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ORAL HISTORY PROJECT

INTERVIEW WITH:

The Honorable James B. Kelly, III (R)

28th District

Allegheny County

1971-1976

INTERVIEW CONDUCTED BY: Heidi Mays, House Archivist
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Heidi Mays (HM): Okay, good afternoon. I'm here today with James Kelly, III, who represented the 28th Legislative District from Allegheny County, who served from the years 1971-1976 for the Pennsylvania House of Representatives. Thank you for being here with me today.

The Honorable James B. Kelly III (JBK): It's a pleasure.

HM: I want to begin by asking you about your childhood and your family life and how that shaped you to go into public service.

JBK: Well, that's interesting. Well, I was born in Pittsburgh and both of my parents met in Pittsburgh and my grandparents had come to Pittsburgh to manage Mellon Companies. My Grandfather Kelly headed Mellon Stuart and my Grandfather Yates, National Union Fire Insurance Company and both were Mellon Associated Companies, so I kind of, from day one, was a real Pittsburgher. And my mother actually was a descendant of Governor Yates of Illinois, which I knew about but did not really know a lot about. She never really spoke about it. My Grandmother Kelly was an O'Connell and one of her bothers had been a Minority Leader of Congress and another was in the Supreme Court of Massachusetts and he was the Chief Justice of the Supreme Court of Massachusetts and he had also been in the Nuremberg Trials, so there is a backdrop of political stuff there that I was cognitive of. But I thought, maybe someday, I'll think about a political career but what really, I think, brought that to the front was Kennedy's death. I'd gone to college in Virginia and I'd gone to graduate school in Arizona—Thunderbird; American

Graduate School of International Management—and I was trying to build an international career to see what the rest of the world was about and then Kennedy’s death came along. And I thought, boy, at some point, I have to do my share. After graduation, I went overseas very quickly. I lived in London for a short time, then in Algeria for a period of time, and then Spain; those three countries for about four or five years. And then I came back here on vacation and my mother introduced me to a friend of hers: that was Elsie Hillman. I was on Christmas vacation. I told Elsie that I had an interest in politics and she was the Republican—I don’t know if she was yet the County Chairman—but she was the Republican Leader in the county, and she said, “I’d like if you do come back to meet a guy who, I think, is going to run for the Senate.” So, I went back to Spain, thought about it, resigned from my job, came back to the States, and worked, kind-of, with the Republican Party. And through my O’Connell family up in Massachusetts—and some were in Maine at the time—I met some people in the Federal Government and I met Elsie. She introduced me to Dick Schweiker [Richard; U.S. Representative, 1960-1969; U.S. Senator, 1969-1980] and the rest is history. I met him in Pittsburgh. I picked him up from a plane one day and so he said, “So sport, do you want to be my campaign aide?” and I said, “I’d love it.” So, I traveled for about a year with him. We put together the campaign, 1968; it was his first election for the Senate. Then afterwards, I thought about going back to business, but there was still an attraction to try to do something with him. He gave me an assignment as his Special Assistant; in other words, the guy who handled the political side of his office. So, I decided to do that and then I worked with him in the Senate for about a year and a half. In the course of that time, I met Bill Scranton [William; Governor of Pennsylvania, 1963-1967] because Governor Scranton helped us

do commercials, and I'd met a number of other Senators who were doing commercials for Dick Schweiker. And I'd also met Hugh Scott [U.S. Senator, 1959-1976] who became the Senior Senator on Schweiker's election. Schweiker had defeated Joe Clark [Joseph; U.S. Senator, 1959-1967] and Senator Scott and I hit it off, so I started doing some work for him. The reason was: coming from western Pennsylvania in those days, we still had steel mills, and an important day off for everybody was hunting season and gun control was an enormous issue. And as a young man, I'd learned how to shoot shotguns and I taught Dick Schweiker how to shoot a shotgun, and when Joe Clark came out for registration or licensing of firearms, we put out a statement very quickly to say that we were opposed to that but that we would call for a mandatory prison sentence of twenty-five years for people committing a crime with a firearm. So, Schweiker was elected. I think he had a majority in the State of 250,000 when Nixon [Richard M.; President of the United States, 1969-1974] lost the State by 250,000. So, Hugh Scott saw that and he asked me to come over and do some work on his campaign. At the same time, Pennsylvania was running into dire straits, financially. The State was essentially bankrupt in the [19]70 time frame, I don't know what months, but it so happened, I was communicating with the Pittsburgh business community and there was a lot of griping and groaning because Pittsburgh had been, up until that time, the corporate center of the United States. More major companies were located there than any other city, including New York. And so, the Pittsburgh business community asked me what could be done to sort out the State's financial situation and, would I consider running for Legislator? Well, I was living in Washington, but my voting address was at my mother's home in Sewickley Hills, in Allegheny County. So, I had a discussion with Bill Scranton and I

said, “Bill, if I go back and I do this, would you support me?” I said, “Would you help me with campaign information, and so forth?” And he said, “Oh, absolutely.” And so, he was a big mover and shaker to get behind me very early. But then the Pittsburgh business community kind -of lined up and Dick Schweiker said, “Obviously, I can’t get into participating in your campaign, but you know, I will give you what help I can.” So, I ran and that’s how I got there.

HM: And what specific issues did you run on your first campaign?

JBK: Well, primarily, the fiscal state of affairs in the State. What I did was I went through the state budget, which was a rare thing for a candidate to do, and I did my homework about the innumerable numbers of programs that didn’t need to be there that were either under-funded or over-funded. I made such a serious list of it that there was a fellow that had a TV program, or rather, a radio program in those days—KDKA, which was, at that point, probably the strongest radio station in the country. The fellow who had this program’s name was Mike Levine, and Mike Levine would invite me to the program every so many weeks and I would go on there and say, “Look, here is what is going on in the State budget.” And I think these are the issues that need to be addressed now. Well, there were a lot of other issues. The abortion issue was a thread that ran through all of my campaigns, in those days, and we can talk about that in a bit if you like. But, the main issue for me, at that time, was to restore stability to the State’s fiscal affairs. Well, I ran against a guy named Bill Appleton and Bill was kind of an old-time political crony who—his time had come and gone and unfortunately, other people knew that—so, I

ended up in a six-way Primary which was difficult to say the least. Nobody wants to get into a six-way Primary, much less with the incumbent in the race and he sure enough was. One of the opponents' was a fellow named Rocco Viola who had run a supermarket in that part and he sued me for not being a resident of Pennsylvania. Which was interesting, because I remember coming to Harrisburg with my mother and we kind of went upstairs in, what was then, the Holiday Inn, down from the Capitol, and my trial was in the Supreme Court—or was it the Superior Court? I forget which one trials election issues, it might have been the Superior Court. Judge Kreider, Judge Homer Kreider, wrote the opinion and it was in R. E. Kelly's nomination petition, and what Mr. Viola was alleging was that I had not paid taxes in Pennsylvania. I had not actually physically been here, so I could not be a candidate for the Legislature. And Harold Schmidt was my attorney from a law firm of Rose, Schmidt and Dixon in Pittsburgh, and Ev Rose was actually my campaign finance chairman, and Harold argued that in the service of Senator Schweiker from Pennsylvania, I, in continuing to vote in Pennsylvania, continuing with my driver's license in Pennsylvania, my bank account in Pennsylvania, my personal effects in Pennsylvania, that Pennsylvania was indeed, my residence and domicile. So, what that court case—I think its called DNC 49—what that court case established was the difference between residence and domicile. And it was extremely important because it parlayed into a definition of—that is used in inheritance law, so many of the wealthy families in Pennsylvania were trying to figure out what do we do—are we a resident or a domicile for tax purposes in Pennsylvania or are we not? So anyway, we got through that and Judge Kreider delivered his opinion and I went back to the campaign trail and obviously won the case. That was the most, the most memorable

event in that particular campaign. Most of my work was done door-to-door, and just going around banging on doors and speaking to any group that showed up. You know, the normal sort of thing. Having come from the Senate, I probably was a little more qualified than the other candidates, too, so that helped. But, I won by a substantial majority.

HM: Is it hard to beat an incumbent?

JBK: Yes, absolutely. I mean, in those days it was and particularly—and I don't remember how long Bill [Appleton] had been in office, but it had been at least a decade. We did a lot of work beforehand to try to identify what was the path to do that, and we found a way. He really wasn't the strongest opponent in the end. The other fellows, who saw Appleton's weaknesses, decided to pile into the race too.

HM: How would you compare—it doesn't sound like there is any comparison to subsequent campaigns, compared to your first?

JBK: Well, yeah, there was a problem because in my first term, I made a real effort to get on the Ways and Means Committee—that was obviously the Tax Committee. I kind-of had a choice: which way did I want to go? Appropriations or Ways and Means? And the Appropriations Committee would do what it did and I felt that with no seniority, I would have limited say there. So, I made a real push to get onto the Ways and Means Committee, because I knew that the state was going to have to enact a new tax package.

So, that was the only way: our bonds were dead in the water. The State had no fiscal credibility. So, I made a push to get on the Ways and Means Committee. Once I was on it, I was very active in formulating the new tax package, the income tax. And then having done that, and being one of the Republicans who voted with the Democrats to— one of twelve Republicans to vote with the Democrats—to pass that tax package, everybody and their brother came after me. So, I think I had a six-way race in my second campaign and pretty much the same in the third. I mean, it just got to be old hat, but it was that tax issue. My District, the 28th, was in those days—it was different from today—but in those days, it was the Northwest corner of Allegheny County and included a very wealthy section called Sewickley where corporate leaders lived, and so forth. Then we backed up against Beaver and Butler and across the river [was] Coraopolis; where a lot of steel workers lived, and so forth. So, I kind-of had both sides of the issue: the people that understood the need of the tax package who supported me and people who were against taxes for any reason whatsoever, who didn't. So, I had to live with that during my six years in the Legislature.

HM: Did you enjoy campaigning?

JBK: Probably. Looking back on, looking back at it, I think I did, but at the time, I really didn't. I had married an English girl who came over with me in 1968 and our son was born nine months to the day after Dick Schweiker was elected. I was the youngest one in the Legislature, I was taking the lead in some of the issues that had to deal with the state's fiscal situation, so I was kind of a lightning rod for much of my six years in the

Legislature and that was obviously tough on my family life. When our son was six years old, we divorced and she went back to the United Kingdom. My son has stayed here and he went to high school in the United Kingdom, but came back and went to college at Lehigh and then graduate school in New York and he lives, today, in Connecticut. That period of time was extremely difficult for me, particularly in 1976, because I was in the midst of a divorce. I had announced in December of 1975 that I would no longer run for public office and then John Heinz announced that he was going to run for Senate for Hugh Scott's seat and I was somewhat guided, shall we say, by the Republican Party in Allegheny County to run for John Heinz's seat. You may not know what happened in that race because it did not have a lot to do with the Pennsylvania Legislature, but it was a strange set of events. What happened was that a fellow named Bob Casey was a consultant in Washington and put his name on the ballot. There were nine people on the ballot. In those days, only four could have top position on the ballot and he drew number one and I was on the bottom ballot and there were a couple of John Heinz's former assistants in the race, and so forth. It was a campaign and I didn't really want to run. I was uncomfortable, but I gave it what I could and as it turns out, this fellow, Casey was nominated by the Republican Party and then the press in Pittsburgh pointed out that he was not actually from Pittsburgh and had nothing to do with the whole situation. The Democrat was elected and later defeated by Rick Santorum, [Richard; U.S. Senator, 1994-2006; U.S. Representative, 1991-1994] who is a Senator today. I suppose sometimes when I look at current events, today, I might have drawn a different position on the ballot, Casey might not have shown up and I might have been in the House and might have gone to the Senate but I am just as happy how things turned out, anyway.

HM: Is that the Bob Casey [Robert P., Sr.; Governor of Pennsylvania, 1987-1995] that became Governor?

JBK: No.

HM: No.

JBK: No.

HM: It was a completely different guy.

JBK: It was a completely different guy. He had never been in politics and he put his name on the ballot only because he had the same name as Governor Casey who, at that time, Bob Casey was the Auditor General.

HM: Okay.

JBK: He was making a name for himself, and a very good name for himself, especially on fiscal matters which I had been working on. So, of all the people for me to have to run against, I mean, I had made my name on management, administration, and fiscal activities of the State, and along comes this fellow Bob Casey, and everyone—you know how the Primary is, and people do not know half of what they are voting for. And so,

they wind up voting for him and then the papers—why the papers did not do the appropriate thing during the Primary and explain to the public who this guy was; they just assumed that he would never get a vote. But he drew number one on the ballot and those of us who made any sense were down on the bottom of the machine in those days. I think you have electronic voting now, so it turned out to be a different story. So, back to your question, yes, sometimes I was a good speaker, so the debate part of it, I enjoyed. But, hustling around in the cold and knocking on doors and going through shopping centers and all the rest of it, that part I found very difficult, but I guess that I am kind of a quiet and rather low-key individual and that was not me. I tended to get wrapped up in conversations with people and so, that is something I would not do again (*laugh*).

HM: You started talking about the demographic makeup of the 28th District. Could you tell me a little more about the issues or the political makeup of the District when you served?

JBK: Well the, there were essentially two population centers in the District. One was McCandless Township, which I would call upper middle class, with the North Allegheny High School and that was the core of that part; and the south along the river was Sewickley which had, again, the wealthy, corporate leadership. And so, in the overall makeup, my District was pretty much Republican. The overall make up of it was fairly conservative, but most of these constituents were pretty bright. Most of them paid attention to the issues, I think, anyway. This is what allowed me to serve as I did. On the negative side, there was a strong undercurrent from the conservative element that

constantly raised the abortion issue, which I, personally and publicly, felt had no business being decided at the State Legislature level. The answer that I gave—I was constantly invited to pro and con abortion coffee cloches and so forth—and I gave the same answer to both of them and it was I felt that that decision was something that rested between a woman and her doctor and, if she desired, her religious counselor. That was their decision to make and the Legislature had no business doing that. So, I just thought that issue was an enormous waste of time for those of us that were trying to deal with a lot more important issues. Critical to me was—and I got into this when I was with Dick Schweiker; Dick had been active in reforming state mental institutions. It had been featured on CBS because of just how bad this thing was. I had a mental institution on the edge on my District and so I, being—I think I was the youngest Legislator. I believe that's true. You can check the records, but I think I was the youngest—so, I took a real interest in working with young people's issues and in particular, young people that had mental issues, because in those days we had young people confined to institutions, and there was a movement that started in Massachusetts to try to move people out of institutions and try to bring them back to the community, where it was presumed that they could be better taken care of. So, I really got involved in those issues and in speaking in the high schools and talking to young people about public service and about young people who weren't so fortunate as they were, whether in North Allegheny or Quaker or any other schools in our District. So, those were the things that really motivated me. I also got involved in prison issues—we had a prison population in Pennsylvania, and in particular, Graterford Prison. Some of the others which—as we, from a Legislative perspective, looked at what it was costing to run this, what the results were, recidivism

rates and all the rest of it, I got deeply involved in that, because a lot of young people were winding up in the prisons. I had asked myself, why is it happening and what can we do to try to change that? So, I ended up—it was strange; I remember I did a poll in those days—in the Legislature, we had two hundred and three seats, and of that, eighty percent were lawyers. I had studied engineering, I had studied international business. I was the only guy in the Legislature who, first of all, spoke foreign languages, that had studied engineering, and that had substantial international travel, and so, I always had a little different perspective of all these issues, and I tried to look at things from a management perspective. What could you do to make things work a little bit better? It wasn't easy (*laugh*). It wasn't easy (*laugh*).

HM: Well, you have talked about several issues already but which issues do you feel were your most important, legislatively?

JBK: Well, the one issue that I failed miserably on was the Definition of Death. The University of Pittsburgh Medical School, was establishing its reputation as a pioneer in the area of transplant medicine and I guess I was on the Education Committee and through that I became aware of the—I was on the Higher Education Sub-Committee—I became aware of what was going on in the University of Pittsburgh. And we, with the help of Pittsburgh and lawyers that I knew, we wrote a bill which was the Definition of Death. The reason we did that was to say that somebody could be legally declared dead, and I believe the first draft of the bill was after twenty four hours of a flat electroencephalograph. The idea was to protect the University of Pittsburgh against the

family of a crime victim coming back and suing the University. When we got into hearings on this, unfortunately, Marty Mullen the Chairman of the Appropriations Committee from Philadelphia, called for the hearing in Philadelphia and we ended up in Philadelphia. He tied the whole thing to abortion again and the bill had nothing to do with abortion. I hadn't even thought of that subject when we first wrote it. I was just appalled because it died and so I think, it was picked up by other states and I think it was the exact same bill as enacted first in the Midwestern states. I forget which, but I had an impact on it one way or another but I was disappointed that Pennsylvania and the University of Pittsburgh were not in the leadership position on that. I was active in legislation with the prisons, with the young people, with the mentally challenged. I think, in my third term, we had a number of instances in Philadelphia environment where security guards in stores in grocery stores had pulled a pistol and shot people who were customers. One woman was coming out with her groceries in a bag, walking out of the supermarket and I guess there was a robbery taking place behind her but the security guard pulled his weapon and shot her and for what reason, nobody knew. So, we formed a Special Committee, enacted legislation, which, from that time on, required security guards to go through a certain amount of training, including handgun training, which they had to take before they could be a fully licensed security guard. And the book that I gave you is called On Guard and that was written pretty much about that industry and about the committee hearings we had around the state at that time and what the results of that, those hearings were in terms of legislation.

HM: Thank you. During your first session you created a bill which proposed a decrease in the number of State Rep[resentative]s. Do you feel that it is still necessary?

JBK: Oh, absolutely, yeah. I mean, I had a couple of favored issues that, from a management perspective, I said that 203 was too many for the State. The size of my constituency, if I recall correctly, in those days was 75,000 and I—75,000 was rather small number. I'd been, I'd seen it on the other side from Congress and from the Senate and that was a bit anachronistic. Is that the right word? It should have been changed. There were things that used to bug me. Blue laws: I was the last vote on ending the Blue laws and people always said, "Well, he must have been paid off by the Poconos who needed to do that," and that was, of course, not the case. State liquor stores: I'd said that the State should not be in the business of selling booze and that's still here. The lottery, I must tell you, I was opposed to the lottery because I felt that the State should not be running a gambling business. Now, if you want to have a lottery, have someone else run it but not the State, you know. Let the State take taxes from it. State did run it, so I was not very successful there, either. Then, the transformation of government; I felt that the government could have been easily re-aligned to have been a better server of the people in that day and time. I don't know if I had any impact on that, honestly.

HM: Well, they call the era in which you served the Era of Professionalization of the Legislature. Did you see any changes in the Legislature, any increase in staff or better offices? Did you have an office when you first [started]?

JBK: Yeah, I did. There were about twelve or fifteen of us in a room down in the basement of the Capitol. You'll see, in my files there, pictures of us all sitting in that room and we had maybe one secretary for the twelve of us and that was, that was really it for the six years that I was here. If it got *(laugh)* anymore, the beginning and end of my tenure *(laugh)*, I don't know how. It was pretty much the same.

HM: Okay.

JBK: You know the big event was—speaking of the basement of the Capitol—the big event in my Legislative time was when the hurricane came through, I think in 1972, and the whole basement was flooded. We had a terrible time *(laugh)*, the basement had mold and paint peeling and everything else. I went around looking at offices today, *(laugh)* they are very lucky at what they have. It could have been worse.

HM: Did the State respond adequately to that crisis, would you say?

JBK: Yes, yeah, I mean, as best as they could at the time.

HM: I think the Governor was evacuated and, yeah, and that was a mess.

JBK: Yeah, I was actually here on the Friday and then I went to New York and a state trooper brought me back on Sunday night, I think it was. And, we went into Session and started going.

HM: Is there anything else you would like to say about your committee work in the House? You talked about your Special Committees and your Select Committee on Security Guards and your work with corrections. Did any other important legislation come your way through your committee work?

JBK: Well, most of it, I mean, my recollection is now thirty eight years—my recollection of it is primarily in the financial issues. Outside of the committees, we had a group of us young Republicans. I was particularly close to Tony Scirica [Anthony; State Representative, Montgomery County, 1971-1980] who had been on Schweiker's staff during the campaign. I believe he was the Appointment Secretary and then, Jay Haskell [Harrison, II; State Representative, Crawford County, 1971-1978] had been Governor Schafer's [Raymond P.; Governor of Pennsylvania, 1967-1971] assistant. The three of us were probably the least partisan people in the Legislature. The three of us were very close in working together to try to sort through some of the issues and our little group expanded. Joe Rhodes [Joseph, Jr.; State Representative, Allegheny County, 1973-1980] came into it later. I think he was elected from Pittsburgh on the Democrat side. I think we really looked at government operations and the fiscal side of things to try to make what changes we could there. I remember one vignette which I have always remembered; John Pittenger [State Representative, Lancaster County, 1965-1966, 1969-1970] was a good friend. John, I see him every now and then. He is a great guy. He was the Governor's legislative assistant, at that point. He knew that I did not look at things in a partisan way, so he invited me over to the Governor's Mansion one night. I remember

that I was standing in the living room with Governor Shapp [Milton J.; Governor of Pennsylvania, 1971-1979], and I knew that we just had one hell of a mess and that we had to do something about it. And Shapp came over to me and said, “Well Jim, yeah, things are pretty bad here. We’re going to have to do something. What do you think we ought to do?” I said, “Well, Governor, I have a whole lot of ideas but you’re the Governor and you are the one that has got to put the ideas on the table first.” Shapp did not take to that suggestion at all (*laugh*). So, I tried to back down and behave myself but one of the things I did was, more often than not, called it the way I saw it. And we were talking earlier, guys like Lee Irvis [K. Leroy; State Representative, Allegheny County, 1959-1988; Speaker, 1977-1978 and 1983-1988] and Herb Fineman [Herbert; State Representative, Philadelphia County, 1955-1977; Speaker, 1968-1972 and 1975-1977] were from the other side of the aisle. I think that the Republicans felt that—some of the, the more conservative Republican Leadership felt that they may have been using me. I think it was quite the other way around. I said that I got what I thought was good for my constituents and good for the state by working with these people instead of against them. My recollection of my time is of just too much partisanship and that continues, obviously, today, you know, in government at every level and it is just the worst side of government. I have been reading a lot about the early history of the country and I just finished a book on Hamilton and those people were just as partisan so, there is hope for America and Pennsylvania, that somehow or other, we will get around all this partisanship.

HM: Well, you certainly came to the House with a lot of experience and you mentioned several people that had kind of helped you along. Would you say anyone in particular mentored you?

JBK: Well, Shel Parker [H. Sheldon, Jr.; State Representative, Allegheny County, 1967-1978] from the Republican delegation, Allegheny County, was very helpful because, I think, he had been there for two or three terms before I came in my first term, so he was helpful. Leroy Irvis was from Allegheny County and he and I had an appreciation of history and human nature and we spent a fair amount of time talking to each other. When I really got bogged down, Herb Fineman, who was the Speaker in those days, you know, I could go to him and, for whatever reason, he was always very helpful to me. Jim Knepper [James W., Jr.; State Representative, Allegheny County, 1971-1980] and I kind of sat together and we worked on a number of issues together. Mike Fisher [D. Michael; State Representative, Allegheny County, 1975-1980], Lee Taddonio [State Representative, Westmoreland County, 1973-1982], we kind of had our own little row of Allegheny County. *(laugh)* That reminds me, one of the funny aspects of this whole thing was that Jay Haskell, who was from Crawford County, he and I looked alike. You could not tell the difference at one hundred paces, and so every time we were recognized, the Speaker would say, "Would the gentleman from Crawford County stand?" I said, "No, Mr. Speaker, I'm Allegheny County." *(laugh)* Oh yeah, right. *(laugh)* That was one humorous side bit. One of the other humorous side bits that I remember: my son, during my time in the Legislature, he went from age one to six or seven, and he and Joe Rhodes, for some reason, hit it off. And Joe liked mathematical puzzles and little puzzles

and so sometimes—Jimmy very rarely came to the Legislature, but when he did, he would crawl under all the desks over to Joe’s desk on the other side of the aisle and the two of them would pass puzzles up and down while the Session went on. So, Joe was babysitting Jimmy while he was there. *(laugh)*

HM: *(laugh)* Was there an Allegheny County Delegation?

JBK: Well, yes there were the Republican and Democrat delegations. Other than Lee Irvis, well, Rick Cessar [Richard J.; State Representative, Allegheny County, 1971-1994] was in the next District to me. There was a guy named Earley [Edward M.; State Representative, Allegheny County, 1971-1974; State Senator, 1975-1986] who later went to the Senate, who was a Democrat in the next District to me. I don’t recall that we were, or that I was particularly active as a delegation, as a county delegation member. It does not seem to have happened.

HM: This may be a loaded question, but what would you say the hardest issue was during your tenure, for you?

JBK: Well, we have already talked about the abortion issue, which it was difficult in that it had to be dealt with and I felt that at the time it was just a terrible waste of energy, and so forth. I mean, in those days, it was clear that it was going to be at the Supreme Court. Pennsylvania Legislature dealing with it was the last thing that I wanted to see happen. But, we also had the death penalty come along and because of my work in prisons; they

were interrelated and interdependent. At that time, I took rather a strong position against the death penalty and I think that if you go back through the archives, you will find that one of the few times I did speak to the House at any length was on the death penalty because I believed, at that time, very strongly that it was the wrong thing to do. My view was that our court system was not infallible, that it did a good job, the best that we could construct as human beings, but that at the end of the day, it was not fool proof and that there was bound to happen—that cases where people would wind up being executed and later found to be innocent and this has turned out to be the case. Years after leaving the Legislature, I thought about it and thought that maybe I was wrong, but now I'll stick with my decision at age twenty-nine or thirty, whatever it was, and I'll say the decision that I made then was probably correct and it is turning out to be true. It was very difficult; we had a substantial amount of debate on that subject. I don't recall that anything was particularly well resolved. I mean, it continued, but I think the death penalty in Pennsylvania has probably not been exercised to the degree that it was before that time. There was a lot of back-and-forth on state school budgets, and so forth, but again, those were administrative issues I spent a lot of time on. I did spend, too, a lot of time on constituent issues. I had I-79, which is the East Street Corridor in Pittsburgh, which went right through my District, and people were being dislocated by this. And Pete Flaherty [Mayor of Pittsburgh, 1970-1978] was a big issue in Pittsburgh, at that time, and I was friendly with Pete. I was trying to get him to come to terms with this whole thing and he just was intransigent on it all: he said that we were not going to have that highway, we're not going to re-route it, we're not going to do anything with it. As a consequence, along that strip of the intended route, people were vacating their houses and

we had, we just had a kind of ghetto that was created along that strip and it was not until after Flaherty left office that we were actually able to complete that project as it had been designed. I was involved in a couple of youth drug programs in Pittsburgh with people like Willie Stargell [Pittsburgh Pirates Baseball Player, 1962-1982], to try to get kids who would experiment with drugs into treatment programs, and so forth. I was a full-time Legislator, and I was one of the first. That gave me the capacity and the time to go to work both in my District and here [in Harrisburg]. The worst part of the job, you ask, was driving back-and-forth; spending eight hours a week on the highway. That was pretty bad but other than that, we were the young guys, so to speak, that came in, at that time—we were working at it full time. I think that was important. That is probably the biggest change that we made at that time. I always felt that with a smaller Legislature, we could have afforded a smaller Legislature and paid them reasonably well. I think my salary when I started was seven thousand dollars. I felt that I was not going to make a lifetime career out of this, I was there to help sort the State out and then I was going to leave. And I looked at it and said I do not need a pension because I have the rest of my life to work, so I never took the pension, either. In those days, a pension: you qualified in six years and I'm sure my contemporaries from that state are well rewarded in their retirement. I have had to look elsewhere (*laugh*) for mine which perhaps, has kept me busy.

HM: Yeah. You have talked about the financial budget for the State when you came in being in dire straits. How did you solve that because you had listed that as one of your goals, I think?

JBK: Well, when we got to the realization that the budget simply wasn't going to be cut and that there had to be some form of additional taxes, that's when the debate started on the state income tax and the Republican Caucus was intransigent. It would not consider it, and so Tony Scirica, myself, Jay, and a couple others—I remember Bill Yohn [William Yohn; State Representative, Montgomery County, 1969-1980] and some others at that time—we were familiar with what was known in the United States Congress, with what was called a Wednesday Club. A Wednesday Club had been created by—and Dick Schweiker had been a member of that—and it was created by a number of, what I'll say are, moderate Republicans, at the time, like Saxbe [William Bart; U.S. Senator, 1969-1974; U.S. Attorney General, 1974-1975], who was from Ohio and the fellow's name escapes me from Maryland¹, and so forth. These were moderates that were interested in doing something, so we formed our own little Wednesday Club. And we didn't go up front and say that we will vote for tax, but we said that we will be reasonable in terms of meeting the State's objectives. John Pittenger, if you read John's book Politics Ain't Beanbag, talks about the twelve Republicans and that was probably my contribution to pull that group together. And I told Speaker Fineman and the Governor that, I, at the time, that our group would do what was right. I left it go at that. Well, the Republican Leadership was trying to push the Democrat side to come down on as many votes as they could for higher taxes and I guess we had several lengthy Sessions that went well into the night, overnight, in one instance, and we were not getting anywhere so finally, we went to the Governor and said, "Look here are the things that you need to do." And we had certain—I have forgotten now what they were—but we had certain amendments that we

¹ Charles McCurdy Mathias, Jr.; US Senator, 1969-1987; US Representative, 1961-1969.

wanted in the bill and we had certain things, obviously, that we wanted for our constituencies. And we went in and said, “This is the way it is going to be,” and the Governor agreed to it, and the bill was passed with our twelve votes. Of course, that earned us the enmity of the Republican Leadership and we spent the next two terms kind of under the gun (*laugh*).

HM: (*laugh*)

JBK: There were guys in the Leadership, Ryan [Matthew J.; State Representative, Delaware County, 1963-2003; Speaker, 1981-1982 and 1995-2003], for one, and Butera [Robert J.; State Representative, Montgomery County, 1963-1977], for another, who understood what we were doing, and it was only Ken Lee [Kenneth B.; State Representative, Sullivan, Susquehanna and Wyoming Counties, 1957- 1974; Speaker, 1967-1968 and 1973-1974] who was so hard over the whole thing that he could not see straight, he was so mad about all of this. We did what was right, I thought, anyway, and I thought that we made a good contribution at that time.

HM: What would you say is your greatest accomplishment in serving in the Legislature?

JBK: Well, that, I think more than anything, yeah. The State, you have to, you really have to understand just how bad our straits were at that time. I mean that I will not say that we achieved nirvana or perfection, because we did not. Pittsburgh, at the time, was a real leader in the corporate world. We had a huge number of corporations there. U.S.

Steel was a big outfit; Heinz, and Rockwell, and Gulf, and on and on. These were major corporations that had decided to live in this state and they're all gone now. Not all of them, but, by-and-large, the big guys. Gulf is gone; Rockwell is gone; and U.S. Steel is a part of what it was a long time ago. In the end, Pennsylvania was not in a position, I think, to benefit the growth of the state. You have to have as a foundation fiscal stability. This is what worries me today about our Federal Government; the deficits that we run, and so forth. Yes, there is a basis for debt in the exercise of government, but that debt has to always be under control and it has always to be capable of being dealt with in a relatively short period of time. This we re-established in Pennsylvania in the [19]70 to [19]72 time frame in my first term and that was the most important thing that I did from the Ways and Means Committee.

HM: You said that the drive was the thing that you liked the least about being a Legislator?

JBK: Yeah.

HM: What did you like the most?

JBK: Well, the friends that I made, really. When you hear stories about people who worked through tough situations, whether it is in the military or what, but we had some tough things to work through here. I do not see these guys anymore, but I certainly have very good memories of things that Tony and I tried to do, and Joe Rhodes and the dearly

departed Jay Haskell. Those, you know, we spent a lot of time together, because we ate breakfast, lunch, and dinner; some of us roomed together, from time to time. It was a work atmosphere that you don't experience in any other profession, in any other way. You hope that at the end of the day, it is viewed as a constructive one.

HM: Would you have any advice for new Members?

JBK: Yes; study. Winging it is not the way to be a Representative. Do your homework. I mean, read; read constantly, read history. Start with the Federalist Papers and go all the way through and understand why this country is where it is and create your own vision of where it's going to go from here and play your own role in making that happen. That is what our system is all about. It's just that, so many of the fellows that I served with who, I used to wonder how they came to be in the Legislature, and, you know—I always had a debate; I started this debate with myself when I was with Dick Schweiker. Do you, as a Legislator take a poll and hold up your finger and see which way the wind is blowing and then vote, or is your responsibility one of Leadership, to figure out the issues and make the best decision and go back and educate your constituency about why you did what you did? I took the latter course and I think was more constructive in doing it that way, but in order to do that, you really have to do your homework. You have to understand what you are doing. A lot of these fellows had a law practice and so they could spend a few hours a week on being a Legislator, and they didn't do any homework. They had no understanding of, I mean, they had a specialty in law back home in one thing or another. They came here and, you know, except for the fact that they came from a District, they

didn't really add much, you know, to the process. Legislators who can do their homework, who can understand the issues and who can read and write and speak effectively; those are the people that we need to have in this body today – in any Legislative body, for that matter.

HM: Well, you certainly had an interesting career after you left the House of Representatives, as well.

JBK: Yeah.

HM: Again, you had talked a little about your run for Congress, and what did you decide to do after that election?

JBK: Well, after that, I went to work for a Pittsburgh engineering firm called Dravo Engineers. Politics continued to play an important role in my life. I ended up going back to the Middle East and North Africa, to work on projects with them. I was in my office one day, and I was looking at the map of the world and I thought—this was in 1976, late 1976—and I thought, “Gee, nobody is doing any business in China.” So, I said, “I wonder if there isn't an opportunity there.” So, as I mentioned earlier, Hugh Scott and I had become good friends when I worked on his 1970 campaign, and he and I stayed in touch. He had just retired as the Minority Leader of the Congress, I guess, he followed Dirickson and then John Heinz took his seat, so I called him up and said, “Senator how'd you like to go to China? Let's go over there and see what we can do,” because he was a

Sinologist²; he knew a lot about China. So, we did and we flew to China and I did the first major deal in China for Dravo Engineers. We helped the Chinese—it was called the Department of Communications—but it was responsible for running the Yangtze River in China, which goes from Wuhan to Shanghai, it goes right straight across China. I spent a couple of years going back-and-forth from China helping them map out the communication system, and we had Chinese come to Pittsburgh and learn how to make boats and barges. Dravo had built a lot of the Ohio River structure and had done a lot of consulting on steel mills, and so forth. I worked for a good bit of that in China and then I wound up in Europe as head of the Dravo activities there and then, essentially, came back in 1984 to the Reagan Administration. I had continued to stay friends with Drew Lewis who had been Dick Schweiker's, yes Schweiker's, Finance Chairman in the [19]68 Election, and became a mentor of mine and a person who I just had a world of respect for. I was visiting Washington and I saw him and he had been talking with Mac Baldrige, the Secretary of Commerce, and Baldrige had told Lewis, "Hey, I need somebody around here that knows something about international business. I keep getting all these political appointees from the White House, and I would like to have somebody here who has been around the track." So, Lewis told him he knew just the guy and that was me. So, I met with Mac Baldrige and I went to work for him in the Reagan Administration as a Deputy Assistant Secretary responsible for Africa, the Near East, and South East Asia. In that capacity, I became the lead guy on Iraq and (*laugh*), I guess I did all right because at least I didn't get us into a war. Then, the issue of South Africa and the end of apartheid was a big thing, then I was involved in economic committees with Algeria, India, Pakistan, and I did a lot of work in Saudi Arabia, and so forth. Baldrige

² Sinologist: Someone who studies Chinese civilization, literature and language.

was killed in a rodeo accident. He was the quintessential American cowboy, the Marlboro Man, and he was killed, and I left after that. I went back to a technology company in Washington and to a couple of technology companies as head of their international operations and started my own technology company about ten years ago. [I] sold that last year. Now I'm the C.E.O. of another software company and going forward with that.

HM: Wow, what's the name of your company?

JBK: Flight Explorer. We provide software for tracking airplanes, which is a big difference from the Pennsylvania Legislature (*laugh*).

HM: Wow, that is what I said; you have had quite an eclectic career, very, very impressive (*laugh*).

JBK: Well, it's been fun.

HM: Is there anything that you would like to add, in addition to what we have already talked about today?

JBK: No, I don't think so. I mean, I will tell you that it's thirty-eight years, and I look back on that first election and my time here with a great deal of satisfaction and at the same time, hope for the state of Pennsylvania. I mean the state's been dealt a rough hand,

with an aging population and an industrial component that is atrophying. So, you know, I follow the state as closely as I can. Although I live in Maryland now, I hope that things will come together here, and I hope that the Pennsylvania Legislature will contribute to that happening. I hear a lot of criticism, especially because of the salary situation last year and there is the comparison with the cost of running the California Legislature and what have you. It's not music to my ears. I would hope that this Legislative body will take a good look at itself and make some appropriate changes. I'll keep my fingers crossed.

HM: Okay, thank you.

JBK: Thanks for inviting me up here. I appreciate it. Take good care of all those papers that you have and photographs and everything else.

HM: We will. Well, thank you very much. This concludes our interview today.

JBK: Thank you.