Pick 'Em Game
 - Chief's Game Ticket Giveaway
 - Randy Houser – September 15
 - Beach Boys – September 29
 - La India Yuridia – October 7

LOTTERY GAMING
FACILITY
REPORTS/ITEMS;
KANSAS STAR
(E.2.a.)

Doug Lang, General Manager, reported:

- August 2023 revenue numbers compared to August 2022:
 - Total gross gaming revenue down 4.0%
 - Total slot revenue down 1.9%
 - Table games revenue down 17.2%
 - Volume was up, but hold was significantly down.
- August 2023 Sports Wagering revenue
 - Retail Sportsbook Revenue -\$4,900.00.
 - Up from Julys 2023's loss of -\$12,400.00.
 - Digital Sportsbook Revenue: \$1,570,000.00
 - Down from July 2023's revenue of \$2,400,000.00.
- August 2023 Sports Wagering

- \$24.1 million was wagered on FanDuel online.
 - \$550k was wagered in person at FanDuel retail. Of this #, \$233k was bet over the counter and \$317k was bet on the kiosks.
 - The \$550k wagered in person was a \$180k increase over July.
 - There was a total of 4,451 bets made in person at FanDuel retail.
 - The largest wager in retail was a \$11,810 single bet. It was a wager on the Seattle Mariners over the Chicago White Sox on 08/23. The wager was a loser.
 - The largest winning wager in retail was a \$6,750 single bet. It was a wager on the Atlanta Braves over the New York Mets on 08/12 and paid out \$9,750.
 - We had 1 PPV UFC Fight in the month on August 19. There was \$15,896 bet on this fight and 278 bets made.
 - The return of football for half of the month was very good for the Sportsbook. We took 1,721 bets for a handle of \$186,864.
 - The August sportsbook handle was 46% MLB, 34% was on football, and 9% MMA.
- Upcoming Events and Promotions:
 - Double Down | Friday and Saturdays
 - Sit and Go Slot Tournaments | Thursday, September 7 & 21 | 5p-8p
 - Hamilton Beach Slow Cooker Giveaway | Friday, September 1 | 4p-9p
 - 16qt. Stock Pot Giveaway | Friday, September 8 | 4p-9p
 - Waffle Maker Giveaway | Friday, September 15 | 4p-9p
 - Cordless Grooming Set Giveaway | Friday, September 22 | 4p-9p
 - Auto Emergency Kit Giveaway | Friday, September 29 | 4p-9p
 - Host Parties | Saturday, September 2,9,16,23 & 30 | \$10,000 in prizes given away each Saturday |
 - Host Invite | 6p-7:30p
 - Sunday Bonus Offer | Sunday, September 10 & 24
 - Upcoming Entertainment & Events:
 - KEMA Conference | Arena | September 13-15
 - Travis Tritt Concert | Arena | September 23 | 8pm
 - KHCA Convention | Arena | September 27-29.
 - Chairman Moses noted that General Manager Lang did well during his local news station interview.

LOTTERY GAMING
FACILITY
REPORTS/ITEMS;
HOLLYWOOD CASINO

Lydia Garvey, General Manager, reported:

- August 2023 admissions were flat compared to August 2022
- August 2023 revenue numbers compared to August 2022:
 - Total gross gaming revenue increased 3.6%

AT KANSAS
SPEEDWAY
(E.3.a.)

- Slot revenue increased 2.6%
- Table games revenue increased 12.3%
- August 2023 Sports Wagering revenue numbers
 - Retail Sportsbook Taxable Revenue: \$287,284.00.
 - Down 10.6% compared to July 2023
 - August was the slowest month so far, however, handle still exceeded expectations by one-million dollars.
 - MLB was 70% of handle and there was early action on football.
 - The sportsbook had a good day yesterday, holding 21.2%, despite a patron wagering \$110,000 on the Chiefs for the first half of the Lions vs Chiefs game.
 - Chairman Moses asked if during game days when local teams are playing, does business increase or decrease. General Manager Garvey responded that it is typically slow.
 - Digital Sportsbook Taxable Revenue: \$111,096.00.
 - Down 78% compared to July 2023
 - August handle was 50% MLB and 20% professional soccer
 - Top Events
 - Utah Utes vs Florida Gators
 - Royals vs Mariners
 - Cubs vs Royals
 - PGA Tournament
- Recent/Upcoming Events and Promotions:
 - August 31 – PENN Play Party
 - September 1 - \$25K Crazy 8's
 - September 8 – Race Weekend Punch Board
 - September 9 – Day of Winners
 - September 10 – Hollywood Casino 400 NASCAR Sprint Cup Race
 - September 10 – Meet and Greet with NASCAR's Kevin Harvick
 - September 17 – Chiefs Watch Party
 - October 1 – Sportsbook Scratchers

LOTTERY GAMING
FACILITY
REPORTS/ITEMS;
KANSAS CROSSING
CASINO
(E.4.a.)

Jeff McKain, General Manager, reported:

- August 2023 admissions down 5.9% compared to August 2022
- August 2023 revenue numbers compared to July 2022:
 - Coin in down 8.4%
 - Table games drop up 13%
 - Net gaming revenue was down 7.7%.
 - General Manager McKain noted a lower hold percentage this

year than compared to last year.

- August 2023 Sports Wagering revenue numbers
 - Retail Sportsbook Taxable Revenue: \$23,688.00.
 - Up \$28,683 compared to July 2023
 - Digital Sportsbook Taxable Revenue: \$878,302.00.
 - Down \$237,154 compared to July 2023
- Events and Promotions:
 - August
 - Casino Hot Seats every Monday and Tuesday.
 - Camp 49 promotions every Wednesday.
 - Table Games Card Shark promotion every Friday.
 - Casino Gifts every Saturday.
 - Strike it Rich promotion every Saturday.
 - Cash is King promotion Saturday the 26th.
 - Concerts include Priscilla Block on the 4th, Pam Tillis on the 12th and Mike and the Moonpies on the 25th.
 - September
 - Casino Hot Seats every Monday and Tuesday.
 - Camp 49 promotions every Wednesday.
 - Slot Tournaments on Fridays.
 - Casino Gifts every Saturday.
 - Cash is King promotion Saturday the 30th.
 - Tech9 concert on the 9th.
- COVID-19
 - One positive case in August and one so far in September.

EXPECTED FACILITY
LICENSEE
REPORTS/ITEMS;
GOLDEN CIRCLE
(E.5.a.)

R. Scott Beeler, Representative of Golden Circle, reported:

- The annexation of the historical horse racing (HHR) facility was approved by Park City. It then had to go through a legal process where it is submitted to the Sedgwick County Election Commission and the Sedgwick County Register of Deeds, that process is now complete. The fully signed and approved document has been submitted and the HHR facility is officially within Park City. This also triggers a 180-day timeline under statute for the HHR facility to submit a rezoning application.
- There is a whirlwind of activity on the development scene. Staff are meeting weekly with the development team. An in-house construction manager was hired to oversee the actual construction process. A design manager has also been hired for the Gilley's, this is the same person who designed the Gilley's at Treasure Island and all the restaurant and entertainment venues at Treasure Island. Gilley's is going to be a 20,000 sq. ft. facility.

- Yesterday, Mr. Beeler attended a meeting with over 25 representatives from the Park City government. That included the mayor, city manager, all the planning directors, public works, city engineer, local law enforcement, and firefighters. Also in attendance, was the Golden Circle development team; the architects, the construction managers, and the engineers. The purpose of the meeting was to put all the plans up and let the city have an opportunity to provide their input. Based upon the design, city officials indicated that they would like to rezone this as an entertainment district.
- During the meeting, it was asked when construction would begin on the Golden Circle project. Mr. Beeler told Park City officials that a proposed contract had been submitted to the Kansas Racing and Gaming Commission for review. Golden Circle is waiting for approval of the submitted contract and issuance of a facility manager license before beginning construction.
 - Chairman Moses asked if construction would begin once the facility manager license is issued or if Golden Circle considers both issuance of the license and approval of the contract as prerequisites to beginning construction. Mr. Beeler responded that he believes that both are prerequisites. Golden Circle cannot make a development or rezoning application without the facility manager license. Chairman Moses asked if Golden Circle would be able to make those applications once a facility manager license is issued regardless of whether the contract was approved. Mr. Beeler responded that it would be unusual to submit those kinds of applications without a contract in place.
 - Chairman Moses asked if Golden Circle's position that both the license issuance and contract approval are prerequisites to construction had been shared with KRGC staff. Mr. Beeler responded that they have not had that specific discussion, but that both the proposed contact and license application were submitted together so staff know both are pending review. Chairman Moses asked if Mr. Beeler would be present for the rest of the meeting incase further discussion regarding the contract was necessary. Mr. Beeler responded that he would need to leave early. Executive Director Brownlee commented that staff is not ready to recommend the contract to commissioners for approval today. Chairman Moses asked Mr. Beeler in the event the commission approves a license will Golden Circle delay progress on the project until the contract is approved? Mr. Beeler responded that Golden Circle would not delay the projects' progress. Meetings with Park City officials

will continue so that bids can be submitted, and this is all included in the 14-month projected completion date. A concern would be that in the future, we are not on the same page with the contract and the project's progress may hit an anchor. Chairman Moses stated he was confident that staff are doing what is needed to move the contract along at a proper pace.

- Chairman Moses asked if Wichita GC Charities, Inc. had met, and if so, have there been any additions to the charity board or a discussion about the process to add members. Mr. Beeler confirmed that the charity board has met and that the chair directed the other members to begin collecting nominees for consideration of appointment to the charity board. The board expects to expand to five members at their next meeting. Chairman Moses followed up asking if the charity board meets monthly. Mr. Beeler said that the board does meet monthly and does not currently have their next meeting scheduled.

**COMMISSION ITEMS –
OLD BUSINESS (F.)**

There was no old business.

**COMMISSION ITEMS –
NEW BUSINESS; (G.)**

Brandi White, Director of Administration, Finance and Budget presented the fiscal year 2024 and 2025 annual budgets on behalf of KRGC and the Kansas State Gaming Agency.

**MOTION – APPROVE
FISCAL YEARS 2024
AND 2025 BUDGETS
(G.2)**

Commissioner Jones (Spalding) moved to approve the Kansas and Racing Gaming Commission fiscal year 2024 and 2025 budget, as well as the State Gaming Agency fiscal year 2024 and 2025 budget, subject to technical changes to be made upon entering the budget into IBARS, the state budget system, and potential future changes made by the Division of Budget, the Governor, and the Legislature. Motion passed 5-0.

**PUBLIC COMMENTS
(H.)**

There were no public comments.

**STAFF REPORTS
(I.1. and I.2.)**

Garrett Rogers, Paralegal, reported on the Voluntary Exclusion Program statistics for the month of August 2023.

Executive Director Brownlee reported:

- Commercial gambling revenue in Kansas during the second quarter of 2023 was up 37% compared to last year. This is due primarily to the addition of sports wagering.
- Construction on a new Vegas-style casino in Grand Island, Nebraska is scheduled to start in October.

- Last month, there were questions regarding the City of Wichita's gambling ordinance. Randy Evans, Government Relations Manager, provided an overview of the minutes from Wichita City Council's August meeting and the discussion he had with the city's Department of Law.
 - Commissioner Spalding asked how the city defines games of skill and if for example a skee-ball machine would be considered a violation of the ordinance. Mr. Evans responded that the ordinance specified games of skill that took currency in and paid currency out, so traditional skee-ball machines would not be considered a violation. Commissioner Spalding asked if Mr. Evans could elaborate on the kind of game of skill machines the City of Wichita is interested in. Mr. Evans explained that manufacturers and distributors of the machines claim that they are skill based and lead establishment owners to believe that the machines are legal.
 - Commissioner Turnquist asked for clarification if it was the City of Wichita or Sedgwick County that was establishing this new policy. Mr. Evans confirmed that it was the City of Wichita. Commissioner Turnquist followed up asking if the city had any discussion regarding a pre-approval process. Mr. Evans confirmed that the city did have discussions regarding the possible licensure or approval, tax, and regulation of these games of skill.
 - Commissioner Turnquist asked how the city discussed the relationship between games of skill and games of chance. Mr. Evans responded that the city does not have a definition for what is a game of skill.
 - Commissioner Spalding asked for an example of what the city would consider to be a game of skill and not a game of chance. Mr. Evans responded that city councils' members and the city's Department of Law do not know.
 - Chairman Moses asked if the City of Wichita contacted the Kansas Racing and Gaming Commission for input. Mr. Evan's responded not that he knew of.
 - Chairman Moses explained that the state has an established agency for policing illegal gaming, and he is concerned that one of thousands of cities within Kansas has decided to create a pocket within the state of what they believe illegal gaming is. Chairman Moses noted that general counsel may advise that the city is allowed to take this action, however his larger concern is that the city may not have reached out to the KRGC for assistance with definitions, history, and drafting policy to where they want it to be without potentially creating an inconsistent "playing field" on

gaming between the cities of Kansas.

- Chairman Moses asked who brought this issue before the Wichita city council, what was their reasoning, did they reach out to an agency like the KRGC or why are they going off on a tangent. Mr. Evans responded that KRGC has agents have assisted the City of Wichita, however the city has 800 – 1,000 machines that need to be determined games of skill or chance and KRGC only has one agent who can do this.
- Chairman Moses asked if the City of Wichita decides a game is a game of chance and wants to seize it, but it is one that the KRGC has previously reviewed and it did not meet the state's definition for a game of chance, does this mean the city can go ahead with the seizure on their own. Mr. Evans responded that he believes so. Chairman Moses noted that this could potentially lead to each city having their own definition of what a gaming device is and would be able to seize these machines whether the KRGC believes the machines are illegal or not.
- Chairman Moses asked Mr. Evans if during discussions with city staff, did they ask for the commission to work with them between now and their October meeting to come up with some consistently defined approach so that there are not possible inconsistencies across the state. Mr. Evans responded that city staff indicated they were looking for action from the legislature to define games of skill.
- Chairman Moses summarized that City of Wichita passed the ordinance regarding games of chance but took out for further consideration the games of skill. Mr. Evans confirmed that was accurate. Chairman Moses noted that what is left on the table for the City of Wichita is what should be done with the games of skill.
- Chairman Moses stated that he has real concerns, as the chair of a statewide commission that is authorized to enforce illegal gaming issues, that there will be confusion in the future because once a sticker is put on a machine that brands the machine as legal, that will be used in all other jurisdictions, and there will be a problem, especially if it is a game the KRGC believes is illegal. It may be too late, but the commission needs to reach out to the city and try to get this back to a state definition and not individual local definitions. Chairman Moses also expressed concern that local government did not reach out to the commission and work this up with the commission so that there could be consistency with definitions, and that he learned of this proposed ordinance through the news once it had passed as well as that the commission was

unaware until he had asked staff about what was being reported. Chairman Moses also stated that he is bothered that the largest city in Kansas would go off like this, without taking advantage of an agency that is specifically authorized and approved by the state legislature to police illegal gaming.

- Commissioner Turnquist asked if there was a copy of the ordinance. Mr. Evans responded that he has a copy of the ordinance, and the city council meeting was recorded. Commissioner Turnquist followed up asking if the city's ordinance seem logical regarding games of chance, does it reference any existing state statute or regulation. Mr. Evans responded that he does not know. Mr. Evans stated that it appears to him that since the definition of a game of skill is so grey, the city has decided administratively to go after the business's alcohol and tobacco licenses to stop these machines from preying on low-income citizens. Commissioner Turnquist noted that by doing this, the intent of the city may be to urge the legislature to enact a state statute to address the issue. Mr. Evans stated that he believes the city council has seven members and only two were proponents of issuing a city license or sticker for approved machines.
- Chairman Moses stated that he appreciates the fact that the City of Wichita recognizes that there is a problem where the citizens of Wichita are being preyed upon and that the city is focusing on alcohol and tobacco licenses because the city does issue those. Chairman Moses followed up stating he is concerned about the horrible risk of inconsistency from city to city in Kansas. As difficult as illegal gaming cases are to work now, they have now created a situation where manufacturers and distributors of these machines can point to these local decisions on what is and what is not a game of chance and use that against the commission when the commission tries to fulfill its duties.
- Chairman Moses stated that the commission needs to, as the statewide commission responsible for policing illegal gambling, reach out to the City of Wichita to work with them to accomplish their goals while maintaining the consistency that we should have with illegal gaming issues. Executive Director Brownlee responded that staff would follow-up on the concerns shared.
- The next commission is scheduled for October 13, 2023, in Topeka, KS.
 - Commissioner Jones noted that he may have a schedule conflict for that day.
 - Commissioner Turnquist noted that he may have a schedule conflict

for the 12th and the 13th.

MOTION, EXECUTIVE
SESSION;
CONFIDENTIAL
BACKGROUND
REPORTS
(J.1.)

Commissioner Spalding (Jones) moved that the Commission go into executive session for the purpose of reviewing confidential background reports presented today by the commission's security division. In addition to the commissioners, the confidential background reports portion included the executive director, general counsel, and director of sports wagering and licensing, KRGC agent Todd Allen, and KRGC agent Joe Crough. The total time for the executive session was anticipated to be forty-five (45) minutes until 11:55 a.m. No action is to be taken in executive session, and the subjects discussed are to be limited as previously described. A full record of this motion is to be maintained as part of the permanent record of the Kansas Racing and Gaming Commission. At the conclusion of the executive session, the meeting is to be continued in open session. The motion carried 4-0, and the meeting was adjourned to executive session at 11:10 a.m.

RECONVENE
(J.2.)

The commission meeting returned to open session at 11:55 a.m. with Chairman Moses, Commissioner Jones, Commissioner Turnquist, and Commissioner Spalding present.

MOTION, AMEND
AGENDA
(K.)

Commissioner Jones (Turnquist) moved to amend the agenda to move item K, Other Business/Further Commission Action, up from after the second executive session to now. Motion carried 4-0.

MOTIONS ON LICENSE
APPLICATIONS
(L.1)

Commissioner Turnquist (Spalding) moved to *deny five* license application and *approve the remaining 237* license applications from the September 08, 2023, list of background reports referred to the commission for action. The motion carried 4-0.

MOTION, FACILITY
MANAGER/OWNER
LICENSE
APPLICATION
(L.2)

Commissioner Turnquist (Spalding) moved to approve a facility manager/owner license for Golden Circle, Inc. Motion carried 4-0.

MOTION, EXECUTIVE
SESSION; ATTORNEY-
CLIENT PRIVILEGE
(M.1)

Commissioner Jones (Turnquist) moved that the Commission go into executive session for the purpose of consulting with the agency's attorney on attorney-client privileged communications. In addition to the commissioners, the attorney-client privileged communications will include the executive director, general counsel. After discussion, the total time for the executive session was anticipated to be forty-five (45) minutes until

12:45 p.m. No action is to be taken in executive session, and the subjects discussed are to be limited as previously described. A full record of this motion is to be maintained as part of the permanent record of the Kansas Racing and Gaming Commission. At the conclusion of the executive session, the meeting is to be continued in open session. The motion carried 4-0, and the meeting was adjourned to executive session at 12:00 p.m.

RECONVENE
(M.2.)

The commission meeting returned to open session at 12:45 p.m. with Chairman Moses, Commissioner Jones, Commissioner Turnquist, and Commissioner Spalding present.

OTHER BUSINESS
(L.)

There were no other items for discussion or motion.

ADJOURNMENT
(M.)

Chairman Moses stated that the October 13, 2023, commission meeting will begin at 10:00 a.m. for an in-person meeting at the Eisenhower State Office Building in Topeka, Kansas, unless otherwise notified.

Commissioner Spalding (Jones) moved to adjourn the meeting. Motion passed 4-0. The meeting was adjourned at 12:47 p.m.

SUBMITTED BY:

Larry Turnquist
Secretary

APPROVED BY:

David Moses
Chairman

Manufacturer	File Number	Game Name
Ainsworth Game Technology Limited	MO-22-AWG-23-28	Ca\$h Stacks Gold - Incan Emperor
Ainsworth Game Technology Limited	MO-408-AWG-20-02	A727 / A743C Hardware
Ainsworth Game Technology Limited	PA-301-AWG-19-01	A700 Door Optic Receiver
Ainsworth Game Technology Limited	PA-394-AWG-21-01	A755C PLATFORM
Aristocrat Technologies, Inc.	MO-133-ARI-23-04	Set Chip 7.02.76.04
Aristocrat Technologies, Inc.	MO-133-ARI-23-05	Operating System
Aristocrat Technologies, Inc.	MO-133-ARI-23-06	System Base
Aristocrat Technologies, Inc.	MO-73-ARI-22-119	GEN8 Power Supply
Aristocrat Technologies, Inc.	MO-73-ARI-22-87	Gold Stacks 88 Boost Dancing Foo Boost
Aristocrat Technologies, Inc.	MO-73-ARI-23-12	MarsX 21.5" Topper
Aristocrat Technologies, Inc.	MO-73-ARI-23-67	Bank Buster
Aristocrat Technologies, Inc.	MO-73-ARI-23-68	Buffalo Ultimate Stampede
Aristocrat Technologies, Inc.	MO-73-ARI-23-69	Bank Buster Vertex Schedule
Aristocrat Technologies, Inc.	MO-73-ARI-23-72	Buffalo Ascension
Aristocrat Technologies, Inc.	PA-73-ARI-23-01	MarsX Fit Cabinet
BOYD GAMING CORPORATION	SY-38-BGC-23-01	Offer Manager 2.2.05
CADILLAC JACK	MO-22-CAD-23-15	Main Program
Everi Payments, Inc.	SY-509-GAC-17-03	N/A
FanDuel * 09/01/2023	SY-559-FAN-23-16	FanDuel Sportsbook
FanDuel * 09/12/2023	SY-580-FAN-23-16	PAM
FanDuel * 09/26/2023	SY-559-FAN-23-17	FanDuel Sportsbook
FanDuel * 09/26/2023	SY-580-FAN-23-17	PAM
FanDuel * 10/02/2023	SY-559-FAN-23-18	FanDuel Sportsbook
FanDuel * 10/02/2023	SY-580-FAN-23-18	PAM
IGT	MO-22-IGT-23-26	Hexbreaker Tournament Sign Controller
IGT	MO-66-IGT-23-03	PeakCurve Button Panel and Lighting Firmware
IGT	MO-66-IGT-23-08	Operating System
IGT	MO-66-IGT-23-09	Cleopatra Tournament Sign Controller
IGT	MO-66-IGT-23-10	IncrediBell Tournament Sign Controller
IGT	MO-73-IGT-23-100	Regal Link Lion

IGT		MO-73-IGT-23-46	Regal Link Sign Controller
IGT		MO-73-IGT-23-62	Regal Link XLED Sign Controller
IGT		MO-73-IGT-23-67	Super Hot Roll Poker
IGT		MO-73-IGT-23-72	Bonus Wild Poker
IGT		MO-73-IGT-23-86	Spin-Splosion Tournament Sign Controller
IGT		MO-73-IGT-23-95	Egyptian Link Ramosis' Treasures
IGT		MO-73-IGT-23-96	Egyptian Link Nefturi's Treasures
IGT		MO-73-IGT-23-99	Regal Link Raven
IGT	* 09/01/2023	SY-582-IGT-23-07	Margin Maker 2
IGT	* 09/01/2023	SY-582-IGT-23-08	Quick Bet Firmware
IGT	* 09/01/2023	SY-582-IGT-23-09	Kiosk Image
IGT	* 09/26/2023	SY-582-IGT-23-10	Margin Maker 2
Interblock d.o.o. (previously Elektroncek, d.d.)		MO-22-ELE-23-03	UC Top Cover 27" Assembly
Kambi	* 09/12/2023	SY-602-KAM-23-01	Novomatic OTC S200
Kambi	* 09/12/2023	SY-692-KAM-23-01	Digital Retail Sportsbook
Kambi	* 09/12/2023	SY-692-KAM-23-01	Digital Retail Sportsbook
KONAMI GAMING INC.		MO-73-KON-23-61	Dragon's Law Extended
KONAMI GAMING INC.		MO-73-KON-23-62	Dragon's Law Fortune Bags
KONAMI GAMING INC.		MO-73-KON-23-63	Dragon's Law Fortune Pots
KONAMI GAMING INC.		MO-73-KON-23-64	Lucky Honeycomb Extended
KONAMI GAMING INC.		MO-73-KON-23-67	Multiplier Stacks Bats A Plenty
KONAMI GAMING INC.		MO-73-KON-23-68	Multiplier Stacks Gathering Tiger
KONAMI GAMING INC.		MO-73-KON-23-76	Boosted Great Stacks Extended Game
KONAMI GAMING INC.		MO-73-KON-23-81	Lucky Honeycomb Fortune Bags
KONAMI GAMING INC.		MO-73-KON-23-82	Lucky Honeycomb Fortune Pots
Light & Wonder, Inc. - Class III (FKA SG Gaming)		MO-73-BAL-22-85	Jewel of the Dragon Valley of the Tiger
Light & Wonder, Inc. - Class III (FKA SG Gaming)		MO-73-BAL-23-63	Lion Link Wealth of the Dragon
Light & Wonder, Inc. - Class III (FKA SG Gaming)		MO-73-BAL-23-78	Perfect Peacock - Coin Combo
Light & Wonder, Inc. - Class III (FKA SG Gaming)		MO-73-BAL-23-80	Money Link the Great Immortals
Light & Wonder, Inc. - Class III (FKA SG Gaming)		MO-73-BAL-23-83	Money Link Egyptian Riches
Light & Wonder, Inc. - Class III (FKA SG Gaming)		MO-73-BAL-23-85	Thunder Drums - Leaping Lions

Light & Wonder, Inc. - Class III (FKA SG Gaming)	MO-73-BAL-23-86	Thunder Drums - Mayan Mask
Light & Wonder, Inc. - Class III (FKA SG Gaming)	MO-73-BAL-23-88	Money Link Neptune's Realm
Light & Wonder, Inc. - Class III (FKA SG Gaming)	MO-73-BAL-23-92	Money Link Gifts of Odin
Light & Wonder, Inc. - Class III (FKA SG Gaming)	MO-73-BAL-23-93	Lion Link Prosperous Rooster
Light & Wonder, Inc. - Class III (FKA SG Gaming)	MO-73-BAL-23-94	Marvelous Mouse - Coin Combo
Light & Wonder, Inc. - Class III (FKA SG Gaming)	MO-73-BAL-23-95	Terrific Tiger - Coin Combo
* Executive Approval		

Revoked Manufacturer	Revoked Game Name	Revoked File Number	Revoked ID Number	New File Number	New ID Number	Replace By
Aristocrat Technologies, Inc.	Buffalo Ascension	MO-73-ARI-22-21	1.01-68073	MO-73-ARI-23-72	1.02-68073	12/12/2023
Aristocrat Technologies, Inc.	Buffalo Ultimate Stampede	MO-73-ARI-23-42	1.01-68450	MO-73-ARI-23-68	1.02-68450	11/12/2023
IGT	Egyptian Link Nefturi's Treasures	MO-73-IGT-21-124	GAME020001WFTS01	MO-73-IGT-23-96	GAME020001WFTS03	12/12/2023
IGT	Egyptian Link Nefturi's Treasures	MO-73-IGT-21-124	GI020001WFTS001	MO-73-IGT-23-96	GI020001WFTS003	12/12/2023
IGT	Egyptian Link Ramosis' Treasures	MO-73-IGT-21-123	GAME020001WFUS01	MO-73-IGT-23-95	GAME020001WFUS03	12/12/2023
IGT	Egyptian Link Ramosis' Treasures	MO-73-IGT-21-123	GI020001WFUS001	MO-73-IGT-23-95	GI020001WFUS003	12/12/2023
Konami Gaming	Dragon's Law Fortune Bags	MO-73-KON-23-23	KGI_M995DSL011WD00	MO-73-KON-23-62	KGI_M995DSL030WD00	01/11/2024
Konami Gaming	Dragon's Law Fortune Pots	MO-73-KON-23-24	KGI_M994DSL011WD00	MO-73-KON-23-63	KGI_M994DSL030WD00	01/11/2024

Manufacturer	Report Number	Game Name
Aristocrat Technologies Inc.	ATI16651KS	Fortune Harmony - Phoenix & Dragon
Aristocrat Technologies Inc.	ATI17181KS	Bonus Boost 888 Phoenix
Aristocrat Technologies Inc.	ATI17591KS	Mo' Mummy Valley of Riches
IGT	IGTU27832KS	Mistress of Olympus
IGT	IGTU28281KS	Triple Jackpot Jewels/3X Wild Diamonds
IGT	IGTU28432KS	Master of Olympus
IGT	IGTU30341KS	Lucky Larry's Lobstermania 5 Grand
IGT	IGTU30971KS	Double Chili Mania / Double Silver Fire 777
Konami * 09/13/2023	KGI12932KS	SYNKROS
LNW Gaming Inc	SCG12731KS	Action Link King of the Pride
LNW Gaming Inc	SCG12871KS	Action Link Leader of the Pack
* Executive Approval		

Revoked Manufacturer	Revoked Game Name	Revoked Report Number	Revoked ID Number	New Report Number	New ID Number
Konami	iWare	KGI12221KS	v3.24.2.209	KGI12932KS	v3.24.9.312
Konami	Middleware	KGI12221KS	v3.24.4.62	KGI12932KS	v.3.24.9.200
Konami	NAMB2.imx6	KGI12221KS	v3.24.4.59	KGI12932KS	v3.24.9.10
Konami	NAMB2.x86	KGI12221KS	v3.24.4.59	KGI12932KS	v3.24.9.10
Konami	Super Series	KGI12221KS	v3.24.2.209	KGI12932KS	v3.24.9.312
Konami	SYNKROS	KGI12221KS	v3.24.2.209	KGI12932KS	v3.24.9.312
Konami	SYNKROS Intergrated Layer	KGI12221KS		KGI12932KS	v3.24.9.205

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Laura Kelly, Governor

Hollywood Casino Internal Control Amendments

October 13, 2023

<u>Item #/ (Description)</u>	<u>Regulation Waiver?</u>	<u>Regulation/IC Reference</u>	<u>Staff Recommendation</u>
HW190 – Sportsbook Supervisor	No	KAR 112-104-2 / Organization Chart and Job Descriptions	Approval
HW191 – Chapter G – Accounting	No	KAR 112-104-6 & 9, KAR 112-108-50 / Chapter G – Accounting	Approval

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Kansas Crossing Casino Internal Control Amendments

October 13, 2023

<u>Item #/ (Description)</u>	<u>Regulation Waiver?</u>	<u>Regulation/IC Reference</u>	<u>Staff Recommendation</u>
KC 106 – Free Bet Blackjack	No	KAR 112-108/KCC 862	Approval

BOOT HILL CASINO & RESORT
REPORT PRESENTED TO
THE KANSAS RACING AND GAMING COMMISSION
October 13, 2023

By: Diane Giardine

For the month of September 2023, BHCR experienced an increase in Total Gaming Revenue of 0.63% over September 2022. Total Slot Revenue was up 1.08% and Table Games Revenue was down 2.65%.

For the month of September 2023, the total Retail Sportsbook Revenue as defined by the Kansas Lottery was \$28,439. This is up 12.75% from August 2023. Total Digital Sportsbook Revenue as defined by the Kansas Lottery was \$2,359,146. This is up 35.30% compared to August 2023.

Upcoming Promotions & Events

- Weekly Kiosk Games
- Weekly Food and Beverage Specials
- Gift Promotions
- Big Draw
- VIP Promotions
- Promotions for United Wireless Arena Events
- Sportsbook Promotions

Upcoming Entertainment & Events

- Beach Boys – September 29
- La India Yuridia – October 7
- KSHSAA 1A & 2A State Volleyball

Don Brownlee, Executive Director

Laura Kelly, Governor

BOOT HILL CASINO & RESORT

Lottery Gaming Facility Revenue-Unaudited*

	September 2023	September 2022	Fiscal YTD 2024	Fiscal YTD 2023
Electronic gaming machines	3,658,363.85	3,617,809.56	10,419,923.07	11,344,944.34
Table games	488,609.24	501,505.30	1,447,497.78	1,347,039.83
Other #	2,730.10	4,472.39	2,998.94	4,707.47
Total Lottery Gaming Facility Revenue	<u>4,149,703.19</u>	<u>4,123,787.25</u>	<u>11,870,419.79</u>	<u>12,696,691.64</u>
State Share 22%	912,934.70	907,233.20	2,611,492.35	2,793,272.16
Local Share 3%	124,491.10	123,713.62	356,112.59	380,900.75
Problem Gambling Share 2%	82,994.06	82,475.75	237,408.40	253,933.83
Casino Share 73%	3,029,283.33	3,010,364.69	8,665,406.45	9,268,584.90

***Unaudited-as reported by the Kansas Lottery Central Computer system.**

#Other sweeps, principally lost and found funds.

KANSAS STAR CASINO
REPORT PRESENTED TO
THE KANSAS RACING AND GAMING COMMISSION
October 13, 2023

By: Doug Lang

For the month of September 2023 KSC experienced a decrease in Total Gross Gaming Revenue of 6.9% compared to September 2022. Total Slot Revenue is down 3.3% and Table Games Revenue is down 22.7%.

For the month of September 2023, the total Retail Sportsbook Revenue as defined by the Kansas Lottery is \$51.8K, which is down from September 2022's revenue of \$207K. Total Digital Sportsbook Revenue as defined by the Kansas Lottery is \$2.866M. This is up from September 2022's loss of \$2.868M.

Upcoming Promotions & Events

- Double Down | Friday and Saturdays
- Sit and Go Slot Tournaments | Thursday, October 5 & 19 | 5p-8p
- Turkey Fryer Continuity Giveaway | Every Friday in October | 4p-9p
- Luxury Gift Giveaway | Guests who earn 10,000 or 25,000 tier credits from July 17 – September 30 can come and pick out a high-end gift | Friday, October 20 | 6p-9p
- Almost There Titanium Event | Friday, October 27 | 6pm
- Host Party | Saturday, October 7 | \$10,000 in prizes | Host Invite | 6p-7:30p
- Cash Grab | Saturday, October 21 | 5p-9p
- Spooktacular Slot Tournament | \$15,000 in prizes | Saturday, October 28 | 6pm-9pm
- Sunday Bonus Offer | Sunday, October 8 & 22

Upcoming Entertainment & Events

- SWANA Convention | Arena | Tuesday, October 3 – Thursday, October 5
- 80's Rock Invasion Concert | Arena | Saturday, October 14 | 8pm
- The Whispers | Arena | Saturday, October 28 | 8pm | 4-wall

SEPTEMBER FANDUEL SPORTSBOOK NOTES

- \$54.4 million was wagered on FanDuel online.
- \$1.23 million was wagered in person at FanDuel retail. Of this #, \$602k was bet over the counter and \$636k was bet on the kiosks.
- The \$1.23 million wagered in person was a \$773k increase over August.
- There was a total of 13,755 bets made in person at FanDuel retail, which was over triple the amount from August.

- The largest wager in retail was a \$30,000 parlay bet. It was a parlay on the Colorado Buffaloes -23.5 and over 59.5 in the same game. The wager was a loser.
- The largest winning wager in retail was a \$10,000 parlay bet. It was a parlay on the Buffalo Bills -4.5 and the over 36.5 in the same game. This winning parlay paid out \$23,500.
- We had 1 PPV UFC Fight in the month on September 9. There was \$4,996 bet on this fight and 171 bets made.
- We had the Canelo/Charlo PPV Boxing fight on Saturday, September 30. This fight brought in a handle of \$10,779 with 124 total bets.
- The first full month of football was a huge success for the Sportsbook. Our retail handle was up by 32.1 Year over Year and the total bet count was up by 34.6% Year over Year.
- Sports wagering percentages for the month of August are as follows...Football 82%, Baseball 12%, Soccer 3%, Basketball <1%, MMA <1%, Boxing <1%, Golf <1%.

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Laura Kelly, Governor

KANSAS STAR CASINO & RESORT

Lottery Gaming Facility Revenue-Unaudited*

	September 2023	September 2022	Fiscal YTD 2024	Fiscal YTD 2023
Electronic gaming machines	11,010,449.93	11,168,274.15	33,048,686.10	33,826,021.04
Table games	1,455,412.00	1,879,874.55	5,187,336.80	6,465,432.70
Other #	<u>8,812.08</u>	<u>7,332.17</u>	<u>8,947.10</u>	<u>7,565.25</u>
Total Lottery Gaming Facility Revenue	<u>12,474,674.01</u>	<u>13,055,480.87</u>	<u>38,244,970.00</u>	<u>40,299,018.99</u>
State Share 22% (Tier 1)**	2,744,428.28	2,872,205.79	8,413,893.40	8,865,784.18
State Share 2% marginal (Tier 2)**	-	-	-	-
Local Share 3%	374,240.22	391,664.43	1,147,349.10	1,208,970.57
Problem Gambling Share 2%	249,493.48	261,109.62	764,899.40	805,980.38
Casino Share 73%	9,106,512.03	9,530,501.04	27,918,828.10	29,418,283.86

*Unaudited-as reported by the Kansas Lottery Central Computer system.

#Other sweeps, principally lost and found funds.

HOLLYWOOD CASINO AT KANSAS SPEEDWAY
REPORT PRESENTED TO
THE KANSAS RACING AND GAMING COMMISSION
October 13, 2023

BY: LYDIA GARVEY – VICE PRESIDENT & GENERAL MANAGER

September 2023

September Admissions

- September 2023 admissions were down 2.5% compared to last year

September 2023 Revenue Numbers

- Total Gaming Revenue was \$13.3M – an increase of 0.3%
- Slot Revenue was \$11.7M – a decrease of 0.6%
- Table Games Revenue (including Poker) was \$1.6M – an increase of 7.2%
- Retail Sportsbook Taxable Revenue in September was \$393,485.77 – a decrease of 48.4% compared to last year's opening month revenue of \$762,305.
- Platform Sportsbook Taxable Revenue in September was \$528,323.50 – an increase of \$555,544.94 (the platform reported negative revenue in September 2022).

Recent/Upcoming Events

- September 10 – Hollywood Casino 400 NASCAR Sprint Cup Race
- October 6 – Smashing Pumpkins
- October 7 – Be Witched or be Rich
- October 13 – Freaky Friday
- October 27 – Halloween Lucky Ladies
- October 28 – Trick or Treat for Free Slotplay
- October 30 – Sportsbook Scratchers
- November 5 – Givin' Thanks Football Giveaway
- November 1 -24 – Win This Ride

Don Brownlee, Executive Director

Laura Kelly, Governor

HOLLYWOOD CASINO & RESORT

Lottery Gaming Facility Revenue-Unaudited*

	September 2023	September 2022	Fiscal YTD 2024	Fiscal YTD 2023
Electronic gaming machines	11,698,640.30	11,771,212.11	35,089,396.43	34,909,514.72
Table games	1,615,010.00	1,506,981.09	4,545,374.30	4,022,808.55
Other #	<u>2,805.44</u>	<u>2405.62</u>	<u>2,834.44</u>	<u>2,840.03</u>
Total Lottery Gaming Facility Revenue	<u>13,316,455.74</u>	<u>13,280,598.82</u>	<u>39,637,605.17</u>	<u>38,935,163.30</u>
State Share 22%	2,929,620.26	2,921,731.74	8,720,273.14	8,565,735.93
Local Share 3%	399,493.67	398,417.96	1,189,128.16	1,168,054.90
Problem Gambling Share 2%	266,329.11	265,611.98	792,752.10	778,703.27
Casino Share 73%	9,721,012.69	9,694,837.14	28,935,451.77	28,422,669.21

***Unaudited-as reported by the Kansas Lottery Central Computer system.**

#Other sweeps, principally lost and found funds.



KANSAS CROSSING CASINO + HOTEL
REPORT PRESENTED TO
THE KANSAS RACING AND GAMING COMMISSION
October 13, 2023
By: Jeff McKain

Kansas Crossing Casino is reporting the following preliminary results for September 2023 vs September 2022.

- -7.9% Decrease in Admissions
- -6.9% Decrease in Coin-In
- 11% Increase in Table Drop
- -4.2% Decrease in Net Gaming Revenue

Sports Wagering:

For the month of September 2023, the total Retail Sportsbook Revenue as defined by the Kansas Lottery was up 7.8% vs prior month. Total revenue was \$23,526. Total Digital Sportsbook Revenue as defined by the Kansas Lottery in September was a -\$255,528 vs prior month of a positive \$878,302.

Promotions + Events

- September
 - Casino Hot Seats every Monday and Tuesday.
 - **Camp 49** promotions every Wednesday.
 - Slot Tournaments on Fridays.
 - Casino Gifts every Saturday.
 - **Cash is King** promotion Saturday the 30th.
 - Tech9 concert on the 9th.
- October
 - Casino Hot Seats every Monday.
 - **Camp 49** promotions every Wednesday.
 - **Monster Match** promotion every Friday.
 - VIP event on Friday the 20th.
 - Casino Gifts every Saturday.
 - **Cash is King** promotion Saturday the 28th.
 - Concerts include Hairball on the 7th and Drew Green on the 14th.

Don Brownlee, Executive Director

Laura Kelly, Governor

KANSAS CROSSING CASINO & RESORT

Lottery Gaming Facility Revenue-Unaudited*

	September 2023	September 2022	Fiscal YTD 2024	Fiscal YTD 2023
Electronic gaming machines	2,804,522.24	3,079,452.39	8,622,571.79	9,802,904.65
Table games	346,111.00	205,740.00	1,065,668.50	607,418.50
Other #	563.45	637.00	705.45	794.00
Total Lottery Gaming Facility Revenue	<u>3,151,196.69</u>	<u>3,285,829.39</u>	<u>9,688,945.74</u>	<u>10,411,117.15</u>
State Share 22%	693,263.27	722,882.47	2,131,568.06	2,290,445.77
Local Share 3%	94,535.90	98,574.88	290,668.37	312,333.51
Problem Gambling Share 2%	63,023.93	65,716.59	193,778.91	208,222.34
Casino Share 73%	2,300,373.58	2,398,655.45	7,072,930.39	7,600,115.52

**Unaudited-as reported by the Kansas Lottery Central Computer system.*

#Other sweeps, principally lost and found funds.

Don Brownlee, Executive Director

Laura Kelly, Governor

September 2023 Casino Financials

Casino Gaming Revenue for Month Ending September 30, 2023					
Revenue Source	Boot Hill Casino	Kansas Star Casino	Hollywood Casino	Kansas Crossing Casino	Total All Casinos
EGM	\$ 3,658,364	\$ 11,010,450	\$ 11,698,640	\$ 2,804,522	\$ 29,171,976
Table Games	488,609	1,455,412	1,615,010	346,111	3,905,142
Other #	2,730	8,812	2,805	563	14,911
Total	\$ 4,149,703	\$ 12,474,674	\$ 13,316,456	\$ 3,151,197	\$ 33,092,030

Cumulative Gaming Revenue per Fiscal Year					
Fiscal Year	Boot Hill	Kansas Star	Hollywood	Kansas Crossing	Total All Casinos
2010	\$ 20,663,987	\$ -	\$ -	\$ -	\$ 20,663,987
2011	40,055,280	-	-	-	40,055,280
2012	43,886,501	98,855,928	54,622,687	-	197,365,116
2013	43,353,504	192,187,166	124,993,721	-	360,534,391
2014	39,906,275	181,079,650	132,036,392	-	353,022,317
2015	40,513,186	181,754,051	142,759,065	-	365,026,302
2016	38,937,088	181,600,677	143,833,330	-	364,371,095
2017	40,222,932	178,105,968	144,582,037	8,206,260	371,117,197
2018	41,186,638	182,084,527	148,770,984	32,465,853	404,508,001
2019	41,589,906	184,157,835	150,790,865	34,489,213	411,027,819
2020	32,971,510	150,355,262	122,114,403	28,620,752	334,061,926
2021	43,690,403	172,711,043	124,388,370	33,857,278	374,647,093
2022	49,581,344	162,352,371	149,127,943	39,911,158	400,972,817
2023	48,228,287	161,224,699	156,512,547	41,140,188	407,105,721
2024	11,870,420	38,244,970	39,637,605	9,688,946	99,441,941
Total Since Opening	\$ 576,657,261	\$ 2,064,714,148	\$ 1,634,169,948	\$ 228,379,648	\$ 4,503,921,004

Fund Distribution FY 2024					
Recipients	Boot Hill	Kansas Star	Hollywood	Kansas Crossing	Total All Casinos
State of Kansas	2,611,492	8,413,893	8,720,273	2,131,568	21,877,227
Local Governments	356,113	1,147,349	1,189,128	290,668	2,983,258
Problem Gambling and Addictions Fund	237,408	764,899	792,752	193,779	1,988,839
Casino Manager	8,665,406	27,918,828	28,935,452	7,072,930	72,592,617
Total	11,870,420	38,244,970	39,637,605	9,688,946	99,441,941

Fund Distribution Since Opening					
Recipients	Boot Hill	Kansas Star	Hollywood	Kansas Crossing	Total All Casinos
State of Kansas	126,864,597	454,365,790	359,517,389	50,243,523	990,991,299
Local Governments	17,299,718	61,941,424	49,025,098	6,851,389	135,117,630
Problem Gambling and Addictions Fund	11,533,145	41,294,283	32,683,399	4,567,593	90,078,420
Casino Manager	420,959,800	1,507,112,650	1,192,944,062	166,717,143	3,287,733,655
Total	576,657,261	2,064,714,148	1,634,169,948	228,379,648	4,503,921,004

*Unaudited-as reported by the Kansas Lottery Central Computer system.

#Other sweeps, principally lost and found funds.

POLICY RESOLUTION No. 2023-01

A POLICY RESOLUTION AUTHORIZING SHELF APPROVAL OF DEBT FINANCING FOR KANSAS STAR CASINO, LLC AND BOYD GAMING CORPORATION AND AUTHORIZING THE EXECUTIVE DIRECTOR TO APPROVE FOR THE COMMISSION UNDER K.A.R. 112-101-11 ANY SHELF APPLICATION FOR DEBT THAT SATISFIES SPECIFIED CRITERIA.

WHEREAS, the Kansas Racing and Gaming Commission has duly promulgated K.A.R. 112-101-11 in order to promote the financial stability of lottery gaming facility managers under the Kansas Expanded Lottery Act, K.S.A. 74-8733 *et seq.*; and

WHEREAS, Kansas Star Casino, LLC (“Kansas Star”), the lottery gaming facility manager for the south central Kansas gaming zone which manages the Kansas Star Casino in Mulvane, Kansas on behalf of the State of Kansas, and Boyd Gaming Corporation (“Boyd”), a publicly traded Nevada corporation which is the ultimate parent company of Kansas Star, have requested the Commission to adopt a shelf financing policy based on established industry practices as codified in regulations by multiple other jurisdictions¹ that authorizes the “shelf approval” of long-term debt financing in accordance with the criteria specified below and to empower the Executive Director to approve such qualifying debt financing arrangements on behalf of the Commission; and

WHEREAS, the Executive Director and the Staff of the Commission believe the requested policy and delegation of authority will promote efficiency, economy and expedition in the approval of certain material debt transactions while preserving appropriate oversight of the financial stability of Kansas Star;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION as follows:

1. The Executive Director is authorized to approve on behalf of the Commission, for a period of three (3) years, any material debt transaction by Kansas Star and Boyd upon satisfaction of each of the following criteria:

- (a) Boyd’s securities continued to be listed on the New York Stock Exchange;
- (b) Boyd has stockholder’s equity of \$50 million or more as reported on Boyd’s most recent Form 10-K or 10-Q filed with the Securities and Exchange Commission (“SEC”);
- (c) Boyd is compliant with all material filing requirements of the SEC;
- (d) Any proposed shelf financing transaction that involves the pledging of any assets of Kansas Star Casino shall include notice to creditors substantially as follows:

¹ See, e.g., Iowa Administrative Code, Chapter 5 at § 5.4(20).

**“Statement to Creditors and Investors by Boyd Gaming
Regarding the Pledging of Kansas Star Casino Assets**

Notwithstanding any promise, covenant, or pledge made by, any condition agreed to, or any guaranty, indenture, agreement, contract or other document executed by Boyd Gaming Corporation for the benefit of any creditor or investor to pledge Kansas Star Casino, its assets, or any assets purchased or leased by Boyd Gaming Corporation (or any predecessor entity) for Kansas Star Casino on behalf of the State of Kansas, **Boyd Gaming hereby gives notice to all creditors and investors** that, in the event of bankruptcy or default on any loan or other debt secured in whole or in part by Kansas Star Casino or Kansas Star Casino assets, KRGC does not waive, nor has it waived, any of the State of Kansas' rights under law or under the lottery gaming facility management contract to secure the games and select a new casino manager.”

- (e) The total amount of indebtedness sought does not exceed \$6.0 billion; and
- (f) Certification under oath of compliance with these requirements by an officer or other authorized representative of Boyd.

2. At least 10 days prior to the proposed financing modification or new financing transaction, Kansas Star and Boyd shall provide written application to the Executive Director, which may be transmitted by electronic means, certifying compliance with the foregoing criteria and summarizing the maximum amount of debt sought, the maximum financing rate sought and the intended use of potential proceeds. The potential use of such proceeds may include, but is not limited to, general corporate purposes, including capital expenditures, working capital and repayment of amounts outstanding under Boyd's Revolving Credit Facility or other existing debt outstanding, and the issuance of new public debt (or equity) to refinance existing debt or for other purposes including to take advantage of one or more development opportunities that may arise due to favorable market conditions. Kansas Star and Boyd will submit such other documentation in support of its request as may be requested by the Executive Director subsequent to receipt of such written application.

3. Any completed application that complies with these requirements shall be approved or deemed approved by the Commission if the Executive Director affirmatively approves the transaction.

4. Following approval of any such financing transaction, Kansas Star and Boyd shall notify the Executive Director of all debt transactions within ten (10) days of consummation, including subsequent modifications of debt transactions, and provide executed copies of the documents evidencing the transactions as may be required.

5. Commissioners or the Executive Director may rescind a shelf approval prospectively without prior written notice. The rescission shall be in writing and set forth the reasons for the rescission and shall remain in effect until lifted by the Commission upon satisfaction of any such terms and conditions as required by the Commission. In the event a shelf

approval is rescinded without prior notice, Kansas Star and Boyd shall not be deemed to be noncompliant with K.A.R. 112-101-11, and amendments thereto, unless it is established that either applicant procured such shelf approval through intentional fraud or other intentional wrongdoing.

ADOPTED AND APPROVED on this _____ day of _____, 2023.

**KANSAS RACING AND GAMING
COMMISSION**

By: _____
David Moses
Chair

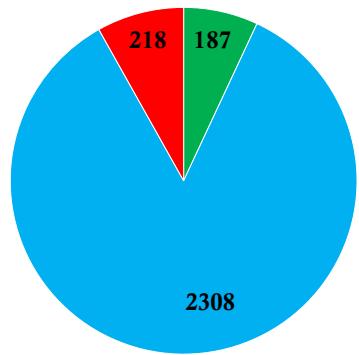
ATTEST:

Larry Turnquist
Secretary

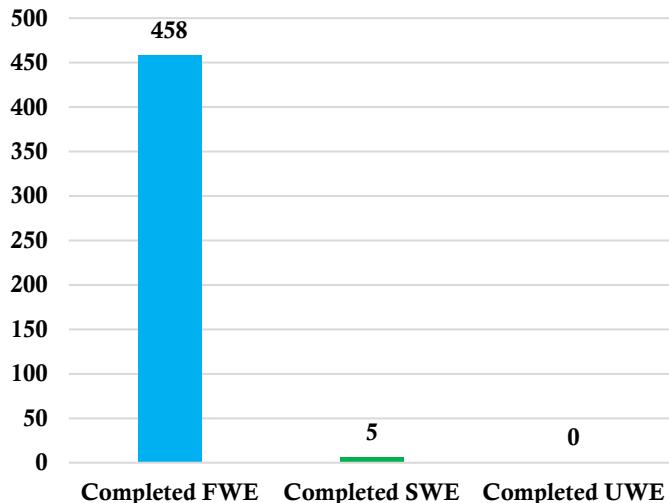
Voluntary Exclusion Report

January 2010 – September 2023

Active Voluntary Exclusions

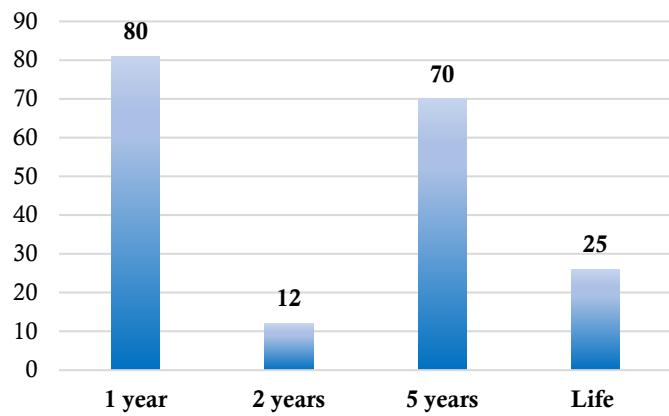


Completed Voluntary Exclusions

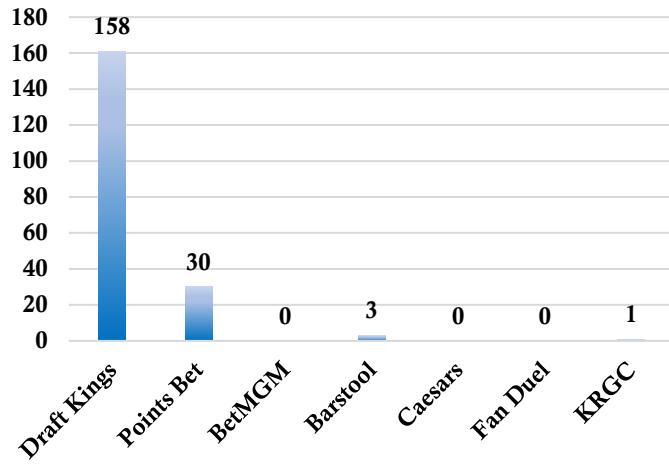


Active Sports Wagering Exclusion Durations

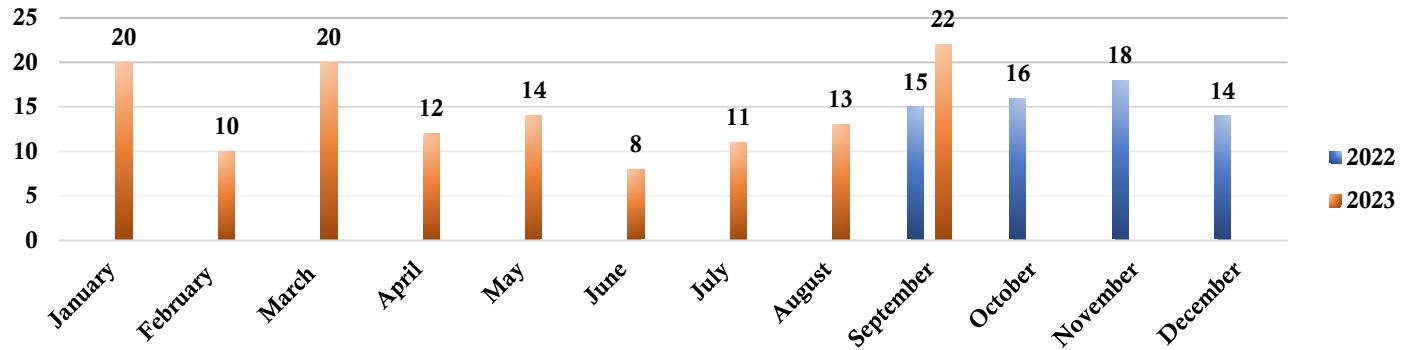
(Figures do not include completed exclusions)



SWE Enrollment by Platform*

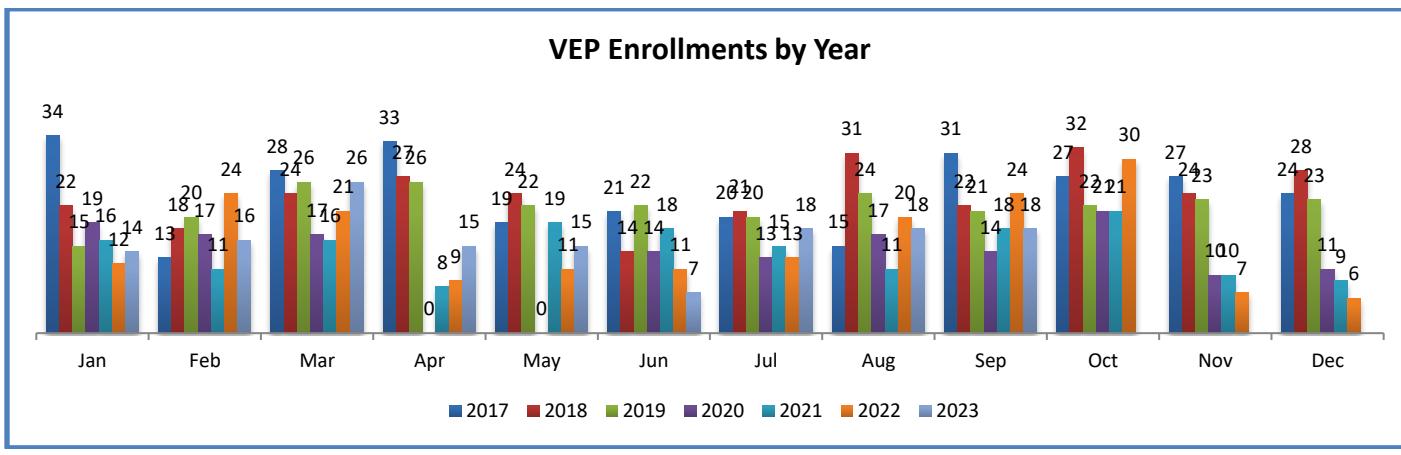
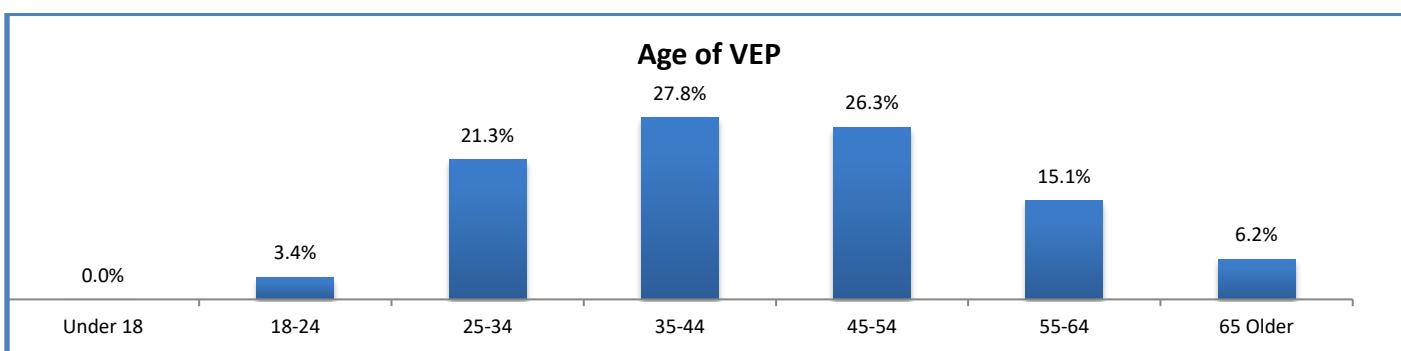
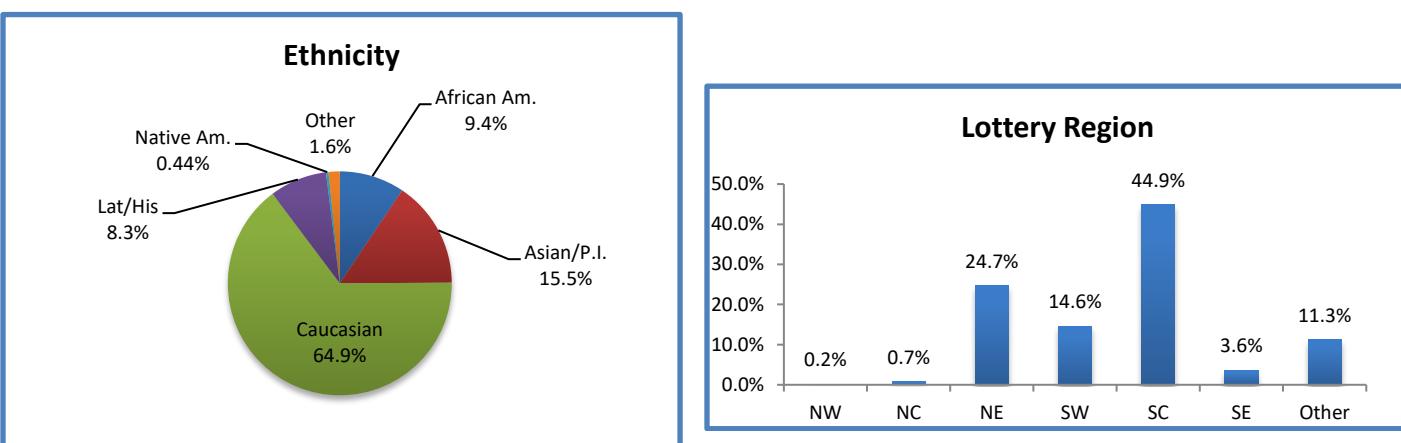
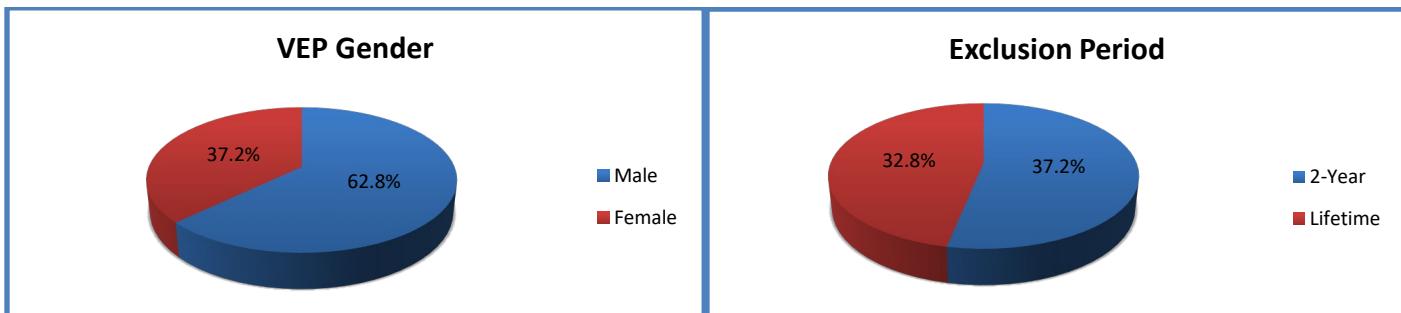


SPORTS WAGERING EXCLUSION ENROLLMENT BY MONTH

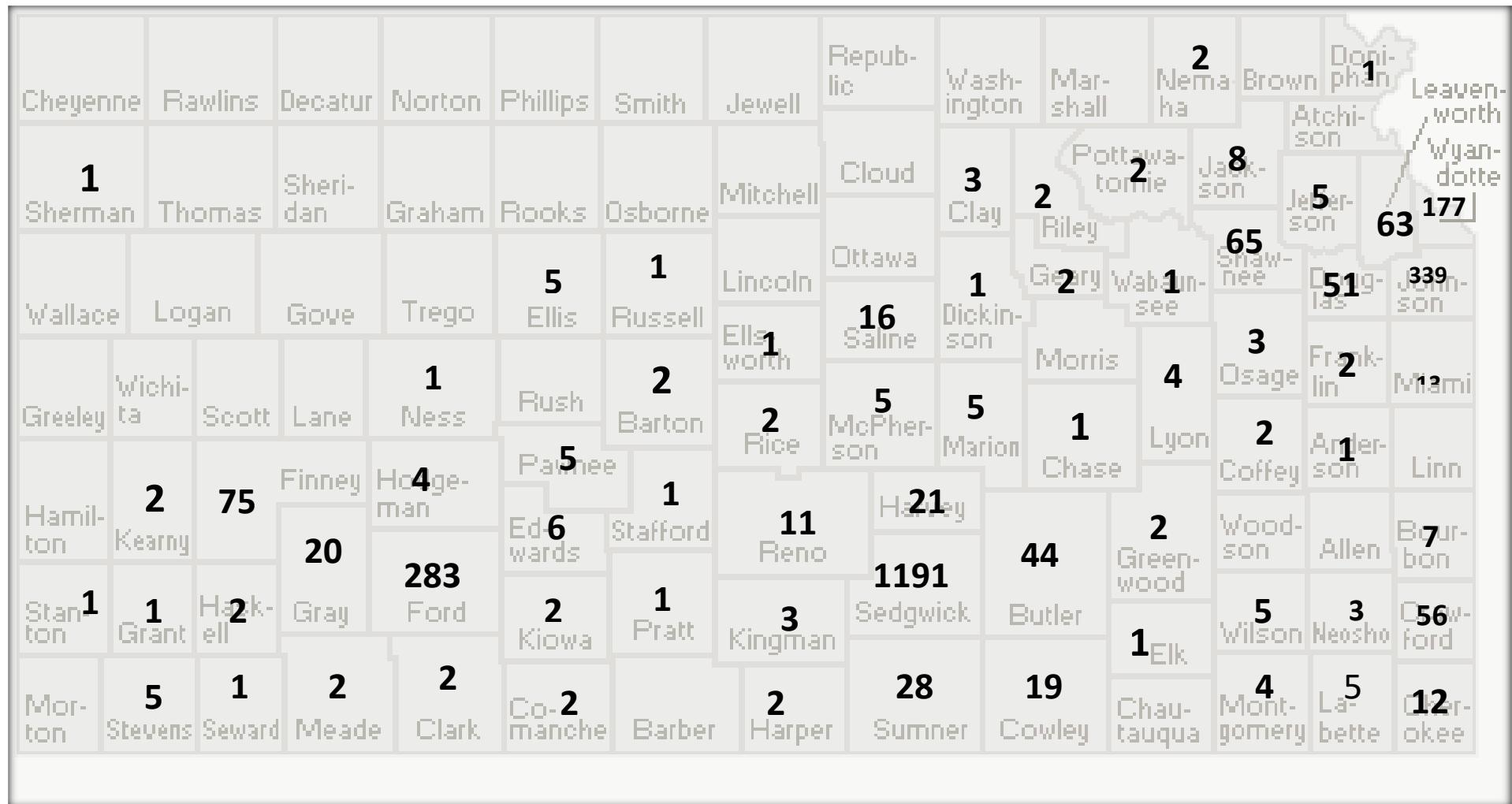


Voluntary Exclusion Program **January 2010 –September 2023**

Voluntary Exclusions = 2,987
Violation Incidents = 426 (377 individuals)



KRGC Voluntarily Excluded Persons



Colorado – 5
Iowa – 4
Kansas-2,638
Missouri -247
Nebraska – 6
Oklahoma – 4
Other-38

TOTAL VEPs = 2,987



Kansas Racing and Gaming Commission
700 SW Harrison, Suite 500, Topeka, Kansas 66603
(785) 296-5800, Fax (785) 296-0900

Racing and Gaming Commission

STAFF AGENDA MEMORANDUM

MEETING DATE: October 13, 2023

AGENDA ITEM: Quarterly Reports on (1) staff out-of-state travel, (2) licensing and (3) illegal gambling

PRESENTER: Don Brownlee

To ensure that it is being consistent and efficient, the commission has requested quarterly updates on out-of-state travel, licensing matters, and illegal gambling efforts.

I. OUT-OF-STATE TRAVEL

The quarterly out-of-state travel report includes the employees who traveled and the purpose of the trip and the total expenses incurred for the trip. Because the Commission maintains its background investigation details as highly confidential, the quarterly travel report does not include out-of-state trips for investigative or targeted purposes.

For the third quarter (July through September) of 2023, commission staff out-of-state travel includes:

Purpose of Trip	Traveler	Dates	Destination	Registration	Total
Law Enforcement Chaplain Training Program (LECTP)	Charles Boyce	08/20/2023 – 08/25/2023	Littleton, CO	\$0	\$1,406.64
Reid Technique of Interviewing and Advanced Interrogation Techniques	Derek Hoskinson	08/27/2023 – 08/31/2023	Denver, CO	\$850	\$1,860.65
Reid Technique of Interviewing and Advanced Interrogation Techniques	Sydney Schreffler	08/27/2023 – 08/31/2023	Denver, CO	\$850	\$1,876.86
MOCIC Annual Conference	James Root	08/21/2023 – 08/25/2023	Branson, MO	\$195	\$975.43
MOCIC Annual Conference	Brett Jacobs	08/21/2023 – 08/25/2023	Branson, MO	\$195	\$975.43
MOCIC Annual Conference	Bradley Smith	08/21/2023 – 08/25/2023	Branson, MO	\$195	\$902.87
Social Media & Open Source Investigations Training	Joseph Crough	08/20/2023 – 08/23/2023	Pensacola, FL	\$325	\$1,883.06

II. LICENSING

Objectives of the commission include conducting timely, but thorough, background investigations on all gaming employees, management contractors, manufacturers and distributors seeking licensure at lottery gaming facilities located in this state. Background investigations are conducted to protect the public interest by maintaining a legitimate and viable gaming industry assuring honesty, good character and integrity of racing and gaming facility operators, employees, and vendors. Following is the licensing report for the July through September 2023 quarter. The three previous quarters are included for comparison purposes.

	Jul-Sep 2023	Apr-Jun 2023	Jan-Mar 2023	Oct-Dec 2022
VENDORS, SUPPLIERS, MANAGERS:				
Corporate permanent licenses approved	10	15	19	3
Corporate temporary licenses approved*	1	4	1	1
Corporate employee licenses approved	123	131	109	140
Corporate renewal licenses approved	1	1	3	15
Corporate employee licenses renewed	114	115	93	90
Corporate employee licenses denied	0	0	0	1
BOOT HILL CASINO EMPLOYEE LICENSES				
Permanent license approvals	28	41	21	22
Temporary license approvals*	34	31	37	32
Renewal license approvals	30	25	26	18
Licenses denied	0	1	0	2
HOLLYWOOD CASINO EMPLOYEE LICENSES				
Permanent license approvals	48	51	45	60
Temporary license approvals*	65	60	50	58
Renewal license approvals	73	53	48	32
Licenses denied	6	6	2	2
KANSAS STAR CASINO EMPLOYEE LICENSES				
Permanent license approvals	55	41	60	86
Temporary license approvals*	65	76	44	52
Renewal license approvals	62	73	64	35
Licenses denied	0		0	0
KANASAS CROSSING CASINO EMPLOYEE LICENSES				
Permanent license approvals	19	18	20	31
Temporary license approvals*	46	26	25	52
Renewal license approvals	12	17	21	35
Licenses denied	0	0	1	0

*Temporary licenses approved will still need to be permanently approved in future quarter(s) once all backgrounding activities are completed.

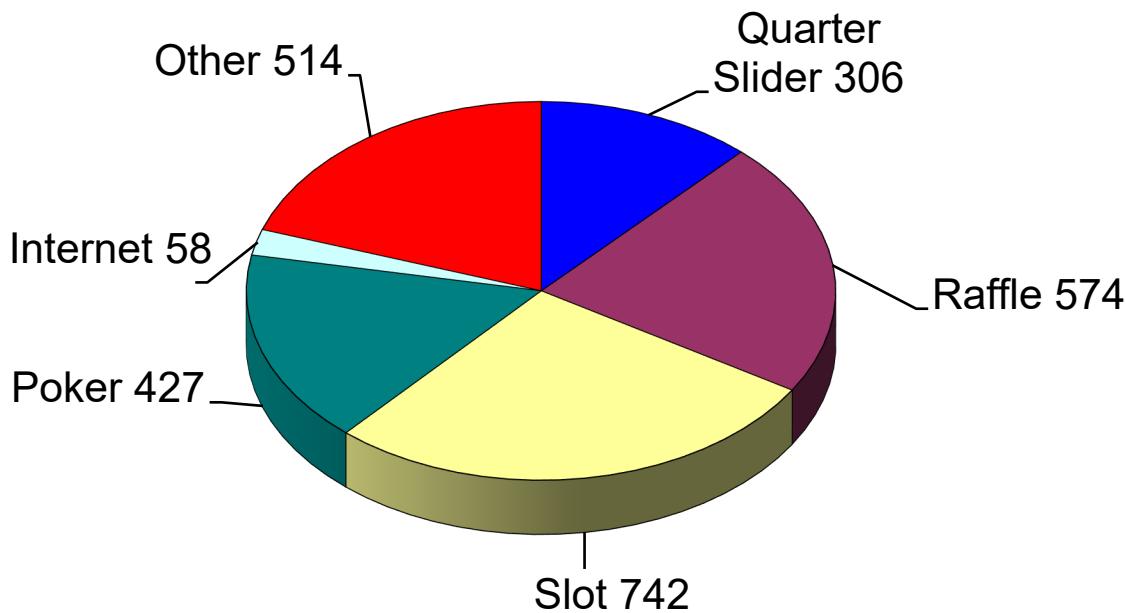
III. ILLEGAL GAMBLING

The Kansas Racing and Gaming Commission (KRGC) provides resources and assistance to local law enforcement, prosecutors, and the public on illegal gambling questions, education, and complaints. The KRGC responds to email and phone complaints and inquiries, conducts continuing legal education seminars for prosecutors, assists local law enforcement agencies with illegal gambling investigations, and conducts civil seizures of illegal gambling devices for forfeiture, all in an effort to curtail illegal gambling in bars, restaurants, convenience stores, and other venues throughout Kansas.

Since 2008, the Commission has received 2,621 total illegal gambling-related questions or complaints from the general public. During the third quarter (Q-3) of 2023, the Commission received twenty-one (21) calls and emails from the general public, down seventeen (17) from the previous quarter and up thirteen (13) from the third quarter of 2022.

Of the twenty-one (21) calls and emails received in Q-3, fourteen (14) involved slot machines; three (3) involved raffles; two (2) involved poker, one (1) involved quarter pushes; and one (1) involved other types of gambling. The other type of gambling involved casino nights.

Breakdown of illegal gambling inquiries and complaints to-date:



The above chart does not reflect calls and activity related to the following:

- Reports made to KRGC agents by other law enforcement officers around the state.
- Discussions with local law enforcement and district and county attorneys regarding the legal aspects of illegal gambling and the services that KRGC can provide.
- Time spent by agents and legal counsel to assist in active local investigations and prosecutions.
- Time spent defending gambling-related actions against the agency.
- Time spent pursuing seizures and forfeitures of illegal gambling devices.
- Inquiries from the public that are answered through access to KRGC's Illegal Gambling Frequently Asked Questions (FAQs) web page.
- In July, KRGC agents assisted in serving five (5) search warrants in Wichita, resulting in the seizure of sixteen (16) illegal gambling machines.
- In September, KRGC agents assisted in serving a search warrant in Merriam, resulting in the seizure of three (3) illegal gambling machines, proceeds, and relevant records.

KRGC updated the Illegal Gambling FAQs portion of the webpage in late January 2014. Since KRGC began tracking the new page, there have been a total of 23,755 unique page views (after adjustments). A total of 133 unique page views were made during the third quarter of 2023, down 665 from the previous quarter (adjusted) and down 414 from the third quarter of 2022 (adjusted). The Illegal Gambling FAQs page can be found here: <http://www.krgc.ks.gov/index.php/racing-gaming-law/illegal-gambling/faq-s-2>. It may also be accessed from the KRGC main page (www.krgc.ks.gov) by selecting Public Info/Illegal Gambling FAQ's from the drop down menu option.

All Departments		Cash Fund Balances as of September 30, 2023																														
DeptID	All	ELARF			Backgrounds			Illegal Gambling			Racing																					
All Funds		Beg. Balance	4,140,263		Beg. Balance	266,065		Beg. Balance	74,482		Beg. Balance	149,705																				
		Revenue	2,179,576		Revenue	47,940		Revenue	-		Revenue	20,000																				
		Expenses	1,962,387		Expenses	86,123		Expenses	75		Expenses	110,888																				
		End Balance	4,357,453		End Balance	227,882		End Balance	74,407		End Balance	58,818																				
Fund		Grand Total																														
BudgetUnit		All Funding Sources																														
		YTD FY2023 ACTUALS	1,639,733	YTD FY2024 ACTUALS	1,839,679	\$ VARIANCE	199,946	% VARIANCE	12%	September FY2023 ACTUALS	681,986	September FY2024 ACTUALS	771,661	\$ VARIANCE	89,674	% VARIANCE	13%	YTD FY2024 BUDGET	2,176,831	YTD FY2024 ACTUALS	1,839,679	\$ VARIANCE	-337,152	% VARIANCE	-15%							
51000	Payroll																															
10	Shrinkage																															
Net Salaries and Wages			1,639,733		1,839,679					199,946					12%	681,986		771,661			89,674			13%	2,013,569		1,839,679		-173,890		-9%	
52000	Communication		18,381		17,143		-1,237		-7%		8,701		7,188		-1,513		-17%		27,550		17,143		-10,407		-38%							
52100	Freight and Express		374		324		-50		-13%		134		42		-92		-68%		325		324		-1		0%							
52200	Printing and Advertising		0		35		35		0%		0		18		18		0%		363		35		-327		-90%							
52300	Rents		54,318		79,060		24,742		46%		106		355		249		235%		67,788		79,060		11,273		17%							
52400	Repair/Servicing/Mainten		4,867		6,087		1,220		25%		58		205		146		252%		13,927		6,087		-7,840		-56%							
52510	InState Travel and Subsistence		9,557		26,839		17,282		181%		3,877		4,051		174		4%		57,971		26,839		-31,132		-54%							
52520	Out of State Travel and Subsistence		4,973		15,515		10,542		212%		521		10,197		9,677		1858%		0		15,515		15,515		0%							
52530	International Travel and Subsistence		0		0		0		0%		0		0		0		0%		0		0		0		0%							
52600	Fees-Other Services		106,828		105,647		-1,181		-1%		58,006		24,525		-33,481		-58%		110,485		105,647		-4,838		-4%							
52700	Fee-Professional Services		2,220		9,181		6,960		313%		1,036		8,495		7,460		720%		95,638		9,181		-86,457		-90%							
52900	Other Contractual Services		3,707		3,782		75		2%		0		0		0		0%		5,511		3,782		-1,729		-31%							
Subtotal Contractual Services			205,225		263,614					58,389					28%	72,439		55,077			-17,362			-24%	379,556		263,614		-115,942		-31%	
53200	Food for Human Consumption		11		2,854		2,843		25967%		0		0		0		0%		0		2,854		2,854		0%							
53400	Maint Constr Material Supply		746		43		-703		-94%		746		38		-708		-95%		1,075		43		-1,032		-96%							
53500	Vehicle Part Supply Accessory		3,373		2,096		-1,277		-38%		1,309		1,027		-282		-22%		7,739		2,096		-5,643		-73%							
53600	Pro Science Supply Material		44		1,269		1,225		2774%		0		0		0		0%		14,965		1,269		-13,696		-92%							
53700	Office and Data Supplies		6,565		7,899		1,334		20%		4,577		855		-3,721		-81%		26,514		7,899		-18,615		-70%							
53900	Other Supplies and Materials		7,936		1,134		-6,802		-86%		7,333		422		-6,912		-94%		1,550		1,134		-416		-27%							
Subtotal Commodities			18,676		15,296					-3,380					-18%	13,965		2,342			-11,623			-83%	51,843		15,296		-36,547		-70%	
54000	TOTAL Capital Outlay		160,880		40,883					-119,997					-75%	37,934		5,491			-32,444			-86%	77,575		40,883		-36,692		-47%	
55960	Vol Retirement Incentive		0		0		0		0%		0		0		0		0%		0		0		0		0%							
56000	Debt Service - Principal		0		0		0		0%		0		0		0		0%		0		0		0		0%							
56100	Payments for Interest and Service		0		0		0		0%		0		0		0		0%		0		0		0		0%							
Subtotal VRIP and Debt Service			0		0					0					0%	0		0			0			0%								
Grand Total			2,024,513		2,159,472					134,958			7%	806,325		834,571			28,246			4%	2,522,543		2,159,472		-363,071		-14%			

October 2023 - September 2024

Kansas Racing and Gaming Commission Planner

Oct 2023						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

OCTOBER

13 Commission Meeting

NOVEMBER

17 Commission Meeting

DECEMBER

15 Commission Meeting

JANUARY

12 Commission Meeting

FEBRUARY

16 Commission Meeting

MARCH

Nov 2023						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

Apr 2024						
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14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

May 2024						
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22	23	24	25	26	27	28
29	30	31				

Dec 2023						
S	M	T	W	T	F	S
			1	2		
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10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

Jan 2024						
S	M	T	W	T	F	S
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8	9	10	11	12	13	14
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

Feb 2024						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Mar 2024						
S	M	T	W	T	F	S
			1	2		
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

OCTOBER

13 Commission Meeting

NOVEMBER

17 Commission Meeting

DECEMBER

15 Commission Meeting

JANUARY

12 Commission Meeting

FEBRUARY

16 Commission Meeting

MARCH

APRIL

12 Commission Meeting

MAY

17 Commission Meeting

JUNE

12 Commission Meeting

JULY

16 Commission Meeting

SEPTEMBER

13 Commission Meeting

Jun 2024						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Jul 2024						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	1