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FISCAL IMPACT REPORT

SPONSOR: Thompson DATE TYPED: 02/13/01 HB 296
 SHORT TITLE: Clarify PRC Terms & Duties SB _____
 ANALYST: Wilson

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY01	FY02	FY01	FY02		
	NFI				

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

Public Regulation Commission (PRC)
LFC files

SUMMARY

Synopsis of Bill

HB 296 would eliminate references in Public Regulation Commission statutes to the “Chief Clerk” and recognize the Administrative Services Division with all other division directors of the Commission. HB 296 also changes “Chief Clerk” to the “Chief of Staff” to reflect the administrative head of the Commission.

Significant Issues

The dual references in law to the terms “Chief Clerk” and “Director of the Administrative Services Division” to describe the same position had its genesis in the merger between the State Corporation Commission and the Public Utility Commission. On January 1, 1999, the State Corporation Commission and Public Utility Commission were merged and became the Public Regulation Commission. At the time of the merger, the Public Regulation Commission Act designated the divisions of the Commissions and further designated the administrative head of each division as a director. However, references to the Chief Clerk were kept in certain statutes and even added to the Public Regulation Commission Act.

Other agencies, industry, and the public are confused when dealing with an agency that has multiple references to the person that heads the Administrative Services Division. Adding to the confusion is the fact that the Public Regulation Commission Act added a new position, “Chief of Staff,” as the person responsible for the day to day operations of the Commission. Under the statutory structure of the State Corporation Commission, the person responsible for the day to day operations was the Chief

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Clerk. Many persons continue to believe that because the Commission continues to have a Chief Clerk, that the Chief Clerk is the head of the PRC.

HB 296 also substitutes "Chief of Staff" for "Chief Clerk" as one of the persons authorized to investigate and take testimony on any matter pertaining to the Motor Carrier Act. This change gives the head of the agency, the Chief of Staff, the above-described authority as was true when the State Corporation Commission enforced the Motor Carrier Act. The Commission believes that such authority should reside with the Chief of Staff, who is the head of the PRC.

DW/ar/njw