merica has either come a very long way or sunk to its moral depths, but this much can be said with little fear of contradiction: Casino gaming is beginning to carve itself a niche in the nation's fastest-growing vacation trend, the family-style destination resort. Indeed, the idea of changing your average resort into a theme park may have already taken hold. Don't expect the low-overhead appeal of gaming to的传统 vacation spots start buying into the lucrative, high-overhead appeal of gaming. Las Vegas, because it's the birthplace of modern American gambling, is farther along this curve than any of its resort competitors. As it matures further, Vegas will look more and more like a beach resort, kids frolicking by the pool, and indulging themselves in various "theme" activities. The whole brood will get together for dinner, after which the kids will go to bed and parents will make a bee-line for the casino. Indian tribes across the nation have begun to see gaming as their economic panacea (see story page 1), drawing millions of Americans to out-of-the-way places like Fort Thompson, S.D., and Loughlin, Ariz. Following the lead of Las Vegas — the gambling community's role model — tribes also see gaming as the first step toward creation of full-service, destination resorts. You may have gathered I'm not a big fan of organized gaming, which tends to separate cash from the pockets of those who, in general, can least afford to lose. However, it's impossible to ignore the bright side here, which is the huge potential growth for golf. The game has long been a favorite of resort developers who must occupy vacationers during daylight hours. Unlike seaside resorts, most Indian reservations have no beach component — making golf even more important to providing outdoor activities. Golf developers who've spent the last 10 years wading through seas of red may finally see an untapped market in the idea of building courses on land unregulated by local laws. Land on Indian reservations is often plentiful and, because the tribe owns it outright, beyond cheap. Don't get me wrong: There is money to be made here as golf rides the coattails of this burgeoning trend. But, developers beware: There are pitfalls that shouldn't be underplayed (see story page 33). The temptation — as it was in the late-1980s with regard to real estate-based developments — is to seize immediately upon this new golf vehicle before the competition does. Yet the family-style gaming theme park is not a proven commodity. Continued on page 51

**Knott's Call for Return to Classic Design a worthy crusade**

I n the beginning: Brown. Unmanicured. Unruly. Not unique. Not bound by rules beyond a tee box, a green and a cup. This is what golf courses were made of. Today: Green — always green. Grass smooth as a billiard table. So fast as a speeding bullet. Holes in multiples of nine. Well-defined. No blind shots. Never (well, hardly ever) two consecutive par-3s. Never (well, hardly ever) two consecutive par-5s. Contrived. This is what golf courses are made of.

**Mark Leslie, managing editor**

**letters**

**TORO RESEARCHER ANSWERS WALL STREET JOURNAL REPORT**

To the editor:
Your May 2 Marketplace article, "Golf Courses Declared as Health Hazards" did a great dis-service to the golf industry as well as the emerging group of environmentalists who are trying to preserve the turf. Many golf superintendents have worked diligently for years to provide re-service research so they might provide better playing surfaces for golfers. The United States Golf Association has probably made the least impact with the millions of dollars it has provided for turfgrass research. The full impact of their efforts will be felt for years to come. At the present time, the turfgrass industry in Michigan is being used as an example by other traditional agriculture groups for their efforts for research and extension, an effort which has a very positive effect on the College of Agriculture & Natural Resources (at Michigan State University). Ultimately, it is the consumer who pays the bill. However, if the funds are to be raised, it is the responsibility of those within the industry to find the vehicle. Jerry Faubel, CGCS Saginaw (Mich.) Country Club

More letters on opposite page

**Golf Courses Are Declared as Health Hazards?**

**Peter Blais**

**Letters**

**Michael Lafaso**

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**Golf Course News**

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Course cleared in fatal lightning case; liability questions remain

By JONATHAN BROGAN

On July 20, 1990, Tom Fisher and friends Chris Rosengren and Daryl Smith were playing golf at South Portland Municipal Golf Course in South Portland, Maine. South Portland is a small (2,700-) daily-fee course which caters, typically, to a less experienced group of golfers.

The Fisher's group approached the 5th green, the skies darkened and it began to rain. Apparently the rain became quite heavy and Mr. Fisher and his group went to the 6th tee. The 3rd and 4th tees share approximately the same area of the golf course. The 6th tee area is the highest point of the course.

Jonathan Brogan is an attorney with the law firm of Norman Hansson and DeTroy in Portland, Maine. He specializes in trial work and was lead counsel in the case entitled Thomas Fisher v. City of South Portland, detailed above. Brogan represented the city.

Upon arriving, Mr. Fisher and his group found the course was virtually empty. It was raining heavily.

Chris Rosengren, Mr. Fisher's golfing partner, told of longstanding lightning and thunder. He did not believe the lightning or thunder to be an immediate threat to the safety of the group. Mr. Rosengren and Mr. Fisher discussed their options. Apparently the group decided to "wait out" the storm. Within five to 10 minutes, a lightning bolt struck the tree by which Mr. Fisher was standing, killing him and injuring Mr. Smith. Mr. Rosengren, who had answered the call of nature, escaped unharmed.

Deborah Lee Fisher, Thomas Fisher's widow, filed suit on her behalf and on the behalf of her two children, Lauren and Katherine, alleging the city of South Portland had negligently ordered the death of her husband.

At trial, the chief argument of Mrs. Fisher's attorney was that the city had a variety of options available to it to help protect golfers from lightning. The city had availed itself of none of those options. The city's contention was simple: Mr. Fisher was a full-grown adult aware of the "awesome power" of lightning who failed, for whatever reason, to use his common sense and leave the golf course during a thunder and lightning storm.

The jury, after deliberating for 2 and 1/2 hours, delivered a verdict which found the city somewhat responsible for Mr. Fisher's death but found, pursuant to Maine law, that Mr. Fisher's responsibility was equal to or greater than the responsibility of the city. The jury found the city not liable for the death of Thomas Fisher.

Needless to say, the litigation costs associated with this trial were not insubstantial. The plaintiff was able to convince the jury that the city was negligent for failing to do anything to warn Thomas Fisher of the dangers of lightning. The attorneys for Mr. Fisher's estate relied upon Appendix 4 of the USGA Rules which provide, in pertinent part, as there have been may deaths and injuries from lightning on golf courses, all clubs and sponsors of golf competition are urged to take every precaution for the protection of persons against lightning.

Despite lengthy testimony concerning the efficacy of the USGA rules to a friendly match on a Friday afternoon on a non-USGA golf course, a jury had to be swayed by the USGA's words asking clubs to invoke "every precaution." Where does the jury's verdict leave golf course operations and municipalities? Frankly, the jury's verdict did nothing to decide the final issue of responsibility in the event of a lightning storm. It would seem appropriate that every golf course display USGA posters.

Words of Wisdom, in verse, from the Olde Sage

Throughout the land there came a great woe,
A Naty bolx to solve, with logic and wisdom, wrought to prevail.
Who is the most important in this game of golf was the cry,
From all corners of the kingdom the answer was heard, "the most important is I!"
The clamor went on, for so long it was thought,
The kingdom will fall, and all come to naught.
Thus, they have forged a strong coalition of forces in this country that is unbelievable effective.

Take, for example, what happened just yesterday here in San Diego. In the primary election, one of the measures on the ballot — Proposition C, proposed to free up the City of San Diego's biggest chunk of open land, known as the North City Urban Reserve — failed.

The measure, which lost narrowly, 54 percent to 46 percent, would have permitted construction of 17,500 homes on a 12,000-acre chunk of land stretching from Carmel Valley in the West, to Penasquitos and Rancho Bernardo in the East.

Sadly, even though one half of that 12,000-acre parcel would have been preserved forever as "Open Space," the measure didn't pass because of a well-orchestrated campaign by the environmentalists. Even more sadly, there were four golf courses that were planned to be built in that area if the voters had approved Proposition C.

Your article about sending a lobbyist to Washington should serve as a "wake-up call" to the industry. It is time for the golf industry, and those who profit therein, to send a lobbyist to our nation's capital.

The lobbyists such as the Golf Industry Council, which feels the golf industry acts united on this matter and every state in the Union forms a "Pro-Golf Interest Group," to protect and enhance the industry's interests, having one person in Washington may be like a voice crying in the wind! The lobbyist needs "grass roots" support from all golfers and every association or business in the industry.

When the is sent, he/she is well versed in issues at hand!

Don Collett, president
Don Collett & Associates
San Diego, Calif.

Obituaries

BRADENTON, Fla. — Former United States Department of Agriculture (USDA) research economist James Murray Jr. died in May after a long battle with cancer. He was 53.

Mr. Murray worked with the USDA from 1969-1988 when he retired here with his family for health reasons. His contributions to the turfgrass industry include the development of "Belair" and "Belturf" and the breeding of "Buckeye" blue and "Belair" zoyzia.

Mr. Murray was an active member in the American Soil Professionals Association, the Golf Course Superintendents Association of America and the Professional Golf Course Maintenance Association. He was also a member of the Turfgrass division (C-5) of the Crop Science Society of America, the Musser International Turfgrass Foundation and the American Society of Agronomy.

Mr. Jack Murr

Jack Murray, 53

Course Superintendents Association of America, and the American Professional Golfers Association. He was also a member of the Turfgrass division (C-5) of the Crop Science Society of America, the Musser International Turfgrass Foundation and the American Society of Agronomy.

Mr. Jack Murray

Murray worked here part-time for Pillsbury Farms the last several years until his death. He had been a member of the Turfgrass division (C-5) of the Crop Science Society of America, the Musser International Turfgrass Foundation and the American Society of Agronomy.

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Mr. Jack Murray

He was survived by his wife, Bobbie, and son Paul, 14.