

MINUTES OF THE SENATE FEDERAL AND STATE AFFAIRS COMMITTEE.

The meeting was called to order by Chairperson Senator Nancey Harrington at 10:35 a.m. on January 25, 2001 in Room 245-N of the Capitol.

All members were present.

Committee staff present: Russell Mills, Legislative Research Department
Dennis Hodgins, Legislative Research Department
Theresa Kiernan, Revisor of Statutes
Judy Glasgow, Secretary

Conferees appearing before the committee: Edwin A. Van Petten, Acting Executive Director, KS Lottery
Barbara J. Hinton, Legislative Post Auditor

Others attending: See Attached Sheet

Chairman Harrington announced that after the meeting yesterday she had received a letter by fax from Automated Wagering International (AWI) a division of Anchor Gaming on competitive bidding with regard to the Kansas Lottery contract. A copy was provided for each committee member. (Attachment 1).

Chairman Harrington opened the hearing:

Confirmation hearing on Edwin Van Petten, Director of the Lottery.

Mr. Van Petten addressed the committee and provided a brief history of his background and experience. He stated that he had been in government service in various capacities since 1981. (Attachment 2). He noted that his experience in the Attorney General's Office in 1988 provided him with experience of supervision of staff and the development of policy within the department. Mr. Van Petten stated that he is looking forward to working with Governor Graves and the entire legislature to make certain that the Kansas Lottery runs smoothly, ethically, economically and with integrity. Mr. Van Petten stated that he is aware that this type of agency requires hands on management but it is important to have mid level management that can be trusted to carry out internal programs. He stated that upon his appointment on October 2nd as Acting Director he spent 75 to 80% of his time at the beginning working on security issues; especially issues concerning computer security. Mr. Van Petten reported that at this time he believes the Kansas Lottery is where it should be in regard to these security issues but security must be diligently maintained in order to keep it relevant. He addressed the issue of personnel and his concern that some legislators are asking for the firing of employees without being aware of the entire facts. He stated that these incidents were from as far back as four to five years ago and because of statute of limitations these employees had been dealt with appropriately considering the time frame of the incidents. Mr. Van Petten stated that he would deal with issues as he feels appropriate and he stated that he would give his upmost effort to bring honesty and integrity to the personnel of the Kansas Lottery as well as its operation. Mr. Van Petten then stood for questions from the committee.

Senator Brungardt questioned Mr. Van Petten about GTECH and their role in the electronic games and asked if Kansas citizens can count on honesty and integrity in the lottery games. Mr. Van Petten stated that GTECH provides the on-line system that administers the electronic aspects of the games. The Kansas Lottery or Multi State Lottery (Power ball) set up the rules, develop format, and the wining structures. He stated that the system in place now would address the concerns of honesty and integrity, but in matters like this there cannot be a 100% guarantee.

Senator Gilstrap questioned Mr. Van Petten about the computer files that were altered, what type of files and how this matter had been addressed. Mr. Van Petten stated that he had would honor the court rules in the pending criminal case, but the computer files that had been altered were gaming tapes. He stated that when

CONTINUATION SHEET

instant games are received from a vender, game tapes are supplied that correspond with the bar coding on the tickets. He stated that this matter had been addressed.

In response to questions from Senator Vratil and Senator Gooch, Mr. Van Petten stated that when he worked in the State Attorney's General's office he supervised 22 individuals and the are 82 employees at the Kansas Lottery. Mr. Van Petten stated that the Executive Director should have the authority to hire and fire employees in the best interest of the agency and he hoped that the legislature would not try to micro manage the lottery.

Senator Gooch questioned the conferee about the radio ad that had been pulled recently and what was being done to correct incidents of this nature in the future. Mr. Van Petten stated that in the future he will personally review and approve all ads before they are aired. He also replied to a concern Senator Gooch had raised previously about the employment of minorities in the agency and stated that he will work on this in the future.

Mr. Van Petten responded to questions from Senator Teichman concerning his financial experience in handling a business this large and also about the need for updating security on GTECH's current management. He stated that he did have the financial experience from running a private practice along with running an insurance agency, but that he has faith in the financial division of the Kansas Lottery and would rely heavily on their expertise. The updated security on GTECH officials was necessary because of new personnel in upper management positions at GTECH.

There being no further questions committee Senator Harrington ask for Committee action.

Senator Brungardt moved to favorably recommend to the full senate that Edwin Van Petten be confirmed as Executive Director of the Kansas Lottery. Senator Vratil seconded the motion. The motion unanimously carried.

Chairman Harrington opened hearing on:

SB 32 K-GOAL; clean up amendments

Theresa Kiernan stated that this was a bill cleaning up some technical items and to make grammatical changes to a bill concerning K-GOAL that was passed by the 2000 Legislature.

Chairman Harrington recognized Barbara Hinton, Legislative Post Auditor, who gave a brief description of the purpose of the Kansas Governmental Operation Accountability Law (K-GOAL). She stated that K-GOAL provides for periodic review of certain state agencies to see if operations are being conducted efficiently. These audits are on an 8 year cycle and was renewed last year. **SB 32** makes a number of technical changes to the Kansas Governmental Operations Accountability Law that while necessary are non-substantive. The bill also make a number of language and grammatical changes. Ms. Hinton asked that **SB 32** be passed by this committee.

Written only was provided by Senator Lana Oleen, Chair of the Legislative Post Audit Committee as a proponent of **SB 32**. (Attachment 3).

Senator O'Connor moved that **SB 32** be reported favorably to the full Senate and placed on the consent calender. Senator Vratil seconded the motion. The motion unanimously passed.

Chairman Harrington asked for introduction of bills. Mr. Bob Longino, Acting Director of Alcoholic Beverage Control requested the introduction of a bill concerning the regulations of certain liquor licenses and the regulations of employees of the agency.

Senator Gooch moved for the introduction of the bill, Senator Barnett seconded the motion. The motion passed.

The meeting adjourned at 11:30 a.m. The next meeting is scheduled for 10:30 a.m. on January 30, 2001.

SENATE FEDERAL AND STATE AFFAIRS COMMITTEE GUEST LIST

DATE: JAN 25, 2001

NAME	REPRESENTING
<i>Debbie Apple</i>	
D. KEITH MEYERS	Def A
Bob North	Def A
Adam Cain	Sen Tyson Office Staff
Patrick Hurley	GOEON
Jane Elliott	Kansas Lottery
KEITH KOCHER	KS Lottery
ED VAN PETTEN	KS LOTTERY
Judy Krueger	GO
Jude Smith	Concerned Women of America
Marsha Stralun	" " "
Barb Hinton	Post Audit
Stephanie Buchanan	DOB
Bob Longiro	KDOR/HSK
Andy Shaw	Kearney Law Office
Whitney Dameron	WYCO/KC, KS
Pete M'Neil	Ruffin
Terry Leatherman	KCCI
Ron Hein	Hein & Weir, Chtd

SENATE FEDERAL AND STATE AFFAIRS COMMITTEE
GUEST LIST

DATE: Jan 25, 2001

NAME	REPRESENTING
Roger Franke	RGE



January 24, 2001

Sen. Nancey Harrington, Chair
Senate Federal and State Affairs Committee
State Capitol - Rm 143N
Topeka, KS 66612-1504

Dear Senator Harrington:

By way of introduction, I am the Senior Vice-President of Government Relations for Automated Wagering International (AWI) a division of Anchor Gaming. As a major supplier of on-line lottery systems technology to government run lotteries in the United States and abroad, AWI has naturally been following the press reports on your current hearings regarding the Kansas Lottery and the status of their current on-line systems contract with the GTECH Corporation.

While AWI certainly appreciates the invitation to appear before your committee we are reluctant to heighten any perception of vendor competition in the middle of this very important legislative debate regarding the future of the Kansas Lottery.

I would however like to set the record straight on two points that I believe are of interest to you. First of all I would like to address the question as to why AWI did not bid on the Kansas Lottery on-line lottery systems contract the last time it was re-bid. As a private business there are a number of considerations that come into play when we make our decisions as to what contracts to bid on. Foremost of those considerations is of course the timing of the implementation. We must carefully weigh the impact the addition of any new contracts may have on our ability to meet our obligations to our current clients. While I must also tell you that we do take into consideration what we perceive to be the "fairness" of any procurement and the lottery's level of vendor bias if any, the fact is that AWI's decision not to bid in Kansas was based on the former and not the later. I can personally attest to the fact that AWI felt the request for proposals issued by the Kansas Lottery during their last procurement was fair and we were totally confident that the staff would have provided a fair and unbiased evaluation of the AWI proposal. Unfortunately the timing of the procurement and required system implementation conflicted with other obligations and priorities facing the company.

Now I would like to address the issue of any future procurements. Would AWI submit a proposal if the Kansas Lottery issued a request for proposals (RFP)? Depending on the timing of that RFP and certainly the content of the RFP, I can honestly say yes, AWI would be very interested in doing business with the state of Kansas. I must also point

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Attachment 1-1

out, contrary to what you may have already been told, that AWI is not the only company that is qualified, capable and interested in bidding on the Kansas Lottery contract. As evidence of that fact I would point to the state of Iowa who only a few months ago completed their most recent procurement which attracted bids from four companies - AWI, GTECH, Autotote and ILTS. There are a number of other states whose lottery procurements over the past three years have attracted bids from multiple vendors:

Iowa - Four bidders - Won by Autotote - Previously held by GTECH
Maine - Three bidders - Won by Autotote - Previously held by GTECH
New Hampshire - Three bidders - Won by Autotote - Previously held by GTECH
Vermont - Three bidders - Won by Autotote - Previously held by GTECH
West Virginia - Four bidders - Won by AWI - Previously held by GTECH
New York - Three bidders - Won by GTECH - Previously held by GTECH
Indiana - Four bidders - Won by AWI - Previously held by GTECH
South Dakota - Two bidders - Won by AWI - Previously held by AWI
Montana - Two bidders - Won by Autotote - Previously held by AWI

Michigan, Ohio and Illinois each only attracted one bidder and that was GTECH who was also the incumbent in each of those states.

Are there more than just two on-line lottery systems vendors in the United States? Contrary to what you may have been told the honest answer is "yes". If the Kansas Lottery were to go out for a re-bid of its current on-line lottery systems contract in the next year will they get more than one bid? I am personally confident that you will. Over the past three years the on-line lottery systems business has become more competitive than at any other time in the history of the industry. This may well be an opportunity the state of Kansas should take advantage of.

Thank you for your time and consideration and I hope this information is helpful to you and your committee members in your deliberations.

Sincerely,



Charles A. Brooke, Sr. V.P.
Government Relations & Public Affairs

Cc: Mr. John Beach, President
Automated Wagering International.

Mr. Ed Van Petten, Executive Director
Kansas State Lottery

Senate Confirmation Information Summary
Prepared and Submitted by the Office of Governor Bill Graves

Appointee: Edwin A. Van Petten

Position: Executive Director, Kansas Lottery

Appointment Date: Upon confirmation by Senate Expiration Date _____ Term _____
serves at the pleasure of the Governor

Statutory Authority: KSA 74-8703 Party Affiliation: Republican

- Statutory geographic representation requirements (*indicate any that apply*):
 - Congressional District: _____
 - County: _____
 - Size requirement (*if any*): _____
 - Other, specify: _____

➤ Statutory party affiliation requirement: No more than _____ members from the same political party.

➤ Statutory industry or occupation requirements _____

Salary \$75,000 Predecessor: Greg Ziemack

Board Composition Prior to Confirmation of New Appointee:

(SEE ATTACHED LIST)

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Attachment 2-1

(d) "Kansas lottery" means the state agency created by this act to operate a lottery or lotteries pursuant to this act.

(e) "Lottery retailer" means any person with whom the Kansas lottery has contracted to sell lottery tickets or shares, or both, to the public.

(f) "Lottery" or "state lottery" means the lottery or lotteries operated pursuant to this act.

(g) "Major procurement" means any gaming product or service, including but not limited to facilities, advertising and promotional services, annuity contracts, prize payment agreements, consulting services, equipment, tickets and other products and services unique to the Kansas lottery, but not including materials, supplies, equipment and services common to the ordinary operations of state agencies.

(h) "Person" means any natural person, association, corporation or partnership.

(i) "Prize" means any prize paid directly by the Kansas lottery pursuant to its rules and regulations.

(j) "Share" means any intangible manifestation authorized by the Kansas lottery to prove participation in a lottery game.

(k) "Ticket" means any tangible evidence issued by the Kansas lottery to prove participation in a lottery game.

(l) "Vendor" means any person who has entered into a major procurement contract with the Kansas lottery.

(m) "Returned ticket" means any ticket which was transferred to a lottery retailer, which was not sold by the lottery retailer and which was returned to the Kansas lottery for refund by issuance of a credit or otherwise.

(n) "Video lottery machine" means any electronic video game machine that, upon insertion of cash, is available to play or simulate the play of a video game authorized by the commission, including but not limited to bingo, poker, black jack and keno, and which uses a video display and microprocessors and in which, by chance, the player may receive free games or credits that can be redeemed for cash.

History: L. 1987, ch. 292, § 2; L. 1988, ch. 314, § 1; L. 1989, ch. 244, § 1; L. 1992, ch. 299, § 2; July 1.

74-8703. Kansas lottery established; executive director and other personnel; cooperation of other agencies; emergency

purchases. (a) There is hereby established an independent state agency to be called the Kansas lottery, the head of which shall be the executive director of the Kansas lottery. Under the supervision of the executive director, the Kansas lottery shall administer the state lottery as provided in this act. The overall management of the state lottery and control over the operation of its games shall rest solely with the Kansas lottery.

(b) The executive director shall be appointed by the governor, subject to confirmation by the senate as provided by K.S.A. 75-4315b and amendments thereto. The executive director shall be in the unclassified service and shall receive an annual salary fixed by the governor, subject to the limitations of appropriations therefor.

(c) The executive director shall appoint persons to the following positions to serve as full-time employees of the state in the unclassified service with compensation fixed by the executive director and approved by the governor, subject to the limitations of appropriations therefor:

(1) A deputy executive director;

(2) a director of security;

(3) a director of administration;

(4) a director of sales and such professional sales related positions as may be necessary within the sales division;

(5) a director of marketing and such professional marketing related positions as may be necessary within the marketing division; and

(6) one personal secretary and one special assistant to the executive director.

(d) Until such time as the Kansas lottery begins the operation of its games, temporary staffing, budgeting, purchasing and related management functions shall be provided by the Kansas department of revenue and other state agencies as directed by the governor to achieve maximum coordination in the planning and implementation of the Kansas lottery.

(e) For a period of 18 months after the effective date of this act, the state director of purchases, upon request of the executive director, shall make emergency purchases, other than purchases of major procurements, on behalf of the Kansas lottery pursuant to subsection (a)(5) of K.S.A. 75-3739 and amendments thereto when the timely implementation of the Kansas lottery requires the immediate delivery of supplies, materials or equipment or the immediate performance of services. The award of any contract for any such purchase shall be

subject to director.

History: ch. 245, §

74-8704
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subject to the approval of the executive director.

History: L. 1987, ch. 292, § 3; L. 1989, ch. 245, § 1; April 27.

74-8704. Executive director, powers. (a) The executive director shall have the power to:

(1) Supervise and administer the operation of the state lottery in accordance with the provisions of this act and such rules and regulations as adopted hereunder.

(2) Appoint, subject to the Kansas civil service act and within the limitations of appropriations therefor, all other employees of the Kansas lottery, which employees shall be in the classified service unless otherwise specifically provided by this act.

(3) Enter into contracts for advertising and promotional services, subject to the provisions of subsection (b); annuities or other methods deemed appropriate for the payment of prizes; data processing and other technical products, equipment and services; and facilities as needed to operate the Kansas lottery, including but not limited to gaming equipment, tickets and other services involved in major procurement contracts, in accordance with K.S.A. 74-8705 and amendments thereto.

(4) Enter into contracts with persons for the sale of lottery tickets or shares to the public, as provided by this act and rules and regulations adopted pursuant to this act, which contracts shall not be subject to the provisions of K.S.A. 75-3738 through 75-3744, and amendments thereto.

(5) Require lottery retailers to furnish proof of financial stability or furnish surety in an amount based upon the expected volume of sales of lottery tickets or shares.

(6) Examine, or cause to be examined by any agent or representative designated by the executive director, any books, papers, records or memoranda of any lottery retailer for the purpose of ascertaining compliance with the provisions of this act or rules and regulations adopted hereunder.

(7) Issue subpoenas to compel access to or for the production of any books, papers, records or memoranda in the custody or control of any lottery retailer, or to compel the appearance of any lottery retailer or employee of any lottery retailer, for the purpose of ascertaining compliance with the provisions of this act or rules and regulations adopted hereunder. Subpoenas issued under the provisions of

this subsection may be served upon natural persons and corporations in the manner provided in K.S.A. 60-304 and amendments thereto for the service of process by any officer authorized to serve subpoenas in civil actions or by the executive director or an agent or representative designated by the executive director. In the case of the refusal of any person to comply with any such subpoena, the executive director may make application to the district court of any county where such books, papers, records, memoranda or person is located for an order to comply.

(8) Administer oaths and take depositions to the same extent and subject to the same limitations as would apply if the deposition were in aid of a civil action in the district court.

(9) Require fingerprinting of employees and such other persons who work in sensitive areas within the lottery as deemed appropriate by the director. The director may submit such fingerprints to the Kansas bureau of investigation and to the federal bureau of investigation for the purposes of verifying the identity of such employees and persons and obtaining records of their criminal arrests and convictions.

(b) The Kansas lottery shall not engage in on-site display advertising or promotion of the lottery at any amateur athletic or sporting event including, but not limited to, amateur athletic sporting events at institutions under the jurisdiction and control of the state board of regents.

History: L. 1987, ch. 292, § 4; L. 1992, ch. 299, § 1; July 1.

Attorney General's Opinions:

State boards, commissions and authorities; Kansas lottery commission; restrictions on participating in lottery. 87-178.

Kansas Lottery Act—copromotional agreements—illegal lotteries. 88-125.

74-8705. Major procurement contracts.

(a) Major procurement contracts shall be awarded in accordance with K.S.A. 75-3738 through 75-3744, and amendments thereto, or subsection (b), as determined by the director, except that:

(1) The contract or contracts for the initial lease of facilities for the Kansas lottery shall be awarded upon the evaluation and approval of the director, the secretary of administration and the director of architectural services;

(2) The commission shall designate certain major procurement contracts or portions thereof to be awarded, in accordance with rules

2. OWNERSHIP INTERESTS: List any corporation, partnership, proprietorship, trust, joint venture and every other business interest, including land used for income, and specific stocks or mutual funds in which either you or your spouse has owned within the preceding 12 months a legal or equitable interest exceeding \$5,000 or 5%, whichever is less. If you or your spouse own more than 5% of a business, you must disclose the percentage held. Please insert additional page if necessary to complete this section.
 If you have nothing to report in Section "C", check here ____.

BUSINESS NAME AND ADDRESS	TYPE OF BUSINESS	DESCRIPTION OF INTERESTS HELD	HELD BY WHOM	PERCENT OF OWNERSHIP INTERESTS
1. Real Estate Sales Contract Route 1, Eskridge, Wabaunsee County, KS	Agriculture	Residual	<input checked="" type="checkbox"/> You <input type="checkbox"/> Spouse <input type="checkbox"/> Jointly	100%
2. Worm-Bite Lures 511 Spruce, Wamego, KS 66547	Retail	Partner	<input checked="" type="checkbox"/> You <input type="checkbox"/> Spouse <input type="checkbox"/> Jointly	50%
3.			<input type="checkbox"/> You <input type="checkbox"/> Spouse <input type="checkbox"/> Jointly	
4.			<input type="checkbox"/> You <input type="checkbox"/> Spouse <input type="checkbox"/> Jointly	
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D. GIFTS OR HONORARIA: List any person or business from whom you or your spouse either individually or collectively, have received gifts or honoraria having an aggregate value of \$500 or more in the preceding 12 months. If you have nothing to report in Section "D", check here x .

NAME OF PERSON OR BUSINESS FROM WHOM GIFT RECEIVED	ADDRESS	RECEIVED BY:
1.		
2.		
3.		

3. RECEIPT OF COMPENSATION: List all places of employment in the last calendar year, and any other businesses from which you or your spouse received \$2,000 or more in compensation (salary, thing of value, or economic benefit conferred on in return for services rendered, or to be rendered), which was reportable as taxable income on your federal income tax returns.

1. YOUR PLACE(S) OF EMPLOYMENT OR OTHER BUSINESS IN THE PRECEDING CALENDAR YEAR.
IF SAME AS SECTION "B", CHECK HERE ____.

If you have nothing to report in Section "E"1, check here ____.

	NAME OF BUSINESS	ADDRESS	TYPE OF BUSINESS
1.	Kansas Supreme Court	701 S. Jackson, Topeka, KS	Disciplinary Administration
2.	Kansas Lottery	128 N. Kansas, Topeka, KS	Lottery

2. SPOUSE'S PLACE(S) OF EMPLOYMENT OR OTHER BUSINESS IN THE PRECEDING CALENDAR YEAR.

If you have nothing to report in Section "E"2, check here ____.

	NAME OF BUSINESS	ADDRESS	TYPE OF BUSINESS
1.	USD 320	Wamego, KS	School
2.			

F. OFFICER OR DIRECTOR OF AN ORGANIZATION OR BUSINESS: List any organization or business in which you or your spouse hold a position of officer, director, associate, partner or proprietor at the time of filing, irrespective of the amount of compensation received for holding such position. Please insert additional page if necessary to complete this section.

If you have nothing to report in Section "F", check here ____.

	BUSINESS NAME AND ADDRESS	POSITION HELD	HELD BY WHOM
1.	Kansas Bass Chapter Federation, Box 330, Alba, MO	Secretary	Me
2.			
3.			
4.			
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8.			

RECEIPT OF FEES AND COMMISSIONS: List each client or customer who pays fees or commissions to a business or combination of businesses from which fees or commissions you or your spouse received an aggregate of \$2,000 or more in the preceding calendar year. The phrase "client or customer" relates only to businesses or combination of businesses. In the case of a partnership, it is the partner's proportionate share of the business, and hence of the fee, which is significant, without regard to expenses of the partnership. An individual who receives a salary as opposed to portions of fees or commissions is generally not required to report under this provision. Please insert additional page if necessary to complete this section.

If you have nothing to report in Section "G", check here x .

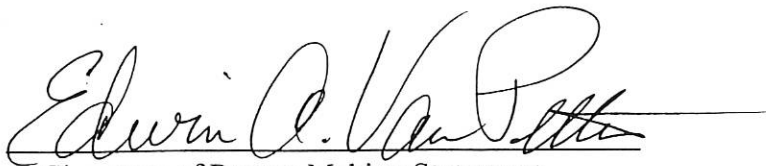
	NAME OF CLIENT / CUSTOMER	ADDRESS	RECEIVED BY
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I. DECLARATION:

Edwin A.

I, Van Petten, declare that this statement of substantial interests (including any accompanying pages and statements) has been examined by me and to the best of my knowledge and belief is a true, correct and complete statement of all of my substantial interests and other matters required by law. I understand that the intentional failure to file this statement as required by law or intentionally filing a false statement is a class B misdemeanor.

10/9/00
Date


Signature of Person Making Statement

NUMBER OF ADDITIONAL PAGES .

Return your completed statement to the Secretary of State, Memorial Hall, First Floor, 120 SW 10th Ave., Topeka, Kansas 66612-1594.

APPOINTMENTS QUESTIONNAIRE

Office of Governor Bill Graves

Please complete and return this form to the Governor's Appointments Office. Attach additional sheets if necessary.

Name: Edwin A. Van Petten

Home Address: 511 Spruce

City, State, Zip: Wamego, KS 66547

Business Address: 128 N. Kansas Avenue

City, State, Zip: Topeka, KS 66603

Home Phone: (785) 456-7509 Business Phone: (785) 296-5700

Date of Birth: 09-05-53 Place of Birth: Winnemucca, NV

Party Affiliation: Republican KBI Check: NA In Process Complete

BACKGROUND

1. List high school, college, or other education institutions attended along with the date attended and degree conferred.

<i>Education Institution</i>	<i>Dates</i>	<i>Degree</i>
<u>Eskridge High School</u>	<u>1967-71</u>	<u>High School</u>
<u>Kansas State University</u>	<u>1971-75</u>	<u>B.S.</u>
<u>Washburn University</u>	<u>1976-79</u>	<u>J.D.</u>

2. List memberships in business, trade and professional organizations for the past 10 years.

<i>Organization</i>	<i>Dates</i>
<u>Kansas County and District Attorney's Association</u>	<u>1981-98</u>
<u>Kansas Bar Association</u>	<u>1993-96</u>

3. List any public offices you have been elected or appointed to, along with the dates of service.

<i>Office Held</i>	<i>Dates</i>
<u>Wabaunsee County Attorney</u>	<u>Jan. 1981 - Oct. 1985</u>
<u>Assistant Attorney General</u>	<u>Oct. 1985 - Aug. 1988</u>
<u>Deputy Attorney General</u>	<u>June 1996 - Jan. 1998</u>
<u>Deputy Disciplinary Administrator</u>	<u>Aug. 1988 - Feb. 1993</u>
<u>Deputy Executive Director, Kansas Lottery</u>	<u>Jan. 1998 - May 2000</u>
	<u>May 2000 - Oct. 2000</u>

4. List any positions held with a foreign, federal or local government entity along with the dates of service.

<i>Position</i>	<i>Government Entity</i>	<i>Dates</i>
Assistant City Attorney	City of Wamego	Feb. 1993 - June 1996
_____	_____	_____
_____	_____	_____

5. List any lobbying activities you have been involved in during the past five years. This includes activities as a registered lobbyist activities for which you were compensated.

<i>Group</i>	<i>Compensation (yes/no)</i>	<i>Dates</i>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

6. List experience or interest which qualify you for the position to which you have been appointed.

I have acted as agency counsel for the KBI, and associate counsel for the Securities Commission, prior to appointment as Deputy Attorney General. Experience with personnel, administrative and budgetary concerns. Also, an employment background that has familiarized me with security practices.

7. Summarize business and professional experience.

Besides information in "3" above, I have been in the private practice of law as a sole practitioner and a dual practice.

8. List any service in the United State military. Include dates of service, branch, date and type of discharge.

<i>Branch</i>	<i>Discharge</i>	<i>Dates</i>
_____	_____	_____
_____	_____	_____
_____	_____	_____

9. Provide details of any arrest, charge or questioning by a federal, state or other law enforcement authority for violation of any federal, state, county or municipal law, regulation or ordinance (excluding traffic violations for which a fine of \$100 or less was imposed).

N/A

10. List and provide details of any interests that may present a conflict of interest for this position.

None known.

I, Edwin A. Van Petten, declare that this questionnaire is true, correct and complete to the best of my knowledge.

Edwin A. Van Petten
Signature

10/9/00
Date

*Return completed questionnaire to Judy Krueger, Secretary of Appointments, State Capitol, Rm 226-S, Topeka, Kansas 66612.
If you have questions, please call 913/296-4052.*

Resume of
Edwin A. Van Petten
511 Spruce
Wamego, KS 66547
(785) 456-7509

Professional Experience:

January 1998 to present – Deputy Disciplinary Administrator. The office of the Disciplinary Administrator is charged with enforcement of the Kansas Rules of Professional Conduct, which are applicable to all attorneys practicing in this state. I supervise investigations into allegations of wrongdoing, present evidence to hearing panels and arguments to the Supreme Court.

June 1996 to January 1998 – Assistant Attorney General, Criminal Litigation Division. I was one of three prosecutors handling homicide cases that carried the potential for the death penalty. Duties included assisting and advising in the investigation of such cases, as well as prosecution. I was also involved in a number of investigations and prosecutions of other crimes involving bodily injury, including non-death penalty homicides.

February 1993 to June 1996 – Associate, Pugh & Pugh, 625 Lincoln Ave., Wamego, Kansas. This was a two man firm, which was involved in the general practice of law and operated a title insurance business. I was involved in all aspects of the practice of law, including civil litigation, criminal litigation and legal consultations with clients.

August 1988 to February 1993 – Deputy Attorney General, Chief of the Criminal Division. I acted as the administrative head of the division, supervising all subordinate attorneys, four investigators, and support staff. During this time I also carried an active case load, assisting with investigations and prosecuting higher level felony offenses. I was also actively assisting the Attorney General's office with legislative issues by drafting proposed legislation and testifying before legislative committees.

October 1987 to August 1988 – Associate General Counsel, Office of the Securities Commissioner. My principal duties with this office were in assisting with the investigation and prosecution of violations of the Securities Act. I also worked with regulators and General Counsel in the enforcement of Administrative Orders of the Securities Commissioner.

October 1985 to October 1987 – Assistant Attorney General, Kansas Bureau of Investigation. I acted as agency counsel, assisting the Director with administrative duties and legislative issues. I also assisted with criminal investigations, including electronic surveillance in narcotics investigations, and prosecuted felony crimes in which the KBI assisted with the investigation.

January 1981 to October 1985 – Wabaunsee County Attorney. I was elected County Attorney in the election of November, 1980, and took office in January, 1981. The position required me to represent and advise county officials, represent the county in civil litigation and prosecute all crimes occurring within Wabaunsee County.

June 1979 to October 1985 – Private practice of law in Eskridge, Kansas. I started a solo practice in my hometown, upon graduation from law school, in 1979. I continued the practice during my tenure as County Attorney, as that position was considered part time. This office was closed upon accepting full time employment with the office of the Attorney General, in October, 1985.

DEGREES:

May 1979 – Juris Doctorate – Washburn University School of Law, Topeka, Kansas.

May 1975 – Bachelor of Science, Animal Science and Industry (Business), Kansas State University, Manhattan, Kansas.

GOAL:

I would like to obtain a position in which I can utilize my administrative abilities, supervising the operation of an office, while continuing to exercise and develop my legal skills. Obtaining optimum efficiency and performance from those under my supervision, would be a requirement in any administrative position.



TOPEKA

SENATE CHAMBER

TESTIMONY
SENATE FEDERAL AND STATE AFFAIRS COMMITTEE
THURSDAY, FEBRUARY 1, 2001
SENATE BILL 34

Madam Chair and members of the Committee, thank you for allowing me the opportunity to address you on Senate Bill 34. I served as Chair of the Legislative Post Audit Committee when this bill was introduced last month.

As you may know, existing State law requires the Lottery's Executive Director to periodically arrange for "a comprehensive study and evaluation of all aspects of security in the operation of the Kansas Lottery." However, the law doesn't specify how frequently such security audits are to be done.

The events of the last six months have reminded us all again of the importance of maintaining adequate security over the Lottery's operations, and of maintaining the public's trust in our Lottery's integrity. The bill before you would require there to be a security audit of the Lottery's operations at least once every three years. Having an audit done on a regular cycle will provide greater assurance that security issues are being appropriately scrutinized and addressed. I see it as an investment in the Lottery's future.

This bill also would bring responsibility for future security audits of the Lottery under Legislative Post Audit and the Legislative Post Audit Committee. The Legislature used this same approach when it called for a security audit of the Lottery in the 1994 omnibus bill. Because of the highly specialized nature of Lottery security issues, the Legislative Post Audit Committee directed Post Audit to contract the audit to a specialized technical firm for the 1994 audit. The same process outlined in Senate Bill 34 was used at that time for that security audit, which resulted in a quality audit at a cost to the Lottery of \$64,000.

The changes proposed in this bill would allow for better legislative oversight of the Lottery's operations, and it would provide more timely information on whether those operations are sufficiently secure. For those reasons, I would strongly urge your support and passage of Senate Bill 34.

Respectfully submitted,

Lana Oleen
Senate Majority Leader

Senate Fed + State
1-25-01
Attachment 3-1