

people who have relied on this system for their pensions and yet acknowledge that a mistake was made? The Attorney General, in their Opinion, suggested that we just change that statute. Well, there was problems with that solution. Senator Wickersham did not want...thought that there were problems with that solution, that we couldn't just change it statutorily and we didn't do that this year. We didn't introduce the bill to do that this year, that we couldn't just change it. So in the opinion of the Attorney General's Opinion from that basis, what has been acceptable is that they acknowledge a mistake was made but during the time where these individuals were allowed in, just by allowing them in and having all other evidence that they could be involved in the retirement system set up a contractual right for those individuals. And they have said because they have that contractual right set up that we should in good faith, that we should acknowledge that and allow them to continue within the retirement system and have suggested we change statute. That's not what Senator Wickersham and obviously the majority of the members of the Retirement Committee wanted to do. They wanted to encourage the Attorney General to go to the Supreme Court and have the Supreme Court make a ruling in favor of the people to say that they could...that they had a contractual right. So the Attorney General has already made that Opinion that they had that right. Senator Wickersham just wants the Supreme Court to say it, too. That's what we're arguing here, whether we need to go to the Supreme Court and have them back up the Opinion of the Attorney General. So the Opinion of the Attorney General is the exact same opinion that Senator Wickersham is asking us to adopt in 343. The opinion of Gary Clatterbuck comes from a different point of view. He's not just looking at state statute and making an opinion on those issues. He's making an opinion because he's a pension lawyer, has extensive knowledge of pension systems in the private sector. He was brought in by PERB, the employee retirement, to advise them on this issue when this all came up because there...you got a bunch of people, 600 people out there scared to death we're going to pull the rug out from underneath their retirement and they should be. And at that point, what the Attorney General advised was to say, yes, we have that contractual right, acknowledge it, continue it, and then look at each individual case separately of individuals who are involved in this to allow them into the PERB on an individual basis. They're all doing that. Everybody was happy with everything the way it was except for Senator Wickersham and the attorney who's