

The first boot camp program in Florida for juvenile offenders to promote discipline, education, physical fitness, and respect for self and others;

A school resource officer to promote positive relationships with youth;

Child Protection Services to consolidate services and ensure the safety of children with family related problems; and

Victims First, which is a charity organization that provides scholarships to children whose parents have been murdered or sent to prison as a result of murdering the other parent.

Also, under this leadership, a new jail complex was built and the agency of 1,100 employees became nationally accredited in both corrections and law enforcement.

The six-term Sheriff also served in various capacities with the Florida Sheriffs Association including president and chairman of the Legislative Committee.

He began his law enforcement career with the Florida Highway Patrol where he worked for 15 years as a state trooper. He also worked for one year as an investigator with the State Attorney's office and served for two years as the Chief of Police for the City of Bradenton.

He ends his career with the successful arrest of kidnapping suspect Vicente Beltran-Moreno who is charged with kidnapping a 13 year-old boy.

Charlie Wells has prevented, investigated, and solved countless crimes. I thank him for his tireless work for the people of Manatee County and wish him the best in retirement.

TRIBUTE TO ELKS USA

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2007

Mr. SKELTON. Madam Speaker, let me take this means to pay tribute to the Elks USA for their continued dedication to communities across the nation and their contributions to the veterans of this country.

Founded after the Civil War with a goal of promoting friendship and charity, the Elks are the nation's oldest and largest fraternal organization, with 1.1 million members and lodges in all fifty states. Last year, they donated 9.7 million hours and contributed almost \$263 million to a variety of charitable and philanthropic causes.

One of the major tenets of the Elks is a commitment to the military and its veterans. In 1918, the Elks built a 700-bed hospital in Boston to rehabilitate World War I wounded and gave it to the nation. Elks made a solemn pledge that "so long as there are veterans, the Benevolent and Protective Order of Elks will never forget them." This commitment still stands through an extensive visitation program in VA hospitals and nursing homes. As the VA's only source of leather, the men and women of the Elks gather animal hides, pay for the tanning, and provide wheelchair gloves and leather used for therapy programs at VA medical centers nationwide. In 2005, they logged 1,037,932 hours visiting hospitalized veterans and taking many of the patients to baseball games, fishing trips, and other outings.

The Elks were among the first groups to endorse the World War II Memorial, donating \$1.2 million towards its construction. In addition, the Elks raised a similar amount to aid the victims of the World Trade Center and Pentagon attacks.

During World War II and the Korean War, the Elks operated canteens for the troops. A decade ago, they gave \$100,000 to service chaplains to support the families of the Gulf War wounded at Walter Reed and other military hospitals. A current project, dubbed the Army of Hope, provides support for the families of reservists and National Guard personnel who have been called to active duty in Iraq and Afghanistan. For the citizen soldiers whose lives have been disrupted, Elks are helping with the kids, making minor home repairs, writing wills, and providing other assistance for their families.

The Elks were founders of Flag Day, a concept President Harry Truman (himself an Elk) signed into law. They promote the flying of the flag, promote the observance of Veterans Day and Memorial Day, and sponsor parades along with other patriotic events.

Madam Speaker, I know the Members of the House will join me in commending Elks USA for their commitment to bettering our country and we thank them for their dedication to our military families.

INTRODUCTION OF MARGARET BROWN-FIELDS TAX INCENTIVE PERMANENT LEGISLATION

HON. JERRY WELLER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2007

Mr. WELLER of Illinois. Madam Speaker, thank you for the opportunity to offer an introductory statement regarding legislation Congressman BECERRA and I are introducing today making existing brownfields tax incentives permanent.

As you may know, the U.S. Conference of Mayors and the Government Accountability Office estimate that there are more than 100,000 brownfield sites across the country. They exist in every state and in many of our districts, rural and urban. We have all seen them . . . they are abandoned gas stations and warehouses and manufacturing facilities that have been closed down. These sites once housed vibrant and productive businesses, but today are in desperate need of revitalization and redevelopment. Before they can be redeveloped, however, existing environmental contamination must be cleaned up.

The cost of cleanup can be significant and, when this is the case, often stand in the way of re-development projects. In some cases, the clean up costs can exceed \$1 million. The legislation we are introducing today helps make these clean ups more affordable by removing obstacles in the federal tax code that create obstacles to clean up.

Specifically, this legislation does two things: Make the Internal Revenue Code Section 179 expensing provision permanent. This provision allows for the expensing of brownfield clean up costs. Currently, this provision expires at the end of 2007;

Repeal the provision in the law that recaptures the expense deduction as taxable income when the property is sold.

A recent survey by the U.S. Conference of Mayors of 187 large and small cities found that if their existing brownfields were redeveloped, it could bring additional tax revenues to their cities of approximately \$2 billion and create up to \$500,000 jobs.

The issue of brownfield cleanups has been important to me since I joined the Ways and Means Committee in 1996. This new legislation represents more than a decade of work on this issue. These final steps involve making the tax incentive permanent and repealing the recapture requirement. I look forward to working with Mr. BECERRA to getting these final steps made into a permanent part of our tax code.

TRIBUTE TO FRANK COMFORT

HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2007

Mr. PRICE of North Carolina. Madam Speaker, I rise to recognize the extraordinary accomplishments of a distinguished educator, coach Frank Comfort. It is fitting that we recognize this exceptional gentleman for his remarkable contributions to higher education, his manifold successes and abiding dedication to college athletics, and his enduring influence on generations of college students.

Frank Comfort has the distinction of being the winningest dual-meet swimming coach in NCAA history. He has amassed an unparalleled record of leadership and has devoted his time, skills, and energy to cultivating the very best in student-athletes. His career has been defined not only by athletic achievement, but by a dedication to the development of young men and women who are student-athletes in the finest sense: those who successfully combine athletic prowess with academic achievement.

Frank Comfort is a 1967 alumnus of Syracuse University, graduating with a Bachelor of Arts in history and physical education. He went on to earn a Master of Arts in physical education from the University of North Carolina, UNC, and in 1968, became the head swimming coach for men and women at Johns Hopkins University. At Hopkins, his swimmers won 12 NCAA individual titles and one NCAA relay title. In 1977, Frank Comfort returned to UNC, where his consistent leadership and dedication to excellence for 30 years as Head Coach have made him one of the most respected college swimming coaches in history.

Many people have made notable contributions to collegiate athletics. Few leave the legacy of Frank Comfort. He has developed swimming teams that have thrilled the collegiate athletic world with their courage, skill and achievement. Frank Comfort's swimmers and divers have won often and won big. Of his 578 dual meet wins, 308 have come while coaching men's teams and 270 while coaching women's teams. More than a decade ago, Frank Comfort became the winningest swimming coach in the history of the Atlantic Coast Conference in terms of league championships won. Overall, he has led Tar Heel teams to 25 Atlantic Coast Conference championships during his tenure—the most in conference history by a single coach. In his 30 years at UNC, his women's teams have been a consistent national force, finishing in the top 25 an astounding 25 times, including nine seasons in the top



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Lodges Looking at Smoking Policy in Light of New Report by Surgeon General

The evidence is now "indisputable" that secondhand smoke is an "alarming" public health hazard, responsible for tens of thousands of premature deaths among nonsmokers each year, said Surgeon General Richard H. Carmona.

The nation's top doctor released a report declaring unequivocally that exposure to any secondhand smoke is bad and that children and the elderly are particularly vulnerable. "Smoke-free environments," he said, "are the only approach that protects nonsmokers from the dangers of secondhand smoke."

While Dr. Carmona did not call for banning smoking in workplaces, his report is certain to encourage Congress and local governments to tighten smoking laws, including removal of current exemptions that nonprofit groups enjoy in some states. It may also cause some lodges to reexamine their policies. In addition to courtesy and concern for employees, fellow members and guests, lodges may be looking at future lawsuits claiming damages for exposure to secondhand smoke.

"There is no safe level of secondhand smoke, and even brief exposure can cause harm, especially for people suffering from heart or respiratory diseases," the report says. In addition, a separate no-smoking section, air cleaners or upgraded ventilation systems are no remedy. Engineering experts conclude that conventional air systems are ineffective in removing the smaller particles and gases found in secondhand smoke. Ventilation technology cannot be relied on to control health risks.

The most graphic conclusion in the report: "For nonsmoking adults, exposure raises the risk of heart disease by 25 percent to 30 percent and of cancer by 20 percent to 30 percent. It accounted for 46,000 premature deaths from heart disease and 3,000 premature deaths from cancer last year."

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Flag Amendment Falls One Vote Short

The Senate again rejected a constitutional amendment giving Congress authority to prevent desecration of the United States Flag. This time the vote was 66-34, one vote short of the two-thirds approval needed to send the issue to the states.

The issue has been pending for more than a decade, and the vote this month was the closest yet. The debate dates to 1989, when the Supreme Court struck down a Texas state ban on flag burning, saying the measure violated the First Amendment protections of free speech. The Congress responded by passing a law against flag burning, but in 1990 the court struck down the Federal statute on the same grounds.

The first time the Supreme Court weighed in on the issue was in 1907 with a ruling that states could outlaw flags on bottles of Stars and Stripes beer because such marketing would degrade and cheapen the flag. That ruling stood for 82 years.

Debate over the amendment was passionate, with opponents saying the Bill of Rights should not be amended and that free speech trumped disgusting behavior.

"This objectionable expression is obscene, it is painful, it is unpatriotic," said Senator Daniel Inouye, a Hawaii Democrat who won the Medal of Honor for his service in World War II. "But I believe Americans gave their lives in many wars to make certain all Americans have a right to express themselves, even those who harbor hateful thoughts."

Senator Dianne Feinstein (D-CA) quoted Justice Byron White who said Congress could enact a statute forbidding desecration of the Lincoln Memorial with graffiti or other objects. "The flag is itself a monument," said Justice White, "subject to similar protection." Senator Feinstein added: "I agree with Justice White--the American flag is our monument in cloth. ...This amendment would leave both the flag and free speech safe."

All 50 states have adopted resolutions advocating passage of the constitutional amendment. Eleven senators facing re-election this year opposed the amendment, and several are facing potentially difficult races.

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Alcohol Tax on Retail Sales Repealed

The special occupational tax required of all businesses that sell alcohol at retail (and that includes all lodges) has been permanently repealed. The repeal measure was included in the highway bill just sent to the President. Late last year Congress had enacted a two-year temporary suspension.

Each lodge can now budget an annual tax savings of \$250. The bad news: Each lodge still has to file tax form TBB 5630.5 every year before July 1.

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Lodges Urged to Get Involved in Property Takings Debate

Lodges Urged to Get Involved In Protecting Property Rights

The Supreme Court ruling that local governments may use the power of eminent domain to take private property for economic development has triggered a firestorm of protest across the country.

In the six weeks since the court's decision in *Kelo v. New London*, bills have been introduced in Congress and in more than half of the state legislatures to restrict, in varying degrees, the use of eminent domain for private development. Elks' leaders are urging lodges and members to learn about the situation in their states, to get involved, and to contact their legislators.

In many communities, says Don Stevens, chairman of the Government Relations Committee, Elks own property that could be deemed prime real estate locations by developers. In many jurisdictions, he adds, a city could condemn that property, pay "fair market value" and then sell it to the private developer as a way to increase tax revenue.

"Could the property our lodges have bought and improved over these many years become a target for local politicians?" asks Mike Phillips of the Titusville, Fla., lodge, the committee's representative for Area 3.

"Has our right to own property been reduced to mere tenancy?" Property seizures for railroads and power lines and for roads, parks, hospitals, a military base, or other public use have rarely been disputed, so long as the taking has a public purpose. Such action is legal under the 5th Amendment to the Constitution. The courts have also interpreted the "takings clause" as permission for local governments to clear slums and eliminate blight.

But the stakes were raised by the ruling in a case where New London, Conn., homeowners refused to make way for a \$300 million project for pharmaceutical company Pfizer and a resort hotel adjoining the proposed industrial complex. In a 5-4 decision, the nation's highest court sided with the city against the homeowners, some of whom had lived in their homes for decades.

In a stinging dissent, Justice Sandra Day O'Connor pointed out that the city did not claim that the targeted, well-maintained homes were blighted or were the source of social harm. If the city had done that, Justice O'Connor continued, it would be adopting "the absurd argument that any single-family home that might be razed to make way for an apartment building, or any church that might be replaced with a retail store, or any small business that might be more lucrative if it were instead part of a national franchise, is inherently harmful to society and thus within the government's power to condemn." (continued on next page)

Elks Government Relations Report
July-August, 2005

(from first page)

The court's decision included a green light for local governments to protect private property. The justices emphasized that "nothing in our opinion precludes any State from placing further restriction on its exercise of the takings power," either by statute or constitutional amendment. And the states are acting.

The Supreme Court announced its decision after most state legislatures had adjourned for the year. After the ruling, however, Delaware and Alabama passed bills that restrict eminent domain for private development. The Texas legislature began moving toward enacting a constitutional amendment.

Senate Republicans in Connecticut, where the case originated, have called for a special session to restrict eminent domain. An attempt on June 28 to amend the budget bill to limit condemnation laws failed in the Democratic controlled Senate in a 22-11 party-line vote and in the House by a vote of 82-50. Connecticut Gov. M. Jodi Rell, calls the issue "the 21st century equivalent of the Boston Tea Party." Georgia Gov. Sonny Purdue and Missouri Gov. Matt Blunt and legislators in Florida, Oklahoma and New Hampshire have created committees to study eminent domain and to make recommendations. Illinois will address the issue in the fall veto session.

At least eight states—Arkansas, Florida, Illinois, Kentucky, Maine, Montana, South Carolina and Washington—already had restrictions on the books before the Kelo case reached the court. In anticipation of the ruling, Utah and Nevada limited the authority of eminent domain earlier this year.

State supreme courts in six states—Connecticut, Kansas, Maryland, Minnesota, New York and North Dakota—have upheld use of eminent domain authority for private economic development, but legislators in those states have indicated they want new laws to reverse that.

Watch for a huge influx of bills at most legislative sessions next January.

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