

principal, that's what PERB had done, whether or not the principal would ratify or adopt that agreement entered into in excess of the agent's authority. Here we have something different from a run of the mill agent/principal relationship. We have an actual statute involved. And it depends on the effect of disobeying that statute as to where we are ultimately going to wind up. Is it...

SPEAKER WITHEM: One minute.

SENATOR CHAMBERS: ...legal, will it be found to be legal to take that which started out as an illegality having no basis in law and turning it around after the fact and making it legal by in effect repealing or modifying a statute by implication which if it were done directly by the Legislature would have no constitutional validity? I know my time is about up so I can't finish it. How many times have I spoken on this, Mr. Speaker, while I'm up?

SPEAKER WITHEM: As I understand, this is your second time speaking on your own time.

SENATOR CHAMBERS: Okay.

SPEAKER WITHEM: Thank you, Senator Chambers. The Chair would like to recognize some guests of the Legislature. We have 30 fourth graders from Yutan Elementary School with their teachers. We also have 50 fourth graders from Lexington-Morton Elementary School in Lexington and their teachers. Would you please all stand and be recognized. Senator Witek.

SENATOR WITEK: Thank you, Mr. Speaker, members of the Legislature. There is no argument here on what happened when this was established years ago that there was...someone made a mistake. Someone did not follow the statutes. That's clear. Nobody has an argument with that. That did occur. There was a mistake made. People were allowed into the system. They did not follow the statute clearly. Now the issue is not whether that occurred or not. There's no argument here on whether...everyone knows that contractually at that point there was a mistake made. What all of this evidence presents to me is that what do we do now 20 or so, however many years later, individuals who have been paying into the retirement system and whatever, and how do we make that right? How do we not harm the