

# The Kentucky CITIZEN

STRENGTHENING FAMILIES AND THE VALUES THAT MAKE FAMILIES STRONG

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## With dark clouds gathering over America, it's time for Kentuckians to let their light shine!

*The United States is in a serious battle for policies that lead to healthy families and life. We, in Kentucky, must each do our part.*

Thick and dark clouds have been extended over the entire United States since the national election on Nov. 3, last year. They are “policy clouds” that cast shadows in many areas of American life — policies based on half-truths and untruths. (See page 2) The antidote is simple, but not necessarily easy.

Even President Biden inadvertently referenced this “dark time” on Oct. 22 in a Presidential debate, when he said “We’re about to go into a dark winter — a dark winter.” Yes, in his own mind he was referring to the ongoing battle with Covid, but those with eyes to see

which have already been rescinded or reversed by the Biden Administration.

There is no reason to be distracted by debating his successes because Trump is now gone — he is currently not a force to be reckoned with by

Sadly, the Kentucky State House and Senate focused on passing Senate Bill 120, which purports to “legalize” the Historical Horse Racing slot machines that have invaded the state during our 10-year-long battle in the courts with the race tracks. (See page 3 for more)



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

***“Whether you ‘liked Trump’ or not, it is plainly evident that he moved the country forward in numerous policy areas . . .”***

the Biden Administration.

Will he (Trump) be back? Who knows? But the one thing we do know is that we (YOU and I) are still “players,” as Kentucky citizens, and we can make a difference with the State House

***“Like a large city’s skyline glowing upward at night and reflecting off cloud-cover overhead, Kentucky has work to do for the nation. . . . (This) is illustrative of the potential that Kentucky has to lead this nation by what CAN get done on the STATE level.”***

and State Senate that we helped create. Clearly, these are not perfect, but there are many other states that wish they had the 75-member conservative majority in the 100-member State House and the 30-member conservative majority in the 38-member State Senate.

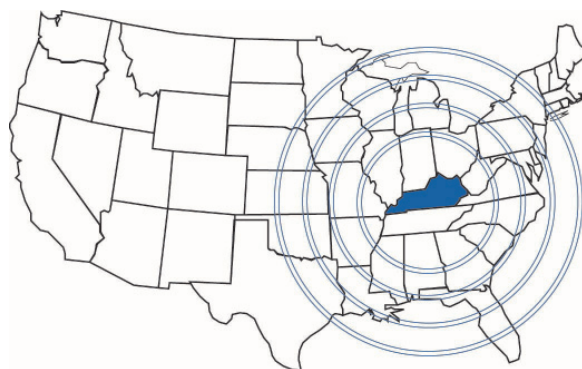
Like a large city’s skyline glowing upward at night and reflecting off cloud-cover overhead, Kentucky has work to do for the nation. Even the fast, eight-day “quick start” this year where the two Chambers worked together to pass seven bills, including two pro-life bills that Gov. Andy Beshear vetoed last year, is illustrative of the potential that Kentucky has to lead this nation by what CAN get done on the STATE level.

right thing on ALL that is before them.

Gambling expansion is itself a bad goal, but when you consider what other *good bills* have been delayed, it is doubly bad.

The bottom line is that now, more than ever, we each need to make calls to encourage our legislators to do the

*Kt*



**Take heart! Kentucky can be strong.**

unmistakably recognize the plight of the country being led down a path of jousting with shadows in a whole variety of policy issues.

Whether you “liked Trump’s personal leadership style” or not, it is plainly evident that he moved the country forward in numerous policy areas, a number of

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# “Dark Clouds”? Some are Biden’s Exec Orders

*President Biden is rapidly reversing Trump’s Executive Orders that dealt with Human Life and Human Sexuality.*

In his first two weeks in office, President Biden signed nearly as many executive orders as President Franklin Roosevelt did in his entire first month—and he holds the record.

“By sheer volume, Biden is going to be the most active president on this front since the 1930s,” explained Andy Rudalevige, professor of government at Bowdoin College.

Biden’s 28 executive orders in the first two weeks blows past President Trump’s 12 and President Obama’s 16.

Legally, executive orders and other executive actions, such as signed memos, cannot create any new laws. They can only direct the executive branch and its agencies to do what the U.S. Constitution and Congress-made law has given it authority to do. So, any executive action that exceeds those parameters may be challenged in court.

Biden’s executive orders deal with a variety of issues, but here are a couple impacts on the family and the values that strengthen families:

## **LGBT Rights and Religious Liberty**

“Biden’s Executive Order is the most substantive, wide-ranging executive order concerning sexual orientation and gender identity ever issued by a United States president,” proclaimed Alphonso David, President, Human Rights Campaign (an LGBT Advocacy organization)

The executive order demands that federal agencies redefine “sex” to include “sexual orientation” and “gender identity” in sex discrimination policies.

The order significantly expands the U.S. Supreme Court’s decision in *Bostock v. Clayton County*, which redefined “sex” in Title VI of the Civil Rights Act of 1964 by applying it to other civil rights law.

Major concerns exist for people of faith and faith-based organizations that provide social services. Government contracts may be lost if they hold to biblical and conser-

vative values on sexual orientation or gender identity.

## **Abortion**

A series of executive orders seek to undo pro-life policies implemented by President Trump and promote the Biden Administration’s pro-abortion agenda on the world stage.

One order revoked the “Mexico City policy,” which bars U.S. foreign aid from going to any organization that provides abortions or abortion counseling. President Trump had expanded the decades-old funding ban, which has been in effect for 20 of the past 35 years. Previous presidents have revoked or reinstated the policy based upon their pro-life or pro-abortion agenda.

Biden also withdrew the U.S. from the pro-life “Geneva Consensus Declaration” which had declared “there is no international right to abortion, not any international obligation on the part of States to finance or facilitate abortion.”

Though not an executive order, Biden also signed a memo directing the Department of Health and Human Services to review the Trump Administration rule that prohibits Title X family planning funding from going to abortion providers.

The Biden Administration cited legal constraints as the reason for not rescinding the Trump rule immediately. A formal rulemaking process must take place to do so and the U.S. Supreme Court is currently reviewing the Trump rule.

Despite Biden’s the record-breaking number of executive orders, the conservative justices that Trump appointed to the federal courts have provided some protection to his policies. A source close to Biden told *Politico* that they are being more cautious because of the courts.



**President Biden**

# A LEGAL look at the 7-0 “slot machine” decision

*Historical Horse Racing machines have been a ruse this entire time. The Court has acted . . . now the Assembly is in the fray.*

After 10 years of delays and obstruction by the racetracks, the Kentucky Supreme Court unanimously declared what common sense Kentuckians already knew to be true — “historical horse racing” machines are illegal.

The racetracks claimed the “historical horse racing” machines were pari-mutuel, making them one of only three types of legal gambling in Kentucky. But . . . Kentucky’s highest court exposed the truth on Sept. 24, 2020:

- “[W]ithout providing simultaneous access to one historical horse race to the same group of patrons, no pari-mutuel pool can be created among the patrons in which they are wagering among themselves, setting the odds and the payout. Pg. 9
- “[P]atrons wagering on randomly-generated historical horse races within the Exacta System are **not** establishing odds with other patrons wagering on the same race(s).” Pg. 9
- “[T]o be clear, pari-mutuel wagering requires that patrons generate the pools based on wagering on the same discrete, finite events. [footnote omitted]. Only in that way are patrons ‘wagering among themselves’ and setting the odds and the payouts....” Pg. 9-10
- “[T]he fact that the ‘initial seed pool’ is furnished by the association impermissibly involves an association in creating the pool. The betting pools are required to be established only by the patrons.” Pg. 10
- The Commission “has no authority to create from whole cloth and to approve a wagering pool in which each patron is wagering on a different event or set of events.” Pg. 13



**“Just use the definition the Supreme Court offered. Anything else is unconstitutional”**

– Stan Cave, attorney for The Family Foundation, testified re: SB120 on Feb.

Claiming to be helpless victims and attacking the justices, the racetracks demanded the Court rehear the case. But the Kentucky Supreme Court, on January 21, 2021, unanimously refused—sending a clear message that not even Kentucky’s “signature industry” is above the law.

Belying the racetracks’ claim of victimhood, they were actually the ones who asked the courts for guidance on July 20, 2010. But since they don’t like the answer, they now deem themselves

more knowledgeable in the law than all of Kentucky’s top judges.

As the Kentucky Supreme Court emphasized, “[b]oth the federal statutory definition of pari-mutuel wagering and the Kentucky common law definition refer to a discrete, individual event on which wagers are made.”

Kentucky’s common law definition of pari-mutuel wagering spans multiple cases—Ky. *Jockey Club* (1931), *Wehmoff* (1904), and *Simonds* (1881).

Unanimously, the justices explained that “[t]his earliest definition contained the essential elements of pari-mutuel wagering, which are unchanged in 140 years: patrons wagering on a **particular** race, creating the pool, and setting the odds, with the winners sharing the pool, less the pool operator’s commission.”

Words have meaning—the meaning of “pari-mutuel wagering” is known and settled by 140 years of court case precedent, including the Kentucky Supreme Court’s two recent unanimous decisions. No industry can change that, no matter what they claim.



# “The Slots Bill” - Senate Bill 120 - passes. Here are some thoughts . . .

*The bottom line: This is NOT the time to “cry over spilled milk,” but rather to move forward on other bills that will do good.*

## 1. *Protecting the family is most important.*

This loss on Senate Bill 120 is painful, in part, given the reality that in the days to come many Kentucky families will have their assets torn away from them because of the addictive design of these slot-like machines. Taking money from patrons is the very task for which these machines were designed.



But there are other battle fronts in the war against families. Some of those fronts are addressed by proposed bills outlined on pages 4 and 5. And it is to these battles that Kentucky citizens must quickly move and let their voices be heard.

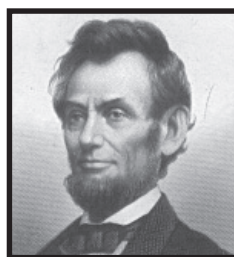
The truly great athletes do not hang their heads and make a second blunder because they are not fully alert after making an error. These athletes shake off their mistake and get back into their game in order to engage the next play with full efficiency.

There is no player that hasn't fallen short, but the ones people remember are the ones who regroup and re-engage their contest.

THAT is EXACTLY what pro-family citizens must do in the remaining few weeks of the 2021 Session.

## 3. *“How many legs does a dog have . . . ?”*

America's 16<sup>th</sup> president, Abraham Lincoln, once shared this bit of poignant wisdom, asking: “How many legs does a dog have if you call his tail a leg?” His answer of course was, “Four.” And his explanation was just as simple, “Saying that a tail is a leg doesn't make it a leg.”



Here we are in a situation of major public policy involving a NON-pari-mutuel gambling device, as adjudged twice by unanimous Kentucky Supreme Court decisions. Clearly, the device does not live up to the Kentucky law.

But rather than have the gambling industry change its device to live up to the statute, the Assembly is changing the law to live up to the device.

Saying a dog has five legs by counting the tail *just doesn't make it true.*

IN TRUTH, THE DEVICE IS STILL **NOT** PARI-MUTUEL.

## 5. *“The track gambled and lost,” BUT . . .*

When patrons play the “slot-like” gambling devices at the track facilities they always lose over time. In fact, proponents of the machines say they payout about 90 percent of the time (– just like slot machines). Winning 90 percent of the time sounds great, but . . . it's actually saying, “You'll always lose 10 percent of your money over time.”



It's like the widget salesman who sells his product for 10 percent less than he pays for it. When asked, “How do you make a profit?” he responds “Volume.” (Yes, he's broke.)

So the patrons lose regularly, but in this matter we have the tracks *gambling* after they heard the Kentucky Supreme Court tell them eight times in 2014 that the case was an ongoing case and the machines had NOT been determined to be legal.

Rather than wait for the Court's decision, they built facilities, bought machines and began operation, taking in over \$800 million of Kentucky citizens' money in an illegal gaming enterprise. They OWE \$800 million back! But SB 120 absolves them of that debt!

## 2. *It CONFIRMS that we were right all along.*

During the ten-year court case, advocates for the so-called “Historical Horse Racing” slot machines argued in court that these devices were all about pari-mutuel wagering on horse races. Time and time again they tried to discredit Stan Cave and The Family Foundation when he raised the serious questions of whether the machines themselves were operating within a “pari-mutuel” system of wagering, which is required by Kentucky law.



Yes, Stan won the unanimous 7-0 decision by the Kentucky Supreme Court on Sept. 24 last Fall.

And, Yes, Stan won the unanimous 6-0 decision by the Kentucky Supreme Court on Jan. 21, where it stated it would NOT re-hear the case on appeal. (Emphasizing that the Court **HAD INDEED DECIDED!**)

But the **NEED** to change the current law with SB 120 is an admission by the **LEGISLATURE** that both the Kentucky Supreme Court **AND** The Family Foundation had been correct in their assessment that the devices were not legal, as the gambling establishment had claimed for more than 10 years.

The Assembly's action to change the law confirms in no uncertain terms that the tracks had been operating an illegal and unlawful gambling enterprise for more than 9 years. The legislature **VOTED** to pass Senate Bill 120 – House 58-38 and Senate 22-15.

## 4. *David and Goliath . . . again.*

Everyone knows the story of David and Goliath. David the young shepherd boy who had proven he would protect his sheep at all costs. He is unable to put on Saul's armor to fight in the manor of the day, but he knows how to use a sling and, in faith, selects five smooth stones. To cut to the chase, Goliath did not go home that night and his supporters, the Philistines scattered.



That's what Stan Cave did in the 10-year court case where the “Historical Horse Racing” machines were proven to violate the law. He stood toe-to-toe with 22 attorneys from the state's most prestigious law firms over those 10 years – 14 at one time in one hearing early in the case. There were eight race tracks in the case, along with a state agency – the Kentucky Horse Racing Commission. Looming large was one track, Churchill Downs, itself with assets over \$8.3 billion.

Stan was patient and tenacious. He won four times, reversing the lower court's errant first decision: I. At the Court of Appeals (2-1) on June 15, 2012; II. At the Kentucky Supreme Court (7-0) on Feb. 20, 2014; III. At the Kentucky Supreme Court (7-0) on Sept. 24, 2020; and IV. At the Kentucky Supreme Court (6-0) on Jan. 21, 2021.

Sadly, after the victories in court and unlike the real David and Goliath story, the race tracks “rallied the Philistines” to secure the win in the General Assembly for SB 120.

***There are plenty more arguments AGAINST casino-style gambling, but it's time to move forward to support other bills that will positively HELP the family in Kentucky.***

# Bills impacting “The Family”

*Because the gambling industry focused on getting SB 120 passed (The Slot Machine Bill), other bills have been neglected. Let YOUR voice and the voices of your friends make the difference NOW!*



## The Medical Ethics and Diversity Act - **SB 83 is MOVING!!!** **Senate Bill 83** (also called “The MED Act”)

Check off  
your 3 calls ☐ ☐ ☐

**By Sen. Stephen Meredith:** This bill provides religious liberty / conscience protections for medical professionals who are being confronted with an increasing number of controversial medical practices such as abortion, cloning, harvesting fetal organs, assisted suicide, and surgical and hormonal treatments to attempt to change children’s biological sex. There are significant moral and ethical disagreements in the medical community. This bill would protect a medical professional from being forced to participate in treatments that are against their conscience. All personnel would still be required to provide emergency services for all people, but they could simply step away from controversial elective procedures.

**Prospect of Passage:** This bill passed its Senate Committee last year, but got “lost” in the outbreak of Covid and the resulting Frankfort “shutdown.”



## Parents’ Rights Protection Act - **Senate Bill 97**

Check off  
your 3 calls ☐ ☐ ☐

**By Sen. Stephen West:** This bill would affirm that the rights of parents are “fundamental rights.” The Government would need to prove it had a compelling interest (such as protecting a child from abuse) before it infringes on the rights of parents to make decisions regarding the upbringing of their children. Historically, parents’ rights have been considered fundamental, but recently there has been a rising number of cases where the courts allow others to make decisions for children without parental knowledge and parental consent. This bill would protect families by not allowing the government to unnecessarily undermine parental rights.

**Prospect of Passage:** Most agree that parental rights are basic, but some want government workers and professionals to preside over families.



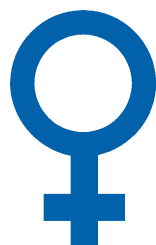
## “Save Women’s Sports” Act -

### **Senate Bill 106** (also called “Fair Play” Act)

Check off  
your 3 calls ☐ ☐ ☐

**By Sen. Robby Mills:** This bill would prohibit biological males from competing as girls in girl’s athletic events at Kentucky’s public schools and colleges. Recently there has been an increase in the number of males who dress like and think they are the opposite biological sex. Women’s sports, locker rooms and even educational opportunities are beginning to be won by these biological males. For example, 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. Track is not the only sport impacted. As a result, girls are losing opportunities to advance to the next levels of competition where they can compete for scholarships and educational and career opportunities.

**Prospect of Passage:** Polling suggests that SB 106 is well-supported because of basic fairness, however, some in the LGBT community oppose it.



## The “Online Enticement” Statue - **SB 64 is MOVING!!!** **Senate Bill 64**

Check off  
your 3 calls ☐ ☐ ☐

**By Sen. Alice Forgy Kerr:** Senate Bill 64 clarifies the crime and increases the penalties for adults who solicit a minor under the age of 12 through an intermediary in an effort to engage in sexual acts with the minor. It also enhances the penalties if they travel across state lines for this purpose or if they are a previous sexual offender. It includes the use of online communications systems such as computers, computer bulletin boards and cellular telephones.

**Prospect of Passage:** No one is opposing this bill. Though it started its journey late because of the early focus on gambling, this bill could pass.

## “Life Issue” bills: *Again, let YOUR voice be heard on each.*



### The Human Life Amendment - ***HB 91 is MOVING!!!*** ***House Bill 91*** (Also called “YES for Life”)

Check off  
your 3 calls ☐ ☐ ☐

**By Rep. Joe Fischer:** This constitutional amendment affirms that the Kentucky Constitution does not guarantee the right to abortion or to have abortion paid for with taxpayer dollars. **HISTORY:** In a 2018 lawsuit brought by Planned Parenthood, the Iowa Supreme Court struck down the Iowa law being challenged and said the Iowa Constitution guarantees the right to abortion. Since then, Planned Parenthood has begun to challenge abortion laws in other states. As a result, two states (Tennessee and West Virginia) have passed similar measures like HB 91.

**Prospect of Passage:** This bill passed the full House in 2020, but was not taken up by the Senate, likely due to the Covid crisis early shutdown.



### “Safe Haven Baby Boxes” Act - ***House Bill 155***

Check off  
your 3 calls ☐ ☐ ☐

**By Rep. Nancy Tate:** In 2016, the “Safe Haven Baby Box” program was added to Indiana Law. Since then, no infants have been reported abandoned, rather, only safely surrendered through the Baby Box program. The program is now available in four states. Boxes are installed in participating fire-stations or hospitals, which are manned 24/7. Funds for the hospital-grade containers are raised privately.

**Prospect of Passage:** Because this bill is not controversial nor does it require state expenditures, it has a reasonable chance of passing.



### The Omnibus Pro-Life Act - ***House Bill 460***

Check off  
your 3 calls ☐ ☐ ☐

**By Rep. Nancy Tate:** This bill has a number of components centered around the issue of abortion in an attempt to update Kentucky law. It is a group of adjustments that improve the effectiveness of existing statutes by reviewing what has been taking place and improving areas of deficit in the current law. Areas addressed in HB 460 include:  
1) Documentation for parental consent for minors; 2) Criteria for the judicial bypass process for a minor who does not want to inform their parents that they are pregnant and of their intent of have an abortion; 3) Expand the reporting requirements for abortion to help gather appropriate statistical data; 4) Requiring a report with findings from an annual audit and abortion facility inspections; 5) Prohibiting abortion inducing drugs from being mailed or shipped directly to the patient; 6) Requiring dignified disposal of human remain fetal remains; and 7) Prohibiting public agency funds from being paid to any entity or organization or individual the performs or refers for abortion.

This bill includes provisions that had been files individually earlier this Session in House Bills 96,

**Prospect of Passage:** Because HB 460 has the many provisions, legislators know it would save time in the Session with its passage as opposed to many different bills with singular foci. But, the many provisions also give unfavorable legislators more items with which to direct their concerns.

## And “A Church” bill: *Speak out with kindness, firmness and faith!*



### “The Church is Essential” Act - ***House Bill 218***

Check off  
your 3 calls ☐ ☐ ☐

**By Rep Shane Baker:** Given the ups and downs of this past “Covid Year,” this bill ensures that churches and other religious organizations receive equal treatment during a public crisis, allowing them to remain open on the same terms as other businesses and services that are deemed essential. It further protects religious organizations against government discrimination based upon the organizations’ religious identity or activities.”

**Prospect of Passage:** Given the numerous mistakes made during this year’s Covid crisis and the many churches hurt in Kentucky, this bill could pass.



# Trump's impact on the federal judiciary has been, and will be, seen as significant. Here's why:

*For Trump, the federal judiciary was a campaign promise that he could fulfill in his "Make America Great Again" philosophy.*

Regardless of whatever labels or policies may be attached to former President Trump, no one can deny that his impact on the federal courts will be a lasting and significant part of his legacy.

Trump appointed 226 active judges, accounting for 28% of all active federal judges in the United States. The life tenure of the appointed judges means that the impact will last for decades to come.

While his three appointments to the U.S. Supreme Court may make the biggest headlines, his appointment of 54 appeals court judges is at least equally significant. In four years, Trump appointed only one less than former President Obama did in eight.

Appeals Courts decide overwhelmingly more cases than the U.S. Supreme Court, but the highest court in the land has the final word on some of the most controversial issues in our culture.

A firestorm of attention and criticism surrounds the Court, and the discussion has become increasingly political. So, here are a few things worth knowing about the U.S. Supreme Court:

*Note: The Court's term runs from October-June, so the year refers to when the term begins. (i.e. – "2020" refers to October Term 2020, which runs from October 2020 through June 2021)*

## **Despite the Rhetoric, The Justices Agree More Than They Disagree**

Much commentary surrounding the Court focuses on the "liberal-conservative" divide among the justices. The divide is real, relevant, and worth discussing . . . BUT a

complete understanding requires knowledge of context.

In the past 10 years, no U.S. Supreme Court Justice has disagreed with any one of their colleagues on the Court in more than 56 percent of the year's cases.

The average disagreement rate between any two justices, including the leaders of the conservative and liberal blocs, is 43 percent. There is some area of common ground between each justice at least 57 percent of the time.

## **A Supreme Court Case is More Likely to be Unanimous Than a 5-4 Split**

In the past 15 years, an average of only 21 percent of cases resulted in the 5-4 split that is the focus of news headlines. On the other hand, 45 percent resulted in unanimous decisions.

## **Most 5-4 Splits Are Along the Ideological Divide**

The past 20 years reveals that an average of nearly three-fourths (74 percent) of 5-4 splits fell along the ideological divide.

## **5-4 Splits More Than Stats — They Matter**

While only 21 percent of cases may result in a 5-4 split, and not all of them be along the ideological divide, those are often the cases people are most passionate about — convictions are the strongest, emotions the highest, compromise is disdained, and common ground is more



**U.S. Supreme Court Building - Washington, D.C.**

difficult or impossible to find.

## **Conservatives' Losing Streak**

From 2000-2013, conservatives enjoyed the benefit of the ideological 5-4 divide breaking in their favor more often than not. In fact, 2004 was the only year that less than half (42 percent) of 5-4 splits were conservative victories. In 2007 and 2011, the 5-4 splits were equally divided between conservative victories and losses.

Then the losing streak hit — conservatives lost 62 percent of 5-4 splits in 2014, 75 percent in 2015, and 67 percent in 2016.

## **Conservatives Poised For Long-Term Winning Streak**

The election of Trump and the resulting appointees put an end to the losing streak. Conservatives won 100 percent of the ideological 5-4 splits in 2017, 50 percent in 2018, and 77 percent in 2019.

While it is too early to know what the stats will be for October Term 2020, the odds are good that conservative victories will dominate because Trump's appointments gave conservatives a 6-3 majority.

Despite 5-4 splits being a minority of cases, the important issues they address have real impacts on everyday Americans and the direction of our nation. That's why conversations about the Court have become political and the subject of presidential campaigns.

President Biden is even appointing a special commission to consider "court reform," so that Trump's impact on the federal courts can be undone. But the statistical context of the past 15-20 years reveals that our court system is not broken and in need of "fixing"—after all, the justices agree more than they disagree.

# **CHOOSE LIFE**

**The next time you renew, get one for your car and drive with the CHOOSE LIFE encouragement all over town.**

**You'll be making a stand for life and for compassionate, life-saving intervention because pregnancy care centers will receive 100% of the money that you donate above the actual cost of your plate.**

**THIS is Unbridled SPIRIT in Kentucky!**

**official state  
license plate**



Opinion: Casino interests hid behind the horse industry to win the slots victory.

# Churchill Downs doesn't need a stimulus check

The so-called "historical horse racing" slots bill was passed by the State Senate and House with the Governor's promised to sign it. It was marketed as a bill that would protect the horse industry. In reality, it was an unconstitutional millionaire's stimulus bill that, far from saving the horse industry, will ultimately replace it.

The Family Foundation won the argument, but it lost the fight.

In the Kentucky Supreme Court, where reason and evidence matter, The Family Foundation won, even with our own lawyer Stan Cave standing alone against twenty-one of the state's top attorneys. The unanimous Sept. 24 7-0 ruling by the Supreme Court that the machines were not pari-mutuel in the way they operated and were therefore illegal, was a great and unlikely achievement.

But in the legislature, money and power matter. There the odds were even worse, with our small band squaring off against sixty-two high-priced lobbyists paid for by the fabulously wealthy gambling industry. They made their appeals to lawmakers with arguments greased by previously given campaign contributions.

Even the Lexington Herald-Leader, no friend to The Family Foundation, called it a "David and Goliath story." Five smooth stones were enough to win in Court, but in the legislature, Goliath had his day.

Lawmakers didn't address the problems with the bill that The Family Foundation pointed out. Instead, they ignored them. The Court said the machines did not constitute pari-mutuel horse wagering. Just saying, "Yes they are" – the gambling industry's answer was not a serious response.

Rather than the horse tracks and their allies on the Kentucky Horse Racing Commission changing their actions to bring them into alignment with the law, lawmakers simply changed the law to suit a very wealthy and influential special interest.

Supporters of this legislation argued that they were trying to create revenue for the state and save the horse industry. But while the state has received only about \$57 million – only .13 percent of the General Fund, over \$800 million has gone into the

pockets of a small oligarchy of wealthy racing and casino interests. One of them, Churchill Downs, is worth over \$8.3 billion, and the stock value of which has increased by over 1800 percent over the last ten years.

There are people in this state who are hurting financially because of the pandemic.

There are people all over the service industry who could use a stimulus check.



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

But Churchill Downs, whose CEO makes over \$10 million a year, does not need a stimulus check. But they're going to get one now.

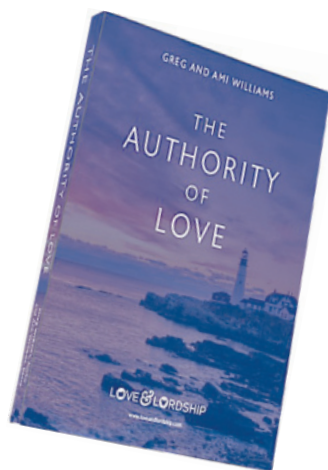
Little of what is lost to these horse-themed slot machines goes into state coffers. Most of it goes to enrich wealthy corporations, some, like Churchill Downs, with out-of-state owners. To assuage legislators concerned about this, the House amended the charitable gaming bill to raise the tax. But that may not make it through the Senate.

A wealthy industry came to the General Assembly, hat in hand, looking for a handout, and hiding behind the horse industry. They got what they asked for.

The horse industry has now placed itself at the mercy of the casino industry, which knows that, while horses are fast, slot machines are faster and more lucrative.

One day, when slot parlors have spread across the state, players will look up from the machines and see pictures on the walls of the old days, when they used to race horses.

The horse industry made a deal with the Devil. And that's never a good bargain.



## The Authority of Love

from Love & Lordship and Greg & Ami Williams

***"This is such an important book for today's church...To restore the Biblical standards of marriage, family and the church which are still compelling and transforming."***

*– Bob Russell, Senior Minister (Retired), Southeast Christian Church (Louisville)*

***"The exposition of scripture and the illustrations from scripture underpin the content of the book at every turn of a page."*** – Dr. Ken Idleman, VP, Leadership Development, The Soloman Foundation

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# Let us help YOU make **YOUR** critical calls!

*Your legislator knows that YOU sent them to Frankfort. Speak God's perspective to them and they will be encouraged.*

The Family Foundation's desire is to get God's wisdom involved in Frankfort so that our Commonwealth can do great things. The best way we can help is to have an "inside Frankfort" strategy and an "outside Frankfort" strategy, working with you. Basically, we need to do two things:

1) Work inside Frankfort by offering Godly counsel to legislators as various bills emerge and as various debates develop. That is our "Inside Frankfort" strategy – serving legislators face-to-face with the truth and the grace we all know need to be applied for good solutions to Kentucky's problems. However . . . ***Because of Covid, WE CAN'T DO THIS AS WE HAVE IN THE PAST!!! Therefore . . .***

2) ***THIS*** is most important . . . Work outside Frankfort by getting the people of God who have been trained in right and wrong over the years by their pastor to weigh-in on the various pieces of legislation. There is nothing more pleasing than to go into the office of a legislator who has been encouraged by many people to vote *FOR* House Bill (XX) or *AGAINST* Senate Bill (XX). When that happens, the legislator is of the frame of mind to look deeply into the content of the bill and roll up his/her sleeves "to get that bill passed" or "Get that bill stopped! That is our "outside strategy" and ***YOU*** are key! ***YOU*** are our hope! ***YOU*** are Kentucky's hope!

Kentucky ***CAN*** lead this nation in many ways because of people that God has brought into the Commonwealth. This is one of the more "well-churched" states in the Union . . . The question is "Will we act 'well-churched' and be the salt and the light?"

## The Kentucky **CITIZEN**

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## ***Time to Leave a Message!***

**Legislative Message Line:  
*1-800-372-7181***

A phone call is easy! Speak to the phone receptionist (who will record your name and address for future calls) and just say:

***"Please give this message to each legislator in ( your ) County."*** Then say, ***"And please copy my message to Sen. Robert Stivers & Sen. David Givens and Rep. David Meade & Rep. Steve Rudy."*** (These are key leaders)

The receptionist will know the legislators in your county. Here's a *sample* message:

***"Please vote FOR Senate Bill 97 - the 'Parents' Rights Protection Act' and FOR House Bill 91 the 'Kentucky Human Life Amendment.'"***

***Time is running out. PLEASE, call three times in this next week on each bill listed. You can do 2 to 3 bills on each call and you can mix and match bills on each call. To keep track, a series of 3 boxes are set beside each bill. BOTH spouses should call and ask your friends to call – it's about us being "salt and light."***