

Panel approves state police chief

HARRISBURG (AP) — A Senate committee yesterday approved the nomination of State Police Commissioner-designate Daniel Dunn, who said he would use state troopers to investigate public corruption in state government.

"If we don't do it, who will?" Dunn, a 23-year FBI veteran, told the Senate Law and Justice Committee. "The federal government should not be policing Pennsylvania.

"If the state were doing the job itself, then the federal government wouldn't have to be doing it. The FBI steps in wherever there's a vacuum," the 50-year-old Dunn said.

Dunn, a supervisory special agent in Pittsburgh since 1974, still faces confirmation by the full Senate.

During the hearing, the senators tried to pin down Dunn on whether organized crime would profit if gambling were legalized in Pennsylvania.

"I don't see why we couldn't (control gambling corruption)," Dunn told them. "It's been done elsewhere."

"You will never legislate gambling out of existence," he added.

Sen. Robert Jubelirer, R-Blair, repeatedly tried to get Dunn to comment on reports that say offshoots of organized crime, such as prostitution and loan sharking, flourished in areas where gambling is legal.

But all Dunn would say was, "Senator, I've read all kinds of reports. You can take a particular set of figures and make them come out any way you want."

Dunn later said, "I don't deny the existence of organized crime. I don't think it is rolling over us and wiping us out."

Under questioning by Sen. Robert Mellow, D-Lackawanna, Dunn said a

trooper would not be transferred arbitrarily for not making a certain number of traffic arrests in a month.

Dunn qualified his remarks, however, saying, "You can't have people on traffic patrol who, day after day, produce no arrests. It would lead anyone with a half a brain to say that the guy is not doing his job."

"There will be no quotas, but you need a realistic approach to tell if a person is working or not working," he said.

When asked his position on the minority quota system being used to fill new state police academy classes, Dunn said he would enforce any ruling made by the courts.

He did say that "anytime you set a (hiring) quota, you're going to have trouble. A quota isn't fair, someone always gets hurt."

"I think the answer is a good recruiter. You have to recruit the right people," Dunn said.

LCB head to resign in March

HARRISBURG (AP) — The chairman of the state Liquor Control Board will resign March 1, giving Gov. Thornburgh the chance to fill two vacancies on the three-member agency, the governor's office said yesterday.

The board and its monopoly of 750 state liquor stores have come under

fire recently by legislators concerned about dropping sales and profits and want to allow private stores to sell bottled liquor.

Thornburgh's press secretary, Paul Critchlow, said LCB chairman Henry Kaplan told him he would resign because of health reasons.

Kaplan suffered a stroke last November.

Thornburgh said he didn't know how soon he expected to fill the LCB seats.

"We're just beginning to look at vacancies on different boards and commissions," he said.

People return to homes after gas removed

BIG RUN, Pa. (AP) — Railroad salvage crews removed two overturned tank cars containing toxic chlorine gas yesterday and about 1,000 residents were able to return to their homes for the second time.

"Things are getting back to normal," said Fire Chief Kevin Wachob said. "Everybody's coming back home."

The brief evacuation yesterday was a precautionary measure as crews worked to right the two cars containing the chlorine. They were among 19 in a 69-car Chessie System train that jumped the tracks near this Jefferson County village on Tuesday.

While the cars containing chlorine did not leak, another tanker containing an industrial acid did spill its contents, forcing the first evacuation before dawn Tuesday.

A yellow-green cloud of fumes, identified as nitrating acid oxidizer, gagged sleepy residents as they were evacuated in near-zero cold from Big Run and neighboring Foxburg and Robertsville.

The cloud moved south, threatening Cloe, but dispersed before more evacuations were ordered. An undetermined amount of acid flowed into Mahoning Creek, killing fish, authorities said.

The residents returned Tuesday afternoon, but were told to leave again early yesterday during the salvage operation. The tankers were on their wheels by noon yesterday and residents were once again allowed to return.

The wreck was not the first time a train left the tracks near this western Pennsylvania valley community.

"We've had some that were worse as far as the number of cars. But this would be the worst accident being that chemicals were involved," Wachob said.

One derailment several years ago spilled tons of coal along Mahoning Creek, he said. About one year ago another train wreck scattered containers of baby food and other freight along the tracks.

Layoffs of older firemen upheld

HARRISBURG (AP) — Commonwealth Court has upheld a state law that lets fire departments push retirement-age firemen off the force in favor of younger ones when economy layoffs are necessary.

The court said this week the 1933 law does not violate recent federal and state laws against age discrimination because there could be cases where age is not a factor.

"It appears to us that the effect of the act is to insure that as few firemen as necessary are left without a source of income where there is a reduction in force rather than to discriminate against the aged," Judge John MacPhail said.

In its ruling Monday, the court upheld a Northampton County Common Pleas Court decision that reinstated Easton firemen Joseph Prio, Fred Sterner and Wayne Unangst to the force.

When the three were laid off in 1977 as part of an economy move, they appealed to the city civil service board, citing the 1933 law. It states that fireman eligible for immediate retirement must be furloughed first.

The civil service board upheld the city's action but was overturned by Common Pleas Court.

The city argued that the law violated the 1967 federal Age Discrimination in Employment Act and the Pennsylvania Human Relations Act.

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