

COMMONWEALTH OF PENNSYLVANIA  
HOUSE OF REPRESENTATIVES

APPROPRIATIONS COMMITTEE HEARING

STATE CAPITOL  
MAJORITY CAUCUS ROOM  
ROOM 140  
HARRISBURG, PENNSYLVANIA

FRIDAY, MAY 22, 2009  
11:51 A.M.

PRESENTATION ON SENATE BILL 850

VOLUME VI OF IX

BEFORE:

HONORABLE DWIGHT EVANS, MAJORITY CHAIRMAN  
HONORABLE WILLIAM C. KORTZ III  
HONORABLE DEBERAH KULA  
HONORABLE TIM MAHONEY  
HONORABLE JOSH SHAPIRO  
HONORABLE MATTHEW SMITH  
HONORABLE MARIO J. CIVERA, JR., MINORITY CHAIRMAN  
HONORABLE GORDON DENLINGER  
HONORABLE JOHN R. EVANS  
HONORABLE MAUREE GINGRICH  
HONORABLE DAVID R. MILLARD  
HONORABLE RON MILLER  
HONORABLE DOUGLAS G. REICHLEY  
HONORABLE RICHARD R. STEVENSON

ALSO IN ATTENDANCE:

HONORABLE KEVIN P. MURPHY

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**JEAN DAVIS REPORTING**

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ALSO PRESENT:  
MIRIAM A. FOX  
MAJORITY EXECUTIVE DIRECTOR  
EDWARD J. NOLAN  
MINORITY EXECUTIVE DIRECTOR

HEATHER L. ARTZ, RMR, CRR  
REPORTER

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2 \* \* \*

3 MAJORITY CHAIRMAN EVANS: And we have  
4 Melissa, Melissa Snyder, Michael Dabrishus, James  
5 Tyson, and Sean. There's seats for them at the  
6 table, they can testify. You want to testify?

7 MR. MCALEER: They probably would. You want  
8 to hear what they have to say, though I'd get in  
9 trouble. My wife would kill me.

10 MAJORITY CHAIRMAN EVANS: Let's start,  
11 introduce yourself for the purpose of the record.

12 MR. WELSH: I'm Bob Welsh. I'm with Melissa  
13 Snyder. We're from Jump Street. I'm the executive  
14 director. Would you like to me to continue?

15 MAJORITY CHAIRMAN EVANS: Why don't we just  
16 go down, have everybody introduce themselves.

17 MS. SNYDER: Melissa Snyder, Jump Street.

18 MR. MURREN: Philip Murren, speaking on  
19 behalf of the Pennsylvania Catholic Conference.

20 MR. DABRISHUS: And my name's Mike  
21 Dabrishus. I'm a member of the state historical  
22 records advisory board speaking on behalf of the  
23 Pennsylvania Historical Museum. Thank you.

24 MAJORITY CHAIRMAN EVANS: James Tyson?  
25 James, why don't you --

1 MR. TYSON: I'm James Tyson, citizen  
2 speaking on behalf of the HEMAP program.

3 MAJORITY CHAIRMAN EVANS: So how are we  
4 going to start? Start with you, Michael.

5 MR. DABRISHUS: Good morning, Mr. Chairman.  
6 Other members of the committee. Obviously the recent  
7 testimony here shows that you have an awful lot of  
8 serious issues ahead of you and I wish you well in  
9 your endeavors.

10 MAJORITY CHAIRMAN EVANS: Can you pull the  
11 mic a little closer to you?

12 MR. DABRISHUS: Thank you for the  
13 opportunity to submit views on the proposed budget,  
14 Senate Bill 850. By way of background, I've worked  
15 at libraries, at archives more than 35 years in four  
16 different states, including state archives, one in  
17 Texas, I worked in Michigan. Now I'm here in  
18 Pennsylvania with the University of Pittsburgh as  
19 assistant director of libraries again. While I  
20 currently work at Pitt, these are my views and mine  
21 alone.

22 I realize that the Commonwealth faces  
23 serious challenges in drafting a budget for the  
24 coming fiscal year. I believe the bill as proposed,  
25 Senate Bill 850, has serious issues and as appointed

1 member of the Pennsylvania historical records  
2 advisory board, I'd like to provide you with insight  
3 as to how that bill would impact the work of one  
4 specific agency, and that's the Pennsylvania  
5 Historical and Museum Commission.

6 PHMC is the official history of this  
7 Commonwealth, as you know. It was created in 1945.  
8 It was responsible for the collection, conservation,  
9 interpretation of Pennsylvania's historic heritage.  
10 PHMC accomplishes this through the Pennsylvania State  
11 Archives, the State Museum of Pennsylvania, both of  
12 those located right next door; the Bureau of Historic  
13 Sites and Museums of Pennsylvania, and the Bureau of  
14 Historic Preservation and the Bureau of Management  
15 Services.

16 Its endeavors not only have a positive  
17 impact on interests of a wide variety of researchers,  
18 teachers, constitutes, and others interested in the  
19 Commonwealth's history, but it also serves the needs  
20 of our democracy and employees working for this great  
21 Commonwealth.

22 The budget as proposed in SB 850 would have  
23 dramatic effects on the programs of PHMC as well as  
24 place in jeopardy the historical assets held in trust  
25 for the people of our great Commonwealth.

1           Added to the reductions proposed in the  
2 Governor's own budget, SB 850 reduces PHMC's budget  
3 even more by nearly four and a half million dollars.  
4 That represents a 25 percent cut in PHMC funding.  
5 And if approved, it means a potential loss of nearly  
6 120 positions or nearly 40 percent PHMC staff.

7           I'm curious to know if all other state  
8 agencies are being asked to make similar cuts. If  
9 so, fine. I don't think that may be the case,  
10 though.

11           The proposed budget also eliminates  
12 \$6.8 million from Keystone Fund, devastating the  
13 Commission's ability to provide for essential  
14 repairs, fire and security protection, essential  
15 needs for more than 450 buildings and their  
16 associated infrastructure managed by PHMC. These  
17 buildings contain several million museum artifacts  
18 and archival collections that together with landmark  
19 structures comprise historic treasures of the  
20 Commonwealth. These tangible touchstones to our  
21 cultural history of the people of Pennsylvania are  
22 irreplaceable.

23           I'd like to close, sir, with just a few  
24 minutes to summarize the potential impact of the  
25 proposed budget reduction. In all likelihood, the

1 state Museum of Pennsylvania would only open three  
2 days per week. Closure would result in 70,000 fewer  
3 people being served with half of those people being  
4 school students, half of them. Nor would the  
5 facility be available to other community groups,  
6 state agencies, and other users when it's closed.  
7 The historic sites and museums, 23 of them in total,  
8 would all be forced to close.

9           Ironically, this includes many sites that  
10 are not only popular, very popular, but actually help  
11 generate nearly \$2 million in revenue from their  
12 admissions, facility rentals, museum store sales, and  
13 special events.

14           The state archives would be forced to reduce  
15 its hours significantly. *Pennsylvania Heritage*  
16 *Magazine* would likely be suspended. The state  
17 records center would either be suspended or severely  
18 curtail its operation. The record center, by the  
19 way, is a unit that actually saves the Commonwealth  
20 thousands of dollars each year as part of an  
21 effective and efficient system of records management,  
22 something we desperately need in this state.

23           Grants administered by PHMC would mean a  
24 loss of public programming and a loss of records and  
25 management deterioration. As a frequent reviewer of

1 PHMC grant proposals I'd characterize that program as  
2 very effectively administered. The historical  
3 markers program, popular throughout the Commonwealth  
4 would have to be suspended.

5 Ladies and gentlemen, these are my  
6 concluding remarks. I wish you well in your  
7 endeavors. Thank you, again, for the opportunity for  
8 members of the public to present their views. Good  
9 day.

10 MR. MURREN: Thank you, Mr. Chairman. I'm  
11 Philip Murren. I'm legal counsel to the Pennsylvania  
12 Catholic Conference. I've been representing the  
13 conference on education issues for 34 years now. And  
14 with me is Sean McAleer behind me with his children,  
15 who is the education director for the Pennsylvania  
16 Catholic Conference.

17 For many years PCC has received assurances  
18 that in order to provide equitable treatment to the  
19 Commonwealth's nonpublic school students the annual  
20 state budget appropriations for nonpublic school  
21 student textbooks, instructional materials, and  
22 auxiliary services would increase or decrease at the  
23 same percentage rate as the state's public school  
24 basic education subsidy.

25 For most of the last 15 years those

1    assurances were honored.  However, the 2006 budget  
2    cycle the increase in the annual state budget  
3    appropriation for nonpublic school textbooks,  
4    instructional materials, and auxiliary services was  
5    lower than that for the state's public school  
6    subsidy.  While the increase for the nonpublic school  
7    services was not extremely much smaller than that for  
8    the public school subsidy, when it is compounded  
9    through future years, because it serves as a lower  
10   base, the gap widens.

11            Again, in the past year's budget cycle the  
12   public school subsidy was increased by 5 and a half  
13   percent, while the nonpublic school appropriations  
14   increased by 3 percent.  Then in the middle of the  
15   budget year the nonpublic school appropriations alone  
16   were unilaterally decreased further.  Therefore, from  
17   2005 to 2008 the actual nonpublic school  
18   appropriations increased by 11.6 percent while the  
19   public school subsidy increased by 16.34 percent.

20            Nonpublic school students already face an  
21   ever widening gap in the amounts of resources  
22   allocated in the programs that are of direct benefit  
23   to them.  Senate Bill 850 would widen that gap even  
24   further.

25            While it proposes to keep the public school

1 basic education allocations level with last years  
2 when the federal stimulus appropriations are  
3 included, Senate Bill 850 proposes to cut nonpublic  
4 school student textbook appropriations by  
5 12.3 percent and nonpublic school students auxiliary  
6 services appropriations by 11.8 percent.

7           Nonpublic school students make up  
8 13.1 percent of the total K to 12 enrollment in  
9 Pennsylvania schools. Their parents pay the same  
10 amount of state and local taxes as do the parents of  
11 public school students. The state programs that  
12 directly benefit these nonpublic school students are  
13 not funded anywhere close to the proportional  
14 enrollment levels as between public and nonpublic  
15 schools. The disparity in funding allocated to  
16 nonpublic school students is even greater when public  
17 school-only state programs, such as accountability  
18 grants and local school districts expenditures are  
19 added to the amounts spent exclusively for the  
20 benefit of public school students.

21           Nonpublic school students and their parents  
22 have never asked for fully equal state spending in  
23 relation to their public school counterparts, but  
24 they have asked for levels of funding that could  
25 actually meet their demonstrated levels of need in

1 those relatively few programs that are statutorily  
2 authorized and are constitutionally permissible.

3 Another example of unequal treatment in  
4 recent budget cycles has occurred with appropriations  
5 that have been dedicated for technology enhancements.  
6 In the past, nonpublic school students participated  
7 in the Link to Learn Program which was opened to all  
8 students, public and nonpublic alike.

9 With the advent of the Classrooms For the  
10 Future Program in 2006 and the defunding of Link to  
11 Learn, nonpublic school students were completely shut  
12 out, since Classrooms for the Future is directed  
13 solely to the public schools. Advocates for  
14 nonpublic school families have repeatedly suggested a  
15 remedy to this disparity over the past two budget  
16 cycles. The suggested remedy is to assign a  
17 proportionate share of technology money; that is,  
18 13.1 percent, through an appropriation to the  
19 nonpublic school students portion of the Link to  
20 Learn Program. The enabling statute for this program  
21 has already been adapted to allow for funding to  
22 benefit students in nonpublic schools so no new  
23 statutory authorization is needed.

24 If nonpublic school students had received a  
25 proportionate share of the technology funding that

1 has already been allocated through the Classroom For  
2 the Future Program, they would have been allocated  
3 \$20.3 million. If they would be allocated a  
4 proportional share of the \$22 million proposed for  
5 that program this coming year, they would be  
6 allocated \$2.9 million. That would not make up for  
7 past inequities, but it would help.

8 Nonpublic school families realize that in  
9 these difficult financial times cuts may have to be  
10 made. But they are very concerned that it be done in  
11 a way that is fair and equitable for all Pennsylvania  
12 students. Many nonpublic school families are already  
13 struggling to pay tuition and fees on top of their  
14 school taxes. Because of that fact, they are feeling  
15 the impact of the current economic climate even more  
16 acutely than their public school counterparts when it  
17 comes to family education spending.

18 PCC asks that these families not be further  
19 disadvantaged by the state's educational spending  
20 choices during this budget cycle. Thank you.

21 MR. WELSH: Thank you, Mr. Chairman for the  
22 opportunity. I'm here to the recommend support for  
23 the \$14 million recommended Governor's budget for the  
24 Pennsylvania Council of the Arts. You had an  
25 avalanche of honest and heart-felt testimony and

1 facts. I'm going to be brief.

2 PCA budget is the smartest dollar on the  
3 street. I deal with local, regional, national grants  
4 sources. Earned income opportunity, I can honestly  
5 say, really is the smartest buck out there. It comes  
6 with a clear message of its own. It doesn't quote  
7 for or gently expect lasting outcomes. It insists on  
8 lasting outcomes. It puts in place a series of  
9 checks and benchmarks to ensure productivity of the  
10 agencies it funds. In many cases it insists on a  
11 second source match.

12 The Pennsylvania Council on the Arts dollar  
13 says you want me, all right, you need to get ready to  
14 file interim reports, annual reports, strategic  
15 planning, the quality of your work will come into  
16 question, the accessibility of your work will be  
17 insisted upon. You can have the greatest project in  
18 the world, but if you don't have the attributes to  
19 sustain it, no dice.

20 The PCA is appropriately tough on  
21 established agencies like mine, while nurturing  
22 emerging agencies and individuals. Again, that's  
23 smart money. I used PCA dollars to bring money in  
24 from out of state. With this leverage it's really a  
25 credential because of the standing nationally of the

1 PCA. They are top 50 ranked agency of any, much less  
2 arts agency. And with that credential I can bring in  
3 investments from the National Endowment on the Arts  
4 and Preserve America. That's kind of a no-brainer.  
5 We would figure an arts agency would do that.

6 But since I'm a processes guy, at the Art  
7 Agency we use art to teach job skills to youth; we  
8 improve quality of life for PA seniors; alternative  
9 sentence for youth offenders; residency in  
10 Alzheimer's facilities and prisons. It's art with a  
11 social purpose. I'm able to leverage investment from  
12 U.S. Department of Labor, McDonald's, Subway  
13 Restaurants, U.S. Army, Target stores. This support  
14 is creating jobs in vendor contracts and has been for  
15 years. With no PCA support I won't blip on the radar  
16 out of state and the out-of-state dollars will stay  
17 out of state.

18 Here's why I got into this work. Good buddy  
19 of mine was a carpenter and he worked in a tough  
20 neighborhood. And one day I was visiting with him on  
21 the street corner at a job site and he said watch  
22 this. A bunch of young boys were coming across the  
23 street -- young men actually, from a -- the Career  
24 Technical Academy and Philip held up his tape measure  
25 and a \$20 bill. And he gathered the young men around

1 and said can anybody find 16 and 7/8 inches on this  
2 ruler and you can have the 20 bucks. None of them  
3 can do it.

4 I scratched around to the private sector  
5 arts guy. I was making records in Pennsylvania for a  
6 living. I probably made a lot of records as you grew  
7 up listening to the backgrounds, an engineer and a  
8 producer. And I tried -- I wanted to do something  
9 and I knocked around trying to figure out how to do  
10 it. It wasn't until I got hooked into a nonprofit  
11 arts organization and got to sit with the people from  
12 the Pennsylvania Council on the Arts that they taught  
13 me how.

14 They taught me how to create high  
15 expectations on the street, by insisting on outcomes  
16 from me. And now that I've learned it I have the  
17 great privilege of teaching it. I'm one of their  
18 many consultants and I'm sitting now with four  
19 different faith-based groups as the younger  
20 generation and the older generation are sort of  
21 trying to figure out what they do with their  
22 faith-based initiatives, and how they reach out to  
23 communities and through an arts process, a theater  
24 group, a music group. And they're really wrestling  
25 with mission. But the Pennsylvania Council on the

1 Arts is careful to train me to train them to be  
2 honest shepherds of the public dollar.

3 It's the smartest buck on the street.

4 MS. SNYDER: Thank you. I come here today  
5 not only to support the Pennsylvania Council on the  
6 Arts as an arts organization employee, but as a  
7 parent. The arts are much more than just fun extra  
8 activities for children. Participation in the arts  
9 opens up children's worlds and minds and offers them  
10 skills they need for a bright future. We know that  
11 arts stimulates different parts of our brains to make  
12 us laugh or incite us to riot with a whole gamut of  
13 emotions in between. Art gives us a way to be  
14 creative and express ourselves. You could say that  
15 art is something that makes us more thoughtful and  
16 well rounded humans.

17 Research studies show that student with high  
18 levels of involvement in the arts improve their  
19 performance at school in many ways, and that the arts  
20 are also a means of reaching students not currently  
21 being reached, such as those at risk.

22 The arts bring families, communities, and  
23 schools together with the common sense of pride.  
24 Young people who participate in the arts for at least  
25 three hours on three days each week through at least

1 one full year are four times more likely to be  
2 recognized for academic achievement, three times more  
3 likely to be elected to class office within their  
4 school, four times more likely to participate in a  
5 math and science fair, three times more likely to win  
6 an award for school attendance, and four times more  
7 likely to win an award for writing an essay or a  
8 poem.

9           Art is such a large part of our everyday  
10 lives we hardly even stop to think about it. I'd  
11 like to close by telling you what art equals at Jump  
12 Street, three programs and their impact made possible  
13 through funding by the Council on the Arts.

14           The gift of music program is a program that  
15 collects, restores, and distributes instruments to  
16 children interested in learning to play an instrument  
17 but due to financial burden cannot afford their own  
18 instrument. During my first month of employment at  
19 Jump Street I received the following letter.

20           "Dear Mr. Welsh, Thank you very, very much  
21 for giving me my own clarinet. This is the very  
22 first time I have ever owned my own instrument.  
23 Thanks to you, now I can play on this summer break  
24 like I wanted to. I can even play my clarinet over  
25 the holidays and not just the ones that happen during

1 school. My dad used to always want me to play for  
2 him, but I couldn't because after every school year  
3 we would have to give them back after the last  
4 concert. Please tell Jump Street I said thanks, too.  
5 Thank you Denetria Jenkins. I got to meet Denetria  
6 Jenkins at the Christmas concert here in the Capitol  
7 Rotunda."

8 Arts and education. A program that assists  
9 Pennsylvania schools to support curriculum, enrich  
10 the important work of art educators, and provide  
11 additional opportunities for students to explore and  
12 develop their creative abilities.

13 These are two third graders from Ben  
14 Franklin School located right here in Harrisburg.  
15 Through the Teacher Artist Partnership, a visual  
16 artist helped to make these students understand their  
17 daily lesson by assisting them to create beautiful  
18 and useful things using their math skills. They are  
19 holding three-dimensional representations of a series  
20 of lessons in geometry. I was there and got to watch  
21 these kids make these kites and fly these kites.

22 *AND Magazine*, the only freely distributed  
23 magazine in Pennsylvania written by teens for teens,  
24 *AND* has a focus on the arts and healthy lifestyles.  
25 Since *AND's* launch in 2005, 11 issues have been

1 published and over 100,000 copies have been delivered  
2 to over 70 middle and high schools.

3           AND interns are given the opportunity to  
4 receive education, develop skills, and gain  
5 experience that will enable them to advance their  
6 careers. AND interns have received full and partial  
7 scholarships due to their participation in the  
8 magazine.

9           As a recipient of funding through the  
10 Pennsylvania Council on the Arts, Jump Street is able  
11 to support community and economic development through  
12 art and has successfully employed art in the way that  
13 makes it tangible and accessible to many who may  
14 perceive the world for art as inaccessible and  
15 closed. Thank you.

16           MR. TYSON: Good afternoon.

17           MAJORITY CHAIRMAN EVANS: Can you introduce  
18 yourself for the purpose of the record?

19           MR. TYSON: Sure. My name is James Tyson.  
20 I'm here on behalf of Philadelphia's Unemployment  
21 Foreclosure Crisis Committee, which I'm a member.  
22 And I'm here to talk about a need for increasing the  
23 amount of funding.

24           Me and my family live in West Philadelphia.  
25 We've lived in our home for 10 years. For the past

1 18 years I've worked in the mortgage industry. In  
2 2007 when the bottom started to fall out, my income  
3 was drastically reduced. Because of my decreasing  
4 income, like others who experienced less income or  
5 loss of jobs, I fell behind in my mortgage. After I  
6 received an Act 91 notice I applied for a loan  
7 modification with my lender. They offered me a  
8 repayment plan that I could not keep up. Then I  
9 applied for HEMAP and was turned down.

10 I then started working for Housing Council  
11 of the Philadelphia Unemployment Project who worked  
12 with me in avoiding several sheriff sales.  
13 Fortunately, I started working again and was able to  
14 afford -- get affordable terms from my mortgage  
15 company under President Obama's Making Home  
16 Affordable Plan.

17 HEMAP is the only program that could have  
18 helped people like me who want to stay in their homes  
19 and need a little help to get back on their feet.

20 Fortunately, I got back on my feet sooner  
21 than most others, otherwise me and my family would  
22 have lost our home.

23 Since 1984, over 40,000 families have gotten  
24 help. Lately the program has been underfunded. It  
25 has become harder and harder for some -- someone out

1 of work to get help. In 2007 and 2008 of the 4700  
2 families HEMAP helped, only 20 got ongoing  
3 assistance. That means HEMAP would loan them money  
4 until they got back to work. Most people they helped  
5 were already back on their feet and able to resume  
6 their current payment but could not make their back  
7 payments.

8 HEMAP is not a giveaway program as some  
9 might think. Since the program began, the state has  
10 put out \$211 million to homeowners who have repaid  
11 \$238 million. I'm willing to pay the state back if  
12 they would have helped me out, just like so many  
13 others over the years.

14 The Governor has proposed \$11 million for  
15 HEMAP for this year, the same as last year. And last  
16 year the program ran out of money. With more and  
17 more people getting laid off, we're asking for two --  
18 for \$20 million in funding for this year. People  
19 like me are getting turned down for help because  
20 there's not enough money and we need your help.  
21 Thank you.

22 MAJORITY CHAIRMAN EVANS: One, I want to  
23 thank you for coming to present your testimony today.  
24 Believe me, we have heard what you said. We will take  
25 in all the testimony, look at all sides of it, and

1 over the next couple of weeks we will be working to  
2 some type of accommodation.

3 I hope you stay really in touch with us as  
4 the -- as a committee and members individually. I  
5 would appreciate that. Thank you very much. And  
6 thank the little ones back there.

7 (The panel concluded at 12:16 p.m.)

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I hereby certify that the proceedings and evidence are contained fully and accurately in the notes taken by me on the within proceedings and that this is a correct transcript of the same.

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Heather L. Artz, RMR, CRR  
Reporter