

it has been characterized by one of my colleagues. So I would encourage you just to vote against the motion to return. I'd like to yield the rest of my time to Senator Will, Mr. Speaker.

SPEAKER WITHEM: Senator Will.

SENATOR WILL: Thank you, Mr. Speaker, and if I might ask a question of Senator Wickersham.

SPEAKER WITHEM: Senator Wickersham.

SENATOR WICKERSHAM: Yes.

SENATOR WILL: Senator Wickersham, just to clarify a couple of things that I think your conversation with Senator Janssen was beginning to illuminate, and that is that there are certain conditions right now in statute that fall under the rebuttable presumption category, correct?

SENATOR WICKERSHAM: Yes, and, Senator Will, I want to be clear that the statute specifically says that those...that that applied to death or disability incurred prior to December 25th, 1969, but it is my understanding that the courts have continued to apply that standard.

SENATOR WILL: So that is still the common law standard?

SENATOR WICKERSHAM: It is my understanding that that is being applied.

SENATOR WILL: Okay, my second question would be, and I want to, again, would ask you to either repeat or elaborate on what you said earlier, and that is the purported reason for this amendment is to allow a year's time to study this and analyze the impact, and from your understanding, your much more expert understanding than mine of the retirement area, is there a way that a study can be done of the impact of this in a year, that hasn't been done over the last two years when the cities knew it was coming?

SENATOR WICKERSHAM: Well, Senator Will, one hasn't been done to date. I've stated before that I don't believe one could be done. There is no way to assess the probabilities that someone would even attempt to take advantage of these provisions, that