

E & R AMENDMENTS TO LB 688

1           1.     Strike the original sections and all amendments  
2 thereto and insert the following new sections:

3           "Section 1. The Legislature finds and declares that:

4           (1) Scandals are rampant throughout college football as  
5 evidenced by schools placed on probation by the National Collegiate  
6 Athletic Association, coaches dismissed or forced to resign for  
7 improprieties, and players being declared ineligible to compete for  
8 violating rules against receiving fair financial compensation;

9           (2) Many players are recruited from impoverished families  
10 and the rules of the National Collegiate Athletic Association  
11 prohibiting reasonable financial compensation render such players  
12 vulnerable to inducements, benefits, and other types of  
13 compensation which are defined as illicit by the National  
14 Collegiate Athletic Association rules;

15           (3) A fair rate of financial compensation would give  
16 players a choice when offered illicit inducements, compensation, or  
17 assistance;

18           (4) Rules of the National Collegiate Athletic Association  
19 prohibiting compensation are unduly restrictive and unreasonable,  
20 promote unfairness, encourage dishonesty in recruiting and  
21 retaining players, and would not be tolerated if applied to all  
22 students; and

23           (5) Players at United States service academies are  
24 compensated while in attendance and are eligible to compete against

1 schools which are members of the National Collegiate Athletic  
2 Association.

3 Sec. 2. The Legislature further finds and declares that:

4 (1) The University of Nebraska-Lincoln participates in a  
5 national intercollegiate football program which produces millions  
6 of dollars through ticket sales, lucrative national television and  
7 other electronic broadcast contracts, and participation in  
8 postseason bowl games;

9 (2) The football program promotes the university and  
10 generates valuable intangible benefits such as enhancement of  
11 image;

12 (3) The exertion of players and the revenue they generate  
13 produce employment and salaries for many others, subsidize other  
14 sports programs at the university, and underwrite travel expenses  
15 of numerous university officials, staff, and others who attend  
16 postseason bowl games in which the team participates;

17 (4) The university employs a large athletic department to  
18 administer its intercollegiate athletic program and a sizable  
19 football coaching staff charged primarily with the responsibility  
20 of producing a team capable of competing successfully against the  
21 best teams in their conference and in the nation and of generating  
22 as much revenue as possible;

23 (5) Maintaining a winning football team has become an  
24 integral aspect of the overall business or occupation of the  
25 university as an institution;

26 (6) The football program of the university could not  
27 exist without the athletes who play that arduous and dangerous

1 game;

2 (7) Such athletes do not appear at the university by  
3 accident or happenstance but are actively recruited by university  
4 personnel at considerable expense;

5 (8) Such athletes are not recruited nor are scholarships  
6 awarded on the basis of need or academic achievement but for  
7 athletic prowess, the recipients having been recruited to be  
8 football players and not scholars;

9 (9) Many players spend more time on football-related  
10 activities than academics; and

11 (10) Because a sound academic program for football  
12 players may be difficult to develop due to the demands of the  
13 sport, football players are entitled to some tangible return for  
14 the strenuous work they perform and the revenue they generate for  
15 the benefit of the university.

16 Sec. 3. The Legislature further finds and declares that,  
17 in the same manner that nonathlete students are compensated for  
18 performing various tasks while a student, football players shall be  
19 entitled to fair financial compensation for playing football.

20 Sec. 4. Any person who competes in the sport of football  
21 for the University of Nebraska-Lincoln may be granted a stipend,  
22 the amount of which shall be determined by the university. In  
23 addition, the university may in its discretion grant a stipend to  
24 persons who compete in sports other than football which participate  
25 in Big Twelve Conference competition.

26 Sec. 5. Nothing in this act shall be construed to make a  
27 person a professional athlete.

1                   Sec. 6.     This act shall become operative whenever laws  
2     granting a similar stipend or similarly restricting hours of  
3     participation are enacted in at least four other states which have  
4     teams that compete in the Big Twelve Conference or its successor.

5                   Sec. 7.     As a preferable alternative to the requirement  
6     of section 4 of this act, the University of Nebraska-Lincoln may  
7     limit the number of hours required to participate in  
8     intercollegiate athletics to such number that participation in a  
9     sport would not impede the student athlete's ability to carry a  
10    regular academic workload which will allow such student athlete to  
11    graduate in four years, will allow the student athlete adequate  
12    time to participate in the intellectual and cultural activities on  
13    campus, and further will allow the student athlete to work an  
14    average of at least twelve hours per week during the academic  
15    school year.".

16                  2.     On page 1, strike line 2 and insert "provide for  
17    paying a stipend to or restricting hours of participation for  
18    persons competing in intercollegiate athletics; and to provide for  
19    applicability of provisions.".