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Remarks of Governor Bill Owens State of the State Address Colorado General Assembly January 12, 2006

Lieutenant Governor Norton, President Fitz-Gerald, Speaker Romanoff, Secretary of State Dennis, Treasurer Hillman, Senator Salazar, Mayor Hickenlooper, Members of the Cabinet, Honorable Senators and Representatives, my fellow Coloradans:

I am proud to stand before you this eighth time as Colorado's Governor—and I am looking forward to this year just as much as I was way back in 1999.

You remember 1999? When I spoke to you on January 14th of that year, John Elway was the starting quarterback for the Denver Broncos and we were just 17 days away from winning Super Bowl XXXIII.

Well, the Denver Broncos are back and so is the State of Colorado.

You know, we've been through a lot these last seven years.

Who would have thought that, less than 100 days from when I spoke in 1999, the word "Columbine" would be etched forever in our nation's memory? That, and the recession, and the worst drought in more than 300 years, followed by the summer of 2002 with more than 4,000 forest fires, and then the technology bust...

There's no doubt that the challenges have been many. But our accomplishments have been even more. And we're not finished.

Anyone who came here expecting a farewell address will be sorely disappointed. There will be a time and a place for that, but not here, not now.

My agenda is ambitious—and, in the words of my favorite president, Ronald Reagan, the message to you today is: "Put on your work shoes—we're still on the job."

I know that you'll agree that we have a lot of work to do, especially when it comes to protecting the progress we've made since 1999.

We passed landmark education reform, creating a system that policymakers around the nation point to as a model. Public-school choice, charter schools, and a strong accountability program are making a big difference for the more than 750,000 students in our public schools.

We created the nation's first tuition voucher for college. The College Opportunity Fund has transformed the way the state funds higher education, making it more student- oriented and more accessible.

We passed the largest tax-reform package in Colorado history. We eliminated the marriage penalty. We reduced the income tax twice, as well as the sales tax. Over seven years, this has translated into almost \$3 billion of savings for Colorado taxpayers.



We've also worked together to bring health care to our most vulnerable citizens. Through Child Health Plan Plus—or CHIP—more than 100,000 low-income Colorado children have had access to quality health care.

We've added more open space. Through Great Outdoors Colorado, we've invested more than \$72 million, increasing open space by more than 400,000 acres since 1999. We've preserved more land and wildlife habitat for future generations than at any time in our history.

And just last year, we enacted legislation that's transforming the nature of the water debate in Colorado. The Denver Post called the creation of the Interbasin Compact Process "the most significant step toward a rational statewide water policy in the past 50 years." This is thanks to the leadership of Russ George—Director of the Department of Natural Resources—as well as the citizens who are serving on the nine basin roundtables.

Also last year, we took a critical step with the passage of Referendum C to stabilize Colorado's budget. The result is that Colorado will be able to recover from years of recession while keeping our taxes among the lowest in the country.

We can be proud that in good times and bad we stood together, shoulder to shoulder, as Coloradans.

This was brought home to me in the aftermath of Hurricane Katrina, when Coloradans opened up their hearts and their homes to families who traveled from the Gulf Coast to Colorado. They arrived with only the clothes they had on their backs and the memories, still fresh, of the destruction they had just escaped.

They were greeted by volunteers who welcomed them to our state. Hundreds of Coloradans sorted clothing, food, and supplies. They prepared beds, offered medical expertise, held hands and prayed with their new neighbors.

I particularly appreciate the work of Representative Debbie Stafford and Representative Jerry Frangas, Community College President Nancy McCallin, and—from my administration—Marva Hammons, Paul Cooke, Dan Hopkins, Chris Castilian, Rachel Nance, Barb Kirkmeyer, and scores from my Policy, Budget, and executive staff. And let me especially recognize the contributions of our great Lieutenant Governor, Jane Norton. Jane, thank you for all of your help.

Ladies and gentlemen, this morning I'd like to introduce three outstanding Coloradans— pastors whose churches worked day and night to prepare housing for the evacuees, arrange transportation, and offer counseling. These churches opened their doors, making families feel right at home here in Denver. We're honored to welcome pastors Del Phillips, Larry Brown, and Robin Holland.

Colorado's First Lady, Frances Owens, also helped with the Katrina effort. And she has spent the past seven years as a tireless advocate for Colorado's children, focusing her talent on promoting literacy and keeping children free of drugs and alcohol. Frances would have been with us today, but—as many of you know—her mother, Grace Westbrook, passed away Monday after a long illness. The services are being held on Saturday in Texas. Frances is already there, and I'll be leaving soon. I will let her know of your many expressions of sympathy.

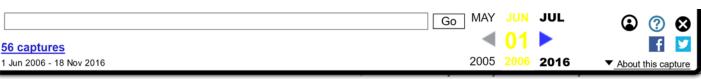
And also, yesterday we lost a dear friend, Sergeant-at-Arms Tommy Thompson. Tommy was a friend of mine for over two decades. I know that I speak for everyone when I say that he will be greatly missed.

Tommy's spirit of service is an example to us all. So is the Colorado National Guard. After Katrina, more than eleven hundred Guard members were deployed to the Gulf Coast to help with the massive clean-up effort. These men and women—some of whom arrived just 24 hours after the hurricane hit—brought relief to the victims of our nation's worst natural disaster.

Several Guard members who made that trip are with us today. Please join me in thanking Chief Master Sergeant Golden Sherman and Sergeant Ian Zahn. Thank you for your service.

The National Guard is always there for Colorado. And they're also part of our nation's War on Terror.

Last year, more than 400 members of Colorado's Army and Air Guard were deployed in support of that effort. They are truly examples of our own "Greatest Generation," defending our country in the toughest of circumstances. Ladies and gentlemen, as Commander in Chief of Colorado's National



and nation.

Finally, two more introductions... Joining us in the gallery is former U.S. Senator Hank Brown—who is doing an outstanding job as President of the University of Colorado— and Dr. Larry Penley, President of our daughter's alma mater, Colorado State University. Would you please join me in thanking them for all they do for us.

Colorado's Economy

As we look forward to a year filled with hope and opportunity, I can tell you without hesitation that Colorado's economy is strong, and getting stronger.

As President John F. Kennedy said in a speech delivered in Pueblo, Colorado: "A rising tide lifts all boats." We see that truth at work today.

Colorado's labor market is improving, and with more employment has come rising personal income. As income has increased, we've seen retail sales grow 6 percent, while employment this year is expected to set a Colorado record.

Even San Diego knows we're good—its Regional Economic Development Corporation ranked the Denver metro area second in the nation for economic competitiveness.

Colorado's jobs-friendly policies have made us a national leader in so many ways. We're first in the nation in concentration of high-tech workers and fourth in aerospace employment. Denver is the fifth-largest financial-services center. And for five years running, the Boulder-Longmont area has had the highest concentration of software employment of anywhere in the U.S.

And we found out just last year that Fort Carson will become the headquarters for the 4th Infantry Division of the U.S. Army, doubling its troop base from 14,500 to nearly 30,000, with an economic impact of over half a billion dollars per year.

Friends, the state of our state is indeed strong.

And it's no coincidence. It's a direct result of jobs-friendly policies that make Colorado a state where people want to live and work.

State Budget

Of all the issues discussed here at the Capitol, there is little that is more important—and, on occasion—more contentious, than the state budget.

However, one thing is clear. Without Referendum C, I would have been outlining proposals for more than \$500 million in cuts next year. Fortunately for the citizens of Colorado, that's not the case.

The voters gave us the revenue we need so that Colorado can recover from recession. It's now our duty to use these funds wisely.

While Referendum C allows us to restore cuts to programs and services, we can't forget what we've learned since the recession. Those difficult budget years forced state government to get leaner and smarter. Referendum C isn't an excuse to reverse any of that progress. It's an opportunity to make prudent investments in priorities—not to rebuild government bureaucracy.

Years of recession drained the state budget, and it'll take a lot longer than a year to fill it. I believe the voters understood that. And I also believe they understood what the funds could be used for. Let me remind you of the clear language contained in the title of Referendum C: "Without raising taxes, in order to pay for education, health care, roads, bridges and other strategic transportation projects..."

Clearly two of the areas that suffered the most during the recession were higher education and transportation. Both are vital to the future of our state.

My budget plan allows higher education to make a faster, fuller recovery than any other major area of state government. We'll restore 40 percent of the cuts to higher education from the General Fund in just two years.

My recommendation is to raise the per-student stipend to \$2,580, increase financial aid by 6 percent, with a total higher education appropriation of \$658 million. This would be the largest total budget for



The Department of Transportation also suffered massive cuts in recent years. In fact, its budget was reduced by almost 40 percent. Which is why I've proposed an additional \$80 million from the General Fund for transportation.

We should allocate this additional funding immediately so that we can jump-start transportation. Let's get this new revenue into the budget pipeline for CDOT right away, so we can begin funding badly needed projects statewide.

We're continuing our commitment to K-12 education. We estimate that General Fund appropriations to K-12 will increase by \$126 million next year. This results in a \$2.8 billion appropriation for education—more than 43 percent of the General Fund.

We also must meet our Medicaid mandate, which now comprises 22 percent of the General Fund. To meet federal requirements, the total General Fund appropriation to Medicaid will be over \$1.4 billion.

Skyrocketing Medicaid costs have challenged us to find ways to make the system work better, and we have a chance to do exactly that this year with Colorado Family Care. Currently, children are bounced back and forth between CHIP and Medicaid, often disrupting their care. It's a process that's confusing and frustrating for families, and it's difficult on our doctors and nurses.

We need to give these children a medical home. Let's create Colorado Family Care this year. I hope you'll join me in supporting common-sense legislation that combines two separate programs into one streamlined system, making it more cost-effective for the taxpayer while providing better care for our children.

My budget proposes an 8 percent increase to the Department of Public Health and Environment, which will provide additional funding for the Tony Grampsas Youth Services Program, among many others. While 8 percent may seem like a large increase, for perspective this department's General Fund budget was cut by over 50 percent in the last four years.

I'd also like to briefly highlight two more budget proposals. First, the Low-income Energy Assistance Program. I believe we have an obligation to help low-income families through the cold winter months, especially as they face record heating costs. I propose transferring \$20 million from state severance tax collections to LEAP—and please do so as soon as possible, so that we can quickly make a difference for tens of thousands of Colorado families.

I'd also ask you to transfer \$10 million from severance taxes to the state's tourism budget. We know that if we invest in tourism, we'll get much more than our investment back in economic growth. More than 200,000 Coloradans work in the tourism industry, and they deserve our support.

I look forward to working with you on these critical budget items. And I have a message today for my many friends who could not support Referendum C: I want to benefit from your views as we shape this budget. I know that the budget will be stronger and better for Colorado with your participation.

Public Safety

Government's first priority is the protection of its citizens. That's why I established a task force, chaired by Attorney General John Suthers, to examine how our state handles sexually violent predators.

The task force offered several recommendations to make our communities safer—one of the most important of which is to ensure that communities are notified automatically in the event that a sexual predator moves in.

Also, any predator who fails to register should be subject to mandatory arrest. And we need to change Colorado's definition of a sexually violent predator to include those who are convicted of such crimes in other states.

I appreciate the efforts of the Attorney General's task force, and I'm looking forward to working with the bill sponsors, Representative Josh Penry and Senator Ken Kester, to pass these reforms.

Colorado's Office of Innovation and Technology is currently spearheading several efforts that are vital to Colorado's security. Most importantly, we're strengthening cyber security for state government to better protect sensitive information and infrastructure.

We must be responsible stewards of citizen information. That's why I've established the position of



PERA

One of the biggest challenges facing us this session is reforming the Colorado Public Employees' Retirement Association—or PERA. With current unfunded liabilities of more than \$11 billion, PERA will simply not be able to fulfill its future obligations unless we make changes now.

We must tackle this problem this year. I appreciate Treasurer Hillman's strong leadership on this issue, and I look forward to finding a solution that's fair—both to state employees as well as to Colorado taxpayers.

Almost everyone agrees that reform is necessary, and most largely agree on what those reforms should look like.

First, we do need to restructure PERA's board, which the Rocky Mountain News described as "unwieldy," with no representation from the "tax paying public." The Pueblo Chieftain also has called for a reorganized board "with independent trustees who have no skin in the game."

Clearly, the new board should include members who are not part of the pension plan, and who have some investment experience.

I support an 11-member board comprised of five people elected by PERA members and four appointed by the Governor and confirmed by the Senate, with the State Auditor and Treasurer completing the board.

Second, we need to modernize our pension system to reduce current and future unfunded liabilities. This will require a separate tier for newly-hired employees that is stable, sustainable, and less expensive to the taxpayer. This reform will significantly reduce the future burden on government while at the same time attracting quality workers to state government.

We also need to take the politically tough step of examining benefit levels for our current employees. We can help make the system more sustainable by changing the age at which retirees receive full benefits and—if necessary—reducing benefits in the "out" years for those furthest from retirement. These changes should not affect those closest to retirement, but could be phased in for those who have years to go.

And I believe that before any change in benefits can occur, the Legislature should be required to obtain an independent actuarial review to determine the impact of the change.

Finally, we should expand the defined contribution plan to give workers more freedom over their money and reduce future unfunded liabilities.

I appreciate the work Senator Dave Owen has done to address this important issue.

Immigration

There is also growing concern across our state—and across the nation—about illegal immigration. Here at the Capitol, several bills have emerged from both sides of the aisle to deal with immigration.

This is an important issue. The number of illegal immigrants in Colorado and the nation has increased exponentially over the years. In fact, one-third of all foreign-born Colorado residents are here illegally, and for every person who moves here from another state, two arrive from other countries, many illegally.

But we also need to note that regardless of what we do here in Colorado, the ultimate solution lies at the national level. And that solution will have to include strengthening border security and enforcing immigration laws on employers.

In recent months, I've been working with a Colorado-based foundation on a plan that would accomplish these objectives. My plan is simple. First, secure the border... with a barrier, technology —whatever it takes, because no solution is possible to immigration without a secure border.

Second, separate those who want to come to the United States into two distinct and different groups: those who want citizenship, and those who are simply here to work. For those who want citizenship, make our requirements tough, and dependent on the skills we need as a country—much as Australia does today.



Health Care

Another national issue—but one on which we can have a great impact at the state level— is health care.

We need to make sure that Colorado welcomes good doctors and encourages them to practice here. Every year, millions of dollars are wasted on groundless medical- malpractice suits. Although these cases barely see the light of day, since they're either dismissed or withdrawn immediately, they still waste valuable time and resources.

Part of the problem is that Colorado has no system for meaningful review of malpractice claims before they go to court.

Let's make the system work better for all parties and pass a law this year requiring an expert in the field to sign off on a case before it can move forward.

Of course, we all know that our health-care system depends on hard-working professionals —particularly nurses. Unfortunately, Colorado faces a nursing shortage that is almost twice the national average—a shortage of both nurses and nursing faculty.

I'll be using a charitable grant from United Health Care to train nurses through the Rural Health Care Initiative. In addition, I'd like to use telemedicine for a pilot program to help our chronically ill Medicaid population with disease management. If we can make the system more efficient, the result will be better health care for our poorest citizens and a more sustainable system going forward.

Many of our citizens simply aren't aware of the low-cost prescription drug programs made possible by drug companies and our pharmacies. That's why I look forward to working with Representative Jerry Frangas to create a prescription-drug clearinghouse administered by the University of Colorado Health Sciences Center.

This clearinghouse will centralize pharmaceutical information and link people with the drugs they need.

Education

Let me now turn to a subject that—going back to my days in the Legislature—has been of critical importance to me and, I know, to you. The most recent School Accountability Reports contained encouraging news, but also pointed out where we need to improve.

When we created a rigorous system of standards and accountability, we knew that change wouldn't come overnight. But we also knew that change was necessary.

So—together—we started to do something about it. The idea was this: That which you can measure, you can improve.

Well, let's take a look at the numbers. Today there are 60 more schools rated "excellent" than there were just four years ago. There are 110 more "high"-rated schools. And there are 103 fewer schools rated "low" and "unsatisfactory."

While those numbers are powerful in themselves, we need to focus on what they mean in terms of actual children. Over 71,000 more students attended "excellent"- or "high"- rated schools than four years ago. And 32,000 children no longer struggle to learn in "low" or "unsatisfactory" schools.

I'm proud of everyone who helped make it happen—especially hard-working Colorado parents, teachers, and administrators.

Last year, I stood here and vowed to oppose any effort to weaken our reforms. And while I know that none of you are thinking of doing such a thing, I'm renewing that pledge today. There will be no going back

As we continue to focus on reforming our K-12 system, we must address an important problem: Far too many Colorado students who go on to college need to take remedial classes before they're ready for college-level coursework.

That's why this fall I established the Colorado Education Alignment Council. The Council, which



It's also clear that not enough of our high-school graduates are going on to college.

That's why we need to address a problem I call the "Colorado Paradox." While we rank second in the nation in college degrees per capita, we lag far behind in the percentage of our own students who go on to pursue a college education.

The Colorado Commission on Higher Education—led by Rick O'Donnell—is working to expand college opportunities for students across our state. A cornerstone of that effort is College In Colorado, a comprehensive initiative that is removing barriers to college and making higher education a reality for more low-income students.

The College In Colorado scholarship will provide financial aid to low-income students who take responsibility for preparing for college while in high school. And just last year, we endowed the scholarship with \$75 million that we realized through savings in our student loan operations.

Of course, we must continue to ensure that college stays affordable, which is why I believe that we should strictly limit tuition increases and boost state funding of financial aid.

We should also give back to our military families just a little bit of what they've given us. Let's make sure that children whose parents are reassigned out of state in the middle of their schooling remain eligible for in-state tuition at our colleges and universities. We owe them at least this.

We also need to make sure that we have outstanding faculty at our taxpayer-funded institutions of higher education. There are currently no statewide standards for the college tenure process—not even recognized minimum standards.

Let's see to it that tenure is given only to those truly qualified professors who deserve such recognition. I plan to work with the Commission on Higher Education to establish a basic threshold for tenure common to all state schools.

Environment

As we've seen even this week, wildfires are an unfortunate fact of life in Colorado—both in summer and winter. Every year, we have to mobilize resources: emergency responders, air tankers, and helicopters. Fighting wildfires requires finding substantial funds—over \$3 million every year.

I believe that we should create a dedicated funding source for wildfire preparedness. This will ensure the continued success of efforts to minimize the impact of fires before they burn out of control. And it will assure our citizens that Colorado is committed to helping them battle this problem. I look forward to working with Senator Jack Taylor on this vital issue.

Every year, half a million people climb at least one of Colorado's fourteeners. Unfortunately, six of those 54 mountains are off-limits to the public, because they contain abandoned mines that lie on private land. The people who own this land are understandably fearful of potential lawsuits in the event of an injury on their property.

In the interest of Coloradans—as well as the many people who come from out of state to enjoy the outdoors—let's pass legislation protecting landowners from lawsuit so that these lands remain accessible to all. I'd like to thank Representative Rob Witwer and Senator Dan Grossman for taking the lead on this legislation.

Today, it's a fact: Colorado's environment is better off in almost every area than it was seven years ago, particularly in air quality.

Part of the reason for this progress is the Vehicle Inspection and Maintenance Program— a program that was beneficial for many years but which has clearly outlived its usefulness. We need to terminate this unnecessary program, which costs motorists \$26 million a year.

The Denver Post called the test a "needless hassle for ... car owners." The Rocky Mountain News agreed, saying, "The emissions test is no longer merely dubious; it's a scandal.... It's long past time for that program to disappear."

Friends, this is a test for government: Is there a program that, having fulfilled its purpose, can ever be ended? I say, "Yes"—and I'm calling on the Air Quality Control Commission to start the ball rolling.



But I also vowed not to compromise on principle. I didn't, and that's why I was forced to take out the veto pen 47 times.

This year, I know that in most cases we'll work out our differences and I'll sign your proposals. But if you send me a bill that weakens Colorado families, puts our jobs- friendly climate at risk, or reverses any of the great progress we've made in education, I'll take that pen out again.

I've enjoyed working with President Joan Fitz-Gerald and Speaker Andrew Romanoff, as well as the leaders of my own party, Representative Joe Stengel and Senator Andy McElhany.

Let's work together again this year. Let's continue to move forward, not backward, on education. Forward, not backward, on taxes. Forward, not backward, on transportation, our environment, and our quality of life.

It's been the greatest honor of my life to serve as Governor of this great state. Thank you for your service

God bless you and God bless Colorado.

Addendum

Governor Owens' Additional Agenda Items for 2006

In addition to the priorities outlined in the State of the State address, Governor Bill Owens will also pursue the following agenda items for the 2006 Legislative Session.

• Promoting Emerging Technologies:

"If we don't take certain steps today to foster biotech and other emerging technologies, we'll have lost an opportunity to make Colorado home to cutting-edge industries. Allowing biotech companies to sell a portion of their net operating loss will help sustain the industry in Colorado. Because of the nature of their work, these companies don't usually make a profit in their first decade of existence, during the research and development phase. But they need capital for laboratories and employees. I support legislation allowing them to sell their net operating loss to other companies in order to produce the capital they need to survive."

• Job Creation Incentives:

"We should also actively encourage companies to bring high-quality jobs to our state. One way to do this is to provide monetary incentives for companies that create high- paying jobs, especially in rural areas. I support legislation that will allow the Economic Development Commission to reward companies after they bring jobs to Colorado."

• Protecting Voice-Over-Internet Protocol from Taxation:

"Colorado has a great track record when it comes to embracing new technologies and helping them thrive. Let's make sure that that record continues, and protect Voice-Over-Internet Protocol from taxation. Well over a million Americans are already using Voice- Over-Internet Protocol, which allows them to make long-distance and international calls for far less money than traditional phone service."

• Clarifying Economic Damages for Malpractice Cases:

"Ever since non-economic damages in tort cases were capped, plaintiffs' lawyers have sometimes exaggerated their clients' economic damages. We can make the system more just if we clarify the out-of-pocket expenses to which plaintiffs are entitled in medical malpractice cases."

• Right to Review Medical Records in Malpractice Cases:

"A recent Colorado Supreme Court decision unfairly disadvantages doctors faced with a medical malpractice suit by prohibiting them from reviewing plaintiffs' medical records. We should level the playing field this year and allow defendants the opportunity to adequately defend themselves."



eliminate unnecessary duplicative licensure procedures

We also have a shortage of nursing faculty. I'm pursuing options to attract more faculty to our nursing schools."

Highway Clean-up by Drunk Driving Offenders:

"Drunk driving takes a tremendous toll on our state. Every year, over 200 people are killed in accidents involving drunk drivers. We have taken several important measures to address this problem over the years, including raising the blood-alcohol limit. In order to discourage drunk driving, especially among first-time offenders, Colorado should consider innovative methods, for instance requiring convicted drunk drivers to help keep our highways clean."

Tracking Student Achievement in College

"Our philosophy in reforming K-12 education was this: That which we can measure, we can improve. I still believe that, and I think we should extend our measurements through the college years. I support legislation that would track students with the same unique identifier number used during their K-12 years as they go on to pursue higher education. This will help us identify and solve problems in our education system.

"We also need to make it easier for the State Board of Education and the Colorado Commission on Higher Education to collaborate in solving education problems. I support legislation allowing them to share student data."

Underserved Students in Higher Education

"Colorado is leading the nation when it comes to improving our higher education system. We have established performance accountability contracts between the Commission on Higher Education and each of our colleges and universities. These contracts are requiring schools to review their core curriculum to ensure students receive the highest quality education on our campuses.

"I'd like to see these performance contracts include a commitment to supporting and retaining underserved students, especially minority students. Requiring our institutions of higher learning to help foster their academic success will ensure that these students don't fall through the cracks."

• Proof of Citizenship for Voting

"We are fortunate to live in a country where free elections are the standard. But voter fraud threatens the integrity of our election system. And it's a threat we can't ignore here in Colorado, as the 2004 election season demonstrated so powerfully.

"That's why I favor the commonsense step of requiring voter identification—just like when Coloradans board a plane or cash a check—when we add people to our voter rolls. This measure would enforce the citizenship requirement in the U.S. Constitution and Colorado Statute. A safer, fairer system will protect the voting rights of all Coloradans."

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