

by general legislation.<sup>1</sup> This approach would provide flexibility to make adjustments as changing conditions warrant and would encourage initiative by local governments.

Although thus supporting the principle of maximum flexibility and freedom of action for local government the Commission also believes that the historical concept of home rule must be subject to certain limitations within metropolitan areas. The Commission recommends that when States consider general constitutional revision or undertake constitutional changes affecting local home rule, they should reserve sufficient authority to enable State legislative action to modify the responsibilities of local governments within metropolitan areas and the relationships among these governments.

Because of the rapidly changing needs for government services in metropolitan areas—as well as changes in the ways of providing these services—the State should be in a position to furnish leadership, stimulation, and appropriate supervision to metropolitan areas. This is especially important where a metropolitan area covers more than one county, because in such a situation there is no authority short of the State that can be brought to bear upon the area as a whole. Constitutional provisions that give municipalities home rule and prohibit State intervention in particular functions may handcuff the State when its help is needed. For example, if water supply and sewage disposal are among the municipal functions enumerated in a constitutional home rule provision, the State will be powerless in attempting to exert any authority to institute an area-wide approach to water supply or sewage disposal.

## 2. LIBERALIZATION OF MUNICIPAL ANNEXATION OF UNINCORPORATED AREAS

The States should examine critically their present constitutional and statutory provisions governing annexation of territory to municipalities. Where there are provisions that now interfere with the orderly and equitable extension of municipal boundaries to take in unincorporated territory in which urban development is imminent or underway, these provisions should be eliminated or amended, at least with regard to metropolitan areas. As a minimum, authority to initiate annexation proceedings should not rest solely with the residents of an area who want to be annexed, but should also be available to city governing bodies. There is also merit in the principle that the residents of a minor outlying unincorporated area should not have absolute veto power to prevent a proposed annexation that meets appropriate standards of equity.

The concept of home rule should be modified to minimize the ability of local governments or residents of small areas to block the orderly development of governmental structure and services in metropolitan areas. Liberalized annexation laws are an important and fruitful possibility for State government to provide as a way of facilitating metropolitan area development. It is not feasible, however, to turn back the clock and use annexation to try to absorb units of government that are already established. The principal application of liberalized annexa-

<sup>1</sup> See "Local Government Residual Powers," ACIR 1966 *State Legislative Program* (Washington, D.C.: October 1965), pp. 385-386.