

SENATOR NELSON: Oh, I don't serve on the committee that heard it, but I kind of understood that a comment, just as conversation, that there were very few senators or the university presented testimony that, what, only four or six students or even maybe less, help me out on that.

SENATOR CHAMBERS: It was heard by the Judiciary Committee and I think you remember.

SENATOR NELSON: All right, well, maybe this is where I got it then. All right, thank you. Yeah, all right, thank you. What do you know, you talk about a red face once in awhile, see. I've got another one, the Exon versus the university, I ran into this with the nursing legislation a few years ago and, as far as I know, Senator Beutler, that still stands, so that is my concern. Next one for Senator Chambers, is this uncon...either the NCAA would be constitutional or the university, am I correct in that it can't be both, and I heard that in Judiciary.

SENATOR CHAMBERS: Senator Nelson, you have to keep distinct which bills we are dealing with. This is the one that deals with the aid to the players, I meant to any student, but if you are going to play on the varsity team and you are what is called a walk-on, you have to give up your aid in order to play. The Attorney General gave an opinion saying, and for Senator Beutler, that this would be constitutional. Senator Beutler, this bill has a different number from the one that the Attorney General gave his opinion on but it is essentially the same bill. The main difference is that it does not give a measure of damages which would be 150 percent of the loss. It simply says 100 percent because we can't give punitive damages.

SENATOR NELSON: I told Senator Chambers I wanted a shade of my time. I got to thinking, you know I was across the street in a retirement hearing so I hope that clears me a little bit but I did then read this information. Thank you.

SPEAKER BAACK: Thank you, Senator Nelson. Senator Morrissey.

SENATOR MORRISSEY: Mr. Speaker and members, I have a question for Senator Chambers, and I'd give him the rest of the time to answer that and any other questions that were brought up. Would this legislation allow certain universities to establish scholarships to get around the intent, in other words, where would the language addressing the need-based scholarships