

# No ruling on bong law; more testimony needed

By LORRAINE ORLANDI  
Daily Collegian Staff Writer

No decision was made yesterday whether the State College drug paraphernalia ordinance is constitutional. Judge Richard Conaboy heard the case in U.S. District Court in Scranton. Conaboy's deputy law clerk said the judge will receive additional testimony until Nov. 19, before making his decision.

The hearing followed a request by two local businesses, Lazy J Limited, 232 E. College Ave., and Quickdraw Accessories, 137 N. Patterson St., for a temporary restraining order against the bong law.

The plaintiffs, David A. Talmas, president of Lazy J, and James Bauer, Dpresident of Quickdraw, are challenging the constitutionality of the law, saying it is vague, indefinite and does not adequately define what items are prohibited.

Joseph Wakeley Jr., State College municipal council member, attended the hearing. He said he did not think the real issue — the constitutionality of the ordinance — was addressed at the hearing.

"They (the plaintiffs) really didn't get down to the point of discussing the constitutionality of the ordinance," Wakeley said. "It was as though they were on trial, as though they were being prosecuted under the ordinance."

Council member Fred Honsberger, who was also at the hearing, said he also felt the problem was not addressed.

"They addressed the problem that the municipality might confiscate their property," Honsberger said. He said it was indicated at the hearing that some inventory from Quickdraw had been moved to College Township because of the fear it might be confiscated.

"But these are fears that they, themselves, have," Honsberger said. No State College businesses have been prosecuted under the ordinance.

Wakeley said Conaboy also did not seem sure that the real issue was being addressed, but wanted to allow full testimony for both sides.

Talmas testified that the ordinance had caused him not to exhibit certain posters in his store, such as one of a former Penn State football player who had been arrested on a cocaine charge in Florida.

Robert Abernathy, a State College detective, appeared as a witness for the municipality to establish the fact that there is a drug abuse problem in State College, Wakeley said.

*"They (the plaintiffs) really didn't get down to the point of discussing the constitutionality of the ordinance."*

—Joseph Wakeley Jr., State College municipal council member

Jack L. Hopson, director of training at the state Bureau of Drug Control, appeared as an expert witness to explain to the court items indicated as drug paraphernalia in the ordinance.

Wakeley said that a brief, presented to the court on behalf of the borough by State College municipal solicitor Robert K. Kistler, defends the constitutionality of the ordinance by citing similar ordinances which have been upheld, other relative cases, and different judges' commentaries on the ordinance.

The bong law, adopted Oct. 6, is based on a model act drafted by the U.S. Justice Department. It follows an opinion of a judge in a Parma, Ohio, case where a similar ordinance was upheld.

The law prohibits the sale of items which are used, intended for use or designed for use with illegal drugs. Conviction under the ordinance requires that the seller of an item know the item is being purchased for use with illegal drugs.

## Dracula: separating fact from fiction

By SUSAN FOLEY  
and WALT DE TREUX  
Daily Collegian Staff Writers

Bloodstained fangs, an ashen face, hypnotizing eyes and a long black cloak are features of vampires. Count Dracula is the world's most famous vampire.

That is unless you ask Radu Florescu, a world renowned expert on Dracula. Florescu, a professor at Boston College and an author of three books on Dracula, offered a unique view of the Count last night at Eisenhower Auditorium.

Florescu described Dracula as both "the worst tyrant in history" and "the George Washington of the Romanian race."

Florescu said Dracula was a vicious Romanian prince who killed up to 100,000 people in six years during the 15th century. Dracula, which means "son of the devil," became a Romanian national hero because many of his victims were

enemies of the country.

Speaking as part of Colloquy's fall term program, Florescu said the vampire myth began as early as 1462 when Dracula was still alive. Vampirism, as known in Eastern Europe, was a form of punishment which forced the cursed person to victimize family, neighbors and even certain animals.

"A vampire hates his role," Florescu said. "It is a purgatory on earth."

When someone drives a stake through a vampire's heart (the only method of killing a vampire) "it lifts the vampire from the curse," Florescu said.

"The vampire utters a cry of triumph; he is no longer confined to his mission of vampirizing."

Count Dracula is said to have enjoyed seeing his victims die by impalement. Florescu said that Dracula became associated with the vampire myth when the Romanian people told tales of

Dracula drinking the blood of his victims.

Romanians take many precautions against the bloodthirsty vampire, Florescu said. Clusters of garlic are hung from windows and doors to "ward off the devil and his cohorts," he said.

They avoid black cats, bats and snakes, believing that vampires often take on these forms, Florescu said.

These beliefs were not created in Hollywood; they are genuine Romanian folklore, but movies have contributed to the Dracula legend, he said.

"Movies play their role — an essential role — in the vampire tradition," Florescu said. But, he said, "the vampire has been completely romanticized" in recent movies.

Florescu issued a warning for tomorrow night: "Vampires play on Halloween. Good people must stay indoors."



Consumer Party candidate Douglas Mason, left, makes a point during last night's debate with Democratic candidate Peter Atigan. Mason and Atigan are vying for the U.S. House of Representatives seat in the 23rd district occupied by Republican William Clinger.

## Candidates argue on education

By KAREN KONSKI  
Daily Collegian Staff Writer

In a debate last night between the opponents of U.S. Rep. William F. Clinger (R-central Pa.), Democratic candidate Peter Atigan said he favors student grants for education while Consumer Party candidate Douglas Mason said he advocates helping the institution rather than the individual.

Atigan said he is against loans but he favors grants. Atigan said he agrees with Franklin Roosevelt's theory of a free education for every person.

"This doesn't mean a loan," Atigan said. "We need to let people study with the people who already know the facts."

Mason, however, said the government should strengthen the educational system by giving help directly to the institution rather than awarding loans or grants to individuals.

However, he also said education should be made available to the middle and lower classes even if that would mean giving grants and loans.

Both candidates said they favor using funds from the Energy Department

to develop solar energy.

Mason said he thinks the development of solar energy will help improve the job market as well as the energy situation. "For every one job in nuclear energy, there are four jobs in solar energy," he said.

"The oil companies are trying to squeeze every last dime out of fossil energy," Mason said. "This is a real problem. We have to make the path to solar energy easier."

He said he feels the nation could have solar energy at a lower cost if the government would show how to obtain solar energy more easily.

Atigan took this opportunity to attack Clinger's stands on energy issues.

He said Clinger got money from oil and gas companies and therefore will not say anything against the nuclear plants. Atigan said Clinger also said solar energy should be used.

"He is speaking with a forked tongue," Atigan said.

While both candidates agreed that the federal budget should be cut, they disagreed on how it should be done.

Atigan felt the budget cut should come from funds for the welfare

program.

Atigan said that only the sick, aged, and needy should receive aid. Atigan said programs such as those used in the New Deal of the 1940s performed a service and put able-bodied men back to work. He said he favors these kind of programs today to reduce the number of people on welfare.

Mason said the military budget should be cut to decrease the federal budget.

Military expenses could be cut 30 to 50 percent, Mason said. A lot of unneeded programs could be cut and more money could be given to people in the military without reducing efficiency, Mason said.

The candidates agreed on some other issues.

Both candidates said too many farmers have been forced to sell their land to real estate companies because of low profits in farming.

The country needs the small farmer because if more people are producing food, prices will go down, Atigan said.

### The Economy of Centre County Rep. Cunningham . . .

- . . . proposed and won the Governor's approval for a plan to delay a scheduled 12 million dollar cut in University funding until deficiency appropriations could be arranged.
- . . . proposed and secured passage of his legislation appropriating 8.5 million dollars to equip the University power plant with an air pollution filtration system.
- . . . proposed and secured passage of his legislation increasing Penn State's appropriations by 1.8 million dollars.
- . . . proposed and secured passage of his legislation appropriating 7 million dollars to modernize main campus buildings by eliminating barriers to the access of handicapped persons.
- . . . assisted in securing 4.5 million dollars in state funding to complete Penn State's "living filter" sewage effluent treatment system.

- . . . successfully supported cost of living adjustments in retirement benefit levels for state and public school retirees.
- . . . introduced and secured passage of legislation to amend the Constitution to provide for cost of living adjustments in retirement benefit levels for widows and widowers of deceased state retirees.
- . . . supported legislation ending mandatory retirement age discrimination against university professors.

#### Constitutional Spending Limits

Recognizing that the Public Sector (Government) cannot continue to spend without regard to the ability of the Private Sector (Tax Payers) to fund this level of spending, Representative Cunningham pushed for, and the House passed, restraints that will limit the annual growth of government spending to nothing in excess of the rate of growth of personal income as averaged over the two previous fiscal years.

#### Unemployment Compensation Reform

Rep. Cunningham supported what will be the first in a series of remedies which tackle Pennsylvania's "most serious economic problem" in an attempt to bring the system out of bankruptcy while balancing the interests of working people and employers alike.

#### Welfare Reform

Rep. Cunningham supported legislation designed to remove from the welfare roles general assistance recipients who are fully able to work and appropriated the savings to the truly needy.

## UNPRECEDENTED EFFECTIVENESS

### LEADERSHIP IN HARRISBURG



Representative Cunningham addresses a television press conference with Governor Richard Thornburgh, Lt. Governor William Scranton.

### COORDINATION WITH WASHINGTON



U.S. Senator Richard Schweiker, Congressman William Clinger, Representative Gregg Cunningham.

#### Hazardous Chemical Waste Management

Rep. Cunningham helped lead the successful fight to control the transportation and disposition of industrial poisons that threaten the health and lives of all Pennsylvanians.

#### Divorce Reform

Rep. Cunningham helped write the first significant change in Pennsylvania's divorce laws in one hundred years, and was the architect of the compromise which broke the impasse that had threatened to defeat the bill.

#### Public School Code Recodification

Rep. Cunningham was a prime drafter of this rewrite of Pennsylvania school law and won approval of an unprecedented eight amendments on the floor of the House.

#### Initiative and Referendum

Rep. Cunningham has introduced legislation which will allow voters to change the law directly — even over the objection of the legislature.

#### Budget Reform

Rep. Cunningham has introduced legislation that will change the budgetary process to provide for continued funding of all appropriations in the event of a budgetary impasse — and prohibit legislative adjournments until the impasse is resolved.

#### Judicial Reform

Rep. Cunningham has introduced legislation that will bring new accountability to judicial elections by giving voters a real choice through abolition of retention in favor of competitive reelections, prohibition of cross-filing with both parties and elimination of the ban on candidate discussion of substantive judicial campaign issues.

#### Crime Victims Compensation Reform

Rep. Cunningham has introduced legislation designed to see that victims of crime are paid restitution by convicted criminals before the courts can collect their fines and costs.

#### Agriculture

Rep. Cunningham has been rated within one vote of a perfect record on agricultural issues by the Pennsylvania Farmers Association.



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