

1960

ASSESSMENT OF GOLF COURSES

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that in 1958 the Commission recommended an increase in compensation to \$750 per month.

A "yes" vote on Proposition No. 5 will cost e in the way of money, but will return hand- dividends in good government.
Vote "YES" on Proposition No. 5.

MAX EDDY UTT, Chairman
Citizens Legislative Advisory
Commission

ROBERT G. SPROUL
University of California

THOS. L. PITTS
Secretary-Treasurer
California Labor Federation,
AFL-CIO

**Argument Against Senate Constitutional
Amendment No. 31**

At a time when State expenditures and taxes are at an all-time high, the voters are being asked to increase the salary of State legislators from \$500 to \$750 per month, or from \$6,000 to \$9,000 per year. This is a 50% raise over the 66% increase granted in 1954. In other words, in 1951 the law was amended to grant State legislators \$3,600 per year, or \$300 per month. In 1954, the law was amended again to raise the legislator's pay to \$6,000 per year or \$500 per month, whether the legislature is in session or not. Now, by this proposition the legislators propose to increase their salaries from the current \$500 to \$750 per month. If the proposition is adopted, the result be a 150% pay increase for the legislators o 1951. This is too high.

The legislator's job is only part-time. The proposition would be more justifiable if it proposed to make the legislator's job full-time, but it doesn't.

I believe the voters of California do not want their State legislators to become highly paid,

professional, career-type politicians at public expense, all on a part-time basis. The position of legislator should be one of public service and duty, and not a money-making job.

As the law now stands, California State legislators are treated well financially. They get office expenses, mileage, death benefits, and a superior retirement payment, on their part-time job.

Currently, the legislator gets a salary of \$500 per month, for each month of his elected term. He contributes 4% of his salary to his retirement system. After only 15 years of service and at the age of 63 years, the legislator's retirement payment is \$375 per month. This proposition in effect would increase the retirement payments to legislators with 15 years service to the very generous amount of \$565 per month, at age 63. The maximum comparable benefits under Social Security is \$127 per month, for a single man.

Under present law, it is permitted for legislators to hold other positions at the same time that they are legislators. In fact, most of them do that. For example, a legislator may be a public school teacher and receive both salaries at the same time.

In addition, it is common for legislators to draw as much as \$20,000 during a term for committee work alone.

I believe the proponents of this proposition have not shown justification for the 50% pay increase they are asking for legislators. The voters should study this matter and demand a full debate on this proposition. I believe the proposition should not receive a "Yes" vote, unless the voter is convinced he wants part-time, highly paid, professional, career politicians as State Legislators.

Vote "No" on this proposition.

Submitted by,

RICHARD M. FRISK
Teacher and Attorney

ASSESSMENT OF GOLF COURSES. Assembly Constitutional Amendment No. 29.

6

Establishes manner in which non-profit golf courses should be assessed for purposes of taxation.

YES	
NO	

(For Full Text of Measure, See Page 7, Part II)

Analysis by the Legislative Counsel

This constitutional amendment would add Section 2.6 to Article XIII of the Constitution. It would prohibit an assessor, in assessing real property for taxation, from considering any factors other than those related to its use for golf course purposes if (a) the property consists of one parcel of ten acres or more and (b) it has been used exclusively for nonprofit golf course purposes for at least two successive years. The measure would not, however, preclude the assessor from considering the existence of any minerals (including oil and gas), mines or quarries in assessing the property.

**Argument in Favor of Assembly Constitutional
Amendment No. 29**

ow would you like the golf courses nearest ar home to be converted into noisy factory

layouts, clamorous supermarkets, traffic-jammed shopping centers, or brick-and-mortar apartment units?

Proposition 6 is designed to save these courses and their benefits to you and your family as wooded, planted, open space areas giving green-belt breathing space to California's growing cities.

Proposition 6 provides clarification of assessment and taxation for these privately-paid-for parks, which under present short-sighted assessment practices are being taxed out of existence and taxed into overbuilt industrial and commercial developments.

Here's why Californians should vote YES:

1. TAX ELIMINATION OF NON-PROFIT COURSES WILL RAISE YOUR TAXES by forcing your county or city to assume and operate

them as public courses. This means increased taxpayer expense for courses previously operated at private cost with simultaneous removal of tax-paying property from tax rolls.

2. NON-PROFIT COURSES WILL CONTINUE TO PAY TAXES.

Proposition 6 does not give tax exemption or decrease to courses. Non-profit courses will continue to pay their taxes. Proposition 6 clarifies assessment practices and provides a fair tax formula benefiting every Californian by conserving the outdoor surroundings and fresh air for our cities at private cost while continuing to yield substantial tax revenues.

3. TAX REVENUE LOSS DUE TO DEPRECIATING VALUE OF SURROUNDING LAND WILL BE AVOIDED.

Residential areas surrounding courses pay higher taxes because of scenic charm and prestige. Unfair taxes on the courses, forcing them to sell out and convert into commercial use, drops the value of the residential areas surrounding, erodes the tax base and throws a heavier tax burden on remaining taxpayers.

4. PROPOSITION 6 WILL HELP PROTECT OUR TOURIST AND CONVENTION INDUSTRY.

These courses are a leading tourist and convention attraction. Tourists bring more than \$1 billion in new outside money yearly into California. This means jobs for thousands. Fair taxation under Proposition 6 will help protect a major facility sustaining this source of employment.

5. TAX PRESSURE HURTS THE THOUSANDS WHO SEEK RECREATION ON PUBLIC LINKS.

Courses cut down by the "tax ax" throw their membership into the public links, adding to the already great pressure there. Thus thousands who cannot afford to belong to private golf clubs will be victimized.

6. OUR CITIES NEED OPEN AREAS AND "GREEN BELTS."

Civilian defense authorities say golf courses are indispensable facilities for use as mobilization areas in case of emergency. Parks and planted areas operated at private cost contribute to the beauty, health, and appeal of our growing metropolitan areas. Planted areas help decontaminate the air because plants absorb carbon dioxide and give off oxygen, thus combatting air pollution.

7. YOUR STATE LEGISLATURE, BY TWO-THIRDS VOTE OF BOTH HOUSES, PASSED PROPOSITION 6 TO PRESERVE OPEN AREAS AND PARKLIKE SURROUNDINGS AT NO COST WHATSOEVER TO TAXPAYERS.

ALAN G. PATTEE
Republican State Assemblyman

MRS. BOB HOPE

AUGUSTUS F. HAWKINS
Democratic State Assemblyman

Argument Against Assembly Constitutional Amendment No. 29

This legislation should never have been put to the ballot. Its purpose is to give golfers privilege not enjoyed by people who happen to prefer tennis, swimming, fishing, or any other sport. It has always been the practice in this State to tax property on the basis of the "highest and best use" to which it could be put, that is to say, what it is really worth on the open market.

This amendment, if adopted, could have an appreciable effect upon the tax structure of the State. In all probability the revenue from California golf courses will reach \$2,000,000 by 1961 or shortly thereafter. The nonprofit courses will probably account for at least \$1,500,000 of this. In all likelihood, some courses that are now profit-seeking enterprises would convert to nonprofit organizations if there were an important tax advantage to be gained thereby.

If this amendment is adopted some of these two million dollars could be lost to local governments which are already hard pressed to satisfy demands for schools, fire departments, police protection, and hundreds of other services.

The meaning of the phrase "used exclusively for nonprofit recreational purposes" is not clear and might stimulate litigation. It may be that ownership by a nonprofit corporation will be the principal criterion of nonprofit use. Under California law, carrying on business at a profit as an incident to the main purposes of the corporation is permitted to nonprofit corporations, and such corporations are allowed to distribute gains, profits, or dividends to their members upon dissolution.

The adoption of this amendment could make possible for land speculators to form a nonprofit corporation, start a golf club on the fringe of an expanding city and maintain it at the lowest possible cost for a number of years while making a profit as an incident to the main purposes of the corporation. Then, if the land value sky-rocketed, the land could be sold, the corporation dissolved, and the profits realized as a result of this special tax status could be distributed to the shareholders.

A law was passed in 1959 which makes adoption of this amendment wholly unnecessary. Under this new law, a county or city may acquire by purchase or gift a restriction on a golf course that will preserve it as an open area. When such a restriction has been created, the land will not be assessable as a potential subdivision or building site. If golf course owners are really interested in preserving their properties as golf courses and not merely in property tax reduction, here is a means of achieving their objectives that does not contain the objectionable features of the proposed constitutional amendment.

Apart from the danger of underwriting land speculators at public expense, there still remains no reason to adopt this amendment. Either all sports and recreational facilities should be taxed as recreational areas or none should be.

JOHN A. O'CONNELL
Assemblyman 23rd District
San Francisco County

less (\$500) seven hundred fifty dollars (\$750) for each month of the term for which he is elected.

Notwithstanding any other provision of this Constitution or of law, the increased compensation for Members of the Legislature resulting from this amendment to this subdivision as proposed by the Legislature at its 1959 Regular Session

shall not be considered in computing the retirement benefits under the Legislators' Retirement System of any person who has retired under that system prior to the operative date of said amendment and the retirement benefits payable to such retired members shall not be increased as the result of such increased compensation.

ASSESSMENT OF GOLF COURSES. Assembly Constitutional Amendment No. 29.

6

Establishes manner in which non-profit golf courses should be assessed for purposes of taxation.

YES	
NO	

(This proposed amendment does not expressly amend any existing section of the Constitution, but adds a new section thereto; therefore, the provisions thereof are printed in **BLACK-FACED TYPE** to indicate that they are **NEW**.)

PROPOSED AMENDMENT TO ARTICLE XIII

Sec. 2.6. In assessing real property consisting of one parcel of 10 acres or more and used ex-

clusively for nonprofit golf course purposes for at least two successive years prior to the assessment, the assessor shall consider no factors other than those relative to such use. He may, however, take into consideration the existence of any mines, minerals and quarries in the property, including, but not limited to oil, gas and other hydrocarbon substances.

CHIROPRACTORS. Amendment To Chiropractic Initiative Act, Submitted By Legislature.

7

Permits two, rather than one, board members from same chiropractic school or college to be members of board at same time. Provides that Legislature may fix fees of applicants and licensees and per diem compensation payable to board members.

YES	
NO	

(This proposed law expressly amends an existing law and adds new provisions to the law; therefore **EXISTING PROVISIONS** proposed to be **DELETED** are printed in **STRIKEOUT TYPE**; and **NEW PROVISIONS** proposed to be **ADDED** are printed in **BLACK-FACED TYPE**.)

PROPOSED LAW

An act to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by electors November 7, 1922, by amending Section 1 thereof and adding Section 12.5 thereto, relating to practice of chiropractic, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

The people of the State of California do enact as follows:

Section 1. Section 1 of the act cited in the title is amended to read:

Section 1. A board is hereby created to be known as the "State Board of Chiropractic Examiners," hereinafter referred to as the board, which shall consist of five members, citizens of the State of California, appointed by the Governor. Each member must have pursued a resident course in a regularly incorporated chiropractic school or college, and must be a graduate thereof and hold a diploma therefrom.

Each member of the board first appointed hereunder shall have practiced chiropractic in the State

of California for a period of three years next preceding the date upon which this act takes effect, thereafter appointees shall be licentiates hereunder. **Not more than two persons shall serve simultaneously as members of said board, whose first diplomas were issued by the same school or college of chiropractic, nor shall more than two members be residents of any one county of the State. And no person connected with any chiropractic school or college shall be eligible to appointment as a member of the board. Each member of the board, except the secretary, shall receive a per diem of ten dollars (\$10) for each day during which he is actually engaged in the discharge of his duties, together with his actual and necessary traveling expenses incurred in connection with the performance of the duties of his office, such per diem traveling expenses and other incidental expenses of the board or of its members to be paid out of the funds of the board hereinafter defined and not from the State's taxes.**

Sec. 2. Section 12.5 is added to said act, to read:

Sec. 12.5. The Legislature may by law fix the amounts of the fees payable by applicants and licensees and the amount of the per diem compensation payable to members of the board.

Sec. 3. Sections 1 and 2 of this act shall become effective only when submitted to and approved by the electors, pursuant to Section 1b of Article IV of the Constitution of the State.

Sec. 4. Sections 1 and 2 of this act shall be submitted to the electors for their approval or rejection at the next succeeding general election occurring at any time subsequent to 130 days after this section takes effect, or at any state-wide special election which may be called by the Gov-