

# The Elks Government Relations Report

Items of Interest from the Congress, State Legislatures and the Courts

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## House Unanimously Passes Bill to Assist Wounded Vets

Partisan division over how to end the war in Iraq continued as Congress returned from its Easter break, but there was near-unanimity regarding support for the troops.

Outraged by media reports of filthy conditions at Walter Reed Hospital and the bureaucratic nightmare faced by many of its outpatients, the House unanimously approved the Wounded Warrior Assistance Act (H.R. 1538) last month, just weeks after *Washington Post* reports of shoddy administration at the famed medical facility.

The act would assist recovering troops through the bureaucracy of their hospitalization, insure care for post-traumatic stress disorder and other combat-related mental health conditions; assign a case manager and a military advocate to each outpatient assigned to a military hospital; establish a hotline where wounded warriors can report problems with their treatment, and require an end to the red tape that disabled veterans who move from military to VA care currently undergo.

Meanwhile, Gen. James Conway, commandant of the Marine Corps, has established a regiment for wounded warriors with a single commander responsible for meeting the needs of the wounded.

The new regiment was set in motion before the scandal broke at Walter Reed and began operation on April 1, with a battalion of wounded Marines at Camp Pendleton, Calif., and another at Camp Lejeune, N.C. The unit will help patients with evaluation boards and insurance claims as well as track them through the administrative bureaucracy of their recovery. It will also help them transition from the military health system to that of the Department of Veterans Affairs.

## VA Offers Advice For Expediting Claims

Responding to complaints about delays in processing disability claims at the Department of Veterans Affairs, the VA is offering advice to speed up the process.

Veterans are told to use a trained Veteran's Service Officer to assist them in gathering documents and making their claims and to file papers immediately after separation or retirement or as soon as possible if a suspected service-connected illness occurs after separation.

At joint hearing of the congressional Veterans Affairs Committees last month, Gary Kurpius, national commander of the Veterans of Foreign Wars, said the VA claims system, the gateway to all of the VA, was broken. With a backlog of 800,000 claims, he added, it takes six months for a claims rating and one out of eight is wrongly decided.

## **Elks' Role Cited as Positive Response To Negative Reports on Hospital**

*“The recent reports of neglect at Washington, D.C.’s Walter Reed National Army Medical Center, for some, thrust the plight of injured veterans into the public consciousness.*

*“For Stamford’s Bob Ritz, wounded soldiers haven’t left his mind since he returned home after one year and one day of combat in Vietnam. Rita, 65, has visited the VA Connecticut Healthcare System West Haven campus about three times each month for more than 30 years.”*

That’s the way reporter Amanda Pinto started her story in the *Stamford Times*, which recounted the service of the Connecticut Elk who makes a two-hour drive from his home to visit patients in the VA hospital’s sixth floor facility for blind veterans. Ritz gathers five volunteers to hold bingo sessions for about twenty to thirty five people on Friday nights.

“There’s a saying in the Elks,” Ritz told the reporter, “as long as there’s a veteran in the hospital, the Elks will be there, and that’s a real truism.”

When a tight budget nearly prevented the hospital from having a Christmas party for inpatients last year, Ritz and the Elks donated \$500, which funded holiday festivities for the hospital.

“He’s a great advocate for the VA hospital and its patients,” said Barbara Mainor, a VA voluntary service specialist. “He tells me, ‘If you need anything, you tell me, and I’ll see what I can do.’”

The reporter concluded her story by noting that Ritz’s efforts are not an obligation—they’re a joy. He told her he benefits from his relationship with wounded soldiers as much or more than they benefit from volunteer outreach.

“After bingo they get up and sing ‘God Bless America’ and it still gets me after 30 years,” he said. “We’re there to cheer them up and they’re cheering us up.”

## **New Mexico Sets Limits On Eminent Domain Takings**

New Mexico Gov. Bill Richardson signed into law a tough eminent domain bill that restricts the taking of property for private development through eminent domain.

The state also has enacted a new law providing property tax relief for veterans’ organizations. Jon Panlener, state government relations chair, says the new statute provides a springboard for enacting a similar law next year for fraternal organizations.

## **New Trend in Many Statehouses As ‘No New Taxes’ Mantra Fades**

Last year was a year of surpluses for many states, but 2007 could be the year of tax hikes.

Five governors are proposing large tax increases to pay for ambitious new health-care and education programs, according to Stateline, a news service that tracks state government activity. Proposals to raise cigarette taxes are on the table in even more states, with the added revenue going primarily to cover some of the country’s 46.6 million without health insurance.

Interest in raising taxes is strikingly different from the situation in the recent past, when legislatures facing fiscal crises resisted major tax hikes, instead raising rainy day funds, borrowing money or expanding gambling to raise more revenue. Then, the aim was to keep the state budget out of the red. Now, says Stateline, the aim is to expand the reach of state government—often to provide health coverage for more citizens.

Lodges should be alert to any moves to add or increase property taxes on previously exempt nonprofit groups. State revenues are generally healthy, but no one is counting on the extra cash that a relatively strong economy brought to most states last year. Several states already are facing huge holes in their budgets. Illinois and Michigan are struggling to close deficits of \$2 billion and \$3 billion, respectively. California and Florida are each looking at billion-dollar shortfalls for new fiscal years that begin July 1.

While pressure is building in a number of states to cut property taxes this year, so is interest among some politicians to raise certain taxes and use the money for specific projects that were ignored during the years of budget cutbacks. Higher taxes may be attractive because states have big-ticket items pending that must compete for scarce state dollars. Existing education and health care programs typically take more than half of a state budget, leaving the rest to be divided among transportation projects that have been put on hold, future pension and health care needs for state retirees and expensive new federal mandates such as REAL ID, a law that requires states to improve security of driver’s licenses and other identification programs.

## **New Hampshire House Defeats Medical Marijuana Legislation**

A bill to legalize marijuana use for medical purposes was defeated by just nine votes in the New Hampshire House of Representatives.

The Health Committee had rejected the legislation by a vote of 12-7, but under the rules of the state legislature, the bill was sent to the floor for a vote by the full House. Joe Giunta, chairman of the state’s drug awareness program, says calls and e-mails from Elks were instrumental in killing the bill.

## **Data Available on How Your State Spends Drug Abuse Prevention and Treatment Funds**

Every year the states receive block grants from the Substance Abuse and Mental Health Services Administration (SAMHSA) for substance abuse prevention and services. Have you ever wondered how your state allocates these funds?

The answer is available from the web site of the White House Office of National Drug Control Policy:

[www.whitehousedrugpolicy.gov/publications/inventory/](http://www.whitehousedrugpolicy.gov/publications/inventory/)

The document also includes information on per capita expenditures on prevention activities and core strategies for prevention, plus information on the numbers of people, by age category and by state, that needed but did not receive treatment for alcohol and drug abuse.

According to SAMHSA, substance abuse prevention efforts vary widely by state. Medicaid funding is being used for treatment services by 27 states. Some states are not contributing their own funds to prevention efforts.

## **Elks Watching Gaming Bills Pending in State Legislatures**

In **Texas**, H.B. 653 would let nonprofit organizations conduct a charitable poker run. Other pending bills would change regulations relating to handling of profits from bingo operations, including how proceeds are deposited, accounted for and spent.

Henry Mitchell, government relations chair in **Arkansas**, reports that a new law governing charitable bingo includes essentially everything Elks wanted. New regulations provide that all workers must be non-paid volunteers and limit individual prizes to \$1,000, with session limits of \$7,500. Bingo sessions are limited to two per week and each session is limited to five hours. No electronic bingo games are permitted. Net proceeds from bingo and raffles must be dedicated to the charitable purposes of the organization.

Under terms of legislation introduced in the **Maine** legislature, nonprofit organizations and Indian tribes could sponsor Texas hold'em poker tournaments and keep up to 25 percent of the entrance fee. Licensees could hold no more than three tournaments a week, a monthly super tournament and a giant tournament twice a year, with entrance fees ranging from \$50 to \$100. Other bills would amend laws determining how revenues from the Maine State Lottery are apportioned, increase the maximum payout in winner-take-all beano rounds from \$500 to \$1,200, and permit bona fide nonprofits to conduct and operate games of chance without a license if all prizes awarded have a value of under \$10 and chances cost \$1 or less.