



# op/ed

by john sikura

I wish to respond to Senator Thayer's explanation on why he did not support House Bill 2, VLT's at Kentucky racetracks ([Thayer Defends Position on KY Gaming Bill](#), Bloodhorse.com.) His defense first reaches back in time to explain his past support of our industry to create a warm feeling without tackling the issue. I, for one, have appreciated his past support, but do not accept past works as a shield for his stand on the most important piece of racing and breeding legislation in the history of Kentucky. His first concern was that of the constitutionality of the bill. He does not mention that the current Attorney General gave legal opinion prior to the special session that the bill was constitutional. Furthermore, it was well known that if successful, the bill would have been challenged on constitutional merits. If a final legal opinion was the intent of the Senator, the Supreme Court of Kentucky would have rendered one and settled the issue. Mr. Thayer must have legal insight beyond the current Attorney General of the state of Kentucky, which he did not share with members, if his opinion was contrary to a sitting Attorney General. If Senator Thayer offered Instant Racing as a possible alternative approach--which he suggested--he must have forgotten to brief Mr. Charles Borders, the chair of the A & R Committee, which defeated the bill Monday night. On KET, a forum was held to debate this issue just prior to the special session. When asked about this alternative to VLT's, (Instant Racing) Representative Borders said he knew little about it, and had concern about the potential to corrupt such a game, as it was based upon already run races. Perhaps he thought someone could identify the markings on each starter before the race was run. My point is that if Senator Thayer did interact with his members as claimed, working the halls of the legislature, why is it that the chairman of the committee that heard the bill did not know what Instant Racing machines were a week before the hearing?

Another point stressed by Senator Thayer was the fear of expanding gambling. If that is the case, his plan for Instant Racing had no merit within his party because it would only serve to help our industry if people used it to gamble.

I fail to see how VLT's (calibrated games of chance) are somehow different than wagering on past races, without the tools of a live wager. Using his premise of opposition to expanding gaming (he does not address Kentuckians already wagering in neighboring states), we can never come to terms with his position, as we are in the gambling business. Yes, I said it: we actually exist as an industry because people bet on horses. Without gambling, we would run for ribbons, not purses, Senator.

As a true team player within his party, Senator Thayer saw merit in the alternative Senate bill sponsored by Senate President David Williams. If he really thinks that Turfway, Red Mile, Kentucky Downs and Ellis Park could afford to place a surcharge on interstate wagering, he is beyond help in understanding the economics of racing. A substitute by the party that cries for lower taxes and free will suggests that taxing the industry and legislating morality (no VLT's ) are the answer? Again, Senator Thayer speaks to the industry with another concern that racing may become a 'sideshow' with the introduction of VLT's. I am sure Keeneland and Churchill must wince at the faith the Senator has in our their stewardship of our flagship racetracks in Kentucky.

Why does he not visit Woodbine--the home to elite racing with escalating purses, and the envy of the nation. They will host a Breeders' Cup again soon and overfill their racing card. Trainers Asmussen, Pletcher, Clement and Baffert have run there in 2009. I guess that would be a poor example of the destruction of racing coexisting with VLT's and was therefore left out. The Kentucky Derby winner, Mine that Bird, will make his next start in West Virginia (VLT-fueled purses again). Not to be redundant, but if you don't understand the correlation between purses and racing and the effect of each on the Kentucky breeding industry, you should recuse yourself from the argument as not qualified to debate the issue.

As a large constituent in Senator Thayer's district, I was never informed of his 'enhanced bill' that he speaks of. I am quite sure that major farms in his district such as Summerwind, Crestwood, Kentuckiana, Hill 'n' Dale and others were never consulted. If they were, Senator Thayer would have heard loud and clear our support for the Governor's bill, and the immediate threat we face.

The final pleading from the 'Horse Senator' was that a political war would only hurt our cause. It is factual that his party does not approve of expanded gambling, and he knows that a two-thirds vote required for a constitutional amendment will never happen under current leadership. He seems to reinforce this premise by declaring that January is too soon to tell if we can advance legislation to help our embattled Kentucky industry. What an inspiring way to end his letter to us.

A clear divide remains between the Senator's party and our ability to advance our bill. Should we choose to let stand the current mindset and not actively replace members who oppose us, the result will be the same once a constitutional amendment is proposed. Do not be misled, as the carrot of a constitutional amendment will be dangled as the promise if we 'stay out' of legislative races. If we capitulate, we will lose with the same team that just defeated us.

I like Senator Thayer and do appreciate his advocacy. Unfortunately, his party is not with us and will never be with us. Unless we have the commitment to elect members willing to make the tough vote and create the greater good in House Bill 2, we are going to be eternally frustrated with the outcome.

**Sikura cont.**

The good thing is we control our own destiny. Each has exercised their right of free choice in the debate and so must we.

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Lexington, Kentucky.

Comments for publication? Email

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