

NEWS OF THE INDUSTRY

Maryland legislature nixes "discrimination" tax bill

A bill which would have prohibited tax concessions and exemptions for all country clubs in Maryland which discriminate has failed to pass the **Maryland State Legislature**.

The bill (Senate Bill 132), which passed the Senate by a 36 to 0 margin on April 3d, failed to get out of the House of Delegates Ways and Means Committee. It was referred to legislative council and cannot be brought up until the next legislative session in 1972. S.B. 132 was sponsored by State Senator Verda F. Welcome. Its initiation was a result of consumer advocate **Ralph Nader's** attack on preferential tax benefits enjoyed by country clubs in Montgomery County, Md. (April GOLFDOM, p. 53).

S.B. 132 stated that no land which is actively devoted to use as a country club could have the benefits of tax exemptions—but would be assessed at its highest and best use—if the country club discriminates in any manner on the basis of race, creed, religion or national origin. One legislator on the Ways and Means Committee indicated the reason the bill failed to get out of his committee was due to unclear language on what is a good definition of discrimination, coupled with the question of whether a tax assessor is qualified to determine what is discrimination.

Nader aide Samuel A. Simon had testified before the Finance Committee of the Senate during hearings for the bill. He expressed many of the same arguments raised by Michael E. Kinsley, Harvard College student and author of the Nader report, "Preferential Property Tax Assessment of Country Clubs in Montgomery County, Maryland." Kinsley's report touched off the controversy which led to the attempted legislation.

According to Kinsley, "The effect of Maryland's present tax subsidy—which was passed in 1966 and gives preferential assessments to country clubs on the basis of the green belt

theory—is the subsidizing of institutions (country clubs) by taxpayers who cannot be accepted as members. What good is the argument (green belt) if the majority of the people have to look through barbed wire fences and 'No Trespassing' signs at the elite playing golf at these exclusive clubs?"

Opposition to the Nader report and S.B. 132 came from the Country Clubs of Montgomery County. This association maintained that S.B. 132 was a poor bill because the intricacies of taxation and the emotionalism of discrimination were combined into one issue.

Full ban on DDT refused

Pending an administrative review, the **Environmental Protection Agency** has issued a statement against nationwide banning of DDT.

According to William D. Ruckelshaus, administrator for the EPA, the pesticide DDT and herbicide 2,4 and 5-T were not "imminent" hazards to humans. A safety review will begin immediately and be completed by the end of this year to determine if these poisons should be totally banned. He also declined to suspend three chlorinated hydrocarbons—aldrin, dieldrin and mirex.

Ruckelshaus said a factor in his decision against suspension of DDT was concern that its "precipitous removal" from the market would lead some farmers to substitute parathion, a far more deadly poison and known to be responsible for the deaths of several people.

National pollution effort started

A massive effort to clean up the environment in towns and cities throughout the nation on a voluntary, co-ordinated basis is being sponsored by companies in the cleanliness business—local distributors of **Advance Floor Machine Company**.

Television star Don Knotts (left)

and Robert Pond, president of Advance are pictured kicking off the campaign. Co-sponsors for the campaign include local civic organizations, clubs, schools and city officials. Advance will aid in providing the tools, motivation and structure for individual citizens to join the fight against pollution in their towns.

Information on the program including aids and public information material is available by writing to: "Let's Keep it Clean" National Headquarters, P.O. Box 275, Spring Park, Minn. 55384.



Liquor license loss through bias?

The **United States Supreme Court** has agreed to consider whether private clubs that exclude Negroes as members or guests can hold licenses to serve liquor.

This action, which will come before the Supreme Court in October, could have an indirect affect on private country clubs containing by-laws which are discriminatory.

A Federal District Court decision contended that such clubs violate the 14th Amendment if they exclude persons on racial grounds. The lower court ruling was based on the refusal in 1968 of the Loyal Order of Moose to serve a meal and drinks to K. Leroy Irvis, the black majority leader of the Pennsylvania House of Representatives. Irvis brought suit contending that state regulation of liquor was so detailed and pervasive that to license a club that discriminates was the same as a state licensing discrimination (state action theory).

According to one legal observer, should the Supreme Court uphold Irvis' suit and the liquor license taken away, the immediate effect

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would not be felt by private country clubs which have discriminatory by-laws. The ruling, however, could affect the more than 100 Elks clubs with golf courses along with Moose and Eagle golf courses if they discriminate. According to the source, Irvis' action is aimed at fraternal clubs where the national policy of these organizations discriminate. Even if a local fraternal organization wished to override the national discrimination policy, the national organization forbids it.

FTC begins probe of golf equipment manufacturers

A preliminary investigation into the marketing practices of several of the major golf equipment manufacturers has been launched by the **Federal Trade Commission**.

A high official for the Bureau of Competition (the anti-trust arm of the FTC) acknowledged that letters of inquiry in the form of questionnaires have been sent to several golf equipment manufacturers. It is believed specific questions were asked regarding pricing, promotion, dis-

tribution, retail policies and a history of the "pro only" distribution policy.

The FTC can either initiate an investigation or respond to complaints from individuals or companies. Although the FTC would not divulge to GOLFDOM the origin of the investigation, one manufacturer felt the publicity surrounding the Golf City, Inc., litigation in New Orleans—which charges 14 golf equipment manufacturers and the Professional Golfers' Assn. with violations of the Sherman Anti-Trust Act—captured the attention of the FTC. Another speculation is a complaint from a retail golf outlet on the "pro only" policy. A spokesman for the PGA said the association had not received any correspondence from the FTC.

"This preliminary investigation by the FTC in no way implies any anti-trust violations," said the Bureau of Competition spokesman. According to the spokesman, the FTC's investigation was "independent and unrelated" to the concurrent Golf City litigation.

Following this preliminary investigation, in which the manufacturers are requested to respond to written inquiries, the Bureau of Competition will then make its recommendations regarding future actions, if any, to appropriate FTC officials. If no anti-trust violations are deemed to have occurred, then the matter is dropped and the information surrounding the case will not become public. However, should violations appear to exist, then the FTC would begin to conduct a full-scale investigation.

The FTC letters of inquiry, which were mailed in mid-March, are now in the process of being answered by the manufacturers involved.

Turfgrass disease and pest manual available

A University of California publication entitled "**Turfgrass Pests**" is now available to help golf course and other professional turfgrass managers identify and control pests.

The manual, which costs \$2, contains color photos for identifying turfgrass weeds, insect pests and nematode and plant disease symptoms. It includes chapters on safe handling of pesticides, calculations and measurements and weed control. The manual can be obtained by writing to Agricultural Publications, University of California, Berkeley, Calif. 94720.

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