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big problem in terms of the exemption. You exempted family members. It was kind of like the same thing. That is probably still true for smaller Nebraska farms and ranches, but not for larger operations. The Nebraska Supreme Court has consistently ruled, prior to the 1902 (sic--2002) Larsen decision ..and this is the decision that brought this bill before you...that employees involved in custom work for others, rather than direct agricultural production by the employer, are not covered by the farm and ranch laborer exemption. There was a case a number of years ago where somebody who made a business of custom combining, for example, that wasn't, by the Supreme Court, declared to be farm labor, because that was not the intention of the original 1913 amendment to protect family members from having to get insurance for other family members. It goes on to say, the Nebraska Supreme Court, in this latest Larsen case, ruled that the following factors justified the worker compensation judge ruling that the injured employee is not a farm or ranch laborer. One, the feedlot was organized as a commercial business or custom cattle feeding. In this particular case, the evidence was that more than half of the business that they did was for other people, and therefore it was primarily a custom operation, and therefore they were not exempt. And that's how the little funny phrase, that seems at all...makes it, on the surface, seem all so trivial, came up, that it depends on whose cow you roped. Well, yes, that's true. But what it goes back to is, was this a commercial operation, like a custom combining situation, where you're doing work for other people? Or is this your own farm, your own ranch operation? So in that case, they said, one of the reasons for the court's inclusion was that a majority of the business was commercial in nature, custom cattle feeding. And then it said, the feedlot averaged 5,000 cattle on feed, 70 to 75 percent of which were being custom fed, that is, other people's cattle being fed. And it pointed out then that the actual fact of the injury was that the plaintiff was injured while roping a custom fed calf. So, what does the Extension Service writer conclude from all this? The commentary conclusion is this. Agriculture is obviously a...

SENATOR CUDABACK: One minute.