

Legal Alert: MAAGCS BOD Urges Action

There are 11 bills concerning pesticide issues currently being debated in the Maryland General Assembly. Three of these—HB 220, 334, and 948—directly affect golf course operations. They propose changes of existing preemption of local regulations and notification of pesticide applications.

Uniform Regulation of Pesticides (HB 948). This bill would give the state power to preempt local jurisdictions from adopting any restrictive ordinances with respect to pesticides without a formal review by the state. In essence, local entities would only be able to enforce a rule more stringent than state regulation under special circumstances *with* State Review Board approval.

There are several reasons why local agencies should not be allowed to enforce their own ordinances without review. Most local governments do not have the expertise or the coordination with state and federal agencies needed for effective regulation of pesticides. If local jurisdictions were allowed to develop regulations independently, a wide variety of duplicate, overlapping, restrictive, and possibly expensive requirements could be enacted. Finally, if approved, this bill would still allow local rules to be adopted under special circumstances where deemed appropriate. *The MAAGCS Board is very supportive of this legislation.*

Notification and Report of Pesticides on Golf Courses (HB220 and 334). These respective bills affect owners and/or operators of golf courses to increase various notification, disclosure, and reporting practices associated with pesticide applications. The

bill requires notice of pesticide application be posted for one week following the date of usage. The bill goes on to say, "For regularly scheduled applications of pesticides, the owner or operator of the golf course may comply with the notification requirement...of this subsection by posting in advance a schedule of pesticide applications."

"At the time an individual makes a reservation for a prospective tee time at a golf course subject to this section, the owner or operator of the golf course shall disclose to the individual the name, classification, and date and area of application of each pesticide that is scheduled or expected to be applied to the golf course within three days preceding the prospective tee time."

The bill further states, "By December 1 of each year, the owner or operator of each golf course subject to this section shall submit to the Department a report specifying the name, classification, quantity, and date of application of each pesticide applied to the golf course during the period beginning November 1 of the previous year through October 31 of the current year." If enacted this will take effect October 1, 1994.

The MAAGCS BOD strongly opposes this bill for the following reasons: Similar posting is currently a practice by superintendents on public courses and ones having voluntarily passed the MDA certification program. Furthermore, disclosure of pesticide information to individuals for a prospective tee time within three days prior to a scheduled or expected application would completely negate any IPM program. It would mean applying pesticides by a preset calendar

rather than by monitoring—as IPM practices teach us—thereby greatly restricting our flexibility.

The submission of a report of specified requirements would be a duplication of existing laws. To comply with existing federal laws (SARA Title III and Community Right to Know) we should already be giving respective agencies this information.

It is urgent that our views on legislation concerning pesticide regulations be heard by all appropriate delegates and senators. Groups like RISE, MARRP, and MAAGCS are working to make sure this happens. However, the more individuals who become involved and voice our concerns to legislators, the better our chance to preserve our rights associated with pesticide usage.

If we do not take a firm stand now it will be harder for us to be heard in the future.

Please write and call your local legislator now.

MAAGCS Board of Directors

MAAGCS Employment Referral Service

The employment referral is one of the most used services offered to the members of the MAAGCS. It offers information about position openings mostly in the Mid-Atlantic that may not be advertised through the GCSAA or elsewhere. Each opening is very well advertised and this local service hopefully gives our members a fair opportunity to apply for the position. For those needing to advertise an opening, the past president should be contacted for details. A good set of guidelines are available to you to help you fill your opening with the most qualified applicant.