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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 11(A)(16)

TO: Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners

DATE: July 1, 2008

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Resolution urging congress to pass the Elder Justice Act

Resolution No. R-785-08

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Rebeca Sosa and Co-Sponsor Commissioner Joe A. Martinez.

R. A. Cuevas, Jr.
County Attorney

RAC/cp

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MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners

DATE: July 1, 2008

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Agenda Item No. 11(A)(16)

Please note any items checked.

_____ **"4-Day Rule" ("3-Day Rule" for committees) applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Bid waiver requiring County Manager's written recommendation**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **Housekeeping item (no policy decision required)**

_____ **No committee review**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(16)
7-1-08

RESOLUTION NO. **R-785-08**

RESOLUTION URGING CONGRESS TO PASS THE ELDER JUSTICE ACT, S. 1070, H.R. 1783 OR SIMILAR LEGISLATION

WHEREAS, elder abuse and neglect is a growing problem in the United States; and

WHEREAS, the 2004 Survey of Adult Protective Services found an increase of 15.6 percent from 2000 to 2004 in the number of substantiated cases of elder abuse and neglect; and

WHEREAS, less than 2 percent of federal funds spent on abuse prevention are for elder abuse prevention; and

WHEREAS, bills have been filed entitled the Elder Justice Act, S. 1070 and H.R. 1783, to address the issues of elder abuse and neglect; and

WHEREAS, the principal sponsors of the bipartisan Elder Justice Act are Sen. Orrin Hatch (R – Utah) and Rep. Rahm Emanuel (D – Illinois); and

WHEREAS, the Elder Justice Act would:

- create a federal funding stream for states' Adult Protective Services (APS);
- assure that the Department of Health and Human Services identifies an office to provide coordination and technical assistance for APS systems;
- establish an Elder Justice Coordinating Council throughout the federal government and an expert advisory board;
- provide demonstration grants for training, detection and prevention of financial exploitation; and
- define and report on guardianship and other fiduciary concerns; and

WHEREAS, currently there are 28 Senate co-sponsors and 113 House co-sponsors of this important legislation; and

WHEREAS, Congress has been holding hearings on elder abuse for 25 years, but has not yet enacted legislation responding to the significant problem of elder abuse; and

WHEREAS, the Elder Justice Act would provide a dedicated funding stream to support efforts across the country to end elder abuse and neglect, and will establish, for the first time, a network at the federal level to address this ongoing problem,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Urges Congress to pass the Elder Justice Act, S. 1070, H.R. 1783 or similar legislation.

Section 2. Directs the Clerk of the Board to transmit certified copies of this resolution to the members of the Florida Congressional Delegation.

Section 3. Directs the County's federal lobbyists to advocate for the passage of the legislation set forth in Section 1 above, and directs the Office of Intergovernmental Affairs to include this item in the 2008 and 2009 Federal Legislative Packages.

The Prime Sponsor of the foregoing resolution is Commissioner Rebeca Sosa and the Co-Sponsor is Commissioner Joe A. Martinez. It was offered by Commissioner **Jose "Pepe" Diaz**, who moved its adoption. The motion was seconded by Commissioner **Katy Sorenson** and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman **aye**
Barbara J. Jordan, Vice-Chairwoman **aye**

Jose "Pepe" Diaz	**aye**	Audrey M. Edmonson	**aye**
Carlos A. Gimenez	**aye**	Sally A. Heyman	**aye**
Joe A. Martinez	**aye**	Dennis C. Moss	**aye**
Dorrin D. Rolle	**absent**	Natacha Seijas	**aye**
Katy Sorenson	**aye**	Rebeca Sosa	**aye**
Sen. Javier D. Souto	**aye**		

The Chairman thereupon declared the resolution duly passed and adopted this 1st day of July, 2008. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: **Kay Sullivan**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. JMM

Jess M. McCarty

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