

# The Kentucky CITIZEN

STRENGTHENING FAMILIES AND THE VALUES THAT MAKE FAMILIES STRONG

Vol. XXX No. 1

January/February 2020

## Let's start the new decade properly . . .

## ***Let's speak with Truth and Grace!***

*If "the salt" does not speak, it's lost its flavor and is "worth nothing except to be thrown out and trodden underfoot by men."*

Edmund Burke, the Anglo-Irish statesman and philosopher who served in the English parliament during the America Revolution, once wrote: "All it takes for evil to triumph is for good men to do nothing." In reality, that is just a translation of Jesus' "salt of the earth" declaration. Clearly, Jesus went on to say if the salt "loses its flavor, it's worth nothing but to be thrown out and trampled."

That's *what has happened* in America and *what is happening* in America. "The salt" oftentimes just gives up and does not get involved, and then "the salt's" truths and values are "trodden underfoot by men."

But it doesn't have to be that way or end that way . . . the salt *CAN TURN* and re-engage. That is what needs to happen *NOW* – during the 2020 Session of the General

Assembly, that began on Jan. 7 and will end on April 15.

It is particularly important because there are all kinds of bills that address the current cultural issues making it harder to parent and teach the next generation the values that created and helped this "one-of-a-kind" nation continue to move forward over the last 244 years.



Now is the time for you, for your friends, for your extended family, for your fellow church members and for your colleagues at work to speak up and encourage your legislators to do the right thing. *YOU* have significant influence! It would be a waste not to serve the Lord by using it.

**"The salt" oftentimes just gives up  
and does not get involved, and then  
"the salt's" truths and values are  
trodden underfoot by men.**

## ***Time to Call!***

## ***Call 1-800-372-7181***

The Legislative Message Line

**Sharing YOUR values and YOUR convictions is critical! *You can even call in the evening!***

The Message Line is open 7:00 am to 9:00 pm EST Mon thru Thurs. It closes at 6:00 pm on Fridays.

It's easy! Simply say to the phone receptionist: **"Please give this message to all the legislators in \_\_\_\_\_ (your) County. And then please copy my message to House and Senate Leadership."** (The receptionist will know the legislators in your county and who are on the Leadership Teams).

Here's a sample message: **"Please vote FOR Senate Bill 114 - 'Save Women's Sports' Act, and AGAINST House Bill 137 - Sports Wagering."**

The receptionist will record your name and address for future calls.

***Please, over the next few weeks call three times on each bill listed. (You can do 2 to 3 bills on each call. A series of 3 boxes are set beside each bill so you can keep track of your calls.) BOTH spouses should call.***

# Gambling Expansion - (“Sports Wagering” Bill)

## House Bill 137



Check off  
your 3 calls ☐ ☐ ☐

**By Rep. Adam Koenig:** This bill is called the “Sports Wagering” Bill because it will expand gambling in Kentucky beyond 1) horse racing, 2) charitable gambling, and 3) The Lottery, into the world of sports and “other” competition. Originally, the bill authorized wagering only on professional sports, but the bill’s language has already been expanded into college sports in Kentucky. Beyond “sports wagering” there is a phrase in the bill that reads: **“‘Sports Wagering’ means the placing of wagers on the outcomes of professional sports contests and other events . . .”** This vague language takes the bill well outside sports into any realm the Kentucky Horse Racing Commission wants to choose. (i.e. “The color of the Governor’s tie next Monday” or “How many semi-trucks will travel under the bridge at Exit 117 in the next hour.”)

**Advocates say:** 1) Gambling is already going on in Kentucky, so let’s legalize and regulate it; 2) You cannot stop people from gambling so we might as well legalize it; 3) Other states around us are gambling so we should follow their lead and not be left behind as legalized gambling moves across America; 4) The Commonwealth can use more revenue and the \$20 million that may come in through “Sports Wagering” could help the state deal with the pension crisis; 5) Some money will go to the state’s horse racing industry so they can strengthen their place in the world of horse racing; 6) Everyone should be able do as they please.

**Opponents say:** 1) To expand gambling you must change the Kentucky Constitution with an amendment, not a “simple” bill; 2) HB137 targets the poor and young people because it authorizes gambling on cell phones “24-hours / 7-days”; 3) The language is overbroad, giving the Racing Commission complete control over a *H-U-G-E* expansion of new gambling; 4) The bill appears to have been written *BY* the gambling interests *FOR* the gambling interests with no concern for the people; 5) No studies – zero – have been done to predict the impact on Kentucky families; and 6) The Racing Commission does not have to abide by the Executive Branch Ethics Code.

**Prospect of Passage:** Because of the influence and money of Kentucky’s horse racing industry, this bill will pass unless many calls come in against it.

## Policy Opinions: The Family’s vs. The Gambling Industry’s

**#1: The Family is targeted.** Gambling doesn’t create new wealth; it only makes wealth change hands. Then where does all the money come from? Corporations can’t gamble, nor can businesses, institutions, schools, churches, nonprofits, nor civic groups – only Moms and Dads, and a few single people. In other words, all the *BILLIONS* of dollars that is gambled is just a shift of assets *FROM* the hands of the family *INTO* the hands of the gambling industry.

**#2: Businesses will lose.** As families lose, businesses lose. Think about it – after all the losses, parents can’t afford to take the family out to eat, buy their children new school clothes, purchase a new refrigerator or finance a new home addition. Businesses suffer because money is *TAKEN OUT* of the economy. Remember, Las Vegas was built by *losers* – not winners.

**#3: Government will be corrupted.** With millions going into the hands of the gambling industry, who becomes the greatest contributor and most influential group in the political process? The gambling industry will have the cash! Consider Nevada, home of Las Vegas: Their legislature was elected just like ours, but has voted to legalize prostitution (because the gambling industry wanted it). And, there are 13 abortion clinics serving Las Vegas – population 640,000; Kentucky has one serving 4.3 million. Government changes!

**#4: The Vulnerable will be destroyed.** Though families are targeted (*see #1 above*), finances aren’t the worst of the costs. Financial loss is just the beginning of a tragedy that all the family members experience. Some lives will be totally destroyed – marriage-damaging financial stress, alcoholism, drug use, child neglect and abuse, spouse neglect and abuse, divorce, depression, suicide, embezzlement, imprisonment and crime (both victim and perpetrator). And worse, children will lose their childhoods and be affected for a lifetime. Doctors have a policy regarding treatments: “First, do no harm.” Policy-makers in Frankfort would do well to apply this same wisdom. (Note: 18-year-olds can gamble on their phones.)

**#1: The Family is served.** Every family has the opportunity to spend their entertainment dollars the way they want to. We serve *ALL* families and all kinds of families – we do not discriminate against anyone. As many as *WANT* to gamble we will serve. Gambling is fun and challenging, and we make it as pleasing and pleasurable as we can. We want repeat customers! In fact, some find that it can be a good way to unwind from all the stresses of life. In addition, it can be a setting where friends come together to bet on the same or similar events. Gambling has been going on for centuries – don’t try to stop it in Kentucky.

**#2: Businesses can gain.** Food and beverage companies will prosper as gambling sites are developed, including Kentucky’s burgeoning bourbon industry. New service businesses will arise to serve the gambling industry. Besides, gamblers are generous people and they enjoy spending money like anyone else. If someone wins big, they will have plenty of money to spend in their community on all sorts of purchases.

**#3: Government will regulate it.** Our goal is to have government regulate all gambling so that no one is found cheating – cheating doesn’t help the gambling industry or those that participate. Government agencies can be built and current agencies can be strengthened to make sure that players are playing fairly and that all the money that the government should receive gets to the right place.

**#4: The Vulnerable will be helped.** Yes, it’s true that roughly three percent of gamblers become addicted gamblers – they literally *cannot* stop. And another three percent become problem gamblers – they *can* stop, but sometimes they don’t. Either way we spend money when they come to us in order to show them their errors and vulnerabilities so they do not fall more deeply into their problem. We have set aside a portion of our profits for twelve-step programs that can help those who have been hurt by their own vulnerabilities.



# Expediting Responsible Marijuana Research -

## House Concurrent Resolution 5

Check off  
your 3 calls

☐☐☐

**By Rep. Danny Bentley:** This resolution (HCR 5) urges the Federal Government to reschedule and expedite the study of the possible medical benefits of marijuana using evidence-based science. The resolution addresses several issues blocking potential medicines from being made safely available to Kentucky citizens. The Federal government still classifies marijuana as a Schedule I drug. As a result there has been little grant money or marijuana legally available for researchers to conduct the normal study, and clinical trials necessary to safely develop, dose and deliver medicines. This resolution would urge the federal government to correct that.

The majority of licensed health care practitioners who serve in the legislature support HCR 5 as the best path forward regarding legalizing any form of medical marijuana and it is the only marijuana bill sponsored by a health care practitioner (a pharmacist and university pharmacy professor).

*Note: A similar measure passed the House in 2018 with a vote of 73 to 5 but was not heard in the Senate.*

**Advocates say:** The Kentucky legislature should not try to do the job of the Federal Food and Drug Administration (FDA). Even though marijuana has been around a long time it has not been studied properly. Opioids were also around a long time but were not properly researched before doctors began routinely prescribing. (And look what happened.) The FDA is now designed specifically for the purpose of determining what medications are safe and effective, what dosages should be used and what the contraindications are. (When medications/conditions interact negatively.)

A number of marijuana derivatives are already available through proper research and development practices and other effective and well-researched medications are now or will be available shortly to treat the medical conditions for which patients need marijuana.

**Opponents say:** Marijuana has been around a long time, therefore we don't need any more time to study it. Other states have legalized it. Kentucky citizens should not have to wait any longer. Patients want help and shouldn't be made to suffer needlessly.

Marijuana is no worse than alcohol, why shouldn't marijuana be legal for adults? Adults should be free to choose marijuana if they want, as long as it isn't hurting anyone else.

This is also an economic issue. If people can't get marijuana in Kentucky they will go to other states to find it. By doing so, Kentucky will lose out on the revenue that would be generated and that could be used to fund pensions.

**Prospect of Passage:** Because it passed the House in 2018 it should pass the House again this year. The question is "Will the Senate consider it?"

**Note: Four other bills have been introduced to actually legalize marijuana without any of the normal medical research. Two are HB 136 and SB 107, which would legalize so-called "medical marijuana" without FDA research or approval. Similarly, there are HB 148 and SB 105, which would legalize "recreational marijuana" and make it readily available across the state with no concerns about medical issues.**



# Youth Health Protection Act -

## House Bill 321

Check off  
your 3 calls

☐☐☐

**By Rep. Savannah Maddox:** This bill would prohibit attempting to surgically or hormonally change the biological sex of any child under the age of 18. Recently, the numbers of children and teens who experience "gender dysphoria" and the specialized centers to treat them with experimental procedures have dramatically increased. Treatments include suppressing natural puberty, and giving powerful cross sex hormones. Ultimately, their genitals are surgically removed and attempts are made to create new faux genitalia that mimics the opposite biological sex. These treatments result in permanent sterility and are at best experimental. This bill would still allow children to socially and mentally transition to the opposite sex but would require that minors wait until age 18 to begin irreversible physical treatments.

**Advocates say:** Being transgender is now celebrated and children are being rushed into irreversible decisions they are not ready or able to make. It is important to "push the pause button," understand the underlying social, psychological and emotional factors that may be influencing kids and wait until they are no longer minors before any physical treatment is begun. In the overwhelming majority of children, gender dysphoria resolves by the time they reach adulthood. Their normal adolescent development should not be interrupted by a rush to "affirm" their gender dysphoria and attempt to make them the opposite biological sex.

**Opponents say:** Gender has nothing to do with biology. Children as young as four can decide what their gender really is and we need to listen to them. Transitioning is not harmful and should be done at the youngest age possible. It does more harm than good to not change them immediately. Once a child identifies their gender the best thing we can do for these children is to let them become who they are really meant to be. The problem is not a child's emotional health. The problem is the transphobic culture. That intolerance is the reason why there are so many problems and suicides for "trans" people.

**Prospect of Passage:** Because this bill goes against the LGBT "agenda," it will need many favorable calls to develop the momentum needed to pass.





## The Medical Ethics and Diversity Act - (“The MED Act”)

### Senate Bill 90

Check off  
your 3 calls ☐ ☐ ☐

**By Sen. Stephen Meredith:** This bill provides religious liberty and conscience protections for medical professionals regarding controversial medical technologies and practices. Many medical professionals do not want to be forced to participate in certain controversial technologies and treatments such as cloning, gene editing, assisted suicide, surgical and hormonal procedures to attempt to change children’s biological sex, and various reproductive technologies. By providing conscience protections this bill would ensure that Kentucky does not lose well-trained medical professionals because of a growing intolerance of reasonable differences in professional ethics and opinions.

**Advocates say:** Abortion, the surgery that removes a patient’s genitalia because they have gender confusion, or prematurely ending a patient’s life (physician assisted suicide) are not things that medical professionals should be forced to participate in or lose their jobs. Just because a treatment is possible or just because patients demand a treatment does not necessarily mean every professional should be forced to provide it.

**Opponents say:** This bill is about continuing to let religious people discriminate against people they don’t like. Women will be denied reproductive freedom. “Trans” people will feel shamed and not be able to get the care they want. Hospitals shouldn’t have to protect people who discriminate. If a medical professional doesn’t agree with what is happening in medicine they can leave the medical profession.

**Prospect of Passage:** This is a practical bill protecting medical professionals from forced participation in acts they deem wrongful. It will need calls to pass.



## “Save Women’s Sports” Act - (“Fair Play” Act)

### Senate Bill 114

Check off  
your 3 calls ☐ ☐ ☐

**By Sen. Robby Mills:** This bill would prohibit biological males from competing in girl’s athletic events at the college and high school level in Kentucky schools. Since 2017, two high school males in Connecticut have competed as women and have taken 15 Connecticut high school track championships away from nine different girls. Previously they ran as males and never won. CeCe Telfers is a biological male ranked 390th in the collegiate men’s 400 meter hurdles. Then in 2019, CeCe competed in the women’s event and won first place. Track is not the only sport in which boys are competing as girls. As a result, girls are losing opportunities to advance to the next levels of competition where they can compete for scholarships and positions on college and professional teams as well as have associated educational career opportunities that were intended for women when Title IX was enacted.

**Advocates say:** Girls deserve a level playing field. Every boy that is on the podium takes a medal away from a girl. Having biological males compete against girls is not only unfair to girls but, depending on the sport, can be physically dangerous for girls. This will be the end of women’s sports and the opportunities they provide women.

**Opponents say:** Gender is not biology. If an athlete identifies as a girl, they are a girl and are entitled to all the opportunities that girls have. Transgender girls have no advantage over cisgender (biological) girls. In fact, they have disadvantages. To insist that they must compete against males is simply transphobic and hateful.

**Prospect of Passage:** Polling suggests that this is well-supported because of basic fairness, but because of LGBT opposition, it will need calls to pass.



## Born Alive Infant Protection Act -

### Senate Bill 9

Check off  
your 3 calls ☐ ☐ ☐

**By Sen. Whitney Westerfield:** This bill protects infants who are born alive from being denied nourishment and reasonable medical care. SB 9 would apply to infants born alive after an attempted abortion and also to infants who may be born with medical complications or who are not wanted by their parents. (This bill passed the full Senate and its House Committee in 2019 but died for lack of time.)

**Advocates say:** All human life must be protected. There are cases across the nation where infants born alive after abortion attempts have been allowed to starve to death and denied any care. In addition, there are documented instances where infants born with medical complications are not given adequate nutrition to survive. No child should be intentionally starved to death.

**Opponents say:** This is just another example of the government inserting itself between a woman and her doctor. We have enough unwanted children and should not force medical staff to care for babies that have medical problems or were intended to be aborted. Once again conservatives are trying to force their values on everyone else.

**Prospect of Passage:** Calls are always needed, but this bill should pass both Chambers with big margins. Who is FOR denying help and letting a baby die?



## The Human Life Amendment - (“YES for Life”) House Bill 67

Check off  
your 3 calls

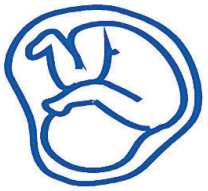
☐☐☐

**By Rep. Joe Fischer:** This bill would affirm that the Kentucky Constitution does not guarantee the right to abortion or to have abortion paid for. **HISTORY:** Planned Parenthood sued the state of Iowa over their abortion laws. In 2018 the Iowa Supreme Court ruled in favor of Planned Parenthood, struck down the Iowa law and said the Iowa Constitution guarantees the right to abortion. Since then, Planned Parenthood has begun to challenge abortion laws in multiple states. In order to protect their existing abortion regulations, two states (Tennessee and West Virginia) have passed measures like HB67, stating their state constitution does not guarantee the right to abortion. A number of other states have introduced similar measures this year.

**Advocates say:** HB 67 will better protect existing abortion regulations in Kentucky from attacks by Planned Parenthood. Without this bill, nothing would stop the Kentucky Supreme Court from suddenly “discovering” the right to abortion in our State Constitution.

**Opponents say:** HB 67 will take away women’s reproductive freedom because we will not be able to overturn Kentucky’s pro-life laws easily using the state constitution. The government has no right to tell a woman what she can and can’t do with her body.

**Prospect of Passage:** Because Kentucky is quite “pro-life” and the House and Senate both reflect that, with calls, HB 67 has a reasonable chance to pass.



## Dignified Disposal of Human Remains Act - (*Fetal Remains*) House Bill number to be assigned – use title and sponsor on your calls

Check off  
your 3 calls

☐☐☐

**By Rep. Nancy Tate:** This bill would ensure that the bodies of pre-viability babies, and babies whose lives are terminated by abortion or by natural causes, would be treated in a manner that respects the dignity of human life.

**Advocates say:** Aborted babies have been found in trash cans, basements, landfills and saved in canisters. At best they are treated as medical waste. They are human lives whose bodies should, at the very least, be treated in a dignified manner.

**Opponents say:** Products from abortion are simply tissue like any other tissue removed in other surgeries. Medical waste is medical waste. This is simply another effort by anti-choicers to make it harder for women to get the reproductive healthcare that they need.

**Prospect of Passage:** Many care about the dignified treatment of human remains, but some see this as an anti-abortion bill. People should call.



## Parents’ Rights Protection Act - Senate Bill 116

Check off  
your 3 calls

☐☐☐

**By Sen. Stephen West:** This bill would affirm the rights of parents as “fundamental rights” and direct the courts to consider them so before they infringe on the rights of parents to direct the upbringing of their children. Historically, parents’ rights have been considered fundamental, but recently there has been a trend of government cases that allow others to make decisions for children without parental knowledge. The bill requires that the state have a compelling interest (such as child abuse) before it, unnecessarily, undermines the family unit by restricting parents’ rights.

**Advocates say:** No one cares more for children than their parents. But, more and more bureaucrats and elected officials are deciding that the government, *not the parent*, is the one who makes decisions for a child. Mandatory liberal sex education, abortions and cross-sex hormones treatments without parental knowledge, and claims of false “medical child abuse” have resulted in children being wrongly removed from loving homes. This bill still allows parents who violate the sacred trust of parenthood to lose authority over their children while ensuring a better balance so that government does not replace parents.

**Opponents say:** This law is dangerous. It protects bad parents. The United Nations has declared that children have rights to determine what they want and the government needs to enforce that. The government, educators, psychologists and other professionals study what is best for kids and they should be guiding children and helping them make their decisions. After all, “it takes a village” to raise a child. Children, especially teens, in consultation with these professionals should be able to make their own decisions and be self-determining without the interference of parents.

**Prospect of Passage:** Parents’ rights are basic, but many now favor government workers and professionals to preside. Let your voice be heard!

**Please, over the next few weeks call three times on each bill listed. (You can do 2 to 3 bills on each call.)**

# The status of Kentucky's pro-life court cases:

*Because Gov. Bevin had his staff attorneys defend pro-life laws when AG Beshear would not, now AG Cameron must step up.*

The past few years have been busy in federal courts for Kentucky, with challenges to five laws that women and their unborn children.

Thankfully, Kentucky's Ultrasound Bill was upheld by the Sixth Circuit Court of Appeals on April 14, 2019 and then left in place by the U.S. Supreme Court on Dec. 9, 2019 when it decided *not to hear* a further appeal.

Increased legal challenges from the ACLU and Planned Parenthood, America's largest abortion provider, are the result of pro-life legislation passed by Kentucky's General Assembly since 2016.

Because former Attorney General Andy Beshear did not weigh in to defend Kentucky's pro-life bills, the defense of the bills rested upon Gov. Matt Bevin's legal team during his term. When Beshear became Governor last December, any continued defense of Kentucky's four embattled pro-life laws falls to newly-elected Attorney General Daniel Cameron, who campaigned on being "100 percent pro-life."

Cameron, in fact, was the keynote speaker at Kentucky Right to Life's annual Rally for Life in the Capitol Rotunda on Jan. 15. Emphasizing that "whether the strong protect the weak" is the "true measure of society,"

Cameron pledged to the enthusiastic crowd: "My undying commitment is that I will always stand strong in defense of the pro-life laws that are passed by the General Assembly and I will devote every necessary resource in my office to protecting the unborn."

**Live Dismemberment:** Cameron's Office has already begun exemplifying this commitment by defending Human Rights of the Unborn Child Act in oral arguments before the Sixth Circuit Court of Appeals on Jan. 29, 2020.

Passed in 2018, that law – House Bill 454 – banned the live dismemberment of unborn children. Currently, dismemberment abortions are allowed. The gruesome and painful procedure consists of tearing off body parts *in utero*, ultimately causing the child to bleed to death.

The ACLU and EMW, currently Kentucky's only abortion clinic, went to federal court to defend the practice of live dismemberment. Judge Joseph McKinley immediately enjoined the new law—preventing it from going into effect until the final ruling. McKinley then declared HB 454 unconstitutional on May 9, 2019. The Bevin Administration appealed that decision and Cameron's office has picked up its defense.

**Other Cases:** In addition to already actively

defending HB 454, Cameron's office is currently reviewing several other cases and assessing various options for providing a legal defense of these pro-life laws.

In September 2018, Judge Greg Stivers struck down Kentucky's Transport and Transfer Agreement statute. This law, in place since 1998, requires surgical abortion clinics to have arrangements made with an ambulance company and local hospital to transport and transfer the care of their abortion patients when emergencies arise. Once again, Bevin appealed.

In 2019, the General Assembly passed HB 5 – The Unborn Non-Discrimination Act, and SB 9 – The Heartbeat Bill. Both were immediately challenged and enjoined until the final ruling in the case.

Cameron and his office have made clear that defending Kentucky's pro-life laws are a priority for his term as Attorney General. That's a major shift from Kentucky's last Attorney General!



**Attorney General Daniel Cameron**

## Federal judiciary changing at a incredible speed

*Even while under the pressure of impeachment, President Trump stays on the course of his 2016 judicial campaign promises.*

The U.S. Senate's confirmation of President Trump's judicial nominees will go down in history as one of its greatest accomplishments of 2019.

From 1981-2018 – *for thirty-seven years* – the Senate averaged 45 judges confirmed per year. But, in 2019, the Senate confirmed 102 judges. That's the second-highest confirmation total in American history, accounting for 11.9 percent of the Federal Judiciary.

Impressively, 20 of those judges were confirmed to the U.S. Court of Appeals. These courts are directly below the U.S. Supreme Court and are the final word on the overwhelming majority of cases.

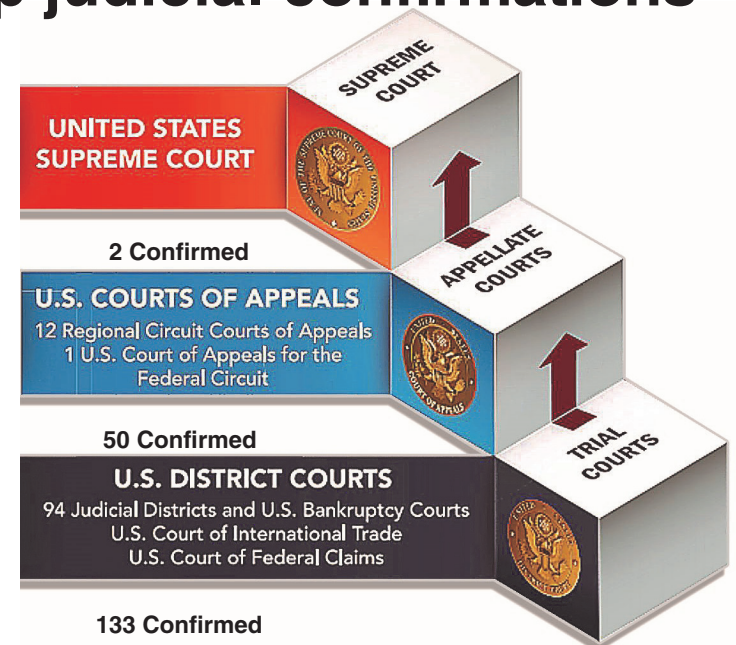
2019 had the third-highest annual total for Court of Appeal confirmations in our nation's history, building upon two previous years of double-digit confirmations. This record brings double-digit confirmations at this court level in three consecutive years for only the second time in history.

During President Trump's three years in office, a total of 50 appeals court judges have been confirmed. That's compared to the 55 President Obama appointed during his entire eight years in office. Senate Majority Leader Mitch McConnell (R-KY) has been so successful in prioritizing these confirmations, that there is only one vacancy left at that level, the fewest in more than 40 years.

Despite the massive success, there is still room for more work to be done in 2020. There are currently 80 total vacancies throughout the Federal Judiciary. McConnell says he is going to continue prioritizing the confirmation of President Trump's 38 current judicial nominees and, at the same time, is ready to receive more.

### Trump judicial confirmations

**President Trump is adding new judges to the federal judiciary at a record pace. In early December, the count totalled 172. Now, in late January, the count has risen to 185.**





*Opinion: The gambling industry ALWAYS brings in their “own expert” to “explain things.”*

# ‘Twas the week before Christmas

The week before Christmas, Kentucky’s Interim Joint Committee on Licensing and Occupations decided to give itself a present. Committee members, almost all of whom favored sports wagering legislation pre-filed for this 2020 General Assembly session, were facing a problem: Kentucky’s Constitution only allows for three kinds of gambling: pari-mutuel horse betting, charitable gaming, and the Lottery (a state-run lottery).

So, worrying that its unconstitutionality might kill their sports wagering bill and spoil their party, they made a list and checked it twice. They realized that what they needed was someone who could pass as a constitutional expert to appear before their committee (and the cameras) and who would tell them that, in spite of what courts and several attorneys general have found, sports wagering is, in fact, constitutional.

So, they searched around the country and found a pro-gambling lawyer in Florida who would tell them what they wanted to hear. Daniel Wallach, a gambling industry attorney who never saw a state constitution he didn’t think allowed gambling, was coming to town. Wallach testified before the Committee on Dec. 16.

Although news reports termed Wallach an “expert,” he in fact had no special expertise in relation to Kentucky’s Constitution. He misidentified the year in which Kentucky’s current Constitution was debated and appeared to be unfamiliar with Kentucky Constitutional case law. As it turns out, his expertise seemed mainly to consist of speaking at gambling conferences and travelling around the country questioning long-held Constitutional interpretations of gambling laws.

Wallach is like the expert medical witness in a criminal trial who always testifies that the defendant is insane – or the termite inspector who is guaranteed never to find termites. So let’s just say his testimony was not a big surprise. Still, Committee members reacted to it with all the excitement of little boys who just got their first bicycles.

“That’s the best testimony by a lawyer in front of this committee that I think I’ve ever heard,” Senate Majority Leader Damon Thayer told Wallach. “I think you’ve just provided this committee with a sort of mic-drop moment.”

What Thayer might have thought of a real Constitutional expert who could hold on to his mic is uncertain, since the committee didn’t bother to invite one.

Wallach argued that Kentucky’s Constitution does not, in fact, prohibit sports

wagering because all it prohibits is a “lottery,” and sports wagering is not a lottery.

The first problem with this argument is that, if it’s true, it isn’t just sports wagering that is legal, but all forms of casino gambling, since they are not (according to his definition) lotteries. In other words, if Wallach is right, the assumption behind every attempt to amend Kentucky’s Constitution over the last twenty-five years was simply mistaken. Millions of dollars were spent for high-priced lobbyists and expensive advertisements, and all the gambling industry ever got in their stockings was a lump of coal.

And all this time, all they had to do is to go track down a pro-gambling lawyer from Halandale Beach and put him up for a couple of nights at the Capitol Plaza Hotel.

Stinks, doesn’t it?

But it isn’t just about everyone on both sides of the gambling debate who were deceived for all these years, but the real, live, authentic Kentucky lawyers – the kind who never seem to get invited to Licensing and Occupations Committee meetings.

In 1993, when two pro-gambling state lawmakers asked Kentucky Attorney General Chris Gorman to render an AG opinion on whether the Kentucky Constitution would need to be amended in order to allow casino gambling, Gorman responded that it would. “We find,” said the AG’s office, “casino gambling to constitute a lottery under the constitution of this state.” And because of the nature of sports wagering, the same would have to go for it too.

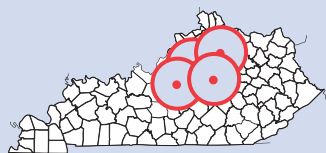
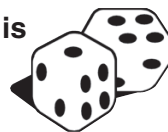
Gorman pointed out that the term “lottery,” historically and in constitutional interpretation, was a generic term for gambling in general. Then in 1999, the AG’s Office under Ben Chandler issued another ruling with similar implications.

In short, lawmakers on Kentucky’s Licensing and Occupations Committee who support sports wagering need to consider whether the gift they gave to themselves might need to be returned, and whether the so-called “expert” who delivered it to them was really just a bad Santa.



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

**... all they had to do is to go track down a pro-gambling attorney from Halandale Beach ...**



## *Love and Lordship*

**Lexington, Feb. 4 - March 31**

**Love & Lordship Series - Greg Williams**

Blackburn Correctional Facility (Tues afternoons)  
3111 Spurr Road, Lexington, KY 40511

**Georgetown, April 25-26**

**Love & Lordship Conference - Greg Williams**

Central Church  
224 New Coleman Lane, Georgetown, KY 40324

**Chaplin, Feb. 4 - March 31**

**Love & Lordship Series - Greg Williams**

Isaiah House (Tues afternoons)  
100 Broadway Street, Chaplin, KY 40012

**Love and Lordship online**

Find us @loveandlordship - “Like” us & share a/others  
On Facebook “**Love & Lordship LIVE**” Thursdays, 3 pm ET  
Subscribe to our weekly newsletter at new website below

**For more information, call (859)255-5400 or go to [www.loveandlordship.org](http://www.loveandlordship.org)**

# Ryan Anderson

## *Responding to the 'Transgender Moment'*



**7:30 PM Tuesday, Feb. 11  
at Buck Run Baptist Church  
1950 Leestown Road - Frankfort**

*The Family Foundation is offering this seminar focused especially for pastors and church leaders in order to equip the saints for the work of the ministry in these trying times.*

Ryan T. Anderson, Ph.D., is the William E. Simon senior research fellow at The Heritage Foundation, and the founder and editor of *Public Discourse*, the online journal of the Witherspoon Institute of Princeton, New Jersey.

He is the author of *When Harry Became Sally: Responding to the Transgender Moment* and *Truth Overruled: The Future of Marriage and Religious Freedom*, and he is the co-author of *What Is Marriage? Man and Woman: A Defense* and *Debating Religious Liberty and Discrimination*.

Anderson's research has been cited by two U.S. Supreme Court justices, Justice Samuel Alito and Justice Clarence Thomas, in two Supreme Court cases.

He received his bachelor of arts degree from Princeton University, graduating Phi Beta Kappa and *magna cum laude*, and he received his doctoral degree in political philosophy from the University of Notre Dame.

*If you are traveling a distance, come Tuesday night, stay over, and meet with your legislators on Wednesday. They **NEED** to hear from you!*

Kindly **RSVP** by email: [kent@kentuckyfamily.org](mailto:kent@kentuckyfamily.org)

## Christians at the Capitol 2020

**Date:** Feb. 14, 2020

**Time:** 11:15 am - 2 pm

**Cost:** Free

**Location:** KY Capitol Building

700 Capital Ave., Frankfort, KY

**Website:** <http://godandcountryministry.com/events.html>



## The Kentucky *CITIZEN*

**Executive Editor** Kent Ostrander

### Contributing Editors

Martin Cothran

Baxter Boyd

Joyce Ostrander

Cole Cuzick

Michael Johnson

Greg Williams

David Moreland

*The Kentucky Citizen* is published by The Family Foundation, a Kentucky nonprofit educational organization that works in the public policy arena on behalf of the family and the values that make families strong.

**The Family Foundation**

P.O. Box 911111

Lexington, KY 40591-1111

859-255-5400

e-mail: [kent@kentuckyfamily.org](mailto:kent@kentuckyfamily.org)

Web site: [www.kentuckyfamily.org](http://www.kentuckyfamily.org)

The Family Foundation  
P. O. Box 911111  
Lexington, KY 40591-1111

Non-Profit Org.  
U. S. Postage  
Paid  
Lexington, KY  
Permit No. 555

## You'll be "prophesying"

Make your calls! You don't have to be perfect to make a difference. And, don't be hesitant. When you consider Biblical heroes, many of them who impacted "policy" were just people who stepped forward at the right time, speaking God's will at God's time and delivering their people.

Joseph faithfully served a pagan pharaoh in a "policy role" and ultimately was a "savior" to Jacob (Israel) and his clan. Just one man made a huge influence.

Daniel faithfully served a pagan government – several different rulers – and was honored by all for his godly wisdom and demeanor. Again, just one man.

Esther stepped forward at the right moment in history to deliver her people from an evil policy decree. Just one woman . . . and her life was *not* focused on "policy."

David served God and Israel as the king "after God's own heart," yet it was also very clear that he was not a perfect man.

Consider Paul's explicit call. He was called to several different "people groups" by Jesus Himself: Acts 9:14-15 "*But the Lord said to him (Ananias), 'Go, for he (Paul) is a chosen instrument of Mine, to bear My name before the Gentiles and kings and the sons of Israel . . .'*" ONE of those "people groups" was "*KINGS*" – the politicians of the day.

No one should be left out from hearing God's truth. ALL persons, perhaps especially governmental leaders, should have someone bear Jesus' Name and ALL it means.

You have been "planted" in Kentucky for such a time as this. Kentucky can be a leader for the nation if the people of faith in the Commonwealth speak out.



**Kent Ostrander is the executive director of The Family Foundation**

*Kt*