



Oregon House Committee on Rules

Testimony on HB 3394

May 27, 2021

Chair Smith Warner, Vice-Chairs Drazan and Holvey and Members of the Committee, for the record my name is Alicia McAuley and I am here on behalf of the Cow Creek Band of Umpqua Tribe of Indians in support of House Bill 3394.

I am an enrolled member of the Cow Creek Tribe and have had the opportunity to serve my Tribe for the last 20 years as a gaming regulator. I also serve as the Treasurer for the Oregon Tribal Gaming Alliance and am on the Board of the Oregon Council on Problem Gambling.

House Bill 3394 is one of the most important actions this legislative body can take this session.

It has been 25 years since a comprehensive review of Oregon's gaming policy and regulatory framework have been reviewed.

In that span, the attempts to expand gambling have come from nearly every industry, including state government.

Some expansions have managed to slip through the cracks in the current system without adequate legislative and public input or tribal consultation as required by law.

But the potential for the proliferation of gaming, whether through online and mobile platforms or brick and mortar casinos and gambling venues, is very real and much because of the State's fragmented regulatory framework that was structured for the gambling industry 25 years ago, not the one we see today.

As you know there is a constitutional prohibition on private casinos. However, the definition is unclear what constitutes a casino and the evolution of technology makes the need for this clarity more and more important.

State statute currently defines gambling to exclude wagering, which again, maybe 25 years ago was appropriate, but today whether it's a wager or a line game - it's gambling.

Currently the legislature also does not have a role in approving expansion to private or state gambling. The only way the legislature can intervene is to pass statutory prohibitions to expansions, which you see in this legislation, as it puts a moratorium on the Lottery expanding to mobile games pending the task force report.

The current system does not create a transparent process for gambling policy and oversight. It creates an environment that fuels competition, distrust and division.

It also becomes a false debate about market share...but for the Tribes it is about social and economic justice. We seek to restore what was taken from us so many years ago...our ancestral lands, our cultural identity and our self-reliance. Tribal gaming has provided the tribes an opportunity to recover and revitalize our communities and our way of life.

It's apparent that lack of education around tribal sovereignty is an issue. Our Tribe stands prepared to assist in helping our fellow Oregonians and the many legislators about what tribal sovereignty is and how our respective governments operate.

And that when you talk to one tribe, you have talked to one tribe. We are all different and are all our own unique sovereign governments.

I am confident in saying that the current trajectory of gambling in Oregon threatens all of our sovereignty and breaks a promise made to the Tribes when the State lottery was passed and under federal law Tribes were permitted, with State-Tribal compacts, to own and operate casinos.

The best way to describe it is that our casinos serve as our tax base that allows us to fund critical services like housing, education, public safety, health care and elder care for members.

But the current pace and efforts to expand gambling access and opportunities by multiple entities, private and state, will erode Tribal governments ability to provide for our members and open doors the state won't be able to shut if such efforts are allowed to continue unchecked.

On behalf of the Cow Creek Tribe, we encourage you to adopt this bill so that there is a public and transparent process for a thorough review, study and discussion about the future of gambling in Oregon.

I'd like to end my time with a quote from the task force report from 1996:

"We need a gambling policy that makes sense for all Oregonians, not just dollars for one segment of the market; policy that looks long term, not expedient solutions in the face of financial difficulty."

Thank you for your time. We remain ready to partner with you and others in this effort.

I am available for questions today or at any time individually on this important issue.

Thank you for your time.