

## UPDATE

### Lawn spray law vetoed by mayor

A Lyndhurst, OH, resident said it best while voicing his support of a veto by that city's mayor of a council ordinance regulating lawn care companies, "People are also allergic to dust and dirt. If we have a law for every allergy we'd regulate ourselves out of existence."

The Lyndhurst ordinance, and one in Wauconda, IL, are being watched closely by experts as local governments and the justice system set precedents regarding pesticide applicators. The Lyndhurst ordinance would have required lawn care companies to register with the city each year and disclose the generic names of chemicals they use. The companies would also have to notify individuals who pay \$5 to be on a list when they treat an adjacent property. The council voted 4 to 3 in favor of the law in December. The mayor was silent about the law until he surprised council with a veto in January. The council did not have the votes to override the veto.

The ordinance was directed only at lawn care companies. Chemlawn and other companies called the ordinance discriminatory.

The Wauconda law, which is being challenged by the Pesticide Public Policy Foundation(3PF), requires applicators to post signs for 72 hours after treatment. 3PF contends the city of Wauconda does not have jurisdiction over pesticide applicators since that is covered by state and Federal law. It also questions why such a law does not apply to homeowners who treat their lawns.

### USDA wants more say with EPA

The U.S. Department of Agriculture wants to turn back the clock on pesticide legislation to when it had a bigger say in pesticide policy making. USDA has asked for changes in EPA's rule review process to require EPA to consult USDA before decisions are finalized. Current laws only provide USDA with the right to comment on agricultural impact of EPA's proposed rules.

In the early 70's USDA and the Department of Interior lost authority over pesticide regulation when EPA was created to take over. Now USDA wants some of its old power back.

### Arborists block hearing rule

The lobbying ability of the National Arborist Association was successfully tested recently when it convinced Congress to stop development of The Hearing Conservation Amendment. Complying with the amendment would have cost arborists more than \$2 million according to NAA Executive Vice President Robert Felix.

Congress said the intent of the amendment is currently satisfied under OSHA's existing charter to protect workers from hearing damage at work.

vice president; and Randall B. Fitzgerald, Denver, CO, vice president.

The ASLA honored author and educator **Ian L. McHarg** with the 1984 ASLA Medal, the organization's highest award. McHarg is a professor at the University of Pennsylvania. And **Raymond L. Freeman**, Chevy Chase, MD, picked up the 1984 ASLA President's Medal.

**Tom Presney**, named outstanding park and recreation student in Wisconsin in 1978, is the new superintendent of parks in the city of Janesville, WI. Presney, 27, served as a park ranger at Grand Teton and Yellowstone and park manager at Blackhawk Lake Park, Dodgeville, WI, after graduating from the University of Wisconsin-Stevens Point.

Oregon State University senior **Forrest Goodling**, Portland, recently received a \$500 turf scholarship from TUCO division of the Upjohn Company. Goodling is studying turf management.

And some sad news in the Green Industry.

Prominent golf course architect Ellis Maples died Dec. 7. He was 75. He designed more than 70 golf courses in the Southeast and served as president of the American Society of Golf Course Architects in 1974. He was a life member of the PGA and a member of the GCSAA.

**Elmer J. Merz**, former executive secretary of the California Association of Nurserymen (CAN), died Dec. 5. He was 85. He began as CAN's executive secretary in 1948 and served in that post 21 years. After 10 years as legislative consultant for the CAN he retired in 1979 to celebrate his 80th birthday.



### Jacklin honored

Doyle Jacklin, right, marketing manager of Jacklin Seed Company, receives Idaho's highest award from Governor John Evans. Jacklin Seed of Post Falls, ID, received the award for its contributions to the State of Idaho and the national economy through export sales of Idaho products and services.