

Attorney General has already said we do not need to go to court, Special Attorney General Gary Clatterbuck, a pension attorney, has said we do not need to go to court. Despite all of that evidence, Senator Wickersham has decided in 343 to ask the Legislature to approve his going to the Supreme Court.

SENATOR WILL: Time.

SENATOR WITEK: I don't agree with that and I hope you will not also.

SENATOR WILL: Thank you, Senator Witek. You've heard the introduction of the Witek amendment. Senator Wehrbein.

SENATOR WEHRBEIN: Yes, Mr. Speaker, I'm going to speak to the main resolution, although I will oppose the amendment proposed by Senator Witek. I just wanted to say this is probably the most difficult decision I have made since I've been in the Legislature because either way we lose. And it's not a point to me whether these people are entitled to retirement benefits or not. I certainly hope that they are. And I want to make that.. but I want that decision to be made and right now we're in limbo. We don't know if they are entitled or not. I think the key to this, to me, is when you look at this, the testimony that Senator Witek talked about, the attorney, I've got to get his name again, Clatterbuck, is it said there is no need at this time to file a lawsuit by the Attorney General. Time alone may, time alone may resolve this problem. Three weeks ago I was inclined to agree with Senator Witek. I thought that we might let this lie and we could proceed forward and let nature take its course, so to speak, and it would work itself out. But I have become convinced, after..upon examination, that we can't take that risk. It's simply a matter of any time, any place someone can raise this issue and we are going to be right smack dab in the middle of huge lawsuits that will actually feed on each other, as I understand it. The point really is that we need a decision, only the court can decide that. We don't know..and the other key for me is we don't know the statute of limitations, when they run. And I did ask him that question. He was not sure what the statute of limitations was and that may not be the biggest issue. We don't know when the statute of limitations will start or stop. If I thought that there was a window for two or three years, and it started already last year and we only had two years to go, for example, I might be