

SENATOR KRISTENSEN: At the convention?

SENATOR BROWN: No.

SENATOR KRISTENSEN: Okay, and that...

SENATOR BROWN: So it's a mechanism for defining for the new entities, the merged entity to define themselves.

SENATOR WILL: Time. Senator Brown, there are no further lights. You're recognized to close on your amendment.

SENATOR BROWN: Thank you, Mr. President, members of the body. I think the last exchange that we had I think was the most important because I think we've talked a lot in terms of the home rule charter part of it that it is almost a way to give a different kind of authority to keep outside of the control of the Legislature this entity and that is not my understanding of it. It's not what I want to have happen. There are ten states that do not allow, including Nebraska, that do not allow...do not grant home rule power to counties. And I believe that it's absolutely essential for us to have some sort of a mechanism where the local entities can define what they're going to look like after a merger. I think it's a critical element of the idea of having a merger of counties and cities and counties and it's something that I believe very strongly in the idea of encouraging and giving a lot of flexibility and I think that home rule charter is one of the most essential elements to allowing that to happen, to giving the greatest flexibility possible to the local subdivisions to be able to define themselves and what they will look like in this new merged entity. I...in terms of the "shall" or "may," I think that the issue is whether there's a security that the Legislature will act to provide a mechanism for merger and consolidation. That the local subdivisions are saying we're going to have caps. We're going to have levy limits. We have the kind of pressure that comes from the voters in our own districts and, therefore, we need to have some assurance that the Legislature is also going to provide the mechanism. Now, granted, I support 1085. I think that the vote on that is a clear indication that there is support from the Legislature. But I believe the subdivisions are looking for more guidance than that. And finally, I believe that there may be...even though we are focusing on permissive language, I'm not certain that we want to put into the