

the University of Nebraska was sponsoring an economic study tour to Russia this summer and I'm glad that Paul will have an opportunity to return to his homeland for a visit. I assume that he will take advantage of that occasion. You will won't you Paul? But, the fact of the matter is that he goes on at several...in several columns at some length without ever once mentioning that the Supreme Court, not Senator Murphy, the Supreme Court is the one that directed that this statute is at fault. I am asking in the name of good government that we incorporate into statute what the Supreme Court has said that they are going to hold you accountable for at that level. Failing to do so, then either party, employer or employee before the Court of Industrial Relations will be subject to the same error that is presently there because we have not specified as to the other common law says that in that section those factors the court has set forth. Now, if it is your desire to unnecessarily and needlessly leave open the requirement that appeal after appeal can be taken to the Supreme Court to arrive at what they have already said is what our position is in this matter, then that of course is up to your judgment. But, I suggest to you that the admonitions and the numerous letter writings in opposition to this are not well thought out or well considered because the information upon which those letters were issued to you in no way related to the fact, to the real motivation for this bill which is the Supreme Court opinion. I suggest that we put into the statutes so that it may be argued at that court level what the Supreme Court has said that you are going to have to argue at their level. Appeals are costly. Appeals are delaying. In this case can be made unnecessary by placing this in the statute so that it may be intelligently and properly argued at the Court of Industrial Relations level. Now that is some in substance what this bill sets about to do. It is a little bit of a pension of mine that government abuse and the ability to correct existing statutes is something that we need to give our attention to. Hopefully, you will find nothing in this statute that in any way is prejudicial or adverse to either party, and accordingly I ask that we adopt into statute what the Supreme Court has said that their holdings will be at that level and try to avoid unnecessary appeal procedures. I move the advancement of the bill.

PRESIDENT: Senator Frank Lewis.

SENATOR F. LEWIS: (no response).

PRESIDENT: Senator Cope.

SENATOR COPE: Mr. President, members. A question of Senator Murphy please. Senator Murphy, would you give me a...not definitions, but examples of where any economic dissimilarities just what does that mean?

SENATOR MURPHY: The court in handing down their decision made reference to specific considerations that they had mentioned in their opinion. That summed up the fact that the lower court had erred in not incorporating into their decision certain other factors and those are the factors that are subsequently enumerated. I would call your attention to line 6 on page 3 of