

SPEAKER BARRETT: Perhaps Senator Chambers would like to respond. Would you respond to a question, Senator Chambers?

SENATOR SCHMIT: Wait a minute.

SPEAKER BARRETT: Oh.

SENATOR SCHMIT: I would rather pick who I am going to ask, if you don't mind. I would like to...is Senator Kristensen on the floor? I notice he voted against advancement of the bill.

SPEAKER BARRETT: Senator Kristensen is on the floor.

SENATOR SCHMIT: Senator Kristensen, it would appear to me that although this bill is addressed toward the NCAA that it might have ramifications greater than that and because of the fact that in effect we are extending the field of due process to a private organization and I don't know whether that's good or bad, I'm not trained in that way, but it just seems to me like maybe we are getting into an entirely new area; and then Section 6 of the bill provides for the penalty and the penalty, as I understand it, says it shall be a 150 percent of the yearly gross of the athletic program that was affected. And I guess I would like to know, first of all, why you voted against the bill, if you have concerns that are somewhat parallel to mine, and if you would explain to me your position on the bill?

SENATOR KRISTENSEN: Senator Schmit, I had some questions about due process in general about what was going to happen if we applied this to the NCAA, I had some problems with the penalty section. I spent most of the morning with Senator Chambers, once he got here. I was going to talk about the bill but I wasn't prepared this morning to lay out my proposals and pretty much agreed with Senator Chambers. I was going to wait till we had an Attorney General's Opinion on this bill, then look at my thoughts as to what I would do with the bill later. But I had some questions about the penalty section, about the amount of that penalty and how we would measure it and if that was going to be a burden.

SENATOR SCHMIT: I would like to ask Senator Warner a question then relative to a penalty section.

SPEAKER BARRETT: Senator Warner, would you respond to a