



# Board of Supervisors Memorandum

December 15, 2015

## Addition to the 2016 Legislative Agenda

### Introduction

On December 2, 2015, I distributed to the Board of Supervisors the recommended 2016 Legislative Agenda for the Board's consideration on December 15, 2015. Since that time, an additional subject was brought to my attention by the County Attorney, and I believe it is appropriate to include the following additional item in the 2016 Legislative Agenda:

#### 12. Partial Opt-out of Federal Benefits Ban.

A 1996 federal law allows states to opt out of a ban on federally funded nutritional assistance and cash assistance for people convicted of offenses involving the possession, use, or distribution of a controlled substance. Arizona has not done so; and as a result, drug offenders who have served their sentences or are compliant with the terms of probation are — unlike other offenders — ineligible for these benefits, which can help them recover and not return to criminal activity. Arizona should partially opt out of the federal ban and allow those drug offenders who have served their sentences or are on probation and compliant with the terms of probation to receive federally funded nutritional assistance and cash assistance.

The attached amended Resolution No. 2015-\_\_\_ reflects the addition of the Partial Opt-out of Federal Benefits Ban to the 2016 Legislative Agenda.

### Recommendation

I recommend the Board of Supervisors approve amended Resolution No. 2015-\_\_\_ setting forth Pima County's State Legislative Agenda for 2016.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "C.H. Huckelberry".

C.H. Huckelberry  
County Administrator

CHH/mjk – December 10, 2015

### Attachment

c: The Honorable Barbara LaWall, Pima County Attorney  
Amelia Cramer, Deputy Pima County Attorney  
Ellen Wheeler, Assistant County Administrator

**PIMA COUNTY**

**RESOLUTION NO. 2015 - \_\_\_\_\_**

**A RESOLUTION OF THE BOARD OF SUPERVISORS IN PIMA COUNTY,  
ARIZONA ADOPTING A PIMA COUNTY LEGISLATIVE PROGRAM FOR 2016**

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. **State Budget Legislation**

Repeal recent state budget legislation shifting additional state aid to education costs to Pima County as result of a 1980 constitutional amendment capping homeowner property tax liability.

B. Property Tax Reduction

Facilitate property tax reduction by creating and implementing a sales or excise tax to lower county property taxes.

C. Recently Enacted State Cost Transfers

Eliminate certain recently enacted state cost transfers in order to provide for local county property tax relief.

D. New State Programs

Oppose any new state programs that increase direct or indirect costs to counties without full reimbursement of those costs from the new or expanded state programs.

E. Transportation Funding

Increase state funding for transportation by increasing the gasoline tax.

F. Highway User Revenue Funds

Refer a constitutional amendment to the voters to prohibit the diversion of Highway User Revenue Funds for any purpose other than transportation.

G. Regional Transportation Authority

Allow a Regional Transportation Authority to enact an additional half-cent sales or excise tax for roadway repair.

H. Election Law Reform

Enact comprehensive election law reform to conform laws to current election technology.

I. 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.

J. Exchange of Legal Services

Remove the intergovernmental agreement statutory requirement and allow general counsel for public entities to exchange legal services on an as-needed basis.

K. Incompetent/Dangerous Criminals – Title 36 Accountability

Improve public safety by providing for the involuntary commitment in the State Hospital for treatment of violent offenders if a court finds that the defendant presents a danger to the community because of his/her mental illness.

L. Reduce Drug Offense Recidivism

Help prevent drug-offense recidivism by partially opting out of the federal ban on providing federally funded nutritional assistance and cash assistance to people convicted of drug offenses, in order to allow drug offenders who have served their sentences, or are on probation and compliant with the terms of probation, to receive such assistance.

**PASSED, ADOPTED AND APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2015 by the Board of Supervisors of Pima County.

\_\_\_\_\_  
Chair of the Board of Supervisors

ATTEST:

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

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Deputy County Attorney  
**REGINA NASSEN**