

---

---

# HOUSE CONCURRENT RESOLUTION

URGING THE UNITED STATES CONGRESS AND PRESIDENT OF THE UNITED STATES TO ENACT LEGISLATION THAT WOULD LEGALIZE AND REGULATE ONLINE POKER.

1           WHEREAS, the game of poker is at least a few hundred years  
2 old, and the popularity of poker gradually began to rise in the  
3 1970s; and

4  
5           WHEREAS, after online poker debuted in the late 1990s,  
6 poker has grown from a niche game with a rather louche  
7 reputation to a more respectable form of entertainment,  
8 especially because of the mental agility and acuity the game  
9 requires; and

10  
11           WHEREAS, research firm Christiansen Capital Advisors  
12 reported that online-poker revenues grew from \$82.7 million in  
13 2001 to \$2.4 billion in 2005; and

14  
15           WHEREAS, online players, the majority of whom live in the  
16 United States, are expected to bet approximately \$6 billion in  
17 2011; and

18  
19           WHEREAS, poker can be regarded as a game of skill, because:

20  
21           (1) The essence of the game is correct decision-making;

22  
23           (2) To make the right decisions consistently, poker  
24 players must employ a range of skills, including a  
25 sophisticated knowledge of odds and the ability to  
26 directly influence the way an individual hand turns  
27 out;



- 1 (3) What is called a "bet" in poker is not really a wager  
2 on a chance event but actually a maneuver or gambit  
3 designed to provoke a desired reaction from an  
4 opponent;
- 5
- 6 (4) Poker players use their "bets" principally to  
7 communicate with, manipulate, and intimidate their  
8 opponents;
- 9
- 10 (5) Novice poker players can improve their skills through  
11 study, practice, and the accumulation of game  
12 experience--similar to golfers and chess and bridge  
13 players; and
- 14
- 15 (6) The existence of numerous poker schools and academies  
16 are evidence that poker skills can be taught and  
17 learned;

18  
19 and

20  
21 WHEREAS, online poker features characteristics that further  
22 reduce the role of chance in determining outcomes in comparison  
23 to live poker, such as the fact that online play typically  
24 involves many more hands than an ordinary live poker match,  
25 because hands are dealt much faster and many players play  
26 multiple tables simultaneously; and

27  
28 WHEREAS, it can be argued that online poker is not a "game  
29 subject to chance" that violates the Unlawful Internet Gambling  
30 Enforcement Act, 31 United States Code §§5361 et seq., and the  
31 Wire Act, 18 United States Code §1084; and

32  
33 WHEREAS, however, the Department of Justice continues to  
34 hold the position that poker is a "game subject to chance" and  
35 violates both the Unlawful Internet Gambling Enforcement Act and  
36 the Wire Act; and

37  
38 WHEREAS, the legalization and regulation of online poker  
39 could generate much-needed revenues for government at both the  
40 state and federal levels; now, therefore,

41  
42 BE IT RESOLVED by the House of Representatives of the  
43 Twenty-sixth Legislature of the State of Hawaii, Regular Session  
44 of 2011, the Senate concurring, that Congress and the President



1 are urged to enact legislation that would fully legalize and  
2 regulate online poker in order to:

3

4 (1) Remove any ambiguities and concerns on the part of  
5 players and law-enforcement agencies about whether  
6 online poker is a form of gambling that violates the  
7 law; and

8

9 (2) Enable the state and federal governments to generate  
10 much-needed revenues to carry out their  
11 responsibilities;

12

13 and

14

15 BE IT FURTHER RESOLVED that certified copies of this  
16 Concurrent Resolution be transmitted to each member of Hawaii's  
17 Congressional delegation, the President Pro Tempore and Minority  
18 Leader of the United States Senate, the Speaker and Minority  
19 Leader of the United States House of Representatives, and the  
20 President of the United States.

21

22

23

OFFERED BY:

Tom Brown

MAR 14 2011

