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State of the State Address 2000 Governor Bill Owens January 6, 2000

President Powers, Speaker George, Honorable Senators and Representatives, distinguished guests, my fellow Coloradans:

I am honored today to report that the State of Colorado is healthy and vibrant. Our economy continues to be the most prosperous in our state's 124-year history. Colorado's newest National Park, Black Canyon National Park which was dedicated last year, stands as a symbol of the natural splendor we continue to enjoy and protect. And all across Colorado, families are living the "Colorado Dream."

The biggest lesson I have learned is that being Governor is a partnership. Thankfully, I have someone who is not only my friend and confidante, but also an excellent source of advice – and criticism. That person is my wife and partner, the First Lady of Colorado, Frances Owens.

In 1933, Will Rogers said, "Colorado is a grand seat from which to see the world." What Will Rogers said then certainly rings true today. Unfortunately what the *world* saw in *Colorado* on April 20, 1999 was a tragedy that rocked our state, our nation, indeed the world.

The Columbine High School tragedy changed our lives forever. But while the tragedy at Columbine High School showed us the absolute worst in two young men, it brought out the very best in our people.

We saw David Sanders – a man, a teacher, a father – sacrifice his own life to save the lives of dozens of students to whom he had dedicated so many years of his life to teaching and nurturing. We saw groups of students helping one another to avoid the gunfire, and then dropping to their knees in prayer, clinging to each other for support and hope.

We saw neighbors give of their time, their money, and their prayers to victims and their families. We saw Colorado embrace the Littleton community, grieving with families and friends whose lives were shattered by the horrible tragedy. And that night across America we saw parents hold their children a little tighter and a little longer before putting them to bed.

As a father, I am thankful to live among people who care about each other, who will sacrifice to help each other, and who still – day after day – continue to remember the thirteen victims of that horrible tragedy.

Last year we also suffered the loss of close colleagues and friends: Secretary of State Vikki Buckley, Senator Tony Grampsas and Jan Duckworth. Vikki, Tony and Jan dedicated their lives to serving the people of Colorado. They were our friends and we all miss them terribly.

Please bow your heads and join me now in honoring and remembering the thirteen victims of the Columbine shooting and our departed friends and colleagues:

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and hate, and we cannot let the actions of two sick teenagers determine how the rest of the world views our wonderful state.

Colorado's Families

But we need to ask ourselves: "What can we as parents, as a community, and as a state do to prevent such acts of violence in the future?" Unfortunately, there is no easy solution.

So many people – in and outside of Colorado – have tried to politicize the tragedy at Columbine. But as I have said so often, more laws would not have stopped those two killers who broke dozens of existing laws. The real lesson from Columbine is that we live in a culture that is badly in need of repair.

The solution to youth violence will come one child at a time as parents teach their children the difference between right and wrong. The solution will come when children are provided with nurturing and unconditional love from their parents. And the solution will come when we reject the violence and hate that fill so much of the pop culture consumed by so many of our children today.

An important step I have taken as Governor is to create an Office of Families and Children charged with ensuring that Colorado state policy is always family-friendly. I want to see a Colorado where we have healthy, well-educated children who can enjoy schools and neighborhoods safe from drugs and crime, and who can always look to their families for guidance and love.

I believe we must have as one of our central priorities the strengthening of Colorado's families. That means reducing taxes so moms and dads can keep more of their hard-earned money and thus be able to afford quality childcare. It means recognizing that both mothers and fathers play a critical role in the raising of children. And it also means reaffirming that marriage is a fundamental vow taken between a man and a woman.

Strengthening families also means that government must admit that it is often a poor safety net for those in need when compared to extended families, faith-based organizations and community groups. The faith-based community worked tirelessly in the aftermath of the Columbine tragedy to help the victims and their families. They opened up their counseling offices and shelters and worked around the clock to help thousands of Coloradans in need. Colorado must continue to foster and encourage more collaboration and partnerships with faith-based organizations.

Friends, a year ago I asked this legislature, regardless of the issue, to either help Colorado's families or, in words of Hippocrates, "to do no harm." I have issued an Executive Order that requires all departments in state government to do the same. Every action we take must be measured against a simple standard – a Family Impact Statement, if you will. If it harms the family, we shouldn't do it.

That is why last session I vetoed a bill that did not go far enough to protect children using computers in public libraries from having access to harmful material on the Internet. This session I ask the General Assembly to be proactive and pass legislation that would require every public school and library in the state to adopt policies and procedures to prevent children from accessing obscene, hateful and violent material on those taxpayer-funded computers.

Fighting Crime in Colorado

We can also help Colorado's families by providing them with safe communities. In response to legislation

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prosecute those who break the law. Local law enforcement officials *must* have the resources they need to prosecute offenders of these laws. Thus I am announcing today the award of up to 35 Rural Law Enforcement Grants with funds totaling almost half a million dollars for use in fighting crime in rural Colorado.

And what about our judicial system? Well, a year ago, I promised to appoint men and women of unquestioned experience, integrity, fairness and character to serve as judges. I am pleased to report that the 14 judges I have appointed will be tough on crime and care as much about the victim's rights as the criminal's. In fact, many of the 14 judges I have appointed were either prosecutors at the time of their appointment or had prior prosecutorial experience.

We must make sure that we are able to find and apprehend our State's most violent fugitives, and bring to justice those who continue to avoid prosecution. I want to thank Senator Gigi Dennis and Representative Gary McPherson for sponsoring legislation that would create the Fugitive Squad within the Department of Public Safety. This squad will be responsible for locating and arresting those felons who remain at large and bringing them to justice so that they are unable to victimize anyone else.

We must also ensure that repeat offenders are treated and punished as such. That is why I support Representative Andy McElhany's legislation that will ensure that parolees or previously convicted felons found carrying a gun will have their parole revoked, they will be recharged as a felon, and will be immediately returned to prison.

Now let me be clear. The Second Amendment guarantees that law-abiding citizens have a right to own firearms. But we must take commonsense steps to keep guns out of the hands of children and criminals. In our report on youth violence, Attorney General Salazar and I outlined several commonsense measures regarding firearms.

First, we should ban "straw purchases" of firearms. Second, we should include juvenile records in background checks for firearm purchases. Third, we should require that firearms be safely stored in the home. I am not talking about trigger locks or locking up all firearms – I am talking about safe storage. I co-sponsored this proposal as a State Senator in 1992 – we should pass it in 2000. Fourth, there should be a state background check for guns purchased at gun shows to ensure that criminals are not trying to purchase weapons. And fifth, Colorado law should mirror federal law and raise the age for purchasing handguns from 18 to 21.

We should also make the possession of a weapon used in a class one felony an aggravating factor for purposes of imposing the death penalty, as a bill by Representative Shawn Mitchell will do.

Finally, I encourage the General Assembly to pass a bill by Senator Dave Owen and Representative Gayle Berry to make permanent the state criminal background check system for gun purchases. During a four-month period last year when *only* the FBI conducted background checks – meaning Colorado was not conducting checks – 67 individuals who committed crimes such as homicide, domestic violence, aggravated assault and drug trafficking, and were prohibited from owning firearms, were permitted to purchase one. Had the Colorado Bureau of Investigation been conducting background checks in conjunction with the FBI, these criminals would not have been permitted to purchase guns. Friends, we *must* reinstate background checks.

There is even more we should do to safeguard Colorado's citizens – wage a fight against drugs. Methamphetamine is the new drug of choice in Colorado. It can be manufactured with legal substances, which makes it more dangerous and threatening than other illegal drugs. Because methamphetamine is so

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I also support Representative Penn Pfiffner's concept to create a "two strikes and you are out" rule for child molesters. I believe Representative Pfiffner's proposal is a critical step toward protecting our children from pedophiles.

Tax Relief for Colorado's Families

Next I would like to discuss with you the need to provide tax relief for hard working Coloradans.

Last session when you passed, and I signed, the largest tax relief package in Colorado history, we passed 19 separate tax relief bills, including a permanent reduction in the state income tax.

Last year we also passed a number of other important tax relief bills, including the elimination of the marriage tax penalty, a refund of the business personal property tax, and a reduction in taxes on capital gains, dividends and interest earnings. We also provided an enhanced earned-income tax credit for the poor, to ensure that all Coloradans benefit from tax relief.

Yet even with last year's \$922 million dollars worth of permanent and temporary tax relief, my budget office estimates that over the next six years the surplus will be \$5.8 billion. Legislative Council's estimates are even higher at \$6.4 billion.

Friends, I believe it is wrong to collect those taxes, keep them for a year without paying interest, and then refund these taxes back to those who often did not pay any taxes in the first place. I know a lot of Coloradans who were excited about getting a tax refund until they realized it was their money to start with.

Therefore, today I would ask this General Assembly to pass additional permanent tax cuts. We should permanently reduce the state income tax rate, the state sales tax rate, or both. Several months ago I called for a minimum of \$100 million in new permanent tax cuts. But because the surplus keeps going up, so too should the tax relief we provide.

I believe we should permanently cut taxes by at least \$200 million. Let me repeat that: I believe the floor on permanent tax cuts must be \$200 million, though there is certainly room to go higher. With budget surpluses so large, there is plenty of room to cut taxes and still ensure adequate state resources for a rainy day.

It was Ben Franklin who said "in this world nothing can be said to be certain, except death and taxes." Let's work together to make certain that there are a few less taxes in Colorado.

Government Streamlining

Our goal in State Government should be to do more with less, to provide even more efficient and effective services for citizens. As we move into this new century, those of us responsible for state government are facing a moment of truth. Colorado business is on the cutting edge of the technology world. It is essential that we transform state government so that we too are prepared for the digital age.

That is what New Century Colorado, in partnership with the Joint Budget Committee, will do.

The goal of this long-term effort is to make our state government more efficient in order to better serve our citizens. This project – still in its infancy – has already found \$17 million dollars in executive branch savings. The long-term savings will be even greater. I welcome the assistance of state employees working with the New Century Colorado team to help me make state government more efficient – and more cost effective.

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Our challenge is to welcome the prosperity that our new residents provide while maintaining the quality of life that we benefit from every day.

That challenge is the foundation of "Smart Growth: Colorado's Future." This initiative recognizes the diversity that makes Colorado unique. It is a specialized package of incentives – not mandates – geared toward saving our natural landscapes, promoting strong neighborhoods, and building our transportation future while providing economic opportunities for the entire state. This plan is right in line with work being done by an Interim Committee on growth chaired by Senator Bryan Sullivant, and I thank them for their efforts.

I urge the legislature to support and pass bills such as Representative John Witwer's to promote the preservation of more open space and wildlife habitat.

We also need to provide more tools to allow our local governments to better address growth issues. I am pleased that Representative Matt Smith is working with our cities and counties on an important bill to bring real change to how our incorporated and unincorporated areas work together. I also believe it is long past time that we put an end to the worst excesses of flagpole annexations, as is outlined in legislation sponsored by Senator Stan Matsunaka and Representative Jack Taylor.

Of course, we must recognize that while Colorado on the whole is currently enjoying a prosperous economy, this prosperity is primarily concentrated in our more heavily populated areas. Much of the remainder of the state continues to struggle with low incomes, little job creation and diminished opportunities for economic prosperity. We must bring prosperity to all of Colorado. I support President Ray Powers' efforts to reform the enterprise zone program so that we can better target tax incentives to those areas of our state that truly deserve this assistance. I also support Speaker Russ George's effort to find a way to provide for revenue sharing among local governments.

Improving Public Education

Next I would like to discuss the single most important issue facing Colorado: Providing every Colorado child with a safe and excellent education.

Public education in Colorado is doing a good job for many of our children. There are tens of thousands of wonderful and dedicated teachers in our public schools. And I know that hundreds of our public schools provide a good education – including the three public schools that our children attend.

However, we are in danger of leaving too many of Colorado's children behind. The Colorado Student Assessment Program scores dramatize the problem facing public schools:

- Thirty percent of Colorado's third grade students could not read at grade level.
- And nearly 50 percent of Colorado's seventh grade students could not read at grade level
- And friends, the figures are even worse for writing: More than 65 percent of fourth graders cannot write at grade level.

The test scores are alarming enough. But when we consider illiteracy, high dropout rates and issues concerning school safety, it is clear we have a serious problem. So as I think about our education challenge, I am reminded of what Dwight Eisenhower once said, "We succeed only as we identify in life, or in war, or in anything else, a single overriding objective, and make all other considerations bend to that one objective." So it is with reforming our public schools – it is time to make all other considerations bend to that one objective.

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countless teachers and principals, listening and learning about their concerns regarding education.

I want to share with you the frightening results of a survey on school discipline. In the 1940's, the top five problems in public schools were talking, chewing gum, making noise, running in the halls and getting out of turn in line. A more recent survey listed the top five problems to be drug abuse, alcohol abuse, pregnancy, suicide and rape.

We all agree that most decisions about school safety must be made at the local level. However, the State does have an important role to play in ensuring that every child in Colorado has a drug-free and crime-free school. I am pleased that Senator Ken Arnold and Representative Dorothy Gotlieb are sponsors of our school safety reform legislation.

We must also strengthen the ability of schools, law enforcement agencies, and other government agencies to share information about disruptive children, as Representative Scott McKay's bill would do. A child arrested on Saturday night is just as capable and likely to again misbehave on Monday morning. We must make it clear that a school can communicate with any law enforcement jurisdiction in the state – even across county lines.

And no teacher should be subject to verbal or physical harassment. Students should not be kept from learning because of a disruptive classmate. Therefore, I am proposing that teachers be given enhanced powers to remove troublemakers from their classes. I sponsored such legislation as a state senator and it was vetoed after school administrators objected. Yet empowering teachers to maintain order in their classrooms is an even more important priority today.

That raises the question: What do we do with the disruptive students who have been expelled? We must provide suitable alternatives for them other than wandering the streets. Principals and teachers across Colorado have told me that we need to have more schools capable of dealing with high-risk students, potential dropouts, and those who are disruptive.

Thus, I propose the creation of *Alternative Charter Schools* for high-risk and expelled students. The schools will provide a more suitable education environment for disruptive students than regular public schools. However, because these schools for high-risk students can be expensive, I suggest that, over the next few years, the State invest in these *Alternative Charter Schools* by using state capital construction dollars to fund the start-up capital costs of these schools.

Children cannot learn in schools that are not safe and orderly – that is why I have emphasized this issue first in discussing education. Next I would like to address an even more fundamental question: How can our public schools do a better job of educating every child? I believe we can improve education by always remembering that education is first, last and always about the child.

It is not about school boards, it is not about legislators, it is not about school principals, teachers or the School Finance Act – it is about the child.

That is why I am asking the General Assembly to invest significant new dollars in Colorado's public schools. Last year you passed and I signed a School Finance Act that, for the first time in this decade, fully funded public schools for enrollment and inflation. In the budget I submitted to the Legislature several weeks ago, I again put education first and proposed \$111 million in new dollars to once again fully fund public schools. In addition, every education reform I am proposing is fully funded in my budget and will impose no unfunded

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reading at grade level or above. My plan calls for enrolling third graders in public schools who fail the state reading test in proven reading programs such as after school tutoring, summer school programs, or in-school reading clinics.

Friends, we are in danger of having two groups of children in Colorado – one that can read and one that can't; one that dreams and one that doesn't. I want *all* of Colorado's children to be able to read and I want *all* of Colorado's children to be able to dream. It was Victor Hugo who said, "There is nothing like a dream to create the future." I couldn't agree more, which is why learning to read at an early age is so important.

I continue to believe that a significant portion of the tobacco settlement monies should go to funding *Read to Achieve*. But we can jump-start the program now – this year. Early this session you will get a bill sponsored by Senator John Andrews and Representatives Abel Tapia and Joyce Lawrence authorizing the *Read to Achieve* program and appropriating \$12 million in one-time General Fund dollars for the current fiscal year. I ask for your support of this bill, which will allow thousands of third graders to attend reading summer school this year – and which will save many of them from a lifetime of failure.

We also need to focus in education on the basics of reading, writing and math. The current state testing should be expanded to annually test reading, writing and math in order to better monitor student achievement. The state should pay for these assessments, and my budget therefore provides the funds to cover the cost of these tests.

I believe that every child can learn. We must therefore test in order to ensure that teaching is translated into learning for every child – yearly testing will allow us to measure the progress of our children and of our schools.

You know, Ralph Waldo Emerson once observed that "what we call results are beginnings." Emerson may have had in mind our proposal to produce a Performance Report Card for every public school in the state. Just as students receive grades of A, B, C, D or F, so should Colorado's public schools. Academic performance will be measured using the ACT and the CSAPs, examining each school on overall scores, year-to-year growth and how well all students perform. School safety will also be measured.

Some will say that grading schools is insensitive. They say it is wrong to use the letter "F" because it signifies failure. To me, that is *exactly* why we need the rating system. Effective reform starts with accountability. Someone should be praised when schools succeed, and someone must be responsible when schools fail. If schools fail, we must be bold enough to challenge the status quo. Our children deserve at least that.

Seeing that a child's school has a failing grade would certainly serve as a wake-up call to parents – it would motivate them to get more involved in their child's school. And since no community wants to be the home of a failed school, the local community would quickly become involved in improving these failing schools.

And when we hear people complain that we can't reform education because it is just too hard, or too complicated to make things better, I want you to remember that it was Mark Twain who once said, "Few things are harder to put up with than the annoyance of a good example." I want you to think about Bessemer Elementary School in Pueblo.

In just three years Bessemer raised its third grade reading scores from 12 percent proficiency to 74 percent proficiency. What a remarkable accomplishment for their students, and what an "annoyance" to those who argue for the status quo.

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granted a waiver from state red tape.

While rewarding excellence, we must also work to prevent public school failure. President John Kennedy said, "A child miseducated is a child lost." Friends, we cannot afford to lose even one child – let alone thousands of children. But when one out of every two Hispanic students who enters the first grade drops out of school before graduating from the twelfth grade, we are losing too many children.

We must help those students consigned to failing schools. My plan will do that. First, any low-income parent whose school's overall academic performance is graded a D or below on a School Report Card will become eligible for a transportation token. The parents will use these transportation tokens to help offset the cost of transporting their child to a better public school. These tokens will finally help make public school choice a reality in Colorado.

We must take an additional step with the handful of schools across Colorado that will get an overall academic grade of "F." We are not talking about hundreds of schools, just the relative handful of Colorado's worst schools. These are the schools that consistently fail with few prospects for improvement.

The evidence is clear that if a child receives a poor education three years in a row, that student will never catch up. So to say to a child: "We know your school has failed, but we are content to wait years for it to improve," is to risk condemning that child to a lifetime of failure.

Therefore, Colorado should no longer leave even one child in a failed school. Any poor child in a failed school should be able to use transportation tokens to transfer to a better public school. And for those who choose to remain, the State should convert the failed school into an *Independent Charter School*.

The State Board of Education will select – through a competitive bid process – public, private, for-profit or non-profit groups with successful track records to come in and implement proven management, academic and operating programs in the school. The failed school will be converted to an *Independent Charter School*. This will free the new management to put in place necessary reforms, including staff changes and curriculum improvements.

When we hold our schools more accountable, we must ensure that they have the tools to succeed. That is why my reform plan also calls for \$4 million dollars in grants for professional development for teachers. These grants will go to individual schools for the principals to improve teacher training and development.

There are, however, those teachers who would perhaps be better suited for a different profession. Therefore, my plan calls for replacing teacher tenure for all newly hired teachers. I believe that teacher tenure has outlived its original purpose and today serves to protect a relative few teachers at the expense of not only their colleagues, but also the children that they are entrusted to educate. Therefore, I believe that in the future, all new teachers should be hired on contracts that give school districts more flexibility in the retention and dismissal of teachers.

I cannot discuss education in Colorado without mentioning higher education. The importance of higher education for future generations is growing every day, particularly as technology advances literally at the speed of light. But in order to keep up with these technological advances, again, students must have a clear and solid grasp of the keys to education – reading, writing and mathematics. In fact, many of today's high tech courses don't necessarily require a high-tech background, but instead they require reading, writing and math skills, as well as some basic computer skills.

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All of these proposals are part of a larger vision – seeing that every child in Colorado receives the quality education they deserve. I am pleased that Senator Norma Anderson and Representative Debbie Allen will sponsor this education reform effort. The passage of this legislation is my highest priority.

Today I make this commitment – I will not waver in my dedication to transforming our public schools into centers of educational excellence. *Every single child* in Colorado – regardless of race, income, background or geography – deserves a quality teacher, a safe and orderly school, and an education that prepares them to succeed.

We spend more than \$2 billion dollars of state money alone every year on our public schools. The time has come to stand up, to be bold and to demand more from our investment in education. Therefore, before signing into law the next School Finance Act, I hope that this General Assembly will have first sent to my desk education reform bills that truly put children first.

Let me be clear: Without reforms such as these in place, it will be difficult for me to merely sign a School Finance Act that would continue the status quo. The status quo is no longer acceptable.

When it comes to education reform and this session of the Legislature, I think most Coloradans will agree with Andrew Carnegie when he said, "As I grow older I pay less attention to what people say. I just watch what they do."

And so this year, my friends, Colorado will pay less attention to what we *say* about education reform and more attention to what we *do* about education reform.

Conclusion

Ladies and gentlemen, we have worked hard to build a promising future. Today, from Grand Junction to Burlington, more people are working. Today, from Alamosa to Pueblo, our schools are striving for excellence. Today, from Gunnison to Sterling, Colorado families are able to keep more of their hard-earned dollars by paying less in taxes.

We certainly have a lot to be proud of, but we cannot be content. The agenda I have outlined today is bold, broad and ambitious. I want to reach out my hand to everyone here – in both Houses, in both parties – and ask you to join me in saying to all Coloradans that we will work together to make Colorado an even better place to live and raise a family – and that we will accept nothing less.

Let's show the people who hired us – the people of Colorado – what we can accomplish when we work together with a shared vision. With energy, dedication, and resolution I ask you to join me in saving what is best about Colorado and improving the rest.

Thank you, God bless you, and may God bless the great State of Colorado.

-End-