

the determination of rights to the potentially affected persons in the system. If there is liability on the part of anyone for actions in the system, that can be determined later, it could be determined by other actions. But, again, we want to maintain the focus of the resolution on the rights of the potentially affected employees in the system and would ask that subsection (e) be struck.

SPEAKER WITHEM: There are no lights on, Senator Wickersham, would you like to close? Closing's waived. The question is the adoption of committee amendments to LR 343. All in favor vote aye, opposed vote nay. Mr. Clerk, record.

CLERK: 28 ayes, 0 nays, Mr. President, on the adoption of Senator...or I should say the Retirement Systems Committee amendments.

SPEAKER WITHEM: The committee amendments are adopted. Senator Wickersham, to open on the resolution.

SENATOR WICKERSHAM: Thank you, Mr. Speaker. members of the body, you have been subjected, I'll use that word, subjected to memos, communications, letters concerning the issue that is addressed in LR 343. It is a very significant issue. It affects a number of employees in the school systems. It affects those noncertificated employees who, prior to July 1 of 1978, did not elect into the retirement systems. Now it's a little bit complicated and you can read through the information that we have furnished to you and I think you'll get a sense of what the statutory provisions were. But there were a group of people employed in the school system prior to July 1 of 1978 who could have elected into the School Retirement System. Some of them did not. After that date, statutorily, they could not. But by some process that has not been explained satisfactorily, the Retirement Systems, the administrators of the plan began allowing those persons who are not statutorily entitled to access the system, began to allow them to access the system. We think, at the moment, that there are about 538 persons that have elected membership after the window closed. We think there are about 377 persons whom, if that practice were continued, would be eligible to elect membership. I again want to note for you that those elections, those accessing of the system, if you will, were, in my opinion, expressly contrary to the statutes. I find it incredible that the system was administered in the way