GOVERNMENT UPDATE

Moratorium ends, but future in doubt

A number of developers eagerly hailed in the New Year since Honolulu's moratorium on golf course development expired on New Year's Eve. But an extension of the moratorium is being considered as the development expired on New Year's Eve.

The moratorium was enacted last March, 12 to 15 golf course developers reportedly had applications pending and another 40 had made preliminary inquiries. A bill was been presented to the City Council that would impose a stricter review process. But critics, including the citizens group Hands Around Oahu, say even that is not strict enough and have nicknamed Bill 152 the "green tsunami."

Mayor Frank Fasi has suggested and Hands Around Oahu agrees that new courses be limited to three a year. To that idea, Kim's aide, Bob McGraw said, "Absurd and capricious. We'd be wide open for a suit."

Legislation that poses both great concern and opportunity to country clubs is being debated in state legislatures across the nation, according to the National Club Association's director of government relations.

Attorney Thomas M. Walsh, reporting in the organization's magazine, "Club Director," said that among the areas being discussed are privacy, the environment, property taxes, limitations on liability, employer-employee relations, alcohol control, taxes and health insurance.

NCA is lobbying basically only in Congress but "can mesh its national overview with the local expertise of clubs and their members," according to Walsh.

He gave as an example the NCA's Texas chapter. The group was formed primarily to fight against legislation that would have made many private clubs public. NCA Director Bob Meyer was called to document the clubs' position that the legislation was unconstitutional, and that position won in that case.

Walsh said vigilance — keeping abreast of exactly what laws are being authored — is a must for clubs across the country.

"Chances are great that many problems will occur, and many opportunities will arise in state legislatures," he said. "The area fraught with greatest danger is the threatened intrusion of governments into membership decisions of clubs. Legislatures continue to entertain proposals to declare private clubs to be public accommodations, which, if passed, would subject clubs to unwarranted public scrutiny...

"Regardless of their own membership policies or how homogenized their membership profile is, clubs should be concerned with such proposals. "They have the potential for much mischief because they would involve state governments in a private club's single most important function, selecting its members."

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NCA warns: 'Stay vigilant'

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