

January 30, 1996 LR 41

that justified...that their jurisdiction justified constitutional protection. And I would like to speak to that issue particularly and keep our argument to that issue. What about the activities of the Public Service Commission...

PRESIDENT ROBAK: One minute.

SENATOR BROWN: ...differentiates it so much from other agencies in the state that it requires constitutional protection? Both major newspapers have editorialized in favor of this change. And their editorials have been not...they have not been reactionarily antigovernment editorials. And I don't believe that they've been editorials that say that we should not care about consumer protection. I believe that they just looked at the facts and saw that there was no justification for a different kind of constitutional treatment, a constitutional protection for this agency that we do not afford any other agencies, especially when the industries that are being affected right now are either competitive or deregulated. The other thing I believe that the editorials noted was the mood of the people.

PRESIDENT ROBAK: Time. Thank you, Senator. Senator Matzke.

SENATOR MATZKE: Madam President and members of the body. I favor this proposed constitutional amendment and I want to support Senator Brown's idea. I think it makes a lot of sense to take the Public Service Commission out of the constitution. The Public Service Commission, back in the good old days, was really the railroad commission, railway commission, and it was virtually a court system and handled litigation and administrative disputes between trucking companies, railroads, it had a real function in our day-to-day life. All of that function has now disappeared. It still has responsibilities in certain areas, including telecommunications, which we have deregulated. I think Senator Brown made a very good point in stating that the future is sort of problematical wherein the area of technology and computers and communications in the future is going to change drastically and we have to have the flexibility to, if necessary, give that responsibility back to the Public Service Commission by statute later on. I think that the whole concept of having the Public Service Commission implanted in the constitution is archaic and I think that this is a very progressive step forward for efficiency in government.