

Senator Wickersham may have left that the Attorney General's Opinions were conflicting. That's not the case. In the May 18 Opinion which I have read, it states: You also inquire, this is Jim Cashin from the PERB that inquired, could we not breach...could we not have breach of contract issues arise if memberships were cancelled? That's question three. Would you not believe the individuals have any contractual rights in the retirement system since they elected out of the system and waived any rights? However...so that's the constitutional issue here that Senator Wickersham said is conflicting. This is what their opinion was. However, the class of employees would have a strong reliance argument in that the employees would have relied on representation and communication of the retirement system that they were members and entitled to the retirement benefits. Obviously, the retirement system has a responsibility for that problem that has arisen by permitting this class of employees to become members. So they're saying that they understand that a mistake was made so that they know that that wasn't...that the Attorney General was very clear that he knew that that was not following legal statutes. Where he says the change occurred was in a reliance argument that these people, if they had to go into a courtroom situation to protect their retirement rights, would say we have a reliance argument here. We have relied on the system. We have relied on the representatives of the system, the communications from the system, all the brochures from the system, everything that the system has said that we are members of the system. We have put money into the system. Those are the arguments that say that the court would more than likely say that's what was established with these individuals and that's what the state has to continue with, that reliance argument that those people relied on us. Six hundred people over this course of this issue have relied on the state of Nebraska to pay out, and the school systems and all the other government entities involved here, to pay them back their retirement benefits. They paid in, the schools paid in, the state paid in, everybody who had to pay in paid in and then they're expecting retirement benefits. I say we let them have them. I say if we go to court on this, if we go to the Supreme Court, what are we asking for? You talk about clarity, we have clarity. All you're asking for is the Supreme Court to reaffirm the opinion of the Attorney General. We have the Attorney General's Opinion. The PERB is already operating, correcting this mistake. They are already continuing to pay the retirement to these individuals. No one has been harmed by it. It's been corrected. If another mistake