



Senator Michael E. Dembrow
Senate District 23

Chair Roblan and Education Committee Members:

I write to urge you to approve HB 4013. This bill clarifies the original intent that existed in 2009 when the Legislature passed SB 428 in order to add the Treasurer and Secretary of State as *ex-officio* members of the State Board of Education. Specifically, it clarifies that the statewide officer may appoint a designee to attend in his or her absence, but the designee needs to be a member of his or her staff. This was always a key component of the purpose behind the bill.

SB 428 reflected an interest in increasing the role of civics education and the teaching of financial literacy in our schools. Senator Metzger, the bill's sponsor, felt that this direction needed to come from the highest level, the State Board of Education. The way to ensure that, he believed, was by having the Secretary of State and Treasurer represented on the Board to advocate for these issues, joining the State Superintendent of Public Instruction, a statewide elected position at the time, as a non-voting member. This, he felt, would send a clear message to educators, parents, and students about the importance of civics and financial literacy.

The bill sponsor did recognize that the elected member would likely not be able to attend Board meetings in their entirety and on a regular basis. (The Board met once a month for a day and a half.) SB 428 therefore allows him or her to send a designee when he or she could not attend. I remember this issue being addressed at some length during the House Education Committee public hearing on May 6, 2009. (I was a member of this committee back then and had a particular interest in this issue from having served on the State Board prior to being elected to the Legislature.)



In his testimony Senator Metzger made it clear that by “designee” he meant a member of the Secretary or Treasurer’s respective staffs, someone who could speak for the elected officer and provide linkage to their offices. Michael Selvaggio, who did Government Relations for Treasurer Ben Westlund at the time, confirmed that the Treasury designee would be a staff member. Then-Secretary Kate Brown, who spoke to us in support of the bill, specifically said that her designee would likely be the member of her staff responsible for civic engagement.

I have reviewed the audio record of the hearing to confirm my memory of the questions and answers. The record supports the comments included in this letter.

Colleagues, I understand that HB 4013 became necessary when Secretary of State Richardson interpreted the statutory authority of SB 428 as allowing him to add an Oregonian of his choice to the Board, as opposed to designating a staff member who could attend in his absence. While a casual reading of the statute might lead to this interpretation, I hope that you can see that this is actually a misinterpretation of the very foundation of the bill.

The purpose of adding the Secretary and Treasurer to the Board was to ensure close connection between their offices and the Board for specific purposes. It was not to allow them simply to add members to the Board with their appointing authority.

HB 4013 provides the clarification necessary to restore the original intent and purpose of the bill that was passed nearly a decade ago. I hope that you will support this change.

Sincerely,



Michael E. Dembrow

Senator, SD 23

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