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BRAD LITTLE
GOVERNOR

March 25, 2024

The Honorable Scott Bedke
President of the Senate
Idaho State Senate
Hand Delivered

Dear Mr. President,

I hereby advise you that I have signed on March 25, 2024, and transmitted to the Office of the Secretary of State, with my approval, the following Senate bill, to wit:

SENATE BILL 1380

within the time prescribed by law, the same having arrived in the Office of the Governor at the hour of 4:52 p.m. on March 19, 2024.

Maintaining public trust and confidence in government is of paramount importance, especially when the mission is serving the best interests of Idaho's most vulnerable children. I believe Senate Bill 1380, by creating an independent ombudsman's office, will further public confidence and help identify productive and innovative ideas by which Idaho can better support children and those serving critical roles in foster care and child protection.

I look forward to my administration implementing this bill and identifying possible amendments next year to ensure the ombudsman's office is most effective. Currently, I have two recommendations for the Legislature to consider:

First, to maximize the independence of the ombudsman's office, the Legislature should consider amending code to allow the ombudsman's office to have legal counsel different from that advising the department it is tasked with overseeing. Unless amended, the Office of Attorney General will be statutorily obligated to represent both the ombudsman's office and the Department of Health and Welfare. Dual representation by the same legal office conflicts with the legislative mandate for independence and will impair the ombudsman's authority to "pursue all necessary action, including legal action, to protect the child's welfare and rights." This recommendation can be accomplished simply by adding the ombudsman's office to the list of self-governing agencies already enumerated in Idaho Code 67-1406(2).

Second, the Legislature should consider broadening the oversight functions of the ombudsman's office to other key executive functions, such as officials' compliance with laws governing public records, open meetings, and ethics. Legal conflicts arise when one executive office attempts to investigate another for advice the former rendered to the latter. Such conflicts are proven to be counterproductive and expensive for Idaho's taxpayers. I believe public trust in government is best maintained when the roles of general counsel and inspector general are served by two distinct offices of state government.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Brad Little', written in a cursive style.

Brad Little
Governor of Idaho