

PRESIDENT: Senator Schmit, please, followed by Senator Chambers.

SENATOR SCHMIT: Mr. President and members, as I read the bill further and listen to the debate I am amazed at all of the decisions that need to be made. I guess I'm curious as to why sometime someone hasn't proposed that the agent must be an attorney, because obviously only attorneys are qualified to make some of these legal decisions which certainly are designed to protect the athlete. Year after year on this floor we find ourselves in the position of building a fence around a profession or a business or an entity, sometimes it gets down to the point where special legislation is so fine and so finite as to be almost absurd. It would appear to me that the passage of the bill in the present form is one more attempt to protect a certain area, albeit perhaps some kind of professionalism, but to make it more difficult for the amateur to get into it, more difficult for someone who might be qualified to get into it, more difficult for someone who might be a particular friend or relative of the athlete, and it would seem strange that it would be possible for the relative to work without any compensation, but that it would not be desirable for that same person to work with compensation. It seems to me that the athlete ought to be able to make that decision and that the well-being of the athlete ought to be the prime consideration. My principal concern is this, and I will almost guarantee that there will be many, many individuals over the course of the next two years who will not be able to get into this business because of the passage of this bill. Hopefully some of them will be undesirable people, but on the other hand I would venture a guess that some of them will be desirable people, but who will take a look at the statute and say, well we just don't think we can qualify. What we are really doing here is that we are limiting, we are limiting the number of people who can represent athletes. That will, in effect, I'm afraid have the opposite effect upon fees and schedules which the introducers of the bill are trying to accomplish. Any time that you limit the available market, that's what we are doing, the cost goes up and the ability to charge a fee goes up. Now the reference was made to the 13 percent that was charged Mike Rozier of a \$5 million contract. I don't know whether that was a fair fee or not. I do not believe that anyone on this floor can tell you whether it was a fair fee or not. It might well be that had I negotiated that contract I'd have done it for \$500,000, total price. In that case, whatever fee I charge would have been unfair because