

that is what I am most concerned about. When you have an agency, as we do with the Public Service Commission, whose functions have changed enormously over the years, and yet the structure has not changed virtually since 1885 when we put it in place, not in the constitution but just put it in place, obviously, there is some things that need to be looked at. But this is the program evaluation that I referred to before from the year 1960. It was undertaken by the Legislative Council, and there was a great deal of effort that went into having hearings that...to lead to the conclusions and recommendations. The first recommendation was that the Legislature look at the statutes and revise and recodify the statutes, substats, so that the archaic statutes would be removed. The second recommendation was to look at the internal workings of the Railway Commission, as it was still called at that time, to determine if changes were needed in the organization and the salaries. At that time, the salary was \$8,000 a year. The third and most important recommendation, I think, and the one that you have a copy of on your desk is that a constitutional amendment be proposed by the Legislature removing the Railway Commission from the list of constitutional agencies, thus making it a statutory agency, and that is exactly what my constitutional amendment would do. And I would like to read to you what the background of the reasoning for their recommendation. There was much discussion during this study of altering the makeup of the commission and changing its method of selection. Since the commission is a constitutional agency, and since the constitution prescribes that it shall be composed of three members elected for terms of six years, no changes in its makeup or selection can be made by the Legislature, thus the commission did not...could not be made an appointive agency without amending the constitution, and the resolution directing the study be made included this possibility as a point to be considered. It will be recalled that at the present time the regulatory commissions of 36 states are appointive. It is a little bit more than that, I believe now we are one of five states that have elected commissioners. There is also involved here the matter of attaching certain qualifications to the post of Railway Commissioner, and this is something which could be worked out if it were a statutory agency. This is not a new approach to the problem of multiple-member agencies. In 1957, the Nebraska Legislature, upon the recommendation of another study committee of the Legislative Council, proposed a constitutional amendment to make the Board of Control a