



# Board of Supervisors Memorandum

November 12, 2013

## Recommended Legislative Agenda for 2014

Attached is a recommended Board of Supervisors' resolution setting forth a State Legislative Agenda for 2014. The continuing challenges faced by all levels of government as a result of the economic downturn were substantial and, in Arizona, unprecedented. As was the case for the past three years, next year's legislative session will likely be dominated by budget related discussions, issues and activities. It is imperative that Pima County continue to work to minimize and reverse the many cost and program shifts, revenue reductions and fund sweeps enacted by the State Legislature that negatively affect our County. These maneuvers by the State have reduced County services and prevented more substantial property tax relief at the local level.

In addition, as has been the case in recent years, it is anticipated that numerous bills will be introduced to inappropriately micromanage the operation of counties and disenfranchise county supervisors from the constituents that elected them and to whom they are accountable. These must be opposed.

It is also probable that numerous legislative initiatives will be pursued next year to promote economic recovery and job creation. Such efforts need to benefit the entire state, including the local economy in Pima County, and do so in efficient ways that are likely to produce material, tangible results in our community.

The most pressing issue among the specific legislative objectives I am recommending is the need to increase distribution to the County of revenues dedicated to road construction, rehabilitation and maintenance. It is imperative that the current diversion of highway revenues to fund responsibilities of the State General Fund be stopped. Even with these dollars restored, however, resources will be substantially inadequate to support our state and local road systems. The economic viability, safety and quality of life in our community requires an increased dedication to transportation infrastructure. All of the stakeholders need to collaboratively develop a plan next legislative session to increase revenues dedicated to roads.

Other specific recommendations include changes to statutes that will increase the County's ability to pursue reimbursements for the costs of providing State mandated services by the Public Fiduciary and court ordered mental health evaluations, and provide the Board with additional time and flexibility to call an election to establish a County Sports Authority.

Also attached is a second resolution that specifically addresses the need to restore and enhance revenues dedicated to roads. This resolution is consistent with the resolution adopted

The Honorable Chairman and Members, Pima County Board of Supervisors  
Re: **Recommended Legislative Agenda for 2014**  
November 12, 2013  
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by the Board earlier this year and supports the position adopted by the full membership of the County Supervisors Association in October.

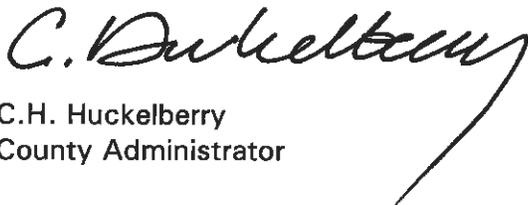
Not included in my recommendation is a request by the Pima County Bond Advisory Committee that the Board pursue legislation to permit the Board to call an election on bond authorization on a date other than the November general election each year. I am not recommending this request because of its very low probability of success and the likelihood that a statewide debate of this issue at the Legislature will produce results that are counterproductive to our local bond program.

This recommendation is intended only as a starting point for the coming legislative session and additional issues may be brought to the Board for consideration as they arise.

**Recommendation**

It is recommended that the Board of Supervisors approve the attached resolutions setting forth Pima County's State Legislative Agenda for 2014 and urging the Legislature to restore and enhance local Highway User Revenue Funds and directing staff to take all actions necessary to pursue these objectives.

Respectfully submitted,



C.H. Huckelberry  
County Administrator

CHH/dr

Attachment

**PIMA COUNTY**

**RESOLUTION NO. 2013 - \_\_\_\_\_**

**A RESOLUTION OF THE BOARD OF SUPERVISORS IN PIMA COUNTY,  
ARIZONA ADOPTING A PIMA COUNTY LEGISLATIVE PROGRAM FOR 2014**

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY,  
ARIZONA, AS FOLLOWS:

**Section 1**

That those persons authorized by Pima County to lobby on its behalf and registered as such with the Secretary of State of the State of Arizona pursuant to Arizona Revised Statutes § 41-1231 et.seq. (the "County Lobbyists") are hereby authorized and directed, subject to the continuing supervision of the Pima County Administrator and this Board, to represent and pursue the legislative interests of Pima County by supporting legislation that embodies any of the following basic principles:

- A. Empowers Pima County with sufficient flexibility to address an expanding and changing variety of local needs and conditions.
- B. Establishes appropriate means to adequately compensate Pima County for the costs of complying with state mandated requirements.
- C. Provides Pima County with the means to cope with inflationary cost increases, population growth and escalating service requirements.
- D. Enables Pima County to provide public services in a more responsive, efficient and cost-effective manner.
- E. Defines appropriate fiscal and administrative responsibilities within various State/County and City/County joint programs.

Conversely, legislation that is inconsistent with any of these basic principles should be opposed or appropriate amendments pursued.

**Section 2**

That, in addition to those basic principles set forth in Section 1, the County Lobbyists are authorized and directed to pursue the following specific objectives:

**A. Fiscal Responsibility**

Oppose continuation of the cost and program shifts to and the diversion of revenues from Pima County by the State, including diversion of gas taxes from county roads to fund state

programs, withholding of county Lottery revenues, and shifting the cost of the state program for incarceration of sexually violent persons in order to balance the State Budget. The State is circuitously using the County's tax base to fund its responsibilities. If the State continues this practice, it should be straight forward and levy a State property tax which would be transparent and for which it could be held accountable.

**B. County Integrity**

Oppose continued efforts by the State to inappropriately micromanage the operation of the County and restrict the authority of county officials to manage the responsibilities for which they have been elected and develop solutions to the challenges facing our community.

**C. Local Economic Recovery**

Ensure that State legislation intended to promote economic recovery and job creation will benefit our region and employ efficient, effective strategies that will produce tangible, local results.

**D. Increased Revenues Dedicated to Road Improvements**

Support legislation to increase revenues available to county, municipal and state governments in Arizona dedicated to road improvements, rehabilitation and maintenance, especially those sources of revenue that are connected to road use and benefits including an increase in the existing state gas tax.

**E. Election to Establish a Pima County Sports Authority**

Support amending current statutes that require the Pima County Board of Supervisors to put on November 2014 election ballot the creation of a Pima County Sports Authority to allow the Board, if it chooses to do so, to put the question to the voters at any November election until 2021 after a plan for utilization of the Authority has been fully developed and reviewed by the community.

**F. Cost of Court Ordered Mental Health Evaluations**

Support efforts by the County Supervisors Association to amend statutes in Title 36 to make counties the payer of last resort rather than the payer of first resort for the cost of court ordered mental health evaluations by authorizing counties to seek reimbursement from other existing federal and private payer sources.

**G. Group Home Disbursement Rate**

Support efforts by the County Supervisors Association to amend a recent enactment by the legislature that increased the amount that must be paid to the state by developmentally – disabled residents of group homes of the benefits they receive which has resulted in a cost shift to counties by reducing the amount of income available to these clients of county public fiduciaries to reimburse counties for the costs of state mandated services provided to them to sustain their day-to-day needs.

**PASSED, ADOPTED AND APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2013 by the Board of Supervisors of Pima County.

\_\_\_\_\_  
Chairman of the Board of Supervisors

ATTEST:

\_\_\_\_\_  
Clerk of the Board of Supervisors

APPROVED AS TO FORM:

  
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Regina L. Nassen  
Deputy County Attorney

**PIMA COUNTY  
RESOLUTION NO. 2013-\_\_\_\_\_**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF PIMA COUNTY  
RESPECTFULLY REQUESTING THE ARIZONA LEGISLATURE TO RESTORE  
LOCAL HIGHWAY USER REVENUE FUNDS AND WORK WITH  
TRANSPORTATION STAKEHOLDERS TO IDENTIFY AND ENACT REVENUE  
ENHANCEMENTS FOR THE EXISTING HURF DISTRIBUTION SYSTEM AND TO  
PURSUE POLICIES THAT IMPROVE EFFICIENT UTILIZATION OF  
TRANSPORTATION RESOURCES**

**WHEREAS**, the road building and maintenance responsibilities of Arizona's counties are critical to public safety, economic development and quality of life in Arizona, and

**WHEREAS**, the Highway User Revenue Fund, known as HURF, is the primary resource dedicated to state, county and municipal highway and road construction, and

**WHEREAS**, HURF relies heavily on an 18-cent-per-gallon fuel tax that has not been raised since 1990 and is not indexed for inflation, leading to a substantial degradation in HURF purchasing power as the price of asphalt, rock products and heavy equipment has increased dramatically, and

**WHEREAS**, since FY09, the situation has been made worse by state legislative action diverting over \$634 million of HURF revenue to fund state agencies, costing the counties over \$115 million, and

**WHEREAS**, the FY14 state budget shifts \$120 million from road activities to fund obligations of the state's general fund, impacting county transportation programs by nearly \$21 million, and

**WHEREAS**, the reduced allocations from HURF to counties has resulted in counties suspending new construction, substantially decreasing road maintenance activities, and increasing designation of "primitive" roads, and

**WHEREAS**, these reduced allocations from HURF have caused similar infrastructure deficits in state and municipal transportation departments, making it evident that the road system in Arizona has been substantially compromised and is inadequate for future needs:

**THEREFORE** the Board of Supervisors of Pima County hereby respectfully requests that the Arizona State Legislature:

1. Discontinue the use of HURF resources for purposes other than road activities and restore those funds to state and local government transportation departments.
2. Work with stakeholders to identify and enact revenue enhancements for the existing HURF distribution system.

3. Identify and enact policies that improve efficient utilization of transportation resources.

**PASSED, ADOPTED AND APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2013 by the Board of Supervisors of Pima County.

\_\_\_\_\_  
Supervisor Chairman Ramón Valadez, District 2

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Ally Miller, District 1, Pima County Supervisor

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Sharon Bronson, District 3, Pima County Supervisor

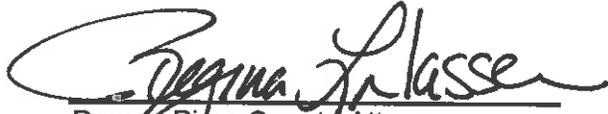
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Raymond Carroll, District 4, Pima County Supervisor

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Richard Elías, District 5, Pima County Supervisor

ATTEST:

\_\_\_\_\_  
Clerk of the Board of Supervisors

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Deputy Pima County Attorney  
**REGINA MASSEN**