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# Board of Supervisors Memorandum

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July 16, 2024

## 2025 Legislative Agenda

### Background

Each year Pima County approves an annual Legislative Agenda, which ensures that the interests of the County are represented with elected and appointed officials in both the State and Federal governments. The Legislative Agenda provides a delineation of the key governmental issues determined by the Board of Supervisors, which allows for the appropriate planning and management of Pima County's response to legislative issues.

### State Agenda

The annual process of developing a Legislative Agenda begins a full seven months prior to the commencement of the actual Legislative session, requiring the initial drafting of proposed statutes, rules or regulations to begin prior to the adjournment of the previous Legislative year. While this may seem premature, the consideration of items at this time enables Pima County to actively participate in the development of a statewide effort on behalf of counties and our constituents. Pima County works closely with the County Supervisors Association (CSA) on legislative issues not only to ensure that our county's goals are reflected in the advocacy work conducted by the CSA, but to enable our voice to be strengthened by the combining of the voices of all counties. The CSA requires counties to submit their ideas for the next legislative session the first week of August. Approval of the Pima County Legislative Agenda on July 16 will enable Pima County to have our priorities considered at the Legislative Summit, which will take place October 7 - 9, 2024. It is at that Summit that a statewide initiative will be adopted, delineating the important issues facing Arizona's counties.

The legislative process is one that is evolving and dynamic. Additional issues may arise and amendments to the Pima County Legislative Agenda may be required prior to and during each legislative session. Throughout the year, issues of concern to Pima County that may not have been highlighted for consideration at this point arise. County elected and appointed officials are in frequent communication with the County's lobbyist and are regularly updated on bills that may impact the people of Pima County. As bills are being introduced, bills that may be of interest to our residents are flagged by members of the Board of Supervisors, our lobbyist, or County personnel. Action by the Board throughout the year may amend this initial document.

Pima County shall consistently oppose any and all proposed legislation or rules that seek to limit the authority of the County or to shift to the County costs that are appropriately borne by the State of Arizona.

Earlier this year, County Departments were asked to identify items within their department and budget that are:

The Honorable Chair and Members, Pima County Board of Supervisors

Re: **2025 Legislative Agenda**

July 16, 2024

Page 2

- resulting from statutorily mandated procedures that are not beneficial to the public or cost effective;
- costs that have been unjustifiably shifted to the County from the State;
- mandated services for which the State provides no or inadequate funding; and
- existing revenues and authorities from the State that the departments has reason to believe will be at risk next year.

Proposals received were aligned with the County's continued broad legislative goals, which are again for 2025, as follows:

1. Protect the Pima County Taxpayer;
2. Invest in Pima County's Infrastructure;
3. Maintain or Strengthen Critical Programs;
4. Fortify Public Safety; and
5. Support the County Supervisors Association Adopted Legislative Agenda

Attached please find Resolution No. 2024-\_\_\_\_\_, adopting the County legislative program for 2025.

1. Protect the County Taxpayer

Each year the State of Arizona transfers to Pima County the cost of many programs, some regardless of policy connection. Currently, these transfers total approximately \$121 million and represent almost 27% of the total County budget and we have little choice other than to accept State cost transfers. It is proposed, therefore, that the County oppose any and all State cost transfers that increase the tax burden of Pima County residents.

For several years, the Procurement Department has submitted proposals that are intended to modernize the process of bid notices, vendor registration and sales of surplus properties. While these proposals may have an impact on how the County does business and might lower the financial impact to Pima County residents, they may also have a negative impact on the printed newspaper industry in Arizona. Pima County proposes to work with the Arizona Newspapers Association to ensure that broadest and most effective distribution of public notices.

It is also critical that Pima County support issues related to the attraction, retention and expansion of primary jobs in specific industries within our community. In accordance with the 2023-2036 Pima County Economic Development Strategic Plan, it is recommended that Pima County monitor and advise as appropriate on topics including but not limited to grant opportunities for job training and workforce development, support for rural broadband infrastructure and development of innovation in technology sectors.

Over the years, the County has discussed various means to fund critical programmatic and physical needs. These include the possible creation of districts such as health care districts or jail districts. It is recommended that Pima County research and advocate for any legislative modifications necessary to afford the greatest flexibility to the Board of Supervisors should the creation of a district be identified as beneficial to the residents of Pima County.

## 2. Invest in Pima County's Infrastructure

Transportation financing and funding in the State of Arizona is outdated and inadequate to cover the transportation network needs. Transportation revenue and funding reform is needed at the federal, state and local level.

Arizona's transportation infrastructure system has become significantly out dated as the base tax rate has not been adjusted in over 30 years and the system has not evolved to capture revenues from alternative fuel vehicles. As such, the Arizona transportation infrastructure financing system has lost almost 70% of its buying power over the last 30 plus years. For a number of years, the State Legislature backfilled funding for State transportation projects through the State General Fund. In the 2024 Legislative Session, due to a \$1.8 billion budget deficit the Legislature clawed-back tens of millions of dollars previously appropriated to transportation projects. This has once again highlighted the deficiencies in the existing funding system. Base fund revenues are barely adequate at this point to maintain the state highway system much less provide for new construction. It is critical that Arizona update its mechanisms for funding both state and local transportation infrastructure.

Additionally, the injection of State General Fund monies into transportation projects has been done by the Legislature selecting individual projects and not through the State's transportation priority planning process. This undermines the orderly development and prioritization of projects.

It is proposed, therefore, that additional General Fund revenues provided for transportation projects should be utilized through the State Department of Transportation's priority planning process.

Further, Pima County supports the adoption of alternative and additional State Revenue sources to support transportation and infrastructure. As new revenue sources are considered and adopted, the existing revenue distribution formulas should be reviewed to ensure the equitable distribution of funds.

Currently, Arizona State Statutes restrict Pima County from developing a single stormwater ordinance to protect and improve water quality while mitigation flooding. Elimination of this prohibition will allow the County to work with stakeholders to craft a local ordinance to meet our local needs.

There is an ongoing and increasing impact on residents and County revenues in dealing with wildcat subdivisions and antiquated subdivisions that were approved or began development before any standard of uniform infrastructure and subdivision assurances were adopted by the County, which now ensure the orderly development of these parcels. Increasingly unsophisticated property owners are acquiring these lots and discovering that they do not have adequate infrastructure. Many of these lots also have delinquent property taxes and are no longer contributing in any way to the tax rolls.

Pima County supports recent efforts of the Arizona State legislature to limit and regulate wildcat subdivisions and further to provide a mechanism to deal with unimproved subdivision lots.

### 3. Maintain or Strengthen Critical Programs

A variety of critical programs that serve the people of Pima County are either funded by the State of Arizona or are an integral part of the provision of State services to Pima County residents, which are successful due to continue State support.

Every day, residents of Pima County are impacted by increased activities related to dry and hot weather in our region. Continued funding of the Arizona Department of Forestry and Fire Management (DFFM) is critical to the emergency response to floods in Pima and many other counties. It is proposed, therefore, that Pima County advocate for the provision of adequate funding for the Arizona Department of Forestry and Fire Management.

The Pima County Health Department is responsible for a wide range of activities to maintain and promote public health and to prevent and mitigate disease and other health threats. In recent years, legislation has been introduced that would curb the authority of the County's public health agency to respond to local public health emergencies. It is proposed that Pima County oppose any effort to limit the ability to respond to public health emergencies appropriately.

Recognizing that pharmacists receive extensive training and education, Pima County proposes to support efforts to expand the authority of pharmacists to prescribe lifesaving medication to help prevent fatal opioid overdose and reduce the risk of HIV infection.

In response to the lack of oral health care in Arizona, Pima County proposes to advocate for the expansion of the list of Essential Health Benefits to include oral health in Arizona, which will be developed by the State in the spring of 2025.

It is proposed that Pima County oppose requirements to use E-Verify Enrollment in Public Welfare Programs, which could limit participation in critical programs such as nutrition programs for those in need.

Pima County, at the direction of the Board of Supervisors in early 2021, created the Pima Early Education Program (PEEP), which funds scholarships for preschool age children (3-5

years old) from income eligible families, at a cost of approximately \$10 million a year. PEEPs through its partnership with the City of Tucson, the Towns of Marana and Oro Valley, school districts and the utilization of private funds to the United Way of Tucson and Southern Arizona, continues to see remarkable growth.

Midway through Fiscal Year 2024, PEEPs served over 1,698 children throughout Pima County. PEEPs and our partners are serving 43% of the need in this County. The PEEPs program will be much less effective if statewide funding for preschool and childcare decreases dramatically next fiscal year. Ongoing support from the State of Arizona through the Department of Economic Security (DES), provides for childcare subsidy reimbursements to childcare providers for low-income working parents and foster children at rates that continue to meet the cost of providing quality childcare. This funding and financial support to providers is critical to the success of the PEEPs program. It is proposed, therefore, that Pima County advocate for appropriate State General Funding to maintain DES childcare subsidy reimbursement rates at the cost of providing quality childcare.

#### 4. Fortify Public Safety

The State of Arizona caps post-conviction legal representation at one hundred dollars per hour, a rate established in 1998. The amount is significantly below market and limits the supply of qualified practitioners in the field. A request to increase this rate was supported by Pima County last year and the County continues to participate in statewide stakeholder meetings. It is proposed that Pima County support an effort to give local Boards of Supervisors the ability to override the cap and set a rate appropriate for each county.

Last year, Pima County proposed an outline to support Severe Threat Orders of Protection, also known as “red flag laws” and “extreme risk orders of protection,” as a way to stop mass shootings and other gun-related tragedies by temporarily intervening to suspend a person’s access to firearms if they show clear warning. It is proposed that in 2025, Pima County support “red flag laws” and all measures to promote the safe use of firearms and reduce unintentional injuries and suicide due to firearms.

Court costs and salaries of probation officers are one of the fastest growing expenses in the County budget. The County has very limited control over either one of these items, however, bears significant financial responsibility for both. Legislative appropriation has failed to keep pace with the State’s responsibility to fund these programs. The County should endeavor to better align the costs and responsibility for the operation of the Courts in the probation systems. Specifically, with respect to probation salaries, the County should work with the legislature to redefine the respective roles and funding responsibilities in statute. This is part of an ongoing effort with the County Supervisors Association.

The role of the county constables in Arizona can be perceived as different things in different counties or by different constables. Elected within a precinct or geographic area within Pima County, each elected constable currently has similar legal authority as a county sheriff but serves a specific role for justice courts. While the way in which the responsibilities of the

The Honorable Chair and Members, Pima County Board of Supervisors

Re: **2025 Legislative Agenda**

July 16, 2024

Page 6

office are addressed has changed as the criminal justice system and technology have evolved, the election of constables has not varied. It is recommended that Pima County work with the County Supervisors Association to review the role and effectiveness of the constables and advance concepts to reform the position.

#### Federal Agenda

While Pima County's federal lobbying effort rarely focuses on specific legislation, critical communications impact the County's access to federal dollars and to make and enforce rules and regulations to support critical infrastructure and local programs. These programs include, but are not limited to, additional funding for Federal Workforce Innovation and Opportunity Act (WIOA) money for workforce-development programs for youth programs, transportation and communications infrastructure and local efforts to avoid street release in support of the federal response to the passage of legal asylum seekers through Pima County.

#### Support the County Supervisors Association Adopted Legislative Agenda

The County actively participates in and closely monitors the County Supervisors Association (CSA) and their priorities for the upcoming legislative session. In October, the CSA Legislative Summit will be held at which time statewide priorities and strategies for counties will be developed.

#### Recommendation

I recommend the Board of Supervisors adopt Resolution No. 2024-\_\_\_\_\_ adopting Pima County's legislative program for 2025.

Sincerely,



Jan Leshner  
County Administrator

JKL/anc – July 3, 2024

#### Attachment

c: Carmine DeBonis, Jr., Deputy County Administrator  
Francisco García, MD, MPH, Deputy County Administrator & Chief Medical Officer  
Steve Holmes, Deputy County Administrator  
Michael Racy, Racy Associates, Inc.

PIMA COUNTY

RESOLUTION NO. 2024 - \_\_\_\_\_

A RESOLUTION OF THE BOARD OF SUPERVISORS IN PIMA COUNTY, ARIZONA  
ADOPTING A PIMA COUNTY LEGISLATIVE PROGRAM FOR 2025

IT IS 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 Federal/County, 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. Protect the County Taxpayer

- 1. Oppose any State Cost Transfer that would transfer cost to the County.
- 2. Modernize the process of bid notices, vendor registration and sales of surplus properties.

3. Monitor and advise on economic and workforce development, including support for rural broadband infrastructure.
4. Research and advocate for modifications to taxing districts to provide the greatest flexibility to the Board of Supervisors.

**B. Invest in Pima County's Infrastructure**

1. Advocate for funding and financing for both new roads and maintenance of the existing transportation infrastructure and to address the outdated and inadequate funding and financing of transportation network needs.
2. Allow Pima County to develop a single stormwater ordinance to protect and improve water quality while mitigating flooding.
3. Support efforts to limit and regulate wildcat subdivision and further to provide a mechanism to deal with unimproved subdivision lots.

**C. Maximize or Strengthen Critical Programs**

1. Provide adequate funding for the Arizona Department of Forestry and Fire Management.
2. Protect the public health authority.
3. Support efforts to enable pharmacists to prescribe lifesaving medication to prevent fatal opioid overdose and reduce the risk of HIV infection.
4. Expand the availability of dental health benefits.
5. Oppose requirements to use E-Verify Enrollment in Public Welfare Programs.
6. Appropriate State General Funding to maintain DES Childcare Subsidy Reimbursement Rates at the cost of providing quality childcare.

**D. Fortify Public Safety**

1. Establish a capital post-conviction pay cap for attorneys.
2. Support severe orders of protection ("red flag laws") and all measures to promote the safe use of firearms and reduce unintentional injuries and suicide due to firearms.
3. Work to redefine the respective roles and funding responsibilities of Pima County and the Courts related to court costs and salaries of probation officers.
4. Review the role and effectiveness of the constables and advance concepts for reform of the position.



E. Federal Advocacy

County federal lobbyists shall advocate for the County's access to federal dollars and to make and enforce rules and regulations to support critical infrastructure and local programs and efforts to avoid street release in support of the federal response to the passage of legal asylum seekers through Pima County.

F. Support the County Supervisors Association Adopted Legislative Agenda

Continue to support the County Supervisors Association Adopted Legislative Agenda.

G. Monitor Legislative Efforts of Countywide Elected Officials and Other Associations.

Direct County Staff to work with Countywide Elected Officials, Arizona Association of Counties and other statewide organizations to monitor legislation proposed and endorsed by these partners and to report to the Board of Supervisors on any action recommended by the County Administrator or County Lobbyist.

PASSED, ADOPTED AND APPROVED by the Board of Supervisors, Pima County,  
Arizona this \_\_\_\_\_ day of \_\_\_\_\_ 2024.

\_\_\_\_\_  
Chair, Pima County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

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

  
\_\_\_\_\_  
Deputy County Attorney