

January 26, 1996 LR 41

of regulation policy changes, but rather to...and all this is doing is cleaning up, since we don't have a Railway Commission, merely taking that language out of the constitution to clean it up a little bit. And so...

SENATOR BEUTLER: Well, I'm just suggesting that if you're going to...

SENATOR KRISTENSEN: ...to change it would be a policy change.

SENATOR BEUTLER: ...clean it up, why not get rid of the whole paragraph? You know, why leave the illusion that there's something constitutionally protected there when there's nothing at all that's constitutionally protected by that particular paragraph once you delete this language.

SENATOR KRISTENSEN: My observation of that is that that's a public policy question of do you want those things reported to the state as a constitutional policy question.

SENATOR BEUTLER: What things?

SENATOR KRISTENSEN: The reports.

SENATOR BEUTLER: What reports?

SENATOR KRISTENSEN: Well, as required by law. If we want to do that, I still...I don't see that that damages the constitution. Could you take that entirely out? Oh, I suppose. I mean we'd put it right back in. But I think that that gets away from what Senator Brown really wants to do, and that's merely to give the Legislature the flexibility...

PRESIDENT ROBAK: One minute.

SENATOR KRISTENSEN: ...of changing the Public Service Commission. Can you take it out? Sure.

SENATOR BEUTLER: Okay. Following, Senator Kristensen, the next section, X-3, talks about the merger of public utility corporations and common carriers and their ability to merge. And it wipes out the ability of the Railway Commission, Public Service Commission to regulate that merger function, unless it complies with the requirements of the Legislature may by law