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Opponents want Hawaii lawmakers to scrutinize fantasy sports betting

By [Andrew Pereira](#)

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"You put in money and there's a risk that you're going to lose the money," Souki told KITV4. "That is gambling."

Souki has been a member of the pro-gaming lobby for most of his career in the state Legislature, but admits the issue of betting on one day fantasy leagues needs to be clarified, perhaps as soon as January when lawmakers reconvene.

"It should be cleared up to allow the people who enjoy fantasy gambling to participate and not worry about somebody pointing a finger at them," he said. "I can look forward to talking with the House leadership to see how they feel about it, and maybe trying to craft some language that might be appropriate."

Gambling opponents say the business model for one day fantasy sports depends on hooking new customers, and websites like [DraftKings.com](#) and [FanDuel.com](#) are making a big push. According to TV Ad tracker [iSpot.tv](#), both companies spent nearly \$31 million in TV ads over the past seven days.

Les Bernal, executive director of [StopPredatoryGambling.org](#), says unlike seasonal fantasy leagues that are mostly played amongst friends and co-workers, one day fantasy leagues are vulturine in nature. He points to the current Major League Baseball season as a clear example.

"Ninety percent of the money that was won in FanDuel and DraftKings was taken by 1.6 percent of the players," Bernal said from New York. "It's like the ultimate Ponzi scheme and what they need to do is continue to attract more citizens to feed the fish."

Under the 2006 Unlawful Internet Gambling Enforcement Act passed by Congress, games like online poker are illegal, but one day fantasy leagues are exempt. That's because outcomes are supposed to reflect the skill of players as opposed to mere luck. Opponents, however, are urging Hawaii lawmakers to take action.

"We actually refer to these companies as scam duels and rip-off kings because that's really what they are," said Bernal. "I think any enlightened public official would be wise to take immediate action to stop citizens from getting ripped off."

So far, Hawaii Attorney General Doug Chin has remained on the sidelines, and doesn't appear in a hurry to take a position on the issue.

"While there are not currently any official AG opinions on this topic, we can't speculate on whether it's something we'll be looking into in the future," spokesman Josh Wisch, wrote in an email to KITV4.

[Under Hawaii law](#), a person engages in gambling if he or she risks something of value on a contest of chance or a future event not under their control. Since college and professional sports have undetermined outcomes, one day fantasy leagues appear to fit the state's definition.

Like marijuana, which some say is a gateway to cocaine and other hard drugs, Bernal says one day fantasy leagues are a gateway to gambling addiction, which can destroy lives.

"It's not a gateway, it's literally like an on-rushing train that they're trying to lead young people into," he said. "Many of the companies that are getting involved in this business are Internet gambling companies that are hoping to create a whole new generation of young gamblers."

Arizona, Iowa, Louisiana, Montana and Washington are the only states that don't allow any form of online fantasy sports betting. That's because they consider the leagues games of chance, not skill.

Meanwhile, Souki said he would not support a ban of TV ads that promote one day fantasy leagues, much like the tobacco industry is prevented from advertising cigarettes.

"I think there's worse things on TV than advertising fantasy sports," he said.