

had identified two items for you to consider, and I wanted to identify the last and third item for you to consider. Under Article IV, Section 20 of the Constitution, which we are repealing, the powers and duties of the commission include the regulation of rates, service and general control of common carriers, and it says, as the Legislature may provide by law, but then it goes on to say, but then it goes on to say, but in the absence of specific legislation, in the absence of specific legislation, the commission shall exercise the powers and perform the duties enumerated in this provision. Now that, also, I think is a good idea and an idea that has not been abused by the commission. If, for example, we are out of session, telecommunications industry, some decisions have to be made, there doesn't happen to be a law on that particular item. We just haven't gotten around to dealing with that particular situation and, yet, a decision is being made and consumers and the small guy out there is being affected. Well, under this language here in the constitution, the Public Service Commission could make a decision, could act in the absence of legislation pending the Legislature getting together and passing laws or if the Legislature never passes a law in that particular area. So I think that emergency, I see it as an emergency kind of provision, is also a power that is given to the Public Service Commission, that viewing the historic use of that power or exercise of that power would indicate no abuse and would indicate that perhaps we should just leave it in place. Finally, I wanted to mention that I requested yesterday an Attorney General's Opinion on the effect of...of repeal of the Public Service Commission in November by the voters. I asked the Attorney General to lay out for us what would happen to the commission under the statutes in the event that LR 41 was passed by the voters. And so, hopefully, before too much longer, we will have something back on that and at least have the opinion of the Attorney General's Office. With that, I offer no more. Thank you.

PRESIDENT ROBAK: Thank you, Senator Beutler. Senator Dierks wishes to announce that the following guests are visiting the Legislature, Don Chohon and Dale Wiles are here from O'Neill. They are both under the north balcony. Will you both stand and be recognized, please. Welcome to the Legislature. Senator Wehrbein, your light is next.

SENATOR WEHRBEIN: Madam President, members, I will be