

given directly to the student. The money is turned over to be used in compliance with the conditions of the athletic aid program created either by federal or state law. If you turn to page 4, you will see that we get to the measure of damages. But, before we get to that, we see what would constitute a violation. In Section 5, if the NCAA or any intercollegiate athletic association threatened to impose a punishment or imposed a punishment on the university for obeying this state law, that association itself is in violation. And, having been found in violation, it can be fined from \$25,000 to \$100,000. Sounds perhaps like a staggering amount, but when you consider the fact that they have multimillion dollar contracts with the networks, this amount is not that large as far as hurting the association, but it's large enough to make them think twice about violating this law. And that fine would be imposed for every violation. Section 6 would prevent the university from trying to punish a student for taking advantage of this law. I doubt that the university would. But, by putting the sanction against the university, its hand is strengthened when it talks to the NCAA or the court to show why the university itself must comply with this law. Subsection 7, starting at the bottom of page 4 and going up to the top of page 5 talks about the fine. Now, in Section 9 the Attorney General is to enforce Sections 7 and 8, which go to a violation by the NCAA against the university, or the university against the student. And the reason the burden is placed on the Attorney General is simple. These athletes don't have a lot of money, they cannot afford legal counsel. And since it's in the nature of a criminal violation, the responsibility for enforcement is properly placed on the Attorney General. Section 10 points out that should a punishment be imposed by an athletic association, against the university, such as being barred from a bowl game, appearing on television or whatever might result in an economic loss to the school. If that penalty is imposed in violation of this law, the measure of damages is the total amount that the university would lose as a result of that sanction. In order to determine what that amount would be, you look at the gross amount that the particular program earned in the prior year. So, let's say that the university would be barred from a bowl game, and last year they realized \$3 million, just to take an arbitrary figure. Let's say that they are sanctioned in violation of this law, and they go to court and establish it. Whoever imposed the sanction would be liable to the university for that amount of money which was lost as a result of the sanction. In addition, attorneys fees could be recovered. Section 11 on page 6 talks about the