

## Regulation to stay, claims EPA leader

"Government regulation is here to stay, and . . . we need to focus our efforts on making it work better," Environmental Protection Agency Administrator Russell E. Train told the National Conference on Regulatory Reform recently. "Government programs can be cut out, streamlined, simplified and otherwise improved," he said, pointing out that growth in industry and population necessitates regulations to protect health and the environment, and said regulation should be made to work rather than abolished.

Proposals before Congress that would give Congress veto power over EPA and other agency regulations were labeled "unworkable" by Train. "They would throw an already complex regulatory process into virtual chaos," he said, perhaps even putting Congress "into direct conflict with the courts," or the Constitution.

"Increasing regulation is an inevitable by-product of any high technology and high economic growth society with high and rising densities of human populations," he stated, and explained that since there is no choice between "growth and no growth" the questions are "how and where we are going to grow" and "how and where we are going to regulate."

Implications for golf course maintenance were included in

Train's comments when he addressed the problem in use of chemicals for pest control. "If modern agriculture requires the use of highly toxic chemicals to control pests, we cannot avoid regulation to protect human health and the environment," He emphasized, "It is really regulation that makes further growth possible at all."

Train differentiated between two federal regulators, "the social regulators such as EPA and OSHA, and the more traditional 'economic regulators' such as the Interstate Commerce or Federal Power Commissions." He explained that while the traditional agencies are concerned with helping market forces, "EPA was established not to keep these forces from operating," but to insure that "they operate in the public interest."

EPA has set up goals to improve itself, according to Train. "To open up the process for effective public participation, to simplify and streamline the regulations, and to ensure every regulation is really necessary." He said a recent review of 125 regulatory initiatives turned up 20 to 25 that were deferred, dropped or proposed differently.

Most EPA regulations are based on extensive scientific research and records, said Train, who criticized measures allowing Congress to assess and review regulations, saying, "The simple fact is that they are unworkable . . . It would be an enormous task for the Congress to review all the data necessary to make an informed decision regarding the correctness of the regulations."

## LEGAL AFFAIRS

### Clubs not affected by Court decision

A recent U.S. Supreme Court ruling on discrimination in private schools does not apply to private golf clubs and their admissions policies.

On June 25, 1976, the Court decided racial discrimination practiced by private elementary schools was in violation of U.S. law, but such discrimination on a sex or religious basis is allowable. The Court specifically indicated the decision does not apply to private club admissions policies;

"It is worth noting at the outset some of the questions that these cases do not present. They do not present any question of the right of a private social organization to limit its membership on racial or any other grounds."

Section 1981 of the Civil Rights Act of 1866 determined the decision. The post-Civil War reconstruction period law, which up to now has had a weighty, but latent potential, prohibits racial discrimination in the making and enforcing of private contracts.

Virginia schools in suburban Washington, D.C. were found in violation of the law after they refused admission of minority children whose parents had applied for it. Public advertising by the schools in mailed brochures

and "yellow pages" ads led the Court to reject their claim to be private establishments, an action of which clubs might take note. The Court found Section 1981 applied to situations where there is significant public involvement and governmental regulation.

Since the Court generally recognizes constitutionally protected rights of free association and privacy, this decision is not likely to carry any implications for private clubs, as long as they retain their "private establishment" status.

## EMPLOYEE TRAINING

### Films help prevent money mishandling

Mishandling of cash, checks, or credit cards by waiters and waitresses, clerks, and pro shop assistants can be a costly — but preventable — expense, according to the maker of a series of three training films. *Handling Money*, *Handling Checks*, and *Handling Credit Cards* explain such things as counting money, spotting counterfeit bills, and validating signatures while treating customers courteously.

The program includes written study material and is available in 16-millimeter, super-8, and video-cassette formats from National Educational Media, Inc., 15760 Ventura Blvd., Encino, CA 91436.

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