

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

March 10, 2003 LB 688

exact same type of bill and amendment that you two have out there. And two other states come out and throw up something that's similar but a little bit different, where they say, well, you know, the university...where the university has the right to say...decide what that stipend will be. I mean, there's more specific information in their enabling legislation. I see problems with that, based on what...how much the particular state believes their football program at their university is worth. That's why I keep going back to the federal aspect of what we're dealing with. Is there a way that we can get either the federal government or the NCAA to act, without taking a step that could jeopardize us in the future by having an amendment like this and a bill...and a law like this that would leave us hanging and leave us prey to another state's decision making here? I mean,...and I don't know if that's an answerable question. I guess I'm asking you, does this...does an amendment like this and a bill like this leave us hanging with three other states, and leave us in a dubious situation? I guess I'd leave it at that.

SPEAKER BROMM: Senator Beutler.

SENATOR BEUTLER: Senator, I think that's a good question. I think that it would result in some legal confusion, to say the least. But I think the point of what Senator Chambers is trying to do is to get our college president and the college presidents to act. And Senator Chambers can correct me if I'm wrong here. But as I understand the situation, it's the college presidents that can ultimately control what the NCAA does. And it is getting them to act that is the important item, as I understand it. And I would invite Senator Chambers, who knows more about this than I do, in terms of the technical legal relationships, to comment on that. But there are lots of problems with...we don't have a direct method of forcing a response in this instance. That's one of the problems of Exon v. the Board of Education (sic) to start with. You know, we can't control the governance of the university. Senator Stuhr is probably going to be upset with some of the cuts that the university may propose this year. In a strict legal sense, she can't do anything about it, for the most part. But in a practical sense, here in the Legislature, what we say is certainly heard and paid