

addresses allowing home rule charter for counties. This would not change the obligations that we hold for other local subdivisions in any way but it would determine specifics when restructuring is made under any merger. It would also change the section that the Legislature may provide for merger and consolidation to that the Legislature shall provide for merger and consolidation which would ensure that the Legislature would act on providing even more specifics than we have with 1085. It strikes the section that no merger shall occur without a vote of the people, and I think that that's a very significant part because right now we do not have any way for the Legislature to reserve to itself the right to direct mergers. And so this would add language that would allow the Legislature the right to direct mergers and most of the rest of this, of 292 is permissive. And I think that it should be permissive. I think what we're talking about in terms of this idea of merger and consolidation, everything we've talked about today in terms of 1085 and 292 is to allow local subdivisions the greatest flexibility because we're going to be talking about levy limits, we're going to be talking about spending caps and so we want to allow subdivisions every opportunity for flexibility that they need in order to control their own costs. But I believe that the Legislature does need to reserve to itself some right to direct merger and consolidation. And the last thing it does is changes the ballot language to include that the Legislature is required to provide the mechanism for merger and consolidation, and it includes the language about home rule charter for counties.

SENATOR WILL: Thank you, Senator Brown. Senator Warner. I'm sorry, Senator Brown. Were you...Senator Warner.

SENATOR WARNER: Mr. President, members of the Legislature, the...most of these are issues which came up or was discussed by the Legislature...by the Revenue Committee and with one exception certainly was not. But I would tend to rise to oppose the amendment. The issue of a home rule charter to apply to a merged form of government, at least for me, has a number of concerns. Generally, when you read the history of home rule charter as a provision for municipalities, it is intended to give a city with that home rule charter significant authority which the Legislature then cannot infringe upon that authority. And depending how different states' Supreme Court rules, but it could be significant. I tend to believe that if mergers are to