

deterrent to violate sections of the act, but also to give the particular county attorney the authority to prosecute. If the athlete chooses to forego taking any action on behalf of himself, of course, the county attorney can prosecute even if the athlete did take action, but it is to give a criminal sanction and to oppose a penalty to that. So, for that reason, I don't have a problem with this particular amendment at this time, if that is the objection. It may very well be that we were going to amend that section anyway, and so I would suggest at this time just adopt the amendment, then we can vote on the bill. And I will be glad to address it on Select. Thank you.

PRESIDENT: Thank you. Senator Chambers, please.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, again, going to the amendment that is being offered by Senator Lindsay, I read it, I would like to point out that there are different terms in this bill and his amendment is vague the way it is drafted because it says, pay damages to the athlete, but it doesn't tell which athlete. There are two categories that are described in the bill. There is a student athlete, there is a noneligible athlete, and the two are different. The amendment doesn't do what is needed to do...to be done by specifying which one is involved, so I would like to ask Senator Lindsay a question, his having heard what I stated. Senator Lindsay, which category of athlete would your amendment be addressed to?

SENATOR LINDSAY: It would be addressed to both categories.

SENATOR CHAMBERS: What damages do you envision being suffered that can be responded to in money by either category of athlete, because there are no punitive damages in Nebraska. What money damages would the athlete suffer?

SENATOR LINDSAY: I guess the most obvious example is if a player loses his eligibility by reason of an inducement given by an agent, he would be liable for that loss of college eligibility, whether that is...obviously, you are getting into the law of damages and what can be proven and what can't be proven. If you can prove that because of an additional year of college eligibility that that athlete may have gone higher in the draft or been able to negotiate a higher contract, then that is one element of damage.

SENATOR CHAMBERS: Senator Lindsay, would those damages be