



C.L. "BUTCH" OTTER
GOVERNOR

F A X T R A N S M I T T A L

DATE: April 14, 2010

TO: Betsy Russell

FAX #: 800-760-3806

FROM: Jon Hanian

NUMBER OF PAGES: 6 (including this cover sheet)

COMMENTS:

Per your request.

Jon



C. L. "BUTCH" OTTER
GOVERNOR

April 12, 2010

The Honorable Lawrence Denney
Speaker of the House
State Capitol
Boise, Idaho 83720

VIA HAND DELIVERY

Dear Mr. Speaker,

I hereby advise you that I have transmitted today to the Secretary of State the following House Bill, which was allowed to become law without my signature:

HB 492

as prescribed by the Constitution.

As governor, I applaud the efforts of County Coroners to improve their members training and proficiency through educational development. Requiring a minimum level of training is a positive step in producing better skilled coroners that are able to serve the counties and the public.

That being said, I cannot overlook the fact that this is not just a bill to improve the education of coroners. The underlying issue is the precedent of allowing the funding for coroner training to be raised via a State agency instead of through the counties. Adding fees to death certificates under the purview of the Bureau of Vital Records and Health Statistics could encourage other entities to engage in similar pursuits, inflating the costs of certificates which are the primary source of income for the administration of this bureau of the Department of Health and Welfare. It is the only bureau that is self-supporting, using no general fund dollars. Adding fees for other purposes simply erodes the integrity of the system.

Citizens of Idaho are legally required to file records of vital events. The Bureau of Vital Records and Health Statistics is the steward for recording these events, protecting the records, and producing certified copies when requested by those legally authorized. I am not convinced that select citizens should have to pay an additional fee to obtain certified records that they are

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required to produce for other purposes later in life because the County Coroners deemed this a reasonable avenue for acquiring educational funding. I believe in user pay, and while there is a nexus between the fee imposed by this legislation and the service, it is tenuous at best.

I am allowing this bill to become a law, but future attempts similar to this legislation will not be supported without detailed development of the plan. I encourage further review of this legislation to explore a more equitable solution. I suggest the following ideas for consideration:

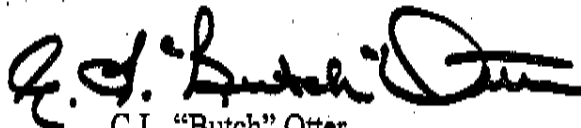
- Coroners certify a percentage of death certificates in Idaho. It may be more reasonable to adjust the fees according to a record by record basis, verifying the number of coroner certified death certificates.
- Placing a moratorium on any additional fee changes outside the purview of the Bureau of Vital Records and Health Statistics.

Additionally, the Association of Counties and the Idaho State Association of County Coroners have addressed subsequent concerns and have made a written commitment to work on the following issues:

- Providing for upfront financial assistance that allows the bureau to develop a workable system for tracking and distribution of funds.
- Allowing time for the extra funds to be held in trust, until there are sufficient funds to reprogram the bureau's system before distributing to the coroners the added funding for the bill's stated purpose.
- Establishing a system for a regular review of how those funds are being spent by the counties.

Each of these issues should be considered as the counties go forward in working with the bureau to establish protocols that provide an equitable working relationship.

As Always – Idaho, "Esto Perpetua"


C.L. "Butch" Otter
Governor of Idaho



C. L. "BUTCH" OTTER
GOVERNOR

April 12, 2010

The Honorable Lawrence Denney
Speaker of the House
Idaho Legislature
State Capitol
Boise, ID 83702

VIA HAND DELIVERY

Dear Mr. Speaker,

I hereby advise you that I am transmitting today to the Secretary of State the following House Bills, which will be allowed to become law without my signature:

HB 727 and HB 728

as prescribed by the Constitution.

There is broad agreement that the Idaho Education Network (IEN) is an important element in our goal of extending the highest quality education to every student of Idaho public schools. There also is broad agreement that responsible and transparent governance of the IEN is a critical factor in its success – politically as well as academically.

I agree with the compromise reached in order to keep advancing our shared IEN goals, as embodied in House Bill 727 and the intent language accompanying House Bill 728. The quarterly reporting requirements and level of legislative oversight are entirely appropriate, and I recognize the important role that both JFAC and the House and Senate Education committees play in this undertaking. However, I would have preferred that more educators and private sector representatives also be included in the IEN's Program and Resource Advisory Council (IPRAC) as provided specifically in HB 727.

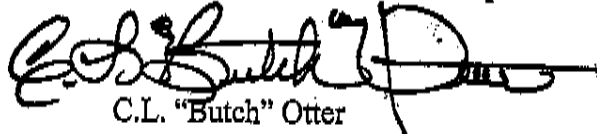
It is my sincere wish – as I know it is yours – that we not politicize or otherwise marginalize the utility of this exceptional tool for education as well as training, workforce development and economic development, especially for our more rural communities. The IPRAC provides us with a great opportunity to bring to bear the experience, training, talents and other resources of world-class instructors, technical experts and education specialists to help our students and citizens realize their full potential through the IEN. The structure created in HB 727 is good; it is my hope that we ensure it is the best it can possibly be in the years ahead.

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Once again, I highly respect the Legislature's wisdom and authority in restructuring this advisory panel. I am perfectly comfortable with the level of legislative oversight these bills create in order to ensure the IEN's success. While I am withholding my signature, I will not withhold my full support for either the process or the goals it is intended to advance.

The Legislature has my thanks and admiration for working through the issues involved and arriving at this compromise. And this truly is a compromise, providing improvement in the form of an imperfect solution upon which everyone could disagree equally. Along with the Legislature, I look forward to making it work for our students, and I hope that legislators will be open to adjusting the IPRAC membership if we find that more technical and educational expertise is needed.

As Always -- Idaho, "Esto Perpetua"

A handwritten signature in black ink, appearing to read "C.L. Butch Otter", with a long horizontal flourish extending to the right.

C.L. "Butch" Otter
Governor of Idaho



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April 12, 2010

The Honorable Lawrence Denney
Speaker of the House
State Capitol
Boise, ID 83720

VIA HAND DELIVERY

Dear Mr. Speaker,

I hereby advise you that I have transmitted today to the Secretary of State the following House Bill, which was allowed to become law without my signature:

HB 688

as prescribed by the Constitution.

As governor, I have concentrated on increasing efficiencies in agencies to ensure our state government lives within the means of the people we serve. I can appreciate the effort by universities and colleges under this bill to increase efficiencies and cut costs as budgets decrease in order to continue providing a world-class education here in Idaho.

I understand the desire of colleges and universities to have more autonomy, flexibility and discretion relating to purchasing items outside of statewide contracts. I also understand this authority is exercised under the direction of the State Board of Education and in the event the state enters into an open contract all universities and colleges will defer to the Division of Purchasing, unless an exemption is granted.

That said, I am concerned that under this legislation the state will have multiple procurement processes for state agencies and each institution of higher education. While there could be redundancies and inefficiencies in the near term, I am willing to see if savings can be achieved. I take comfort in knowing that if success is not achieved the law will sunset in 3 years and a new solution can be forged.

I believe the key to success will be increased communication and collaboration between higher education and the Department of Administration. I hope that our colleges and universities are right and this effort will save money that can be used to prepare our post-secondary students for careers and a better tomorrow.

As Always - Idaho, "Esto Perpetua"

A handwritten signature in black ink, appearing to read "C.L. Butch Otter", written over a circular embossed seal.

C.L. "Butch" Otter
Governor of Idaho