

attention to Senator Witek, but I do anyway. What would a court say if the state filed a lawsuit not through the Attorney General to make a determination in this fashion, but with the purpose of preventing these employees from receiving their benefits? That's how I think you could get to the issue of estoppel and I will tell you why, because my time is up now, the next time I get a chance to speak.

SENATOR CROSBY: Thank you, Senator Chambers. Senator Wickersham.

SENATOR WICKERSHAM: Thank you, Madam President, a couple of things. And I will confess to just a mild amount of irritation at the moment because the implication that I or I think the other members of the Retirement Committee are attempting to deprive somebody of benefits is hogwash. That is pure hogwash. Our objective is to determine that those people do have rights, to give them certainty that those rights are existent and that they can rely on them. I am offended by the notion, if it is being suggested, that we want to deprive these people of benefits. I am also mildly perturbed that those who now say that the Attorney General's Opinion is sliced bread did not read the Attorney General's Opinion of May 18. In that Opinion, the Attorney General, Mr. Neid I believe wrote the Opinion, stated that they did not believe that the noncertificated employees had any contractual rights. That is contrary to the second opinion. And further, in reliance on the early Attorney General's Opinion on June...on May 22, I'm sorry, it's in the time line, on May 22 PERB voted to, I'm not getting the right date. Yes, they voted to stop contributions and benefits as soon as possible and notify all affected employees as soon as possible and seek clarifications of the issues. The Attorney General's Office has been on both sides of this issue. Now if that does not give you pause about whether or not the current Attorney General's Opinion is correct and whether or not this issue needs to be decided, well, you can decide for yourself. It was partly because we were not getting a full discussion of the issues that we asked the Executive Board to hire Mr. Achelpohl, and he gave us an extended analysis of the issues and I think a good discussion of them, and that is what we are relying upon. I wish to speak briefly to Senator Beutler's amendment because that is the issue that's pending before us. And, Senator Beutler, I have an additional concern about your amendment. You are actually in effect asking that this issue that is now before