

at least that was certainly true of municipalities, I had to have a specific constitutional provision. I think that was adopted in the twenties.

SENATOR BROWN: There are many states that do allow home rule charter for counties. Is that not correct?

SENATOR WARNER: That I assume we're talking like the Dade County concept, Florida, I assume probably is perhaps accurate. My concern rests with how the court is going to interpret home rule charter because at some point you...the state can only do things then that affect those areas where they can demonstrate what is called a statewide interest. And if you cannot demonstrate that, then the state has no authority.

SENATOR BROWN: Okay. So there would be no language that we could have that would have the...bind a merged home rule charter county in the same way that we bind our counties right now to levy limits and things, I mean to rate caps and things like that.

SENATOR WARNER: I don't believe a home rule charter as traditionally interpreted would be permitted under our current constitution or with the proposed amendment, no.

SENATOR BROWN: In terms, when you were talking about the portion that talks about directing a merger, you said that we should...the language was that we should direct a merger. And my perspective on it is that the language is that we could direct a merger.

SENATOR WARNER: That's correct.

SENATOR BROWN: Right now do we...does the state have any authority to require mergers?

SENATOR WARNER: Of counties?

SENATOR BROWN: Of any local taxing subdivision.

SENATOR WARNER: We have authority under school districts to direct mergers. We do not with counties without a vote under the constitution. We have forced mergers of municipalities which have abutted one another, permitted one to...