

# The Kentucky CITIZEN

STRENGTHENING FAMILIES AND THE VALUES THAT MAKE FAMILIES STRONG

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## “Stunning development” in Instant Racing case

*In a separate court case between race tracks, Kentucky Downs argues that Instant Racing IS, in fact, “alternative gaming.”*

Someone would almost have had to have read the courtroom scene in Alice and Wonderland to be able to appreciate what is now going on in a dispute between several of Kentucky’s horse racing tracks over the issue of Instant Racing slot machines.

The controversial machines show videos of old horse races on a 2 inch by 2 inch screen, but are otherwise indistinguishable from regular slot machines, which are illegal in Kentucky.

**“This is a stunning development. One track is now accusing another of saying the opposite of what it said to the Supreme Court.”**

– Stan Cave, attorney for The Family Foundation



The tracks, which are trying to persuade the Kentucky Supreme Court to find Instant Racing legal, have been contending with The Family Foundation, which has argued before several courts that allowing Instant Racing would be an illegal expansion of gambling in the state. With oral

arguments given on Aug. 21, the issue is currently before the state’s highest court.

At those oral arguments, the lawyers for a coalition of race tracks argued before the Supreme Court that Instant Racing slot machines were the same thing as pari-mutuel betting on live horse races and that The Family Foundation should not be allowed to ask questions and submit evidence in the case. But then came a revelation that could affect how the justices will decide the case.

On Oct. 14, a front-page exposé in the *Louisville Courier-Journal* revealed that the lawyers representing the same tracks were arguing exactly the opposite before another court.

“This is a stunning development,” said Stan Cave, attorney for The Family Foundation in the case before the Supreme Court. “One track is now accusing another of saying the opposite of what it said to the Supreme Court.”

A dispute between Kentucky Downs and two other tracks, Churchill Downs and

Turfway Park, about whether Kentucky Downs had to buy back shares in Kentucky Downs amounting to about \$6 million resulted in a lawsuit in a Simpson County Court.

**“In the Simpson County case, one track even admits that Instant Racing is prohibited alternative gaming, which is exactly what The Family Foundation has argued all along.”**

– Martin Cothran, The Family Foundation

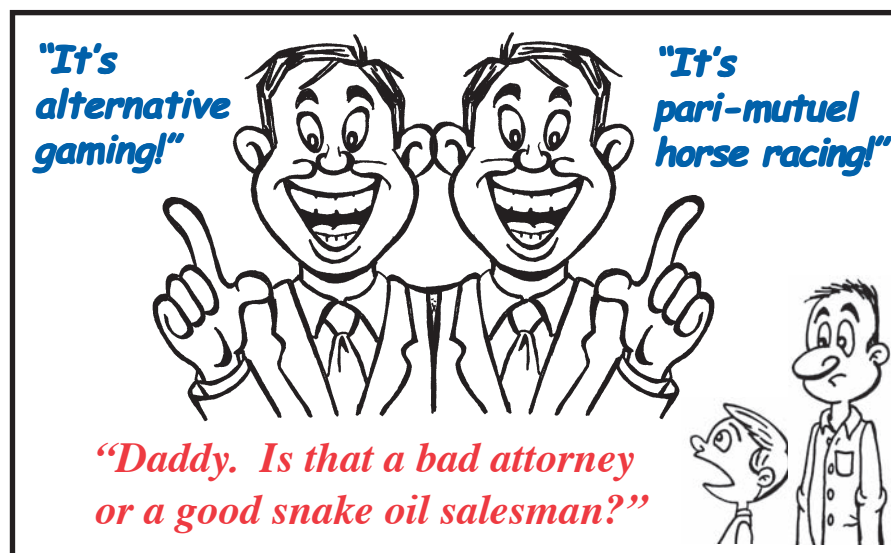
“alternative gaming,” which is defined, in part, as non-pari-mutuel wagering. And they were engaging in Instant Racing, which, they argued, was alternative gaming.

But wait, said lawyers for the other two tracks. Kentucky Downs was one of the tracks that had argued before the Supreme Court that Instant Racing was pari-mutuel wagering on horse racing! How could they argue exactly the opposite just to avoid having to pay the other tracks \$6 million?

Then, after having accused lawyers for Kentucky Downs of contradicting themselves, lawyers for Churchill Downs and Turfway Park argued that they had a right under pre-trial discovery to ask questions of Kentucky Downs to determine whether what they were doing was alternative gaming. But that was exactly the opposite of what the attorneys for those tracks had argued before the Supreme Court *against* The Family Foundation!

In other words, lawyers for both sides – Kentucky Downs on one side and Churchill Downs and Turfway Park on the other – had found a way in their disagreement with each other to contradict what they had said before the Supreme Court.

“The tracks are consistent with their inconsistencies,” said Martin Cothran, spokesman for The Family Foundation. “In the Simpson County case, one track even admits that Instant Racing is prohibited alternative gaming, which is exactly what The Family Foundation has argued all along.”



# The Affordable Care Act comes to Kentucky

[Recently, The Family Foundation interviewed Greg Cox, a health insurance and employee benefits specialist in Lexington, whose insurance agency provides individuals and small groups in Kentucky with health insurance. For more of his perspective, Greg can be contacted at [www.KentuckyBenefits.com](http://www.KentuckyBenefits.com).]



Greg Cox

## Q What will be the major issues with Obamacare and the impact on Kentuckians?

I think that the biggest single issue for most Kentuckians will be what they'll have to spend for their health insurance, and whether this really is going to be "affordable coverage." After all, Obamacare's official title is The *Affordable* Care Act.

Now that we've finally had a chance to see real numbers and evaluate the rates for plans, I'm convinced that President Obama was not kidding when he said (while still a candidate) that he wanted to "spread the wealth around" because that's exactly what Obamacare does. Several lower income Kentuckians, or moderate income citizens who have several family members, may indeed initially see their insurance premiums become less expensive. However, for those who already have coverage and who are not lower income, many will be in for quite a bit of "sticker shock."

## Q Please explain how you think it could help low income residents.

All monetary help through Obamacare ignores the premise that financial assistance might need to be a reward for responsible behavior. Please do not get me wrong; I absolutely do think everyone should be willing to help others in need. I also believe that people who are getting assistance should get it through charitable, private means, where accountability for behavior is a part of the care.

However, regarding only the financial impact, let's start with Medicaid. Prior to Gov. Beshear's expanding Medicaid eligibility to higher wage earners, the annual income for a non-pregnant adult was around \$3,000. Beginning in 2014, anyone who makes as much as \$15,850 per year can enroll in Medicaid and pay nothing. For a family of four, this maximum wage cap increases to almost \$32,500.

## Q Is expanding Medicaid to cover more Kentuckians a good thing?

I think it's a good thing for people in need to get medical coverage. Who would not want that? But, aside from the behavior accountability issue, there are two other big problems I see with this way of providing it. First, many young, healthy people will now qualify for Medicaid due to low wages. This means they will not be part of the healthy "risk pool" of individuals needed to keep private insurance rates lower through Obamacare.

There is going to be a massive inflow of people with greater ongoing healthcare costs for care who were not insured before. In addition, "Kentucky Access," the high risk pool for people who were uninsurable, will end Dec. 31. Most of these folks, who were paying high premiums that others could not afford, will now be enrolling in Obamacare private insurance plans. Without the young, healthy, low-income adults that will now be on Medicaid (instead of being part of the risk pool for private insurance), rates will be considerably higher for the private plans over time.

Second, expanding the rolls of Medicaid greatly increases the costs associated with this entitlement – and the ongoing financial obligations to pay for it. The question

becomes how can Kentucky citizens afford another potentially underfunded liability for the Commonwealth? We already face major budget problems in our state. And regardless of which government's liability it is (the Federal government pays the extra cost at first), we all end up paying for it either through higher federal or state taxes.

## Q What about those not on Medicaid: Will Obamacare make any Kentucky citizen's insurance costs more "affordable"?

My short answer is "A *qualified*, yes." Those who will benefit most will have lower total family incomes. Some moderate income earners may also benefit if they have larger families. However, the reason my answer is qualified is that many people who otherwise could qualify for financial assistance, will end up being unable to receive it due to the Obamacare "family penalty" which will unfairly keep their premiums and out-of-pocket claims costs much higher. For those who can avoid this penalty, they may qualify for financial assistance to make their insurance premium and claims costs lower, providing that they buy a silver plan through *Kynect*.

## Q What is a Silver Plan? What is Kynect?

*Kynect* is the name of Kentucky's health benefits exchange. Obamacare only allows insurance purchased through a federal or state exchange to be eligible for the tax credits and subsidies available to those who qualify for them. A Kentucky resident can still buy a policy outside of *Kynect*, but cannot receive this type of financial assistance.

Obamacare also requires insurance plans to have names based on precious metals. A platinum plan offers the best benefits, at the most expensive price. Bronze plans provide the least coverage at the lowest cost. Gold and silver plans fall in between.

Someone who qualifies for a tax credit to help pay their premiums through *Kynect* can buy any level of "metal" plan, from bronze to platinum. However, a silver plan is the only plan that allows the purchaser – if their family income is between 138% and 400% of the federal poverty level – to receive both a reduction in premium cost *and also* have some percentage of their out-of-pocket claims costs paid by a government subsidy.

Being required to buy policies through a federal or state exchange in order to receive tax credits or subsidies, seems to me to be creating an unfair competitive advantage for these public exchanges, because it limits to one place

in a state "where" a person can buy their coverage and receive tax credits and subsidies to help pay for it.

A positive note for those who make too much to qualify for a tax credit or subsidy is that they will have a greater choice of plans from which to pick, outside of the exchanges.

## Q Some are complaining about Kynect's "invasion of privacy."

I can understand the site needing to have an accurate "estimate" of someone's family income along with the number of people in their household, since the financial assistance is based on this. But I cannot think of any good reason why someone would have to provide their family's personally-identifying information, including Social Security numbers, home addresses, and dates of birth, simply to get accurate prices. And yet this is what *Kynect* requires to get final rates that include any tax credits and subsidies. Regardless of Internet firewalls and security levels, with identity thieves continually trying to hack into servers, it concerns a lot of people that they have to provide this information just to get a quote.

## Actual Examples: The cost of Obamacare

**Example #1:** A Kentucky Christian non-profit group that provides health insurance for its four employees and families.

Current cost per month: \$2754.79

The new cost per month - January 2014: \$5231.26

This is a 89.9% increase. The bottom line? It will cost the group an additional \$29,717.64 annually.

**Example #2:** A Kentucky family comprised of a husband and wife in their fifties, along with their three daughters.

Current cost per month: \$ 513.54

The new cost per month - January 2014: \$1080.06

This is a 110.3% increase. The bottom line? It will cost the family an additional \$6,798.24 annually, *AND* they can no longer use their trusted network of doctors and hospital.



# Kentucky Planned Parenthood merges with Indiana Planned Parenthood – an ominous union

*With Indiana having 26 facilities and Kentucky having only two, it is reasonable to expect a new push for abortion in the Commonwealth.*


On July 1, 2013 Planned Parenthood of Kentucky merged with Planned Parenthood of Indiana creating “PPINK.” Many wonder what motivated the larger PP Indiana since they were a much more active entity with twenty-six locations compared to only 2 in Kentucky. PP Indiana also performed more procedures including both surgical and medical abortions (5,500 abortions in 2010). PP of Kentucky refers expectant mothers for abortions but does not actually perform them.

Some suggest it is access to more federal money that motivates PPINK. Although unclear how many funding streams will contribute to PPINK, abortion services are likely to be covered in the majority of plans under the Affordable Care Act (Obamacare). State exchanges are only required to offer one plan that does not cover abortion.

According to Mike Fichter, President and CEO of Indiana Right to Life, “The revenue windfall from Obamacare through state exchanges will undoubtedly lead to the expansion of Planned Parenthood clinics. Once established, the clinics can easily expand into facilities doing surgical or medical abortions.”

Gov. Steve Beshear has been very cooperative in promoting Obamacare and aggressive in implementing KYNECT, the state exchange in Kentucky. Beshear is also pro-

abortion — he is the first Kentucky governor in at least 20 years who has not signed a single piece of pro-life legislation. Although Kentuckians are overwhelmingly pro-life, its House of Representatives and Governor have ignored them. By contrast, Indiana’s recent governors and legislature



97 YEARS ago the first Planned Parenthood clinic opened in Brooklyn, New York. Today, we celebrate the 3 million patients that come to us every year for high-quality, affordable health care.

**Planned Parenthood**  
Care. No matter what.

**Planned Parenthood, as an organization, celebrated its 97<sup>th</sup> birthday with a cupcake. Sadly, its purpose assures that over 300,000 unborn children annually will never see their first birthday.**

have been far less supportive of Obamacare and unrestricted abortion, and have worked to defund Planned Parenthood and other abortion providers of taxpayer dollars.

The architects of PPINK could also be motivated by the desire to increase abortion in Kentucky. According to Ryan McCann, Director of Public Policy at Indiana Family Institute, one likely result will be more abortions in Kentucky via abortion drugs.

“Our abortion data also shows that abortions due to abortion drugs continue to rise. From 2011 to 2012, Indiana’s abortion rate due to abortion drugs rose 7.8 percent. This data shows that 20 percent of abortions are done using the chemical process.”

Clearly, using abortion drugs yields a healthy profit margin for the abortion provider. Additionally, in most states abortion drugs are less regulated than surgical abortions even though medical abortions cause severe cramping, blood loss, often violent expulsion of the baby and placenta, and sometimes result in serious complications.

“Kentuckians should beware of the Planned Parenthood juggernaut that is coming across their northern border,” said McCann.

PPINK could also be a plan to leverage increased political influence. Planned Parenthood Federation of America’s 2012 annual report set five key goals for their

strategic plan. “Our fourth and fifth priorities are building political will to ensure that Planned Parenthood services are adequately financed and integrated into mainstream health care and building our infrastructure to support the strategic plan.” The 2012 report also shows \$51.3 million spent for “public policy” adding to the \$13 million spent by their political action fund.

Joyce Ostrander, policy analyst for The Family Foundation on sanctity of life issues, summarized the situation succinctly. “Regardless of the motives of the merger, the bottom line is that we can expect more Planned Parenthood and fewer kids in Kentucky.”

**“... the bottom line is that we can expect more Planned Parenthood and fewer kids in Kentucky.”**

*– Joyce Ostrander, policy analyst for The Family Foundation*



**It's about YOU!**  
*(YOU are the salt and light)*

**YOU can make the difference!**

- #1 Do you want to receive a weekly emailed *UPDATE* regarding legislation in the 2014 General Assembly?**
- #2 Would you distribute information to activate others in your church to be salt and light?**
- #3 Would you help distribute materials about legislation to other churches in your area?**

**If so, call or email us: (859)255-5400  
tffky@mis.net**

***(We truly need your help)***

# Ten-City “Marriage Tour” makes headway

*The potential of churches working together to strengthen marriages is almost unimaginable.*

Not only does marriage unite a man and woman in a covenant relationship, but according to Mike McManus of Marriage Savers, it can also unite churches and change communities when they come together on behalf of strengthening marriages.

During the first week of October, The Family Foundation sponsored a five-day, ten-city tour spanning the Commonwealth with this vision: The communities of churches in the unity of the Spirit for marriage and Christ’s Bride.

These gatherings featured McManus and the Marriage Savers’ approach of Community Marriage Covenants, a proven strategy for raising marriage rates and lowering divorce rates. Success has been consistent in over 200 communities in which it has been attempted, including over 10,000 churches across the United States.

However, Kentucky was the first to use Marriage Savers to attempt a statewide outreach. Interest from attendees in each and every meeting was evident. “With that passion, it is our prayer that those who attended can help encourage and facilitate a growing interest in elevating marriage in churches in their respective communities,” said Greg Williams, Director of the Kentucky Marriage Movement.

Williams added, “We would like to see continued response so that a momentum builds, igniting a fire across this state for the sake of marriage.”

“Without doubt, I wish the attendance had been better because the content of McManus’ message was powerful,” said Kent Ostrander, Executive Director of The Family Foundation. “But seed was sown and it is our desire to see that seed flourish.”

The goal, according to Marriage Savers, is for churches in each community to come together and sign a Community Marriage Covenant. This Covenant simply elevates marriage in each congregation, and as every covenanting church in the community encourages each other, the institution of marriage and individual marriages are transformed.



Mike McManus

In addition to the community covenant signings, the strength of McManus’ approach is the training that churches can do with Marriage Savers to prepare mentor couples within each church. These mentor couples then become key components under the leadership of their pastors in each of the five areas of focus:

- 1) Marriage ‘insurance’ (includes a marital inventory/preparation);
- 2) Marriage enrichment (annual events to encourage existing marriages);
- 3) Restore troubled marriages (help for marriages in crisis);
- 4) Reconcile separated marriages (supports a spouse that desires to stay married);
- 5) Stepfamilies Support (specific programs for stepfamily support groups).

One of the major cultural issues addressed by McManus is the relationship between cohabitation and divorce with marriage and family dissolution. McManus authored *Living Together: Myths, Risks and Answers*, underscoring the link between cohabitation and future failed marriages. “Many people enter into cohabitation as preparation for marriage when the outcomes clearly show it is actually ‘preparation for divorce,’” said McManus.

The Kentucky Marriage Movement will continue to offer marriage enrichment events (see sidebar) for individual congregations and communities that want to work together to strengthen marriages.

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SAVERS**  
Preparing, Strengthening  
and Restoring Marriages



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video conferences
- **the art of marriage™**  
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Call 859-255-5400 for more information.

# Pastors and laymen work to register voters

*It is really NOT about politics. It is actually all about being “salt” and “light.”*

In this quiet period of no regular elections in Kentucky, pastors and laymen have a great opportunity to become what they are called to be — salt and light. With very little effort, *the Church as a whole* can do its part in guiding the Commonwealth. Here is how: Leaders can simply encourage those whom God has placed within their sphere of influence to step forward and let their voices be heard with the wisdom of God. *NOT* The Family Foundation’s wisdom . . . *NOT* their own wisdom . . . but God’s wisdom.

The Foundation is providing simple Voter Registration Kits that will help citizens share their Godly perspective at the ballot box in future elections. Clearly, if more Christians voted it would be a *HUGE* addition to the electoral process because Christians are likely to *know* right from wrong — *they have been disciplined!*

As voters, citizens often have to make a decision between “a Saul” or “a David.” What does that mean? Both candidates are skilled. Both have strengths. *AND*, both have serious weaknesses. But one is seeking his own welfare while the other has a heart after God (after what is true and right). That being said, only one of those two could possibly lead this state and this nation into the purposes and blessings of God. *THAT* is exactly what this state *and* nation need on all levels today — leadership that can take us into the blessing of God. Note that Samuel was faithful to seek God’s choice, *not HIS* choice — God’s choice! (On his own, he would have chosen one of David’s brothers.)

With issues like government overspending and debt . . . the sanctity of life and of

marriage . . . taxation, unemployment and the economy . . . this country needs the wisdom of God *NOW* more than ever! And it will not likely receive that wisdom

from our Capitols’ lawyers, politicians and lobbyists, but rather from the people of God who know Him and seek His ways. No one is perfect . . . but His people seek His ways.

Here is *YOUR* part: The Family Foundation will mail or provide a simple downloadable Voter Registration Kit designed for churches that one person can use to register their entire congregation. The IRS fully encourages churches and non-profits to register their members. Their only “restriction” is that no one be *directed* to register with one Party or the other — *the effort must be nonpartisan!* Clearly, if God’s people *all* register and *all* humbly vote in faith, even though they may vote differently, the Lord can honor their exercise of faith and bless our state and nation with leaders of His choice.

Here is *The Foundation’s* part: It will distribute this kit to over 4000 churches . . . and it is very possible that this effort will register as many as 40,000 new voters because most churches *have at least* 10 who are: 1) young people who have never registered; 2) married women who changed their name but never re-registered; or 3) those who have moved and need to register anew. And, there are some who may wish to change parties.



For the free Voter  
Registration Kit,  
call: **859-255-5400**

Or go to:  
[www.votekentucky.us](http://www.votekentucky.us)



# “Kentucky Wins” focused upon casino gambling

*If their plan actually does “win,” it will mean that everybody else in Kentucky must lose . . . and lose BIG.*

Kentucky Governor Steve Beshear is quietly building up a base of advocates to help him in what may be his final push to expand gambling in the Commonwealth. And he’s doing it by promising more money to Kentucky’s cash-strapped school districts. His latest advocacy targets are school board members, superintendents, and legislators anxious to increase school funding in their districts.

Education Commissioner Terry Holliday has joined Beshear in advocating the expansion of gambling in the 2014 General Assembly scheduled to begin Jan. 7. In an Aug. 23, 2013 blog he announced his “strong support” for state legislators to address expanded gambling as a possible revenue source.

More recently in meetings with school board members and superintendents, he has promised more money for all Kentucky districts if they will join him and the Governor in demanding more revenue from the General Assembly for education.

Although Holliday did not encourage the superintendents and school board members to support Gov. Beshear’s expanded gambling efforts specifically, he dismissed tax reform as a potential source of revenue in an election year.

According to one school board employee, Holliday’s message to the board members is that expanded gambling is the only viable source of additional revenue. If the Kentucky School Board Association would publicly declare it needs more funding for the schools, the commissioner would be able to get them more money after legislators and voters approve expanded gambling. The potential for the 2014 General Assembly to pass expanded gambling legislation would be dramatically increased if the school board

association and the superintendents association both demanded more money from legislators.

“He’s not asking us to support gambling, but rather to support the concept that we demand more money now,” said our source. “That’s disturbing to me.”

Expanding gambling in Kentucky is one campaign promise that Governor Beshear has been unable to fulfill despite his pledge just days before the 2012 General Assembly convened. “We’re going to go very aggressively after a constitutional amendment on expanding gaming,” he said then.

Kent Ostrander, Executive Director of The Family Foundation, views the Governor’s latest strategy as not only aggressive but also desperate. “Call it what you will, this is a deliberate back door attempt by the Governor and other casino advocates to manipulate our educational leaders into supporting expanded gambling,” he said.

Casino advocates were disappointed in 2012 when a bill allowing several casinos in Kentucky was defeated in the State Senate 21-16, but an advocacy group called Kentucky Wins hopes that recruiting business leaders and legislators will change that outcome in 2014. The legislators named to Kentucky Wins as honorary co-chairs are Senators Denise Harper-Angel, Morgan McGarvey, Gerald Neal, R. J. Palmer, and Dan Seum, and Representatives Julie Raque Adams, Denver Butler, David Osborne, and Susan Westrom.



## Three expansions at the same time!

*Evidently, Gov. Beshear loves the idea of making Kentuckians losers for “good government.”*

After six years at the helm, Gov. Steve Beshear is entering his last “long session” of the General Assembly in January. Some would say the Governor is finally coming of age with a full frontal assault whose goal is increased gambling, evidenced by significant efforts to expand in three entirely different arenas. Others suggest that he has been impotent with his number one priority – expand gambling in Kentucky – and he is now throwing “Hail Mary” passes in hopes of some success. At any rate, Kentucky citizens will have to learn to play a kind of “gambling roulette” just to figure out where the Governor will next attempt to raise money from them via gambling.

Here is the state of expanded gambling in the Commonwealth:

First, the Governor’s Lottery Board recently decided *unilaterally* to expand with electronic Keno machines across the state. This is the *Executive Branch* of government deciding to introduce Keno machines in Kentucky even though several previous Governors and Attorneys General have said there would have to be a constitutional amendment to expand with such mechanisms. In addition, the Lottery Board executives have announced plans to expand into **i-Lottery** (Lottery via the Internet) 9 to 12 months after Keno is fully implemented. This, once again, is being done without legislative approval.

Second, the Governor’s Revenue Cabinet and Horse Racing Commission (in “common interest” with the race tracks) are before the Kentucky Supreme Court trying to make “Instant Racing” electronic machines legal. Here the Beshear Administration has attempted to use the Kentucky court system — *the Judicial Branch* — to bring electronic slot machines into the state and have them declared as “legal” or “constitutional.” The Family Foundation opposed them in the court case and has argued, among other things, that the machines are not pari-mutuel, they are not horse racing and that the court did not have the authority to deny The Foundation the right of discovery. Now that a totally different court case has emerged where one of the race tracks that is a party in the Supreme Court case has argued they are indeed a form of “alternative

gaming,” the outcome is even more complicated. (*See related story on page one*).

Third, Kentucky Wins, a coalition made up primarily of wealthy Louisville businessmen with ties to Churchill Downs, is now carrying the mission that the Governor touted but botched in 2009 — to set up 6 to 8 casinos across the state to maximize exposure of the citizenry to their services. This, of course, is the *Legislative Branch* being pressed into changing the constitution to fulfill the Governor’s wishes . . . and Churchill Downs’ wishes. Churchill Downs, of course, is primarily a casino company — *NOT* a horse racing company. It owns a number of casinos in Maine, Mississippi, Louisiana and Florida.

Spokespersons for Kentucky Wins are being very careful not to share details or estimates about how much money will be generated, how many people are expected to participate and exactly where all the money will go. That is because if they were to answer those questions citizens would know how much money they are expected to lose, how many people they need to become losers, and they would no longer be able to tell all who need money that the money is earmarked for them.

You could say that they are playing their cards close to the vest.

Any way you look at it, government should not be in the business of making its own citizens losers so that it and its wealthy friends can be winners. Government should protect its citizens from scams, not license them.



# Court attacks on marriage amendment simmering

Since the U.S. Supreme Court ruling on marriage, gay activists are using the courts to re-define marriage. Kentucky is no exception.

Across the U.S. gay activists have fomented an assault on traditional marriage using the court system and last summer's U.S. Supreme Court ruling in the *Windsor* decision. The court system has been fertile soil for many liberal ideas that cannot pass the test of political scrutiny through the legislatures but can be rubber-stamped by sympathetic judges.

Without doubt, judicial activism can come from the right or the left, but the left has made it their path of choice in recent decades, particularly after their success with *Roe vs. Wade* in 1973. So it is that this new battle over the definition of marriage finds itself in the court in states where the people have already decided what they want. Now only a judge can tell the people that they can't have that which they decided upon.

According to advocates who seek to redefine marriage, there are currently 29 lawsuits filed in 21 states which are asking a Court to redefine marriage.

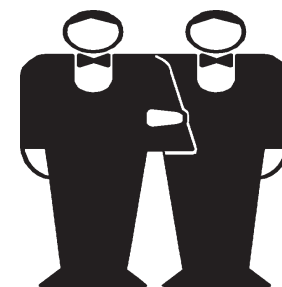
In Kentucky, four claims were filed last summer in the wake of the *Windsor* decision. Three of those are now pending in federal court in Louisville and are from Jefferson, Nelson and Shelby Counties. These cases are before Judge John Heyburn. By the beginning of the year, the parties will file legal briefs in support of their positions and the cases will come before the Court for a ruling. It typically takes several months for the Court to issue its ruling.

The fourth case involves a suit against State and Fayette County officials. This lawsuit was filed in state court in Franklin County and is before Judge Thomas Wingate. This case is in a very early state and there is no timetable known for when a ruling will be made.

Observers look at these cases with mixed feelings. On one hand, the *Windsor* decision did not re-define marriage for all 50 states; it only changed the federal government's take on marriage. That leaves Kentucky's simple Marriage Protection Amendment holding its own – anything other

than one man and one woman will not “be valid or recognized.” That simply means that “alternative marriages” will not be established in Kentucky (*validated*) nor will alternative marriages from other states be acknowledged (*recognized*) in Kentucky.

On the other hand, with last summer's raw exercise of judicial power that overturned part of the 1996 Defense of Marriage Act (which was overwhelmingly passed by both Chambers of Congress and willingly signed into law by the President Bill Clinton), there is question as to how emboldened other judges will be on requests made of them by gay and lesbian plaintiffs.



## The Kentucky Constitution

### - Section 233A

**“Only a marriage between one man and one woman shall be valid or recognized as a marriage in Kentucky. A legal status identical or substantially similar to that of marriage for unmarried individuals shall not be valid or recognized.”**

# Meet The Foundation's three new policy analysts

Our goal is to connect with Kentuckians in all regions of the state on behalf of the family and the values that make families strong.

For almost two years, The Family Foundation has been implementing a plan to send more “laborers into the harvest” so that citizens who care about the health of family life in the Commonwealth can be informed, engage policy and share their insights with the state's elected leaders. The first fruits of that plan are just now taking their places.

## The Western Region

After graduating from Murray State University with a degree in social work, Jack Henshaw worked as a child development specialist, a counselor to at-risk youth and as a case manager for a non-profit youth mentorship program.

He later would enter the area of business, first in the capacity of business development in the staffing industry. During this time in his career, Jack was a guest trainer and speaker on the area of interpersonal skill development in the workplace for a local economic development corporation.

Before coming to The Family Foundation in August, Jack was a marketing



Jack Henshaw

consultant at a large broadcasting firm in west Kentucky.



Don Cox

Jack currently resides with his wife, Amber, and two sons in Murray.

## The Mid-West Region

Don Cox is a graduate of Campbellsville University and is currently

pursuing a Master's degree there. He has also owned and operated a successful construction business for over 20 years while also serving as an ordained minister with 17 years of ministry experience. He and his wife

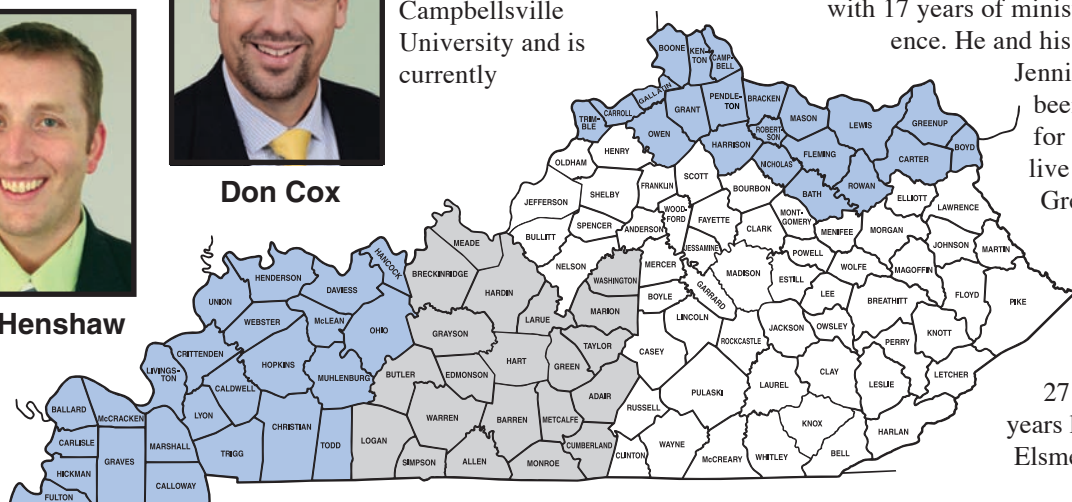
Jennifer have been married for 20 years and live in Bowling Green.



Former Senator Jack Westwood

## The Northern Region

Jack Westwood spent most of his adult life serving the public. After teaching high school English and journalism for 27 years, Jack retired in 1993. Two years later he was elected to the Erlanger-Elsmere Board of Education. The following year he won election to the Kentucky State Senate where he promoted family values legislation for 16 years before retiring in 2012.



**Three regions of the state will be served by The Foundation's newest policy analysts: Western Kentucky by Jack Henshaw; Mid-Western Kentucky by Don Cox; and Northern Kentucky by former State Senator Jack Westwood.**



*Common Core is now REALLY being forced upon citizens from the top down. And Gov. Beshear is leading the charge.*

# Science standards jammed thru “unscientifically”

One of the consistent refrains of its supporters during the debate of the state’s new science standards was that the Kentucky Department of Education was getting input from all Kentuckians. It was an assertion that opponents of the standards challenged. And it was an assertion that opponents say was proven false by the supporters of the science standards themselves when supporters pulled the plug on the approval process.

The Department of Education had made an agreement with designers of the Next Generation Science Standards to implement the national standards in Kentucky. But the standards ran into trouble when questions arose about what some felt was an overemphasis on evolution and climate change.

Upon closer inspection, there turned out also to be more basic problems. “Not only was there a clear overemphasis on climate science,” said Martin Cothran, senior policy analyst for The Family Foundation, “but there was a clear under-emphasis on basic science knowledge.”

Cothran pointed out that the standards failed to even mention mammals, birds, reptiles, or amphibians and that basic science knowledge such as human anatomy and physiology were completely missing. “We have

always thought science had something to do with nature, but apparently the people writing national standards have a different idea.”

When the standards went before the Administrative Regulations Review Subcommittee of the General Assembly, they were turned down in a 5-to-1 vote. But instead of honoring

**“This may have seemed to supporters such as the Governor and House leaders as a great tactic — to simply pull the plug on the public approval process — but the problem is that, although the standards will be implemented, their credibility has been destroyed.”**

– *Martin Cothran,*  
*The Family Foundation*

the commitment to conduct a fair public approval process, Gov. Steve Beshear simply ignored the committee and issued an executive order to implement the standards anyway.

But the regulation implementing the standards had one more hurdle to pass: the full interim Education Committee, a joint committee that includes members of both the House and Senate Educational Committees that meets between sessions. The Committee had to meet before Nov. 1 in order to have a say in the fate of the standards.

Unfortunately for opponents, the chairmanship of the committee shifted from the Senate Chair (Mike Wilson [R-Bowling Green], a critic of the standards) to



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the House chair (Derrick Graham [D-Frankfort], a supporter). The October meeting was led by the House chair, Rep. Graham, who announced shortly before the meeting that his committee would not be discussing the standards, an act which had the practical effect of allowing the standards to be implemented without discussion.

“So much for a public process,” said Cothran. “This may have seemed to supporters such as the Governor and House leaders as a great tactic—to simply pull the plug on the public approval process—but the problem is that, although the standards will be implemented, their credibility has been destroyed.”

“Instead of addressing the problems which the public now knows about, they ignored them instead and gave the distinct impression that they not only didn’t answer them, but couldn’t. Now it’s going to be pretty evident to Kentucky parents that their voices were just ignored by state officials and that the Department of Education not only isn’t interested in their opinions, but not interested in doing anything about the problems.”

## Two special elections set for Tuesday, Dec. 10

*Voters in House District 7 (Daviess, Henderson and Union Counties) and in Senate District 13 (Fayette) have a decision to make.*

Two special elections will take place on Dec. 10 to fill vacant seats in Kentucky’s General Assembly. All eyes now carefully watch the balance of power on each election.

House District 7, which includes Daviess, Henderson, and Union Counties, became vacant with the resignation of Rep. John Arnold on Sept. 13. Arnold, a Democrat, got caught up in a sexual harassment scandal that rocked the legislature. Kim Humphrey, a community affairs director for Alliance Coal, has been selected as the Democrat in the race. The Republican candidate is Suzanne Miles, a small business owner.

The General Assembly’s most liberal member, Kathy Stein, is leaving her Senate seat after being named to a circuit judgeship in Lexington. Senate District 13 covers a portion of Lexington and has three candidates vying for that seat in what should be an intense battle. Reggie Thomas, the Democratic nominee, is a lawyer

and professor at Kentucky State University. The Republicans chose Michael Johnson, a minister, as their candidate. Also entering the race as an Independent is Richard Moloney, a former city council member and city employee.

To educate citizens in these districts, the *Kentucky Candidate Information Survey (KCIS)* will be available with reliable information on where the candidates stand on various issues. The *KCIS* is a non-partisan, educational project that has been produced by The Family Foundation since 1993. The survey will be made available for use by community newspapers and posted on the *KCIS* website – [www.votekentucky.us](http://www.votekentucky.us) – after Dec. 3. Citizens are encouraged to visit the website and download survey responses, which can then be distributed to friends, co-workers, relatives and fellow church members.

The 2014 General Assembly will begin on Jan. 7.



**Kentucky**  
**Candidate**  
**Information**  
**Survey**

After Dec. 3, go to

[www.votekentucky.us](http://www.votekentucky.us)

for more information  
on those running.

# Should kids learn facts?

The last time Kentucky changed their academic standards was when Kentucky's General Assembly passed one of the most sweeping education reform measures ever passed by a state: the Kentucky Education Reform Act of 1990 (KERA). It also, not coincidentally, included the biggest tax increase in the state's history.

The law resulted in another wave of trendy permissivist education in our schools: the non-graded primary program (a new version of the "open classrooms" of the 60s); a new version of the New Math; and a general backing away from basics.

But one of its most touted features was a set of touchy-feely academic standards that did little to improve our schools. The passage of KERA began a decade-long war over the nature and purpose of our schools and most of it was eventually dismantled in favor of newer educational fads.

Now the same people that told us that KERA standards would bring about wholesale improvement in our schools are telling us that those standards are lacking and that they have a new idea: Common Core Standards.

As soon as the Common Core Standards were published, trouble began. Critics pointed out that the English standards would set a limit on the reading of classic literature. And Stanford mathematician James Milgram, the only mathematician on the validation committee for the Math Standards, refused to sign



**Martin Cothran is the senior policy analyst for The Family Foundation**

the final version, calling it, "in large measure a political document."

Then came the science standards that include almost no actual nature study (they do not even mention mammals, fish, birds, reptiles or amphibians). Now we have the new national Social Studies Standards, standards which the Fordham Institute, a national education watchdog group termed, "devoid of all content": "*Nowhere in its 108 pages will you find Abraham Lincoln, the Declaration of Independence, Martin Luther King (or Martin Luther), a map of the United States, or the concept of supply and demand. You won't find anything that you might think children should actually learn about history, geography, civics or economics.*"

Leave it to our educational establishment to think that lowering the amount of knowledge our children should be expected to know will solve our education woes.

The traditional purpose of education is to pass on our culture. It is the one and only institution we have that is designed to transmit the ideas and values of our

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civilization to the next generation.

But every time we hear about the newest education reform effort (and this happens about every 25 years), we get another wake-up call that our educational establishment not only does not see this as their purpose, but that it is, in many ways, fundamentally opposed to it.

The assumption behind the new Social Studies Standards is that there is no body of knowledge about our history and culture that children should know. Not the founding of

our country, not the conquering of the frontier, not the great inventions made by great Americans, not the sacrifices made by those who gave their lives in war—and certainly not its Christian heritage.

Lawmakers will be taking up the new Social Studies Standards soon. Let's hope they think children should actually know something about history, geography, economics, and civics.

*Dear Friend,*

*November 13, 2013*

*Each Fall and Spring The Family Foundation "knocks on your door" and asks for financial assistance. We do this only twice each year because we know that we are not the only organization you give to and we do not want to badger you.*

*This year we have three new regional analysts. This bodes well for increased accomplishment, but also increased costs. Would you please join us now to set the stage to make 2014 a GREAT year?*

*Some people give to us because THEY value the information we send and THEY use it to make a difference. Some give because they know we are helping OTHERS engage with the information we distribute. And still others know that WE are working hard in Frankfort. My hope is that many give for all three reasons.*

*Please consider a gift now. Every gift is 100 percent tax-deductible and is used on the issues we focus upon. It is our conviction that everyday folks like you and me are indeed "the salt of the earth." But, if we don't release our savor (our "flavor"), we and our family values will be thrown out and trodden underfoot by men. (See Matt. 5:13)*

*This I know: If everyone gives something, we will have enough.*

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