

Vol. 84, Issue 3, Sept. 6, 1977



# The Nevada defeat

An update, page 4-5

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THE BAHA'I STUDEN'T ASSOCIATION PRESENTS

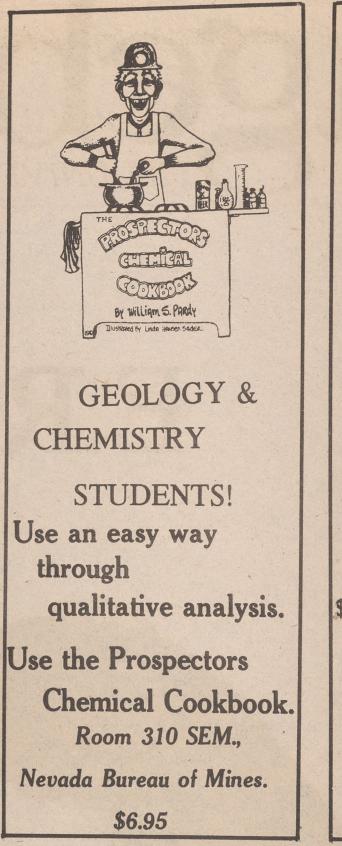
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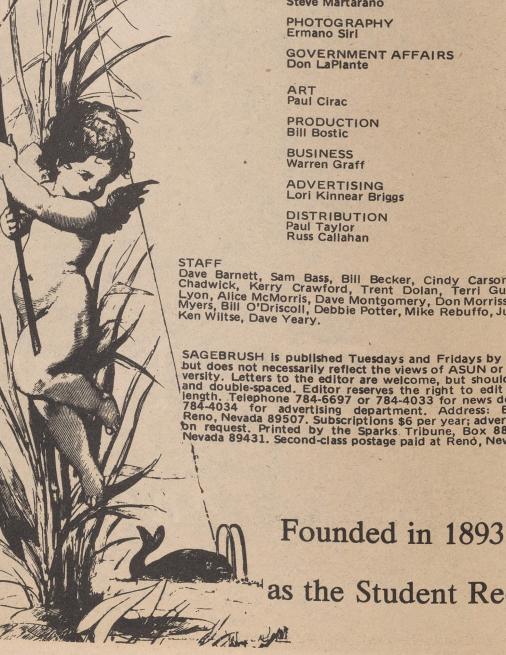
for interview.

Sageb Sept. 6, 1977 EDITOR Laura Hinton

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as the Student Record

# **UNLV president Baepler doubles as acting chancellor**

#### DON LAPLANTE

LAS VEGAS-Donald H. Baepler, president of the University of Nevada-Las Vegas, has been named acting chancellor of the state university system effective Sept. 20.

Baepler was selected by the Board of Regents at a special meeting Friday on the UNLV campus. He will replace Neil Humphrey, who resigned effective Sept. 19 to become president of the University of Alaska.

The regents originally voted 7-1 to select Baepler over the only other nominee, former Washoe County manager Russ McDonald. However, at the end of the roll call Reno regent Dr. Fred Anderson switched his vote to make it unanimous.

Baepler, a 45-year-old biology professor, will commute between Las Vegas and Reno, where the chancellor's office is based, until the regents select a permanent chancellor in four to six months.

Immediately after the meeting, Baepler told members of the press he would not be a candidate for the permanent position nor would he be drafted for it. He also plans to resign the UNLV presidency within a couple of years to return to the classroom tull time.

The selection of Baepler did not come as a surprise. He had been the most frequently mentioned person for the post. The others mentioned had been McDonald and former UNLV president Donald Moyer.

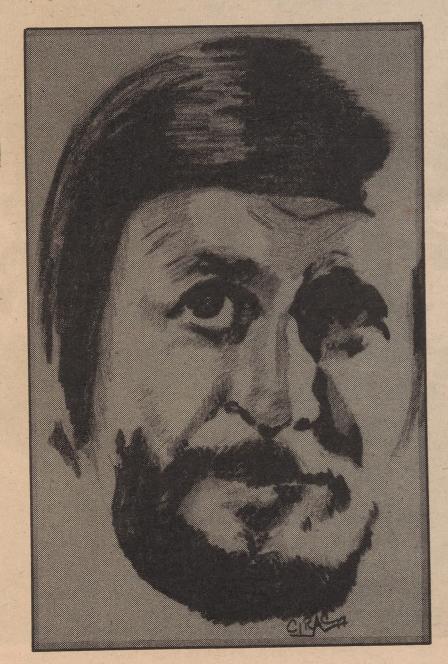
The major surprise of the meeting was that regent Lilly Fong of Las Vegas did not nominate Moyer. She and three other Las Vegas regents had met Moyer for an "informal interview" which had been widely criticized in the Las Vegas media.

Although it was legal, the interview aroused fears that the new chancellor might be selected in secret. Fong had also expressed opposition to Baepler as not having enough business experience.

When nominations opened, regent Chris Karamanos of Las Vegas nominated Baepler, and he was seconded by John Tom Ross of Carson City. Anderson nominated McDonald and was seconded by regent Dr. Louis Lombardi of Reno.

Discussion of the nominations took less than half an hour and was done in open session. Some regents apparently wished to go into closed session to discuss the nominees' qualifications, but regent chairman James L. Buchanan insisted the meeting remain open.

Buchanan said he wanted the meeting to be open, es-



pecially considering the informal meeting by some regents with Moyer.

During the discussion, there was no argument about Baepler's qualifications, but there were serious questions about whether the two jobs of UNLV president and chancellor would be too much of a strain.

"I have no reservations about Dr. Baepler, but if this [the search for a chancellor] does take time, I don't know how one person can do both jobs. I think we are asking too much of Dr. Baepler," said regent Molly Knutdsen of Austin.

Baepler allayed these fears by telling the regents that if the search extended beyond six months or so, he would come back to the board and suggest either the appointment of a second acting chancellor or an acting president for UNLV.

The vote was a clear vote of confidence for Baepler, with all the regents present eventually voting for him. The only regent absent was Brenda Mason of North Las Vegas who entered McGeorge Law School in Sacramento last month and did not make it back for the meeting.

During the meeting, a search committee of four regents was appointed to screen applicants and interview persons for the permanent chancellor post.

Chairman Buchanan named Ross chairman, Knutdsen the vice-chairman, Karamanos and himself to the committee. Although neither of the two Reno regents was appointed, Buchanan later said he thought the appointments were fair with two from the north and two from the south.

All the regents will receive copies of applications and all will be invited to attend interviews.

The timetable adopted by the regents calls for immediate advertising of the position in the *Chronicle of Higher Education* and sending letters to colleges and universities throughout the country. Applications will close on Oct. 31.

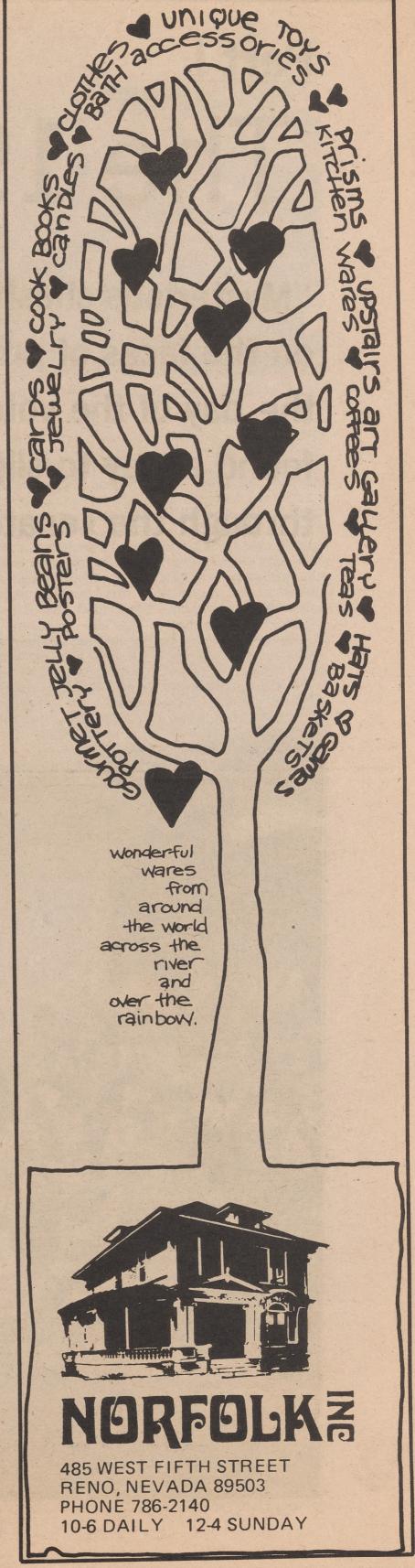
The search committee will meet in November to decide which of the applicants to interview. Those picked would be brought in for interviews in Reno and Las Vegas.

The applicants would then come in December to be interviewed by regents, faculty senate chairpersons and student body presidents. Later in December the search committee would consult with the System Equal Opportunity officer and make recommendations to the full board.

In January, the regents would interview selected candidates and make a final choice, with the new chancellor taking office as soon as possible.

After Friday's meeting, Baepler said he plans to spend

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Donald H. Baepler will be acting chancellor Sept. 20.

this afternoon and Wednesday in Reno with Monday, this morning and Thursday in Las Vegas. He said he would spend Friday wherever he thought he was needed most.

Baepler needs to be at UNLV to teach a biology class on Tuesday and Thursday mornings. He said he tries to teach a class every semester and he hopes to write a book on the birds of Baja, California.

He said he plans to run the chancellor's office as if the word "interim" did not appear before the title.

"You have to adopt a philosophy not to go into holding action. Thre is a tendency to delay decisions. You have to act as though there was no interim period. Things must go on as usual," Baepler said.

Baepler said he realizes that he might tip toward UNLV in his actions, but he expects the Board of Regents and the other division presidents to watch out for that.

"The very process precludes that bias from working. The system really does ooperate on a group basis. In some states, what the chancellor says goes. That's not true in Nevada. Any decisions between UNR and UNLV would always go before the regents. I do expect Max [Milam, UNR president] and the regents to scrutinize what I send to them," Baepler said.

Baepler has been at UNLV since 1968 when he became vice-president for academic affairs. He served twice as acting president before assuming the position permanently in 1974.

He had been at Central Washington State College for eight years before coming to UNLV, where he was dean of administration, assistant to the president and a member of the biology department.

Baepler has a bachelor's degree from Carleton College and master's and Ph. D. degrees from the University of Oklahoma. He is a member of various professional societies.

# Part I The 1977 Nevada defeat of the ERA

"Mysterious cheshire grins" were on the faces of pro-ERA legislators the day of the vote. They had found a way to slip the ERA through the senate.

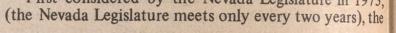
In 1975, the Sagebrush published a series of articles amendment suffered a crushing defeat in the senate ture writing. We asked the author, Dennis Myers, to update the series to reflect the events of 1975-1977.

**DENNIS MYERS** 

Rights Amendment this year came about in a totally un. ily, 27-13. Assembly, which had previously embraced it.



expected fashion. It was passed in the Senate, which had



photos by Myers

entitled "How the Equal Rights Amendment Lost in Ne-vada." That series subsequently won several awards from had left senators uncertain about the amendment's posthe Rocky Mountain Press Association and the Nevada sible effects and political fallout. After the senate defeat, State Press Association for community service and fea. ERA failed even to reach the assembly floor; it died in

ERA proponents then spent two years advancing pub--Editor lic education and understanding of the amendment, and engaged in an aggressive political campaign. The results were a clear victory: the assembly, which had previously The defeat by the Nevada Legislature of the Equal declined to consider the amendment, now passed it eas-

The senate (which has a slower turnover than the astwice previously rejected it; and it was rejected in the sembly, with four-year instead of two-year terms) doubled the number of pro-ERA votes from four to eight, First considered by the Nevada Legislature in 1973, nevertheless defeating it again, 12-8. Again proponents went to the electorate.

And again, voters favored the amendment; the 1976 election returns added another two ERA proponents to the senate, the center of ERA opposition in the legisla-

In the assembly, of the 25 pro-ERA legislators who sought reelection, 23 were reelected, and the two who lost were replaced by other proponents. All in all, an easy majority of candidates who had run as ERA proponents were elected to assembly seats.

The addition of two new proponents to the senate created the prospect of a tie, throwing immediate attenion on the role of the president of the senate, Lt. Gov. Robert Rose. The state constitution named the lieutenant governor as president of the senate, and was also the have passed the measure outright, eliminating any doubt source of his voting powers.

However, that document seemed to conflict with itself on that point-there are two separate provisions for deciding a question, one seeming to support, the other seeming to limit his ability to cast a tie-breaking vote. It was a matter for legal interpretation and precedent.

Both, as it happened, favored the lieutenant governor's power to break any tie. There had been at least one previous lieutenant governor who had broken a tie on a joint resolution (the customary means of ratifying a constitutional amendment) in Nevada. And in 1975, the legisla- ing account, is inescapable.)

Even if passed by the senate, the rule would have no effect, since the lieutenant governor's voting powers are granted in the Nevada Constitution and can scarcely be affected by a senate rule. Accordingly, Lt. Gov. Rose said he had every intention of voting in the event of a tie. "If I do have the constitutional right," he told Bill Phillips of the Reno Evening Gazette, "then no senate rule can take it away from me . . . if I don't have that right, no senate rule could ever give it to me." (The rule was later adopted by the full senate and subsequently ignored as Rose broke two ties on different occasions.)

But Senator Richard Blakemore (D-small counties), an ERA opponent, had one more idea to frustrate the possibility of a tie. He announced that he or another opponent would abstain from voting on the ERA, thus artificially averting a tie. This would give the ERA a majority of 10-9-1 (if all senators were present and voting) but the measure would still fail since a joint resolution requires a constitutional majority. 11 of 20 members.

All this activity on the senate side convinced many members of the assembly that the amendment would never get out of the senate. And since the assembly leadership had decided to await action by the senate before taking action on the amendment, there were those on the assembly side who felt this meant they would never have to vote on the issue at all.

The supporters, meanwhile, were pursuing their own strategies in the senate. Two approaches were followed in the opening days of the session.

First, an 11th senator's vote was sought. This would and avoiding a court fight over a tie-breaker. Most of the attention focused on Senator Eugene Echols, a Clark County Democrat, as the only soft vote. Previously having voted against ERA, Echols was considered to be in serious political trouble in facing a 1978 reelection after having filed a gigantic bankruptcy action. (Ironically, Senator Gibson in 1977 appointed Echols to the Senate Finance Committee, after the bankruptcy was filed; the comparison to Bert Lance, heading the Office of Management and Budget while unable to balance his check-



So as the days passed, it appeared clear that votes for the amendment would fall short of passage in the senate. This, again, was duly noted by many assembly members. Following joint hearings by the Senate and Assembly Judiciary Committees in Carson City and Las Vegas, a vote in the senate was set for Feb. 9. On Feb. 8, however, the vote was moved up to an evening session at 8 p.m., to accommodate Senator Norman Glaser (D-small counties), who was scheduled for eye surgery in the east. (In a signed column in his hometown newspaper, the Henderson Home News on Feb. 10, Senator Gibson blamed Senator Glaser's eye condition on ERA supporters.) Ironically, this time change-made to accommodate an ERA opponent-played right into the hands of

the proponents.

During the day, according to the Reno Evening Gazette, there appeared "mysterious cheshire cat grins on the face[s] of some legislators." The reason was simple. Proponents had found a way to slip the ERA through. (And the earlier session meant less time for the secretheld by proponents on a need-to-know basis-to leak out. Shortly after the opening of the evening session Senator Joe Neal (D-Clark) stood and invoked Senate Rule 30; he was immediately sustained by the necessary two senators (thereby requiring the rule's implementation in the session's proceedings). Opponents looked up the rule. They found it required every senator present to cast an aye or a nay vote unless excused by the full house unanimously. There was no danger of that happening this evening. (In ordinary circumstances, a senator, who, for example, had a conflict of interest, would have no difficulty in being excused by the full house.)

# "The Senate's own rules forced every senator to cast a vote or be enrolled on the opposing side."

tive counsel had issued a legal opinion which fully upheld the lieutenant governor's voting powers in the event of a tie.

Thus, if a tie occurred, the ERA seemed a winner in the senate, since Lt. Gov. Rose was a strong supporter of the amendment.

But ERA opponents in the senate had a few cards to play yet.

Following the 1975 legislative session, the anti-ERA leadership of the legislature had fired legislative counsel Perry Burnett (whose deputy had drafted the legal opinion supporting the lieutenant governor's voting powers) and installed a new counsel, Frank Daykin, who quickly earned a reputation for slavishly obeying every utterance issued from the mouth of the most powerful member of the legislature, Senator James Gibson (D-Clark).

Now, in 1977, Gibson requested from Daykin another legislative counsel's opinion on the tie-breaking question. The result was a new opinion which conflicted with the old and argued that the lieutenant governor had no tiebreaking power on bills or joint resolutions, only on concurrent resolutions and minor matters.

Gibson then moved quickly. A Senate Democratic Caucus was scheduled; Gibson told some members, including Senator Mary Gojack (D-Washoe) that the caucus would consider only routine, housekeeping matters. Thus, Senator Gojack, an ERA supporter, did not attend. Once the caucus had begun, however, Gibson unveiled a new proposed senate rule. The rule, based on Daykin's opinion, would bar the lieutenant governor from voting on bills and joint resolutions. Gibson's motion passed, though it still had to go to the full senate for approval.

Echols was thus in need of every friend he could find. Moreover, he is elected from Senate District Two, which last year saw a "litmus paper" test election on the ERA issue which resulted in the defeat of an anti-ERA incumbent. Echols, however, declined to state any intention to support the amendment prior to the vote.

which would have required that ratification be carried out by concurrent resolution rather than joint resolution. While there might have been a question about the lieutenant governor being able to vote on bills and joint resolutions, there is none about his being able to cast a tie-breaker on a concurrent resolution. A motion for such a rule would have passed, since only a simple majority was needed, if all pro-ERA senators held firm on the move. (In the event of a tie on a rules motion, the lieutenant governor could have voted; had a senator then abstained to avert the tie in such a case, the motion would have carried by a 10-9-1 majority. No constitutional majority of 11 members is needed in such a case, and the lieutenant governor's vote on such minor matters is unquestioned.)

This strategy foundered, however, on the unwillingness of one of the pro-ERA senators, William Raggio (R-Washoe), to go along. Senator Raggio felt the move would "warp" the rules for the sake of a single ratification effort. A number of Republican women were assigned to lobby Raggio, and the Commission on the Status of Women in Reno passed a resolution asking him to back the move, but he held firm.

Lt. Gov. Rose ruled that any senator who attempted to abstain or otherwise not vote would be considered as voting nay (a ruling supported by the legislature's secondary rules, Mason's Manual). In other words, the senate's own rules forced every senator to cast a vote or be enrolled on the opposing side.

Thus, although Senator Blakemore abstained to avert Proponents for a time also sought a rules change a tie and Senator Echols responded to the pressure he was under by also declining to vote, their votes under the rules were tabulated as opposing votes, thus creating a tie. The lieutenant governor, acting as president of the senate, broke the tie in favor of ERA, 11-10. The ERA had passed the senate.

The opponents were in an uproar, on their feet and protesting the stunning turn of events. But the house, on a 10-10 vote, sustained Rose's rulings. (A tie sustains the chair, so no tie-breaker was required.)

The opposing senators continued to protest and raise appeals, and the rhetoric on the complicated parliamentary situation sometimes became comic. Senator Keith Ashworth (D-Clark), for example, at one point said, "Mr. President, would you please rule what the prevailing side of the motion was that I was not on, because it was a tie vote, if you please, and the question now is whether you had the chance to break that tie and you were the one who even broke that tie so I would like the determination on what was the prevailing side."

Finally, Senator Gojack moved adjournment-a motion which passed only when the lieutenant governor again broke a tie!

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The soft vote that didn't vote: Senator Eugene Echols.

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# **Olympic ordeal**

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When Bruce Jenner, grimacing from the pain of his ordeal, crossed the 1500meter finish line at the Montreal Olympics on July 30, 1976, he emerged as a hero of the Olympic Games, the decathlon winner.

"The World's Greatest Athlete" will be on the UNR campus when ASUN opens its 1977-78 lecture series with Jenner, at 8 p.m. Monday, Sept. 19, in the old gymnasium.

Now in a position to talk candidly of the pressures which followed him, Jenner is expected to speak his mind about the Olympics, the people who used him, and his four-year obsession to attain the world decathlon record—which he admits ended his athletic career.

Admission is free. The public is welcome.

# **Welcome Heike**

Dr. Susan Heike has joined the UNR faculty as an assistant professor in the political science department.

A native of Texas, Heike attended Southern Methodist University and Texas Christian University. She comes to UNR from Emory University in Atlanta, Ga., where she received her doctoral degree.

Her dissertation was Federal District Judges and Public School Desegregation: A Study of Judicial Decision-Making. At UNR she will teach courses this fall in the judicial process and American constitutional government.

# A natural minor

Beginning this semester, UNR will offer a minor in environmental studies. The new area of study should allow students to grasp environmental problems and hopefully help them devise solutions, according to Dr. Allen Wilcox, chairman of the Environmental Studies Board.

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Wilcox explained that traditional academic and professional programs are designed to deal with problems of society. However, problems of the environment, resources and energy require nonspecialized programs with input from fields including biology, economics and political science.

Wilcox said the broad introduction to environmental problems through the new minor could be particularly useful to those entering such fields as engineering, business and governmental service.

Interested students should contact Dr. Wilcox at the UNR Bureau of Governmental Research.

# **Cassiday awarded**

Michael Cassiday, senior metallurgical engineering student at the UNR Mackay School of Mines, has been awarded the 30th anniversary Kennecott Copper Corp. scholarship award, according to Dr. Arthur Baker III, dean of the college.

Cassiday, 29, was recommended for the award by the dean and faculty of the Mackay School and approved by officials of Kennecott.

# Faculty senate to Convene

The Faculty Senate will meet at 1:30 p.m. on Thursday in Room 214 of the Fleischmann Agriculture Building.

The senate is scheduled to discuss the proposed reorganization of some campus departments and the addition of a new vice-president for university services. would reorganize the community colleges and provide for the elimination of the community college division president.

Following action by the senates on all of the campuses the proposal will go back before the Board of Regents in October.

There will also be a discussion of proposed grants-in-aid for classified (nonprofessional) campus employees.

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#### TODAY

Events

Noon-Society of Women Engineers; Scrugham Engineering, Room 225. All classes invited to attend. 6:30 p.m.-Star Trek Club, Starbase 36; Reno branch, Washoe County Library.

7 p.m.-Play auditions, *Fashion* and *Equus*; Nevada Repertory Company; Church Fine Arts.

7 p.m.-Childbirth film, Lamaze method; Sparks branch, Washoe County Library.

8:15 p.m.-Professional boxing, Rudy Barro v. Babila McCarthy; Hyatt Lake Tahoe Hotel.



THURSDAY, SEPT. 8 1:30 p.m.–Faculty Senate; Fleischmann Agriculture, Room 214.

7 p.m.-Wildland Recreation Club; Renewable Resources Center, Room 31.

7 p.m.-Slide and fashion show, Northern Nevada Weavers and Spinners Guild, Reno branch, Washoe County Library.

7:30 p.m.–Nevada Historical Society lecture, "Prostitution in Nevada–the History," by Guy Rocca; Sparks branch, Washoe County Library. Admission free.

WEDNESDAY, SEPT. 7

Last day for late registration and addition of courses. 2 p.m.–Travel films; Reno branch, Washoe County Library.

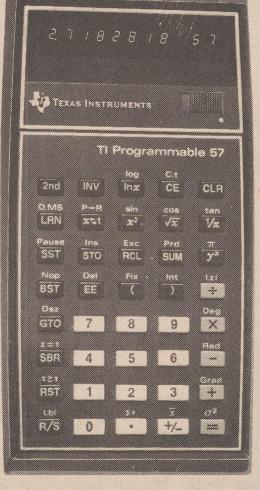
4-6 p.m.—President's Open House honoring new faculty members; main floor, Getchell Library. All faculty invited.

7 p.m.—Play auditions, *Fashion* and *Equus*, Nevada Repertory Company; Church Fine Arts.

8 p.m.-Lecture and film, *Eckankar, a Way of Life*; Sparks branch, Washoe County Library.

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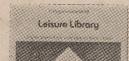


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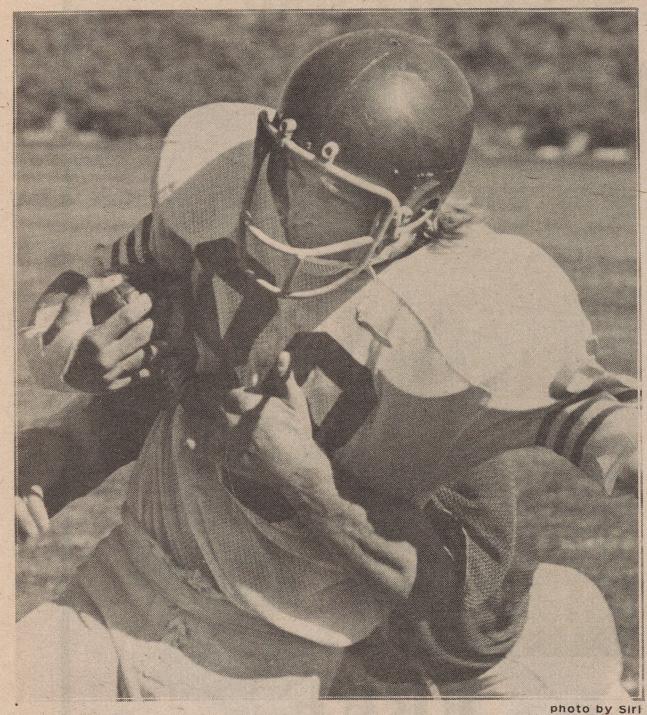
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# Sports =



An unidentified UNR ballcarrier is about ready to bite the dust in last Saturday's intrasquad scrimmage. The workout was the Pack's last one before opening Sept 10 against Westminster.

# On the sidelines

# **Golfer loses scholarship**

Dave Nelson, UNR's defending WCAC golfing champion and top Northern Nevada amateur, has lost his athletic scholarship. Nelson failed to meet university financial aid standards regarding grade point average. He will continue to compete for the Wolf Pack this spring in NCAA competition.

# Grad assistant named

George Kazlauskas, 22, has been chosen by basketball coach Jim Carey as his new graduate assistant.

Kazlauskas graduated from Rutgers University. His coaching credits include the New Jersey AAU, the Union County Bicentennial Tournament in 1976 and the New York Citywide Tournament this year. Kazlauskas will also be helping the Pack program with recruiting.

# Flag football starts

It's time for another season of intramurals at UNR. The first sport on the packed agenda will be flag football starting Sept. 12.

There will be three leagues offered: fraternities, women and open. All team entries are due in Room 100 of the Lombardi Recreation Building by 5 p.m. Thursday. Schedules will be posted Sept. 9.

# Another grass attack

A story in the latest issue of the National Collegiate Athletic Association News cites a study by Dr. Hardin B. Jones of the University of California, Berkeley, concluding that heavy marijuana use causes behavioral changes and eliminates muscle tissue.

The study reads, "... the military is discovering that an increasing number of recruits have a severe intolerance for exercise . . . [for them] exercise does not develop muscles, but rather breaks them down. This wasting of muscle mass has been observed in heavy marijuana users and in experimental animals . . . It seems prudent for coaches to be alert for this symptom in students returning from vacation."

# Season open Saturday Can Ault's crew beat last year?

### STEVE MARTARANO

If nothing else, the people of Northern Nevada have learned that when UNR foot2,542 yards and 26 touchdowns, all of them school records.

been around for a long time. More stands will line the Mackay Stadium turf, and will offer that chance. It is now the second year of the Ault

ball coach Chris Ault says something, it is at least worth a listen.

Last year at this time, people were wondering what Ault was all about. He had taken over a team so used to losing that it was doubtful whether Vince Lombardi himself could turn it around.

The turnaround, which Ault had so ardently predicted, did materialize, and it went beyond anyone's expectations. The Wolf Pack made an 8-3 mark, UNR's best since 1948, and did it in impressive style.

So the groundwork has been laid. A successful UNR footbal program is no longer just a dream, but now an expectation. And Ault does not in any way expect to sit back on past laurels.

The season begins here Saturday against patsy Westminister of Utah, and Ault and his troops have one goal embedded in their minds-the Division II playoffs. Since the Pack is not a member of a conference, the only route to those playoffs is to outdo the other western independent powers such as Santa-Clara and Las Vegas.

The overall outlook is excellent. The team lost only eight members from last year and the Pack has so much depth that it is highly unlikely any of those will be missed terribly.

Mentioning last season, quarterback Jeff Tisdel has to be brought up. Unsure and ineffective the year before, Tisdel blossomed into an All-American second team pick. The team was offense-oriented and it was no wonder, when your quarterback can toss 170 completions for

He is back as a senior and offensive captain. The whole offense should be even better. The running back depth is amazing, so returning starters Wayne Ferguson and Earl Cook will have a very difficult time seeing as much action as they did last year.

Freshman Frank Hawkins of Las Vegas has already been given a starting role by Ault. The 5-11, 185-pound 18-year-old prompted Ault to say, "I knew he was good when we recruited him, but he has been super-impressive so far. He can really help us."

The rest of the playing time will have to be divided up between David Craig, Mike Quilici, Manny Rodriguez, Paul Williams, John Vicari and Stanley Wilson, all exceptional athletes.

Ault rates his group of receivers as better than last year's. Returning will be sophomore Jeff Wright, who latched on to 55 passes for six touchdowns last season and earned an honorable mention spot on the Little All-America team.

Joining Wright will be senior Steve Senini, Jim Warner from Reno High School, and Charles Hill.

A sore spot for Ault and his staff last season was the defense. But now, after being nicknamed "The Force" by a local fan, they hope to improve on the 300 yards per game they allowed last year. Casey Stevens, a captain last year, will return to head up the renovated crew.

There is an anticipation in the community and on this campus that hasn't every home game is expected to be a sellout or close to it.

The schedule is one that Ault should feel comfortable with. Seven of the 11 dates will be at home. With Nevada playing Westminster and Western Montana, the schedule is spinkled with its share of patsies. But to make the playoffs the Pack will have to beat strong teams, and UNLV, Boise State and Cal Poly, San Luis Obispo, era and with it comes a new awareness. "I feel that I know more of what it will take for us to become the kind of team we are shooting for," Ault said. "The staff as a whole is more mature, and this year since we already have the discipline needed to win, we are able to concentrate more on football. This is a hungry bunch of guys.

