Background

Attached please find Resolution No. 2021-_____ adopting the County legislative program for 2021 (Attachment 1).

While Legislative Agendas historically delineated priority categories and specific initiative, the Legislative Agenda for 2021 was developed to provide flexibility to respond to the dynamic conditions of the Legislature, particularly during the COVID-19 pandemic. The pandemic is not behind us nor have we fully grasped the impact of the Infrastructure Investment and Jobs Act (IIJA). In addition, as we consider this Agenda, the Build Back Better Act, which passed the House of Representatives has yet to be considered or passed by the Senate. The financial impact on the State of Arizona and Pima County remains unknown yet is significant to the development of state and county legislative priorities. This initial, simplified Legislative Agenda should be reviewed early next year to reflect the impact of the federal legislation.

The primary goal of Pima County’s legislative efforts in 2022 will be to ensure the distribution to the County of federal funding related to the COVID-19 pandemic and all federal acts related to economic growth and infrastructure. This will require regular monitoring and review of federal and state legislation and accompanying rulemaking.

Additional legislative priorities of Pima County are as follows:

1. Protect the County Taxpayer;
2. Strengthen the Public Health Authority;
3. Invest in Pima County’s Infrastructure;
4. Support the County Supervisors Association Adopted Legislative Agenda

Protect the County Taxpayer

State cost transfers continue to rise. For Fiscal Year 2021/22, State cost transfers are $90,530,183 This is equivalent to about 25 percent of our primary property tax revenue. Hence, at least a quarter of our property tax levy is a result of State mandated cost transfers. In many instances, these State cost transfers have absolutely no policy connection. The best example is the State’s mandated cost transfer for Pima and Maricopa Counties for supporting the State’s Juvenile Department of Corrections. Pima County has a long history of sending very few juveniles to State facilities. In fact, transfers that do occur significantly underrepresent our proportion of the State’s population. Hence, by funding our juvenile system locally, we are punished by being required to fund a State system we generally do not use.
There are many other State cost transfers that have questionable policy connection to State programs. Nevertheless, they are mandated by the Legislature and if objected to by the County, the State will withhold the payment of State-shared revenues. Therefore, we have little choice other than to accept State cost transfers and unfortunately, these costs increase without sound policy consideration and add to the tax burden of our local citizens. The County will oppose any and all State cost transfers that increase the tax burden on Pima County taxpayers.

Strongen the Public Health Authority

Our need to strengthen the public health authority of Pima County has not changed since last year. The Coronavirus pandemic continues to focus the public’s attention on the importance of county public health agencies. In the past, these agencies were generally taken for granted, primarily involved in sexually transmitted disease prevention, immunizations, Tuberculosis control and maternal-child health. While these are important functions, these issues have historically not attracted the same level of public scrutiny or required the same level of public investment that the pandemic response continues to necessitate.

The pandemic has clearly demonstrated that county public health agencies are vitally important to community and individual health as well as to responding to highly infectious disease threats such as COVID-19. County public health agencies have been moving toward the model of overall community health and linking factors such as income, ethnicity, education and similar socio-economic factors in defining who among the general population is most susceptible to disease and poor health.

The exclusive role of county public health agencies in providing public health services and infrastructure to serve the County’s population is not well understood. Cities and towns, while they comprise a large percentage of the state population, frankly, have no statutory role in public health as opposed to county public health agencies having full responsibility to manage and execute a countywide public health program. Very often, these actions and other public health related programs are delegated to the counties through the State public health agency, the Arizona Department of Health Services.

It is important county public health agencies be given clear authority as well as autonomy to carry out public health programs to improve overall community health and minimize the spread of infectious diseases.

- **Provide Early Warning and Awareness of Public Health Threats** (Attachment 2)- Expanded resources and technical support from the Arizona Department of Health Services must be provided to counties to enhance infrastructure for early awareness of emerging public health threats. Distribution of available human and technical infrastructure across to the entire state is essential.
• **Minimum Pass through of Public Health Funds to County Public Health Agencies** (Attachment 3) – Today, federal funding provides the primary support for state public health infrastructure. The overwhelming majority of these resources are retained centrally by the State with no specific requirement to pass through any funds to counties for local public health programing. Very often, the State retains a disproportionate share of these funds for their use. Hence, federal funding does not reach communities in the amount and proportion required to meet county specific federal public health objectives. It would be appropriate to enact legislation that would require at least 50 percent of public health funding provided by the federal government to the State to be passed through to county public health agencies. Such action would serve to support and protect the statutory authority of county health departments as they seek to conduct their constitutionally mandated functions.

• **Require Schools to Provide a Public Health Nurse in Schools where the attendance is at least 500 on a daily basis** (Attachment 4) – School nurses were common team members in almost all public schools in Arizona. Due to school district budget constraints and other factors, these essential functions were largely eliminated or scaled down. Schools are critical but poorly resourced partners responding to the Coronavirus pandemic. School and public school districts, currently assist the health department with reporting and contact tracing functions as required in the Governor’s Executive Order. Additionally, federal resources have earmarked point-of-care COVID-19 antigen tests to school settings but these are challenged with the lack of staffing and infrastructure to put these tools into use. The availability of the COVID-19 vaccine and the designation of school staff and eventually students as priority populations for vaccination, also create a need for on-site health professionals to facilitate vaccine education, assess vaccination compliance, and even to deliver the vaccine. It is appropriate for the State to require and fund schools and districts to provide for school nurses assigned to any school where the attendance is greater than 500 students. In addition, the public school nurse can coordinate with the county public health agency to connect families with health care resources, coordinate care of medically complex children, and disseminate prevention information related to diseases, obesity, diabetes, tobacco use, other regulated drugs, including marijuana and community health programs designed to improve the overall health of the community.

• **Protect the Local Public Health Authority** (Attachment 5) – Across the nation, well-established local public health authority is under threat. There must be attention paid during this legislative session to preserve and enhance local public health authority. Limitations to public health authority threaten recovery from the pandemic and future responses. Previously, Arizona has been one of 15 states that proposed legislation that has eroded the public health authority. Our Pima County local health authority must be supported to continue to be at the forefront of public health emergency response through data informed, science-led and best practice approaches.
• **Improve and enhance the delivery of behavioral health services in county detention centers** (Attachment 6) - County detention facilities today represent an important site for the delivery of behavioral health and substance abuse treatment and services. Given the large proportion of detainees with mental health needs and the amount of related services delivered in these settings, it is critical that Pima County support efforts to authorize accredited jails to perform the services and functions of Evaluation and Mental Health Treatment agencies, allowing detainees who suffer from mental illness and who are either unable or unwilling to accept treatment to be evaluated and treated.

**Invest in Pima County’s Infrastructure**

• **Transportation Funding** – Each year the Pima County Legislative Agenda notes that the State has not seriously invested in our transportation system in over 30 years, leading to declining revenues and inflation erosion of those revenues, all leading to deteriorating transportation systems. The County has consistently supported any increase in transportation revenues from any source for the purpose of accelerating the adopted County road repair program. With over $5 billion expected to be funneled from the IIJA through the Arizona Department of Transportation (ADOT) to address major highway repairs, a critical focus of our advocacy must be on the State and ADOT to ensure funds are made available to Pima County for both new roads and maintenance of the existing transportation infrastructure.

• **Broadband Funding** – The Infrastructure Investment and Jobs Act (IIJA) has earmarked $100 million to expand affordable, high-speed internet access in Arizona. These fund are to assist unserved or underserved communities, with a dedicated set-aside for projects where construction costs for broadband are higher and for “Middle Mile” broadband projects, which seek to narrow the gap between a community and access to high-speed broadband infrastructure. Pima County’s goal will be to ensure appropriate funds are dedicated to our residents.

• **Credit for Recharged Effluent** - Pima County’s Regional Wastewater and Reclamation Department (RWRD) proposes legislation that will allow new managed recharge projects to receive credit for 95 percent of recharged effluent (Attachment 7). Under current law, new managed recharge facilities using effluent receive credit for only 50 percent of recharged effluent, which discourages the use of existing stream bed downstream and encourages construction of expensive artificial recharge basins.

It is important that Pima County continue to monitor any and all legislation that impacts water, water quality, water conservation or the utilization of effluent and reclaimed water. (Attachment 8)
Support the County Supervisors Association Adopted Legislative Agenda

The County also closely monitors the County Supervisors Association (CSA) and their coalition priorities for the upcoming legislative session (Attachment 9). Pima County agrees with all of the items set forth in the 2022 CSA Legislative Summary and suggests the Board of Supervisors also support these consensus coalition priorities for the CSA.

Recommendation

It is recommended the Board of Supervisors adopt Resolution No. 2021-_____ adopting the County legislative program for 2022.

Sincerely,

Jan Lesher
Chief Deputy County Administrator

JKL/anc – December 1, 2021

Attachments

c: Carmine DeBonis, Jr., Deputy County Administrator for Public Works
    Francisco García, MD, MPH, Deputy County Administrator & Chief Medical Officer, Health and Community Services
    Monica Perez, Chief Assistant to the County Administrator
    Michael Racy, Racy Associates, Inc.
PIMA COUNTY

RESOLUTION NO. 2021 - ______

A RESOLUTION OF THE BOARD OF SUPERVISORS IN PIMA COUNTY, ARIZONA
ADOPTING A PIMA COUNTY LEGISLATIVE PROGRAM FOR 2022

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 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:

2022 Legislative Program
B. Protect the County Taxpayer

    Oppose any State Cost Transfer that would transfer cost to the County.

C. Strengthening County Public Health Functions

1. Provide Early Warning and Awareness of Public Health Threats.

2. Guarantee a Minimum Pass through of Public Health Funds to County Public Health Agencies.

3. Require Schools to Provide a Public Health Nurse in Schools Where Attendance is at least 500 on a Daily Basis.

4. Protect the Public Health Authority.

5. Improve and Enhance the Delivery of Behavioral Health Services in County Detention Centers.

D. Invest in Pima County’s Infrastructure

1. Support any increase in transportation funding to accelerate the County road repair program.

2. Ensure availability of broadband funding in Pima County.

3. Fairly Credit Recharged Effluent.

E. Support the County Supervisors Association Adopted Legislative Agenda

    Continue to support the County Supervisors Association Adopted Legislative Agenda.

    PASSED, ADOPTED AND APPROVED this day of __________, 2021 by the Board of Supervisors of Pima County.

______________________________

Chair, Pima County Board of Supervisors

2022 Legislative Program  
Page 2 of 3
ATTEST:

___________________________
Clerk, Board of Supervisors

APPROVED AS TO FORM:

___________________________
Civil Deputy County Attorney
Lesley M. Lukach
Date: 10/13/2021

Department/Office:
Pima County Health Department

Name, Title and Telephone Number of Contact Person:
Dr. Theresa Cullen, Director of Pima County Health Department

Subject or Title of Proposal: AZDHS to Support Counties with Dedicated Resources for Early Awareness to Emerging Public Health Threats

Proposal Description:

A. Background Information:
(Describe the issue or problem in need of legislative attention. Attach all existing documents relating to the issue.)

Infectious diseases have reemerged as a significant threat to public health. Infectious diseases besides COVID-19 include human immunodeficiency virus (HIV), Ebola, tuberculosis, influenza, West Nile, and Zika. There is a need to increase organizational capacity for this type of surveillance, including exchanging information in an interoperable manner and ensuring appropriate use of analytic tools. The infrastructure that was in place pre-pandemic was not designed to support early sentinel awareness nor for the data tracking and information sharing that the response to the pandemic demanded. Additionally, there is a need for dedicated and trained informatician and data scientists to adequately monitor and respond to emerging public health threats.

Having robust human and technical structures for surveillance of emerging threats to public health at AZDHS available to the entire state is essential. Due to the varying population sizes and resources in each county, not every county can provide the necessary surveillance on its own. Both rural and urban populations interact through cross-county travel and commerce. AZDHS is in a position to provide both technical and human support to counties across the state to ensure data is being surveilled and collected in an interoperable manner. COVID-19 will not be the last virus to threaten our health and safety. Continuous monitoring and data sharing statewide will ensure that
the state is prepared for early recognition and identification of the next emergent threat to public health.

B. Legislative Proposal:
(Describe the proposal and what it would accomplish.)

To have AZDHS work with each county to ensure appropriate access to resources (including human) that will enable them to have early sentinel awareness of emerging public health threats.

C. Statutes/Regulations Affected or Proposed Language:
(Identify any state or federal statutes or regulations to be amended or repealed or attach proposed new language.)

ARS Title 36- Public Health and Safety Chapter 6 Public Health Control

D. Fiscal Impact:
(Describe any direct or indirect impact on Pima County expenditures or revenues.)

This will require increased funds to the Health Department to staff any potential new positions needed to staff an Emerging Infectious Disease Unit.

E. Proposal History:
(Describe any previous efforts by any person/entity to pursue this proposal.)

This was included in the previous legislative ask for 2021.

F. Interested Parties:
(Identify any persons/entities that you know or believe will either support or oppose this proposal.)
Date: 10/13/2021

Department/Office:

Pima County Health Department

Name, Title and Telephone Number of Contact Person:

Dr. Theresa Cullen, Director of the Pima County Health Department

Subject or Title of Proposal:

Minimum Pass-through of Public Health Funds to County Public Health Agencies

Proposal Description:

A. Background Information:

(Describe the issue or problem in need of legislative attention. Attach all existing documents relating to the issue.)

Federal funding provides the primary support for state public health infrastructure. The majority of these resources are retained centrally by the State for their programming and use with no specific requirement to pass through funds to counties for local public health programming. Local programming is essential to sustaining and creating healthy communities, and counties have the most reach into the communities the federal funding is intended for. Additionally, many grants for public health are made primarily available only to states through direct awards, with no option for counties to apply for the funds.

Direct federal funds for public health not tied to a specific program have become a more common practice as the response to the pandemic continues. At the beginning of the pandemic counties with a populace greater than 500K received direct allocations of CARES act funds. This left smaller counties reliant on the State to distribute funds to them during emergency response. This delayed access to necessary economic support for pandemic response. Arizona received $1.9B with the CARES act, of which $400M went to state agencies already supported through state dollars resulting in funds being returned to the state general fund instead of going to new public health programs. Later on, with the American Rescue Plan, direct allocations went to localities and did not require a
pass through from the State. Congress and the executive branch currently have policy and legislative proposals that will result in more public health funding and state allocations if passed.

As we build up a chronically underfunded public health infrastructure and continue the ongoing response to the pandemic, plan for recovery, and monitor and combat other threats to public health. Ensuring federal public health dollars make it to the local level and in a timely manner will be essential to succeeding in these efforts.

B. Legislative Proposal:
(Describe the proposal and what it would accomplish.)

For the Arizona Legislature to enact legislation that would require at least 50 percent of public health funding provided by the federal government to the State to be passed through to county public health agencies. Such action would serve to support and protect the statutory authority of county health departments as they seek to conduct their constitutionally mandated functions.

C. Statutes/Regulations Affected or Proposed Language:
(Identify any state or federal statutes or regulations to be amended or repealed or attach proposed new language.)

TBD

D. Fiscal Impact:
(Describe any direct or indirect impact on Pima County expenditures or revenues.)
It would increase revenues from the State to support public health initiatives in Pima County.

E. Proposal History:
(Describe any previous efforts by any person/entity to pursue this proposal.)

Included in legislative ask for 2021

F. Interested Parties:
(Identify any persons/entities that you know or believe will either support or oppose this proposal.)
County Supervisors Association
Date: 10/13/2021

Department/Office:
Pima County Health Department

Name, Title and Telephone Number of Contact Person:
Dr. Theresa Cullen, Director of Pima County Health Department

Subject or Title of Proposal:
School Nurses in Schools Where Attendance is at least 500 Students

Proposal Description:

A. Background Information:
(Describe the issue or problem in need of legislative attention. Attach all existing documents relating to the issue.)

School nurses were essential pre-COVID and during the pandemic have been a critical resource. Unfortunately, pre-pandemic, these essential employees were eliminated from school district employment due to budget constraints and other factors, including a shortage of nurses in the state. Currently, schools in Pima County have a school health assistant or health aid to distribute medications or provide basic first aid but not every school has a school nurse. The school health aid or assistant may have different duties or schedules depending on the district. Schools that have a school nurse may share the nurse across the district, or the nurse may only be at a school part-time.

The American Academy of Pediatrics, American Civil liberties Union, and the National Association of School Nurses recommend that every school have at least one school nurse. According to the National Academy of School Nurses, 39.3% of schools have a full-time nurse nationwide, and 25% have no nurse at all. The western part of the US, including Arizona, has only 10% of schools with full-time nurses, 54% part-time, and 36% have none. However, exact numbers for Arizona are not available due to no state requirement. Many schools in Arizona rely on Health Assistance only, who do not have the same training in chronic disease management and cannot provide the same level of care as an
RN. In some cases, these positions are filled by volunteers and those who have no formal medical training.

Due to no Arizona state requirement, the pandemic has uncovered the need for full-time nurses in Schools. With school now in person, the nursing team has become critically important in contact tracing, testing, communicating with parents, and ensuring their districts are prepared for potential outbreaks. The professional nurse corps in schools is a critical part of the infrastructure in pandemic response and beyond in keeping our community safe and healthy.

Beyond the pandemic, a school nurse helps with daily chronic care management, care coordination, responding to medical emergencies on campus, and educating families on what health care services are available to their child at school. School nurses have a positive economic impact. According to the CDC, through savings that come from preventing visits to the emergency room and missed days of work for caregivers when they need to care for sick kids. School nurses also help reduce absenteeism by helping to address student health needs that may cause them to miss school.

B. **Legislative Proposal:**
(Describe the proposal and what it would accomplish.)

It is proposed that the legislature pass funding for each school serving 500 students or more to have access to a school nurse.

C. **Statutes/Regulations Affected or Proposed Language:**
IDENTIFY ANY STATE OR FEDERAL STATUTES OR REGULATIONS TO BE AMENDED OR REPEALED OR ATTACH PROPOSED NEW LANGUAGE.

ARS Title 15 –Education Chapter 3 Local Governance of Schools

D. **Fiscal Impact:**
(Describe any direct or indirect impact on Pima County expenditures or revenues.)

NA

E. **Proposal History:**
(Describe any previous efforts by any person/entity to pursue this proposal.)

This topic was brought up in the previous legislative ask.

F. **Interested Parties:**
(Identify any persons/entities that you know or believe will either support or oppose this proposal.)

- School Nurses Organization of Arizona
- Arizona Department of Education
- AzDHS
- School Districts
Date: 10/13/2021

Department/Office:
Pima County Health Department

Name, Title and Telephone Number of Contact Person:
Dr. Theresa Cullen, Director Pima County Health Department

Subject or Title of Proposal: Protect Local Public Health Authority

Proposal Description:

A. Background Information:
(Describe the issue or problem in need of legislative attention. Attach all existing documents relating to the issue.)

Local public health authority is essential to protecting the public’s health and ensuring that science-based decision-making informs public health emergency response. The pandemic and its scientific-based response nationally were challenged by legislatures and governors overriding policies put in place by local jurisdictions and public health agencies. Governor's emergency powers have been challenged as well during the pandemic. Historically, emergency powers have been given to public health officials and departments to protect the community from infectious diseases. Public Health emergencies do not have the time to wait for political action or legislation to respond. Public health officials need to have the ability to respond rapidly to emergencies based on their experience and expertise in public health.

Limiting public health authority creates environments where responding to emergencies and protecting the public’s health can be delayed. Public health needs to be on the frontlines of response performing their duties to the best of their ability based on timeliness, and a science-led and best practice approach.

According to the Network for Public Health Law and NACCHO, 15 states have passed or have considered measures that undermined public health authority— including changing who is granted emergency powers in States. Arizona is among the 15. A current American Legislative Exchange Council (ALEC) campaign is shifting public health
authority and emergency powers from state and local executive branch officials, and public health agencies, to the legislative branch. ALEC has reach and influence in Arizona and across the United States. As an ALEC priority this is a topic that will emerge again during the next legislative session.

The Arizona budget passed in the 2021 Legislative session had multiple components intended to limit public health authority. These included sections 12 and 13 of SB1824, Section 2 of SB1825, and SB1819. These sections include a ban on vaccine passports, banning state universities and k-12 from requiring COVID-19 vaccinations, banning businesses from having vaccine mandates and limiting the governor’s power on declaring a state of emergency.

If these bills had been enacted, they would have severely limited local public health authority and the ability to move swiftly in emergency response. Additionally, this would have limited the tools and resources to fight the current pandemic and future health emergencies.

B. Legislative Proposal:
(Describe the proposal and what it would accomplish.)

To advocate for keeping public health authority intact, keep speperations of power in place, and allow public health officials to act swiftly and follow science during public health emergencies.

C. Statutes/Regulations Affected or Proposed Language:
(Identify any state or federal statutes or regulations to be amended or repealed or attach proposed new language.)

36-787. Public health authority during state of emergency or state of war emergency; notices; appeals

D. Fiscal Impact:
(Describe any direct or indirect impact on Pima County expenditures or revenues.)

NA

E. Proposal History:
(Describe any previous efforts by any person/entity to pursue this proposal.)

First time proposal

F. Interested Parties:
(Identify any persons/entities that you know or believe will either support or oppose this proposal.)

AzPHA
Date: 08/09/21

Department/Office: Behavioral Health

Name, Title and Telephone Number of Contact Person: Paula Perrera, Director, 724-7958

Subject or Title of Proposal: Jail licensing exemption clarification

Proposal Description: Amend A.R.S. §36-501 (13) and (27) to clearly permit accredited jails to provide the services of an Evaluation and/or Treatment Agency.

A. Background Information:
(Describe the issue or problem in need of legislative attention. Attach all existing documents relating to the issue.)
A.R.S. §36-501 (13) and (27) define Evaluation Agency and Mental Health Treatment Agency as agencies that are licensed by the Arizona Department of Health. As a result, there is confusion among the court, attorneys, and health services providers in jail settings, whether the exemption language in §36-402 permits accredited jails to perform the services of Evaluation and/or Treatment agencies. A.R.S. §36-402 (A) phrases the licensing exemption as a prohibition of Arizona Department of Health jurisdiction rather than an express grant of authority to accredited jails.

B. Legislative Proposal:
(Describe the proposal and what it would accomplish.)
The amendment of A.R.S. §36-501(13) and (27) would clearly authorize accredited jails to perform the services and functions of Evaluation and Mental Health Treatment agencies thereby allowing detainees who suffer from mental illness and who are either unable or unwilling to accept treatment to be evaluated and treated, in accordance with the due process afforded individuals who are not accused of a crime, for their mental illness rather than languishing during their detention. Further, public safety and fisc would benefit as dangerous detainees would not be required to be transported to a
hospital or hospitalized with the general public and the County would spare the expense of such transports and hospitalizations.

C. **Statutes/Regulations Affected or Proposed Language:**
(Identify any state or federal statutes or regulations to be amended or repealed or attach proposed new language.) A.R.S. §36-501 (13) and (27) require amendment. Specifically,

A.R.S. §36-501(13) would read: “Evaluation Agency” means a health care agency that is licensed by the department or is an accredited facility exempt from licensure pursuant to title 36, chapter 4 and that has been approved pursuant to this title, providing those services required of such agency by this chapter.

A.R.S. §36-501(27) would read: “Mental health treatment agency” means the state hospital or, a health care agency that is licensed by the department or is an accredited facility exempt from licensure pursuant to title 36, chapter 4 and that provides those services that are required of the agency by this chapter.

D. **Fiscal Impact:**
(Describe any direct or indirect impact on Pima County expenditures or revenues.)

| FYE 2021 |
|-----------------|-----------------|
| Petition Outcome                                                                                   |
| Released from evaluation by psychiatrist                                                        | 36 |
| Not completed, no disposition, released, expired prior to completion                             | 4  |
| Dismissed by court                                                                               | 2  |
| Court Ordered into Treatment                                                                      | 58 |
| **Total petitions**                                                                              | 100|

| Projected Court Ordered Evaluation (COE) & Post Evaluation Period (PEP) Costs |
|-----------------|-----------------|-----------------|-----------------|
| # of cases to court                                      | 60 |
| # of cases dropped prior to court                        | 40 |
| Estimated # of COE days (average 3.7)                    | 370 |
| Estimated # of PEP days (up to 4)                        | 240 |
| Estimated # of Psychiatric Evaluations                   | 200 |
| Estimated Cost for COE days (average daily rate @ $996.70) | $368,779.00 |
| Estimated Cost for PEP days (average daily rate @ $298)  | $ 71,520.00 |
| Estimated Cost for Evaluations (@$143.47 each)            | $ 28,694.00 |
| **Total Estimated cost**                                | $468,993.00 |
| **Average cost per case**                               | $ 4,689.93 |
E. **Proposal History:**
(Describe any previous efforts by any person/entity to pursue this proposal.)
N/A

F. **Interested Parties:**
(Identify any persons/entities that you know or believe will either support or oppose this proposal.)

Counties
Sheriffs
Courts
County Attorneys
Public Defenders
Mental Health Advocates
Correctional Medical Service providers
State Department of Corrections
Date: September 15, 2021

Department/Office: Regional Wastewater Reclamation/Director

Name, Title and Telephone Number of Contact Person: Jackson Jenkins, Director, (520) 724-6549

Subject or Title of Proposal:
Amending Statute to allow new managed recharge projects to receive credit for 95 percent of recharged effluent.

Proposal Description:

A. Background Information:
(Describe the issue or problem in need of legislative attention. Attach all existing documents relating to the issue.)

Under current law, new managed recharge facilities using effluent receive credit for only 50 percent of recharged effluent, with a 50 percent cut to the aquifer. In contrast, existing managed recharge projects receive 95 percent credit for recharged effluent and constructed recharge facilities receive 100 percent credit. This statute discourages the use of existing stream beds downstream of wastewater treatment facilities (WRFs) for recharge and encourages the construction of expensive and sometimes difficult to maintain artificial recharge basins.

We believe that managed recharge in existing streambeds has a number of benefits over the use of artificial basins. Maintaining flow in stream channels will create or enhance a riparian corridor that supports vegetation, birds and other wildlife, including fish and other aquatic organisms. Managed recharge projects have proven to be valuable community assets, providing recreational opportunities such as birding, hiking, and cycling for residents and visitors alike.
In addition, the use of natural, pre-existing stream channels for recharge is cost effective. Artificial recharge basins are expensive to construct and maintain. In some cases, basins become clogged, and must be repeatedly scraped in order to maintain adequate infiltration rates. For a managed facility, little maintenance is required as periodic stormflows scour the streambed and remove any clogging layers in the process. Managed underground storage facilities spread recharge over a broader area, benefitting more of the aquifer. Because of the broader spread of recharge at the surface, there is more storage space for recharged effluent within the aquifer. Also, there is evidence that additional pollutant removal occurs during flow in a channel.

B. Legislative Proposal:
(Describe the proposal and what it would accomplish.)

We propose that current statutes be amended to allow all future managed recharge facilities using effluent to receive 95 percent recharge credits.

C. Statutes/Regulations Affected or Proposed Language:
(Identify any state or federal statutes or regulations to be amended or repealed or attach proposed new language.)

Arizona Revised Statues 45-802.01 Definitions (see attached).

Arizona Revised Statues 45-851.01 Recovery of water on an annual basis (see attached).

Arizona Revised Statues 45-852-01 Long-term storage accounts (see attached)

D. Fiscal Impact:
(Describe any direct or indirect impact on Pima County expenditures or revenues.)

Pima County is in the early planning stages for a new regional water reclamation facility in the Sahuarita area adjacent to the Santa Cruz River. Using the river as a managed recharge facility instead of constructing recharge basins will save millions of dollars in construction costs and in yearly maintenance costs for the life of the facility. Accrual of long-term storage credits facilitates revenue for the County if sold in the future.

E. Proposal History:
(Describe any previous efforts by any person/entity to pursue this proposal.)

To my knowledge no one has yet to formally pursue this proposal, though it is a topic of informal discussion internally at RWRD and in meetings with other agencies and non-profits. Changing this statute may be difficult but certainly not impossible. Statutes were revised to increase the credits given to existing managed recharge projects from 50 to 95 percent credit beginning in February, 2019.

F. Interested Parties:
This proposal will be supported, we believe, by any municipality or government entity that treats wastewater and is located near an existing stream channel. Environmental NGO groups would also be supportive of this proposal.

This proposal would be opposed, we believe, by gravel operations that operate in or adjacent to streamcourses. To my understanding it the reason why the recent changes only included existing managed facilities and not new ones. In the past, Arizona Department of Water Resources (ADWR) has resisted giving more long-term storage credit than necessary for managed recharge because they believe that WRF’s will discharge to streams anyway. In this way, the state gets the benefit of recharge rather than storage credit accruing to the party discharging treated effluent.
Date:
September 9, 2021

Department/Office:
Regional Wastewater Reclamation/Director

Name, Title and Telephone Number of Contact Person:
Jackson Jenkins, Director, 520-724-6549

Subject or Title of Proposal:
MONITOR & ADVISE – Introduced legislation relating to the following issues:
1. Water-related legislation (ARS Title 45 and Title 49):
   a. Changes to the three-county Central Arizona Water Conservation District and impacts to service and representation
   b. Changes to the Central Arizona Groundwater Replenishment District
   c. Water Quality Standards: Aquifer Water Quality Standards; Reclaimed Water Quality Standards; Standards for Ephemeral & Effluent-Dependent Streams
   d. Underground Storage Permits and Recovery Wells
   e. Environmental permits: Aquifer Protection Permits, AZPDES permits, Recycled Water Permits, any new program to regulate state waters that are not Waters of the United States
   f. Utilization of Effluent and Reclaimed Water
   g. Rules and Regulations on Per- and polyfluoroalkyl substances (PFAS) and Other Contaminants of Emerging Concern
2. Professional Engineers – Liability
3. Environmental Management Systems; Capacity, Management, Operations & Maintenance (CMOM); Asset Management Systems
4. Regulation of Wastewater Treatment Facility Operators and/or Inspectors
5. Blue Stake/House Connection Service (HCS)
6. Critical Infrastructure
7. Stormwater Treatment Costs & Point Source Compliance Pollution Limits
8. Stormwater Resource Legislation
9. Water Resources
FY 2023 County Budget Priorities

Protect the County Taxpayer

Eliminate the Arizona Department of Juvenile Corrections Fee $8.5M

- ADJC is an obligation of the state General Fund and was fully funded by the state until the budget shortfall in 2015.
- In FY20 rural counties were permanently relieved of the burden, while Maricopa and Pima counties only received one-time relief.
- For the first time since FY16, the FY21 state budget required taxpayers in Maricopa and Pima counties to foot the bill for this state agency. The FY22 budget continued the impact.
- Absent action in FY23, Maricopa County taxpayers will pay another $6.7M and Pima County taxpayers will pay $1.7M to fund this state obligation.
- This fee unjustly charges taxpayers in two counties to pay for the state’s ADJC responsibility.

Restore State/County Probation Salary Cost Share

- Arizona has a unified court system that operates in each county.
- State has delegated setting salaries for state probation officers to the county-level for administrative convenience.
- FY22 state budget shifted the future obligation to properly fund salary increases for state probation officers to the counties.
- Probation officers serve a vital function for the criminal justice system and are a state funding responsibility.

Maintain financial “flexibility language” as a tool to meet county fiscal obligations in FY23

Invest in Arizona’s Infrastructure

Transportation Infrastructure

- Economic development and public safety require adequate road infrastructure. However, Arizona’s state and local roads continue to degrade.
- HURF, the main resource for maintaining roads, has proven insufficient, in part because the gas tax was set in 1990 and never adjusted for inflation, and the growing fleet of alternative fuel vehicles largely avoids paying a fair share to use the roads.
- County engineers estimate that revenues will fall $2.2B short of necessary transportation spending through 2027.
  - While one-time spending can fund certain projects, the magnitude of the funding shortfall requires increased ongoing resources.
- Arizona’s transportation systems require additional ongoing revenues to properly maintain and expand roadways to support continued growth in the state.

Broadband Infrastructure

- High-speed internet and broadband infrastructure is a foundation for economic growth and global competitiveness, access to education, and health care.
- Inadequate broadband access is impeding economic development and has left rural businesses and citizens at a competitive disadvantage.
- Federal resources for broadband should be utilized to build out resilient, redundant first-, middle- and final-mile infrastructure across Arizona.
- The state should continue to invest in the ACA’s Rural Broadband Development Grant program to assist underserved local communities in developing broadband infrastructure.

Prepared by County Supervisors Association | October 2021
### Pathologists’ Assistant

*Grants the County Medical Examiner the authority to authorize a pathologists’ assistant to perform autopsies under the supervision of a licensed physician.*

- Currently County Medical Examiners are authorized to use medical students, residents, and pathology training fellows to perform autopsies.
- A Pathologists’ Assistant is a medical professional trained in pathology practices, including the examination and evaluation of laboratory and surgical pathology specimens, performance of autopsies, as well as laboratory supervision and management.

### Procurement Contract Modifications

*Streamline procurement contract process to inherently include statutory contract requirements.*

Specifies that for any company that enters a contract with a public entity in Arizona, **the following are deemed to be included in the contract:**

- the company is not engaged in a boycott of goods or services from Israel;
- the notification for the cancelation of public contracts; and
- the contractor or subcontractor is complying with employment eligibility requirements through the e-verify program.

### County Improvement District Modifications

#### Formation Petition Modifications

- Specifies that to form a County Improvement District proponents are required to have both the approval of a majority of persons owning real property and the owners of 51% of real property.
- Allows for electronic petition documents and signatures.

#### Elected Improvement District Boards

- Authorizes a three-year window for an established county recreation improvement district, currently overseen by the Board of Supervisors, to transition governance to a locally elected board directors.
- One county recreation district exists in the state. Located in Navajo County, it has operated since 1993.

### State Aid Juvenile Dependency

*Establish a juvenile dependency proceedings fund to assist counties disproportionately impacted by an increase in petitions.*

- Allocate $2 million in State General Fund aid to assist counties that continue to see an increase in costs associated with providing mandated attorney services for indigent defendants in juvenile dependency matters.

### Rural Counties Transient Lodging Assessment

*Provide counties with a population of 500,000 or less the optional authority to approve and levy a transient lodging user fee in unincorporated areas of the county.*

- Tourism is the leading industry in many of Arizona’s rural counties.
- Establishes tax equity for rural counties to support tourism activity, invest in tourism promotion and economic development projects.