

SENATOR MCFARLAND: My colleague from Lincoln explains his position very clearly, as he usually does. The discriminatory effect of the bill is...or of the practice, I should say, by the NCAA, is that it puts the nonathlete and the athlete and treats them differently if they happen to receive financial aid or are eligible to receive financial aid. For the nonathlete, he or she can receive as much financial assistance as necessary, no restrictions are applied at all. For the athlete who is a nonscholarship athlete, then he or she must make a choice of whether to accept the financial aid and not participate in athletics, football or basketball, or make the choice to go ahead and participate in athletics, and then have to forego the financial aid, and I don't think that is a fair situation. The question is the uncertainty of the results of passing a bill like this, and the effects and problems that it may engender. Again, it gets to how you want to remedy the situation. I should interject here that I am not a great supporter of many of the NCAA's activities and their rules. I will give you what I hear as their rationale for the rule. Their concern apparently is that there are a lot of large institutions who have a lot of financial aid to dole out, so the University of Southern California and the Miami University, Texas University, large institutions, I think it probably would include Nebraska as well, have financial aid packages to give, whereas the more moderate size or smaller universities may not have that. So you have Arkansas A & M, and you have Texas A & I, and you have Abilene Christian, and various other schools do not have the financial aid maybe that the larger universities would have. The concern the NCAA has, and part of their rationale for the rule is that if, in fact, you allow schools to give aid to athletes, that it could be abused in the larger schools, the University of Southern Cal, or Miami, or whoever, could then circumvent their scholarship limits by saying we have a lot of financial aid available, we can't give you a scholarship, young man or young woman, but you come to our school and we will structure it so that you get financial aid. This idea of the NCAA is that that would put the smaller schools like Abilene Christian or Arkansas A & M at a competitive disadvantage in recruiting players because they want to recruit them to their schools as well, and they want to recruit them and offer them scholarships and so on. That is the idea, and there is some logic in it, although the practical effect is very harmful, particularly for the students we have at the university. The concern I have is the consequences. We don't know what the consequences would be in passing this type of legislation. We