

SENATOR BROWN: You were removing the money, not to permanently remove it, but just so that the appropria...you made some reference to the Appropriations Committee coming back in and looking at it.

SENATOR JENSEN: Yes, it was a reference to the Appropriations Committee.

SENATOR BROWN: I do have a bill that deals with the Public Service Commission that looks at the structure of the agency and it's obviously a little broader than this amendment. The Public Service Commission was set in place in the Constitution about 100 years ago dealing primarily with regulation of railroads at that time. In the ensuing years, we have had almost a complete federal preemption of railroad regulation, now of the trucking regulation, so we have very little in terms of regulatory issues left with the Public Service Commission. There's some issues certainly around public safety and things that still need to be dealt with and there's federal legislation around telecommunications that is very important that we're going to need some state response to. My concern has been that we continue to have structures in government that no longer meet our needs and I think that we need to look at that, and Senator Withem has talked a lot in the past few days in terms of the energy assistance, school weatherization program, and about judges yesterday, about our need as a body to be able to look at structures of government. And to me the amendment that Senator Jensen has brought is just an example of some of the problems that we have found with the Public Service Commission in terms of each time we have a reduction in their role we find these little problems that pop up. And I understand what Senator Wehrbein is saying that we don't want to hamstring the agency and make the decision. I believe the decision needs to be made around the discussion of my bill which removes for the...does not get rid of the Public Service Commission, it removes from the Constitution language about the Public Service Commission so that we can have a discussion just like we're having today about what the role should be in a deregulated economy of this kind of a regulatory agency, and that we can make the changes that are necessary more easily in statute than we obviously can in the Constitution. And so I understand what Senator Wehrbein is saying, but I think that there are lots of problems that are evident in what has happened, an agency saying that they have 2,000 square feet of space that was just sitting there and the Appropriations Committee was never notified during our