

SENATOR CHAMBERS: But here's the point that I'm making, no matter what form this law takes or which agency they place in charge of administering it, it is based on the idea of tampering with an athlete who still has NCAA eligibility remaining. And to be eligible under NCAA rules, as you know, he cannot work, cannot accept anything of value, and all that litany of injustices. So by passing this type of legislation these states are becoming enforcement arms of the NCAA. And, if an NCAA rule changes with reference to eligibility, then that means that the law would automatically change too, which would be a delegation of our law-making authority to the NCAA rules makers. So that is what I mean by the underlying NCAA requirements.

PRESIDENT: One minute.

SENATOR HALL: Senator Chambers, to your knowledge have any of these approximately 12 states had any problems with delegation or constitutionality as you raise, that have adopted this?

SENATOR CHAMBERS: Well, I do know that there were a couple of agents who were convicted, it may have been in Georgia in one of those states, and the appeals court overturned the convictions.

SENATOR HALL: Other than that specific case, has it come up at all?

SENATOR CHAMBERS: I don't know that it has been before a court for final resolution, but there are a couple of agents now that have been charged under bills like this, but they haven't gone to court yet.

SENATOR HALL: Thank you, Senator Chambers. Mr. President, members, I rise in opposition again to the kill motion offered by Senator Chambers, because I think the issue is, as he stated, one of he does not feel we should tie ourselves to the NCAA. That is, I guess, a choice and a decision that we make as a body. I agree with Senator Chambers when he raises some of the specific issues in the bill that I also would probably try to amend as we go farther along with LB 224. But at this point in time I would urge the body not to kill the bill, because it is a serious issue that we must address. It has been around for a long, long time as both Senator McFarland and Senator Chambers have addressed. It will not go away whether we use the arguments that Senator Chambers would offer, or if we decide to just not move on this bill this year. It is one that we will