



House Committee on Business and Labor  
Oregon State Capitol  
900 Court St. NE  
Salem, OR 97301

March 28, 2017

Chair Holvey and Honorable Committee Members,

On behalf of Lane County Government, I wish to provide testimony in support of House Bill 2761 to include daily fantasy sports games in the definition of “contest of chance” for purposes of gambling and gaming laws.

For the record, I have been a problem gambling prevention coordinator with Lane County Public Health for 15 years, since January 2002. I am a member of the Board of Directors of the National Council on Problem Gambling (NCPG) and am also an instructor with the University of Oregon, specializing in problem gambling coursework since 2009.

Lane County Government and the National Council on Problem Gambling are neutral on legalized forms of gambling.

Daily fantasy sports operators have consistently maintained that DFS is a game of skill. While indeed there is a great amount of skill involved in DFS play, just as with a game of poker, there is still a large element of chance in each contest. Poker is considered gambling. DFS is not yet considered gambling in the State of Oregon. There are several states, including the State of Washington, in which daily fantasy sports are considered gambling and are illegal.

In 1992, the Professional and Amateur Sports Protection Act (PASPA) was passed. PASPA outlawed sports betting in most of the United States, with exception of four grandfathered states: Nevada, Delaware, Montana and Oregon. As we know, Oregon no longer permits any sports betting (Sports Action Lottery was phased out a few years ago in aims to attract NCAA sporting events). Currently only Nevada allows traditional sports betting through licensed bookmakers.

In 2006, when fantasy sports were protected in the Unlawful Internet Gambling Enforcement Act, it was impossible to predict the explosion of online daily fantasy sports

and what these contests would mean in terms of speed of play, amount of prizes and entry fees, and sheer number of contests offered in various sports each day. The fact that fantasy golf and fantasy esports are offered articulates this variety.

I believe that former Super Bowl-winning quarterback Joe Namath said it very well and succinctly when asked about whether daily fantasy sports is gambling:

“Do they pay money to play?” (Response: “Yes.”)

“And do they win something?” (Response: Yes.”)

“Then it’s gambling.”

Thank you for the opportunity to provide testimony to the Committee in support of HB 2761. Please feel free to contact me if you have any questions, or if I can be of any assistance to the Committee regarding this legislation.

Respectfully,

A handwritten signature in black ink, appearing to read "Smith" with a stylized flourish extending to the right.

Julie M. Hynes, MA, CPS  
541.682.3928 | [Julie.Hynes@co.lane.or.us](mailto:Julie.Hynes@co.lane.or.us)