

SENATOR BEUTLER: Senator Withem, Senator Brown.

SENATOR BROWN: Yes.

SENATOR BEUTLER: I very much want to try to keep an open attitude towards this, and I am going to ask a number of questions which from time to time may seem somewhat hostile perhaps, but it's really not intended that way. I just really want to be careful, I guess, when we're ending the constitutional protection of an institution that has been around for just short of a hundred years, and as you know having read back, the reason that the Public Service Commission, the Railway Commission came into existence in the first instance was because both the federal government and the state legislatures at the state level miserably failed to regulate the railroads and to regulate the oil industry and to regulate another... a bunch of the large corporate interests that tended to dominate legislatures, especially local state legislatures at the turn of the century and before that. And so we passed into law these new kinds of constitutionally protected commissions. A great deal of time has passed. There has been a lot of formal changes in the way government works, both at the federal and state level. Right now at the federal level, obviously, a lot is revolving back down to the state government and maybe much more will be coming, and so our responsibility becomes even more important. But let me ask you this as a general opening question, why do you think a state legislature today would be less dominated by special interests than a state legislature in the year 1900?

SENATOR BROWN: Well, I am not sure that I'm going to answer that question as directly as you probably wish, but what I would say about the environment that was different and we are one of the few states that still has their Public Service Commission in the constitution. But what I would say about it is that at the time that the Public Service Commission was put into the constitution, or the Railway Commission, the role of the commissioners was very much in rate setting, which has changed enormously, and that's part of the reason that six-year terms and everything was about protecting these individuals who were doing rate setting from the kind of influence that could come to them in that environment. But this is not about letting business run roughshod over the citizens of the state. I would say that the competitive environment for many of the areas that